

法律援助


通訊 L.A.D. News
www.lad.gov.hk

2009年3月
第35期
March 2009
Issue No.35



法律援助署
Legal Aid Department

網上提交預辦申請的資料

 署的“電子服務入門網站”已於二〇〇八年十二月三十日正式啓用。凡年滿十八歲人士，均可在網上預先提交申請的資料，作為辦理法律援助申請的初步程序。

申請人須持有香港郵政或電子核證服務有限公司發出的數碼證書，方可在網上提交資料。此外，申請所涉及的訴訟須為非緊急個案，例如並非短期內進行聆訊的個案。關於持有“數碼證書”的規定，則旨在確保所提交的所有資料均予以保密，以及保證資料由有關的“數碼證書”持有人提供。


申請人可在本署網站www.lad.gov.hk主頁左邊按“電子服務”鍵登入“法律援助電子服務入門網站”。入門網站的主頁設有“下載預辦申請所需資料表格”的連結。申請人登入該連結網頁並同意下載表格的條款和條件後，須回答一些問題，包括擬提出的訴訟屬民事抑或刑事類別、案件性質、訴訟是否已經展開，以及申請人是否代他人提出申請等，申請人在填寫有關資料後，便可下載及填寫有關表格。

此外，入門網站設有“常見問題”和“相關資料”的連結，可幫助申請人回答有關問題。

在提交“預辦申請所需資料”表格後，本署會透過入門網站發出認收書，並給予申請人一個電子檔號。同時，本署會審閱申請人所提交的資料，並在有需要時聯絡申請人，以取得更多資料或澄清相關問題。如申請人所提交的資料足夠，本署便會通知申請人於指定日期前來辦理手續，以進行經濟審查及個案陳述等程序。由於本署事前已取得大部分所需資料，處理法律援助申請的時間將可縮短。

“法律援助電子服務入門網站”啓用後，市民已陸續成功登入有關網頁，顯示系統運作正常。本署鼓勵有需要申請法律援助而持有數碼證書的人士在網上提交預辦申請的資料。

Online submission of Pre-Application Information

 On 30 December 2008, the Legal Aid Department launched the Legal Aid Electronic Services Portal (LAESP). With the launch of LAESP, any person over the age of 18 can now submit pre-application information online to the Department as a first step towards making an application for legal aid.

To make use of this online submission procedure, an applicant must be the holder of a digital certificate issued by the Hong Kong Post and Digi-Sign and that the case for which legal aid is required must not be urgent, e.g. there is no imminent court hearing. The “digital certificate” requirement is meant to protect the confidentiality of any information submitted and to ensure that the information comes from none other than the certificate holder.

Applicant can access the LAESP at www.lad.gov.hk by clicking “Electronic Services” in the manual bar on the left hand side of the homepage. Once in the portal's main page, there is a “Download Legal Aid Pre-application Information Forms” link. Having gained entry and having agreed to the terms and conditions for downloading the form, the applicant will be asked a series of questions on matters such as whether the type of the intended proceedings is civil or criminal, nature of the case, whether court action has been instituted and if the applicant is making the application on behalf of another person etc. Once the questions are successfully answered, the appropriate form will be available for downloading and completion.

There are FAQs and related information to assist an applicant in answering the key questions.

When a completed pre-application information form is submitted, the Department will acknowledge receipt through the LAESP and the applicant will be assigned a transaction reference number. In the meantime, the Department will look at the information submitted and if necessary will contact the applicant for further information or clarification. Once sufficient information is supplied, the applicant will be given a date to attend the Department to deal with the formalities of making an application, e.g. having a means test and a full statement about the case taken by staff of the Department. As the Department will already have most of the information required, the time taken to make a full legal aid application will be reduced.

Since the launch, members of the public have successfully visited the LAESP online, a sign that the system is functioning. Any person holding a digital certificate and who wish to apply for legal aid is encouraged to make use of the online procedures for submitting pre-application information.

經濟審查計算程式



二〇〇八年十二月三十日推出的法律援助電子服務入門網站，不單可讓市民以電子方式在網上預先提交法律援助申請的資料，還附設經濟審查計算程式。市民可利用該程式初步評估本身的經濟狀況是否符合資格申請法援。

鑑於經濟審查計算程式得出的結果只作參考之用，申請人要確定是否符合申請法援的財務資格，須正式提交申請，在本署職員為其進行全面經濟審查後，才可決定其資產上限是否合乎規定。

市民如欲使用經濟審查計算程式，可在本署網站www.lad.gov.hk主頁左邊按“電子服務”鍵登入。

Means Test Calculator




The launch of the Legal Aid Services Electronic Portal on 30 December 2008 does not only provide the public with an electronic means of initiating an application for legal aid online, it also makes available to them a means test calculator. By using the calculator, members of the public will get some ideas on whether they would be eligible for legal aid on means if they apply for legal aid.

As the means test calculator only serves as a guide for member of the public to find out if they are financially eligible for legal aid, a person's financial eligibility can only be determined after a full means test is carried out by staff of the Department upon the making of an application for legal aid.

Members of the public can access the means test calculator in the Department's website at www.lad.gov.hk by clicking "Electronic Services" in the manual bar on the homepage.

調整個人豁免額


 二〇〇九年二月二十八日起，本署已調高法律援助申請人的法定個人豁免額，此豁免額乃在計算申請人的財務資源時，可從收入扣除的其中一個項目。豁免額每年按物價水平調整，新的豁免額以二〇〇八年的物價水平為根據。

新的個人豁免額詳列如下：

住戶人數	經調整的豁免額	舊豁免額
申請人	3,900元	3,710元
申請人及一名受養人	7,150元	6,800元
申請人及兩名受養人	9,660元	9,200元
申請人及三名受養人	11,230元	10,690元
申請人及四名受養人	13,510元	12,860元
申請人及五名受養人	14,970元	14,260元
申請人及六名或以上受養人	19,150元	18,230元

有關計算法律援助申請人的可動用收入及財務資源的詳情，請參閱本署出版的“怎樣計算你的財務資源及分擔費”小冊子。該小冊子可於本署網站www.lad.gov.hk下載或在本署各辦事處索取。

Personal Allowances Adjustment


 Starting from the 28 February 2009, all applicants for legal aid are given an increase to the amount of the statutory personal allowance they are entitled to deduct from the income when calculating their financial resources. The increase is the result of an annual adjustment based on the 2008 price level.

Full details of the new personal allowances are as follows:

Household Size	Adjusted Allowance	Previous Allowance
Applicant only	\$ 3,900	\$ 3,710
Applicant with 1 dependant	\$ 7,150	\$ 6,800
Applicant with 2 dependants	\$ 9,660	\$ 9,200
Applicant with 3 dependants	\$ 11,230	\$ 10,690
Applicant with 4 dependants	\$ 13,510	\$ 12,860
Applicant with 5 dependants	\$ 14,970	\$ 14,260
Applicant with 6 or more dependants	\$ 19,150	\$ 18,230


Detailed information on the calculation of disposable income and financial resources of an applicant for legal aid can be found in the leaflet “How Your Financial Resources and Contributions are Calculated” published by the Department. It can be downloaded from the Department’s website (<http://www.lad.gov.hk>) or obtained from the Department’s offices.

為少數族裔印製的 法援服務小冊子

 署一直致力向市民推廣法援服務。在香港這個多種族的社會，要有效地向少數族裔介紹這項服務，方法是莫如透過其國家的語言文字。為此，本署印製了孟加拉語、印度語、印尼語、尼泊爾語、菲律賓語、泰語和巴基斯坦語的法援服務小冊子。

現時，本署各辦事處、有關領事館、政府部門（例如懲教署、司法機構資源中心、勞工處、各區警署及民政事務總署諮詢服務中心）均備有小冊子以供索取，市民亦可在本署網站 www.lad.gov.hk 下載。

Information Leaflets on Legal Aid Services for Ethnic Minorities

 A continuous aim of the Department is to promote legal aid services to the general public in Hong Kong. An effective way to bring this about in a multi-racial society like Hong Kong is to let people from other ethnic origins read about the services offered by the Department in their own languages. The Department has therefore published information leaflets on legal aid services in Bengali, Hindi, Indonesian, Nepali, Tagalog, Thai and Urdu.

The information leaflets are now available from our Department, the relevant consulates, government departments such as the Correctional Services Department, Judiciary Resources Centre, Labour Department, Police Stations and Public Enquiries Service Centres of the Home Affairs Department. The information leaflets can also be downloaded from the Department's website at www.lad.gov.hk.



查詢

Enquiries

二十四小時查詢熱線
24-hour Hotline 2537 7677
法律援助署網頁
LAD Website <http://www.lad.gov.hk>
法律援助署電子郵箱
LAD e-mail ladinfo@lad.gov.hk

通訊地址 Correspondence Address

香港金鐘道六十六號金鐘道政府合署二十七樓
法律援助署—法援通訊小組委員會
電話：2867 2319 傳真：2869 0655
Legal Aid Department News Advisory Committee
Legal Aid Department
27/F, Queensway Government Offices, 66 Queensway, Hong Kong.
Tel : 2867 2319 Fax : 2869 0655