

Criminal Procedure Ordinance

Resolution

(Under section 9A of the Criminal Procedure Ordinance (Cap. 221))

Resolved that the Legal Aid in Criminal Cases (Amendment) Rules 2017, made by the Criminal Procedure Rules Committee on 2 May 2017, be approved.

Legal Aid in Criminal Cases (Amendment) Rules 2017

(Made by the Criminal Procedure Rules Committee under section 9A of the Criminal Procedure Ordinance (Cap. 221) with the approval of the Legislative Council)

1. Commencement

These Rules come into operation on a day to be appointed by the Secretary for Home Affairs by notice published in the Gazette.

2. Legal Aid in Criminal Cases Rules amended

The Legal Aid in Criminal Cases Rules (Cap. 221 sub. leg. D) are amended as set out in rules 3, 4 and 5.

3. Rule 21 amended (solicitor and counsel fees)

(1) Rule 21(8)(a)(i)—

Repeal

“\$840”

Substitute

“\$870”.

(2) Rule 21(8)(a)(ii)—

Repeal

“\$1,760”

Substitute

“\$1,830”.

(3) Rule 21(8)(a)(iii)—

Repeal

“\$1,560”

Substitute

“\$1,620”.

(4) Rule 21(8)(b)(i)—

Repeal

“\$1,000”

Substitute

“\$1,040”.

(5) Rule 21(8)(b)(ia)—

Repeal

“\$2,150”

Substitute

“\$2,230”.

(6) Rule 21(8)(b)(ii)—

Repeal

“\$1,910”

Substitute

“\$1,980”.

(7) Rule 21(8)(c)(i)—

Repeal

“\$1,360”

Substitute

“\$1,410”.

(8) Rule 21(8)(c)(ia)—

Repeal

“\$2,150”

Substitute

“\$2,230”.

- (9) Rule 21(8)(c)(ii)—

Repeal

“\$1,910”

Substitute

“\$1,980”.

4. Rule 23 added

After rule 22—

Add

“23. Transitional provision—Legal Aid in Criminal Cases (Amendment) Rules 2017

- (1) In this rule—

amending Rules (《修訂規則》) means the Legal Aid in Criminal Cases (Amendment) Rules 2017;

commencement date (生效日期) means the date on which the amending Rules come into operation.

- (2) If a solicitor or counsel is assigned to an aided person under these rules before the commencement date, these rules as in force immediately before the commencement date continue to apply to the solicitor or counsel in respect of the assignment as if the amending Rules had not been made.”.

5. Schedule amended (solicitor and counsel fees)

- (1) The Schedule, Part 2, item 1(a)—

Repeal

“\$1,000”

Substitute

“\$1,040”.

- (2) The Schedule, Part 2, item 1(b)(i)—

Repeal

“\$4,040”

Substitute

“\$4,200”.

- (3) The Schedule, Part 2, item 1(b)(ii)—

Repeal

“\$4,040”

Substitute

“\$4,200”.

- (4) The Schedule, Part 2, item 1(c)—

Repeal

“\$1,000”

Substitute

“\$1,040”.

- (5) The Schedule, Part 2, item 1(d)—

Repeal

“\$8,100”

Substitute

“\$8,420”.

- (6) The Schedule, Part 2, item 2(a)—

Repeal

“\$1,000”

Substitute

- “\$1,040”.
- (7) The Schedule, Part 2, item 2(b)(i)—
Repeal
 “\$4,040”
Substitute
 “\$4,200”.
- (8) The Schedule, Part 2, item 2(b)(ii)—
Repeal
 “\$4,040”
Substitute
 “\$4,200”.
- (9) The Schedule, Part 2, item 2(c)—
Repeal
 “\$1,000”
Substitute
 “\$1,040”.
- (10) The Schedule, Part 2, item 2(d)—
Repeal
 “\$8,100”
Substitute
 “\$8,420”.
- (11) The Schedule, Part 2, item 3(a)—
Repeal
 “\$1,360”
Substitute
 “\$1,410”.

- (12) The Schedule, Part 2, item 3(b)(i)—
Repeal
 “\$5,490”
Substitute
 “\$5,700”.
- (13) The Schedule, Part 2, item 3(b)(ii)—
Repeal
 “\$5,490”
Substitute
 “\$5,700”.
- (14) The Schedule, Part 2, item 3(c)—
Repeal
 “\$1,360”
Substitute
 “\$1,410”.
- (15) The Schedule, Part 2, item 3(d)—
Repeal
 “\$10,980”
Substitute
 “\$11,410”.
- (16) The Schedule, Part 2, item 4(a)—
Repeal
 “\$1,360”
Substitute
 “\$1,410”.
- (17) The Schedule, Part 2, item 4(b)(i)—

Repeal

“\$5,490”

Substitute

“\$5,700”.

- (18) The Schedule, Part 2, item 4(b)(ii)—

Repeal

“\$5,490”

Substitute

“\$5,700”.

- (19) The Schedule, Part 2, item 4(c)—

Repeal

“\$1,360”

Substitute

“\$1,410”.

- (20) The Schedule, Part 2, item 4(d)—

Repeal

“\$10,980”

Substitute

“\$11,410”.

- (21) The Schedule, Part 2, item 5(a)—

Repeal

“\$840”

Substitute

“\$870”.

- (22) The Schedule, Part 2, item 5(b)(i)—

Repeal

“\$3,430”

Substitute

“\$3,560”.

- (23) The Schedule, Part 2, item 5(b)(ii)—

Repeal

“\$3,430”

Substitute

“\$3,560”.

- (24) The Schedule, Part 2, item 5(c)—

Repeal

“\$840”

Substitute

“\$870”.

- (25) The Schedule, Part 2, item 5(d)—

Repeal

“\$6,860”

Substitute

“\$7,130”.

- (26) The Schedule, Part 2, item 5A(a)(i)—

Repeal

“\$21,240”

Substitute

“\$22,080”.

- (27) The Schedule, Part 2, item 5A(a)(ii)—

Repeal

“\$8,600”

Substitute

“\$8,940”.

- (28) The Schedule, Part 2, item 5A(b)(i)—

Repeal

“\$21,240”

Substitute

“\$22,080”.

- (29) The Schedule, Part 2, item 5A(b)(ii)—

Repeal

“\$23,540”

Substitute

“\$24,480”.

- (30) The Schedule, Part 2, item 5B(a)(i)—

Repeal

“\$21,240”

Substitute

“\$22,080”.

- (31) The Schedule, Part 2, item 5B(a)(ii)—

Repeal

“\$8,600”

Substitute

“\$8,940”.

- (32) The Schedule, Part 2, item 5B(b)(i)—

Repeal

“\$21,240”

Substitute

“\$22,080”.

- (33) The Schedule, Part 2, item 5B(b)(ii)—

Repeal

“\$23,540”

Substitute

“\$24,480”.

- (34) The Schedule, Part 2, item 5C(a)(i)—

Repeal

“\$28,320”

Substitute

“\$29,450”.

- (35) The Schedule, Part 2, item 5C(a)(ii)—

Repeal

“\$8,600”

Substitute

“\$8,940”.

- (36) The Schedule, Part 2, item 5C(b)(i)—

Repeal

“\$28,320”

Substitute

“\$29,450”.

- (37) The Schedule, Part 2, item 5C(b)(ii)—

Repeal

“\$31,400”

Substitute

“\$32,650”.

- (38) The Schedule, Part 2, item 5D(a)(i)—
Repeal
 “\$22,640”
Substitute
 “\$23,540”.
- (39) The Schedule, Part 2, item 5D(a)(ii)—
Repeal
 “\$8,600”
Substitute
 “\$8,940”.
- (40) The Schedule, Part 2, item 5D(b)(i)—
Repeal
 “\$22,640”
Substitute
 “\$23,540”.
- (41) The Schedule, Part 2, item 5D(b)(ii)—
Repeal
 “\$25,100”
Substitute
 “\$26,100”.
- (42) The Schedule, Part 2, item 6(a)(i)—
Repeal
 “\$14,130”
Substitute
 “\$14,690”.
- (43) The Schedule, Part 2, item 6(a)(ii)—

- Repeal**
 “\$7,040”
Substitute
 “\$7,320”.
- (44) The Schedule, Part 2, item 6(b)(i)—
Repeal
 “\$14,130”
Substitute
 “\$14,690”.
- (45) The Schedule, Part 2, item 6(b)(ii)—
Repeal
 “\$15,670”
Substitute
 “\$16,290”.
- (46) The Schedule, Part 2, item 7(a)(i)—
Repeal
 “\$18,390”
Substitute
 “\$19,120”.
- (47) The Schedule, Part 2, item 7(a)(ii)—
Repeal
 “\$7,710”
Substitute
 “\$8,010”.
- (48) The Schedule, Part 2, item 7(b)—
Repeal

“\$18,390”

Substitute

“\$19,120”.

- (49) The Schedule, Part 2, item 8(a)(i)—

Repeal

“\$18,390”

Substitute

“\$19,120”.

- (50) The Schedule, Part 2, item 8(a)(ii)—

Repeal

“\$7,710”

Substitute

“\$8,010”.

- (51) The Schedule, Part 2, item 8(b)—

Repeal

“\$18,390”

Substitute

“\$19,120”.

- (52) The Schedule, Part 2, item 9(a)(i)—

Repeal

“\$24,530”

Substitute

“\$25,510”.

- (53) The Schedule, Part 2, item 9(a)(ii)—

Repeal

“\$7,710”

Substitute

“\$8,010”.

- (54) The Schedule, Part 2, item 9(b)—

Repeal

“\$24,530”

Substitute

“\$25,510”.

- (55) The Schedule, Part 2, item 10(a)(i)—

Repeal

“\$19,610”

Substitute

“\$20,390”.

- (56) The Schedule, Part 2, item 10(a)(ii)—

Repeal

“\$7,710”

Substitute

“\$8,010”.

- (57) The Schedule, Part 2, item 10(b)—

Repeal

“\$19,610”

Substitute

“\$20,390”.

- (58) The Schedule, Part 2, item 11(a)(i)—

Repeal

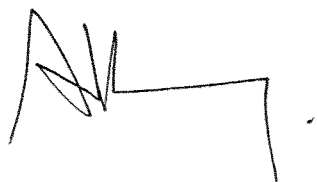
“\$12,240”

Substitute

- “\$12,720”.
- (59) The Schedule, Part 2, item 11(a)(ii)—
Repeal
 “\$6,320”
Substitute
 “\$6,570”.
- (60) The Schedule, Part 2, item 11(b)—
Repeal
 “\$12,240”
Substitute
 “\$12,720”.
- (61) The Schedule, Part 2, item 13—
Repeal
 “\$1,910”
Substitute
 “\$1,980”.
- (62) The Schedule, Part 2, item 14—
Repeal
 “\$1,560”
Substitute
 “\$1,620”.
- (63) The Schedule, Part 2, item 17(a)—
Repeal
 “\$14,700”
Substitute
 “\$15,280”.

- (64) The Schedule, Part 2, item 18(a)—
Repeal
 “\$3,300”
Substitute
 “\$3,430”.
- (65) The Schedule, Part 2, item 18(b)—
Repeal
 “\$2,710”
Substitute
 “\$2,810”.
- (66) The Schedule, Part 2, item 19(a)—
Repeal
 “\$14,700”
Substitute
 “\$15,280”.
- (67) The Schedule, Part 2, item 19(b)—
Repeal
 “\$7,340”
Substitute
 “\$7,630”.
- (68) The Schedule, Part 2, item 20—
Repeal
 “\$4,860”
Substitute
 “\$5,050”.

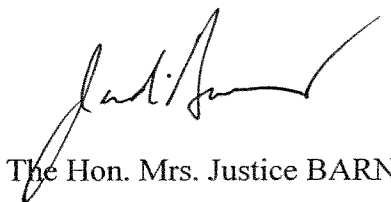
Made this 2nd day of May 2017.



The Hon. Mr. Justice CHEUNG
Chief Judge of the High Court



The Hon. Mr. Justice LUNN, V.P.



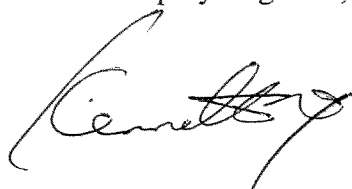
The Hon. Mrs. Justice BARNES



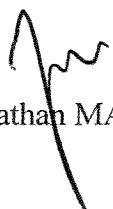
Andy HO
Senior Deputy Registrar, High Court



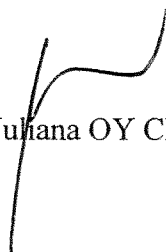
Ms Charlotte DRAYCOTT, S.C.



Kenneth NG



Jonathan MAN



Ms Juliana OY CHAN

Explanatory Note

The fees payable to solicitors or counsel assigned under the Legal Aid in Criminal Cases Rules (Cap. 221 sub. leg. D) (*principal Rules*) to represent legally aided persons are determined by the Director of Legal Aid (*Director*) according to the Table of Fees in the Schedule to the principal Rules. The Director may also re-determine some of the fees in certain circumstances under rule 21(8) of the principal Rules.

2. These Rules adjust the fees payable under that Table and that rule (see rules 3 and 5). Rule 4 provides for transitional arrangements.