

**立法會**  
**Legislative Council**

LC Paper No. CB(3) 560/10-11

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Tel : 2869 9270

Date : 7 March 2011

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 30 March 2011**

**Proposed resolution under section 34(2) of the  
Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Home Affairs will move at the Council meeting of 30 March 2011 under section 34(2) of the Interpretation and General Clauses Ordinance relating to the Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2011 published in the Gazette as Legal Notice No. 35 of 2011. 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 Chinese and English, which the Secretary will deliver when moving the proposed resolution is also attached.

(Ms Dora WAI)  
for Clerk to the Legislative Council

Encl.

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## Interpretation and General Clauses Ordinance

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### Resolution

(Under section 34(2) of the Interpretation and General Clauses Ordinance  
(Cap. 1))

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### Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2011

**Resolved** that the Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2011, published in the Gazette as Legal Notice No. 35 of 2011 and laid on the table of the Legislative Council on 2 March 2011, be amended as set out in the Schedule.

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## Schedule

### Amendment to Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2011

- Section 3 amended**  
Section 3(2), Chinese text, new rule 8(2)(a)—  
**Repeal**  
“第 50 個百分值住戶開支”  
**Substitute**  
“住戶開支第 50 個百分值”.

**(Translation)**

**Speech by the Secretary for Home Affairs  
in the Legislative Council on 30 March 2011**

**Resolution under section 34(2)  
of the Interpretation and General Clauses Ordinance (Cap. 1)  
Amendment to Legal Aid (Assessment of Resources and  
Contributions) (Amendment) Regulation 2011**

President,

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

We have completed the five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants, and laid the Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2011 on the table of the Legislative Council on 2 March 2011. The Amendment Regulation will implement the following improvement measures –

1. the median monthly household expenditure be used to replace the 35-percentile household expenditure as a deductible component in calculating disposable income of legal aid applicants; and
2. an amount equivalent to the financial eligibility limit of the Ordinary Legal Aid Scheme be disregarded from the savings of the elderly legal aid applicants who have reached the age of 60, irrespective of their employment status, when calculating their disposable capital.

We agree with the advice of the Legal Adviser of the Legislative Council Secretariat that the term “住戶開支第 50 個百分值” is better phrased and therefore should replace “第 50 個百分值住戶開支” in the Chinese text of the Amendment Regulation. Details of the amendment have been reflected in the paper circulated to Members.

I invite Members to support the Resolution.