

For information

**Legislative Council Panel on
Administration of Justice and Legal Services**

**Annual Review of Financial Eligibility Limits
of Legal Aid Applicants**

PURPOSE

The 2011 annual review of the financial eligibility limits (FELs) of legal aid applicants has been completed. This paper informs Members of the outcome of the review.

BACKGROUND

2. The purpose of the annual review is to take into account changes in the Consumer Price Index (C) (CPI(C)) so as to maintain the real value of FELs of the Ordinary Legal Aid Scheme (OLAS) and the Supplementary Legal Aid Scheme (SLAS). A person whose financial resources¹ do not exceed the FELs is financially eligible for legal aid.

THE 2011 ANNUAL REVIEW

3. The change in the CPI(C) recorded during the 2011 review period, i.e. July 2010 to July 2011, was +5.4%.

4. The FELs for OLAS and SLAS as at July 2010 were \$175,800 and \$488,400 respectively. According to the results of the annual review, the FELs should be increased by 5.4% to \$185,300 and \$514,800 respectively. Nonetheless, the Administration has

¹ Financial resources means the aggregate of an applicant's yearly disposable income and disposable capital. A person's disposable income is his gross income minus deductible items as allowed under the Legal Aid Ordinance. A person's disposable capital is the sum of his credit balance, money due to him, the market value of non-money resources and the value of business or share in a company, minus deductible items as allowed under the Legal Aid Ordinance.

implemented legislative amendments in May 2011 pursuant to the five-yearly review of the FELs to increase the FEL for OLAS to \$260,000 (i.e. +48%) and the FEL for SLAS to \$1,300,000 (i.e. +166%), which are substantially higher than the 5.4% increase in the CPI(C) during the review period. In view of the above, the Administration will not make further adjustments to the FELs pursuant to the 2011 annual review exercise.

5. Members are invited to note the outcome of the review.

**Home Affairs Bureau
Legal Aid Department
February 2012**