

Aid means test postponed

BY LOUIS NG

THE LONG-AWAITED means test for legal aid applicants will be introduced on 1 October, four months later than the earlier proposed date of June this year.

The scheme had already been postponed from its initially planned introduction last year.

The scheme was delayed because of the Government's austerity measure to cut public expenditure and further delays stemmed from lack of sufficient funds.

Government sources said the funds allocated to the Legal Aid Department this year could only support the new scheme for half of the fiscal year.

"If we start in June, we may

run out of money," a source told *The Standard*.

The administration estimated the new scheme would cost the department about \$30 million each year.

The fund allocated for legal aid costs was \$142 million this year, compared \$134 million last year.

The extra \$8 million was just enough to meet the salary requirement of the new scheme for half a year.

The new test, named Financial Capacity Approach, would raise the eligibility limit for applicants for legal aid in the District Courts and the High Court to a maximum financial limit of \$120,000 disposable capital and monthly disposable income.

About 4,000 more applicants were expected to be able to

benefit from the new scheme.

At present, applicants can only receive legal aid if they have a maximum \$15,000 disposable capital and \$2,200 monthly disposable income (a total of \$41,400 disposable annual income and capital).

The administration is fine-tuning the related subsidiary legislation under the Legal Aid Ordinance.

Last year, the scheme was shelved to give way for another new scheme which expanded the service to cover all offences in the magistrate's courts.

Meanwhile, the Assistant Secretary for Constitutional Affairs John Leung said the branch had frozen its consideration on the setting up of the Court Challengers' Fund.

The branch would see if new legal aid scheme was sufficient to cover up the functions of the fund.