

立法會
Legislative Council

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Date : 7 June 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 26 June 2013

Proposed resolution under the Legal Aid Ordinance

The Secretary for Home Affairs will move at the Council meeting of 26 June 2013 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
“\$260,000”
Substitute
“\$269,620”.
2. **Section 5A amended (supplementary legal aid)**
Section 5A(b)—
 - (a) **Repeal**
“\$260,000”
Substitute
“\$269,620”;
 - (b) **Repeal**
“\$1,300,000”
Substitute
“\$1,348,100”.

(Translation)

**Speech by the Secretary for Home Affairs
in the Legislative Council on 26 June 2013**

**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 sections 5 and 5A of the Legal Aid Ordinance, a person whose disposable financial resources do not exceed \$260,000 is financially eligible for legal aid under the Ordinary Legal Aid Scheme (OLAS). The corresponding limit for the Supplementary Legal Aid Scheme (SLAS) is \$1,300,000. The above-mentioned limit for the Ordinary Scheme also applies to criminal legal aid. The Administration reviews the limits annually to take into account movement in consumer prices, so as to maintain the real value of the limits.

We have recently completed the 2012 annual review. The increase in Consumer Price Index (C) between July 2011 and July 2012 is 3.7%. We now propose the Resolution to adjust upward the limit for the Ordinary Scheme from \$260,000 to \$269,620, and from \$1,300,000 to \$1,348,100 for the Supplementary Scheme.

A Legislative Council (LegCo) Subcommittee was formed earlier and has completed scrutiny of the Resolution. We note that Members of the Subcommittee are concerned with the progress of the Administration's comprehensive reviews on the financial eligibility limits and coverage of OLAS and SLAS. The Home Affairs Bureau and the Legal Aid Department have commenced preparatory work for the reviews, and we will inform the LegCo Panel on Administration of Justice and Legal Services on the progress of the reviews in the 2013/14 legislative session. I would like to extend my appreciation to Hon Albert Ho, Chairman of the Subcommittee, and other Subcommittee members for the efforts made and valuable comments provided in scrutinising the Resolution, which facilitated the smooth completion of the Subcommittee's work. Subject to the passage of the Resolution, the Resolution will be gazetted and commence operation on 28 June 2013.

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