

立法會
Legislative Council

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Tel : 2869 9205
Date : 12 April 2007
From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 2 May 2007

**Proposed resolution under
the Legal Aid Ordinance**

I forward for Members' consideration a proposed resolution which the Chief Secretary for Administration will move at the Council meeting of 2 May 2007 under the Legal Aid Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Chief Secretary for Administration will deliver when moving the proposed resolution, is also attached.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

LEGAL AID ORDINANCE

RESOLUTION

(Under section 7(a) of the Legal Aid Ordinance (Cap. 91))

RESOLVED –

- (a) that the Legal Aid Ordinance (Cap. 91) be amended –
 - (i) in section 5(1), by repealing “\$158,300” and substituting “\$162,300”;
 - (ii) in section 5A(b) –
 - (A) by repealing “\$158,300” and substituting “\$162,300”;
 - (B) by repealing “\$439,800” and substituting “\$450,800”; and
- (b) that this Resolution shall come into operation on a day to be appointed by the Director of Administration by notice published in the Gazette.

**Speech by the Chief Secretary for Administration
in the Legislative Council on 2 May 2007**

**Resolution under section 7(a)
of the Legal Aid Ordinance (Cap. 91)
Financial Eligibility Limits of the Legal Aid Applicants**

Madam President,

I move the Resolution standing in my name on the agenda.

2. At present, a person whose financial resources do not exceed \$158,300 is financially eligible for legal aid under the Ordinary Legal Aid Scheme. The corresponding limit for the Supplementary Legal Aid Scheme is \$439,800. The limits are set out in section 5 and 5A of the Legal Aid Ordinance. The limit for the Ordinary Scheme also applies to criminal legal aid. Our policy is to review the limits annually to take into account movements in consumer prices, so as to maintain the real value of the limits.

3. We last increased the limits by 1.6% in June 2006 to reflect the cumulative change in Consumer Price Index (C) recorded during the reference periods of the 2004 and 2005 annual reviews.

4. We have completed the 2006 review. The increase in the consumer price index between July 2005 and July 2006 is **2.5%**. Having consulted the Panel on Administration of Justice and Legal Services, we now propose the Resolution to adjust upward the limit for the Ordinary Scheme from \$158,300 to \$162,300, which will also apply to criminal legal aid and that for the Supplementary Scheme from \$439,800 to \$450,800, in accordance with the 2.5% increase in consumer price index.

5. I invite Members to support the Resolution.
