

立法會
Legislative Council

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Date : 19 June 2015

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 8 July 2015

Proposed resolution under the Legal Aid Ordinance

The Secretary for Home Affairs will move, at the Council meeting of 8 July 2015, a proposed resolution under section 7(a) of the Legal Aid Ordinance (Cap. 91). The proposed resolution is attached for Members' consideration. 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.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

Legal Aid Ordinance

Resolution

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

Resolved that the Legal Aid Ordinance (Cap. 91) be amended as set out in the Schedule.

Schedule

Amendments to Legal Aid Ordinance

1. Section 5 amended (persons eligible for legal aid)

Section 5(1)—

Repeal

“\$269,620”

Substitute

“\$290,380”.

2. Section 5A amended (supplementary legal aid)

Section 5A(b)—

(a) **Repeal**

“\$269,620”

Substitute

“\$290,380”;

(b) **Repeal**

“\$1,348,100”

Substitute

“\$1,451,900”.

(Translation)

**Speech by the Secretary for Home Affairs
in the Legislative Council on 8 July 2015**

**Proposed Resolution under section 7(a)
of the Legal Aid Ordinance (Cap. 91)**

President,

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

In accordance with section 5 of the Legal Aid Ordinance (LAO), a person whose disposable financial resources do not exceed \$269,620 is financially eligible for legal aid under the Ordinary Legal Aid Scheme (OLAS). The financial eligibility limit for the Supplementary Legal Aid Scheme (SLAS), as stipulated under section 5A of the LAO, is \$1,348,100. The above-mentioned limit for OLAS also applies to criminal legal aid. The Government reviews the limits regularly to take into account movement in the Consumer Price Index (C) (CPI(C)), so as to maintain the real value of the limits.

The last adjustment implemented in June 2013 had taken into account the CPI(C) change of +3.7% between July 2011 and July 2012. For the present adjustment, we propose to increase the OLAS and SLAS FELs by 7.7% to reflect the accumulated change in CPI(C) recorded between July 2012 and July 2014. We now propose the Resolution to adjust upward the financial eligibility limit for OLAS from \$269,620 to \$290,380, and from \$1,348,100 to \$1,451,900 for SLAS.

The proposal is supported by the Legal Aid Services Council and the Legislative Council Panel on Administration of Justice and Legal Services.

I invite Members to support the Resolution. Thank you,
Mr President.