

立法會
Legislative Council

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Tel : 2869 9205

Date : 3 March 2004

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 17 March 2004

**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 17 March 2004 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.

(Ray CHAN)
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 “\$169,700” and substituting “\$155,800”;
 - (ii) in section 5A(b)-
 - (A) by repealing “\$169,700” and substituting “\$155,800”;
 - (B) by repealing “\$471,600” and substituting “\$432,900”; 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
at the Legislative Council sitting on 17 March 2004**

**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 \$169,700 is financially eligible for legal aid under the Ordinary Legal Aid Scheme. The corresponding limit for the Supplementary Scheme is \$471,600. The two limits are specified in the Legal Aid Ordinance. Our policy is to review, and adjust the limits periodically, to take into account changes in consumer prices, so as to maintain their real values.

3. In accordance with our review cycle, we completed in 2001, 2002 and 2003 three annual reviews of the financial eligibility limits to take account of changes in consumer prices. We note that there has been a significant and persistent decrease in consumer prices from July 2000 to July 2003. The cumulative decrease in Consumer Price Index (C) over the period is 8.2%. There is a need to adjust downward the financial eligibility limits to maintain their real values. Otherwise, some sections of the community would be brought into the net of legal aid for no reason other than the reduction in prices during this deflationary time.

4. We accordingly propose in the Resolution to adjust the limit for the Ordinary Legal Aid Scheme from \$169,700 to \$155,800, and that for the Supplementary Scheme from \$471,600 to \$432,900, in accordance with the cumulative reduction in consumer prices of 8.2% recorded during the period.

5. I am grateful to the Hon Margaret Ng, Chairman of the Subcommittee, and other Subcommittee members, for the time they have devoted to scrutinizing the resolution. I shall be happy to respond to views expressed by Members later in my concluding speech.

6. I invite Members to support the Resolution.