

**立法會**  
***Legislative Council***

LC Paper No. CB(3) 566/10-11

Ref. : CB(3)/M/OR

Tel : 2869 9270

Date : 10 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 the Legal Aid 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 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 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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**Legal Aid Ordinance**

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**Resolution**

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

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**Resolved that —**

- (a) the Legal Aid Ordinance (Cap. 91) be amended as set out in the Schedule; and
  - (b) this Resolution is to come into operation on a day to be appointed by the Secretary for Home Affairs by notice published in the Gazette.
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**Schedule**

**Amendments to Legal Aid Ordinance (Cap. 91)**

- 1. **Section 5 amended (Persons eligible for legal aid)**  
Section 5(1)—
  - Repeal**  
“\$175,800”
  - Substitute**  
“\$260,000”.
  
- 2. **Section 5A amended (Supplementary legal aid)**  
Section 5A(b)—
  - (a) **Repeal**  
“\$175,800”
  - Substitute**  
“\$260,000”;
  - (b) **Repeal**  
“\$488,400”
  - Substitute**  
“\$1,300,000”.

**(Translation)**

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

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

President,

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

In accordance with section 5 and 5A of the Legal Aid Ordinance, a person whose disposable financial resources do not exceed \$175,800 is financially eligible for legal aid under the Ordinary Legal Aid Scheme. The corresponding limit for the Supplementary Legal Aid Scheme is \$488,400.

We have completed the five-yearly review of the criteria for assessing the financial eligibility of legal aid applicants. In response to calls from the community, and having considered the views from the Legal Aid Services Council, the Legislative Council Panel on Administration of Justice and Legal Services, the legal profession and relevant stakeholders, we now propose the Resolution to adjust upward the limit for the Ordinary Scheme from \$175,800 to \$260,000, and that for the Supplementary Scheme from \$488,400 to \$1.3 million.

I invite Members to support the Resolution.