

## Financial Information Sheet

(with effect from 1 June 2024 )

Information contained in this Sheet must be read together with other legal aid publications where appropriate

### 1. Financial Eligibility Limits for Legal Aid <sup>Note 1</sup>

#### a) Civil Legal Aid

Ordinary Scheme	\$440,800
Supplementary Scheme	\$2,204,030

#### b) Criminal Legal Aid

\$440,800
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### 2. Deductible Personal Allowances <sup>Note 2</sup>

Household Size	Amount
Applicant only	\$7,510
Applicant with 1 dependant	\$12,310
Applicant with 2 dependants	\$18,070
Applicant with 3 dependants	\$23,160
Applicant with 4 dependants	\$31,720
Applicant with 5 dependants	\$34,910
Applicant with 6 or more dependants	\$38,190

### 3. Contribution Table for Ordinary Legal Aid Scheme

#### a) For cases where the applicants are within the means limit :

Financial Resources	Contribution Rates	Contribution payable <sup>Note 3</sup>
\$0 - \$55,100.00	-	\$0
\$55,100.01 - \$110,200.00	2%	\$1,102 - \$2,204
\$110,200.01 - \$165,300.00	2.5%	\$2,755 - \$4,133
\$165,300.01 - \$220,400.00	5%	\$8,265 - \$11,020
\$220,400.01 - \$275,500.00	10%	\$22,040 - \$27,550
\$275,500.01 - \$330,600.00	15%	\$41,325 - \$49,590
\$330,600.01 - \$385,700.00	20%	\$66,120 - \$77,140
\$385,700.01 - \$440,800.00	25%	\$96,425 - \$110,200

#### b) For cases where the Director exercises discretion <sup>Note 1</sup> :

Financial Resources	Contribution Rates	Contribution payable <sup>Note 3</sup>
\$440,800.01 - \$661,200.00	30%	\$132,240 - \$198,360
\$661,200.01 - \$881,600.00	35%	\$231,420 - \$308,560
\$881,600.01 - \$1,102,000.00	40%	\$352,640 - \$440,800
\$1,102,000.01 - \$1,322,400.00	45%	\$495,900 - \$595,080
\$1,322,400.01 - \$1,542,800.00	50%	\$661,200 - \$771,400
\$1,542,800.01 - \$1,763,200.00	55%	\$848,540 - \$969,760
\$1,763,200.01 - \$1,983,600.00	60%	\$1,057,920 - \$1,190,160
\$1,983,600.01 - \$2,204,000.00	65%	\$1,289,340 - \$1,432,600
exceeding \$2,204,000	67%	\$1,476,680 plus

#### 4. Contribution Table for Supplementary Legal Aid Scheme

	Type I Proceedings <sup>Note 4</sup>	Type II Proceedings <sup>Note 5</sup>
Initial application fee	\$1,000	\$5,000
Interim contribution <sup>Note 3</sup>	\$110,200	10% of assessed financial resources, but not less than \$110,200, whichever is the higher
Final contribution <sup>Note 6</sup>	[All costs and expenses incurred by the Director + percentage deduction <sup>Note 7</sup> ] – [interim contribution + application fee paid + costs recovered from the opposite party]	[All costs and expenses incurred by the Director + percentage deduction <sup>Note 8</sup> ] – [interim contribution + application fee paid + costs recovered from the opposite party]

#### 5. Director of Legal Aid's First Charge

**a) Costs of Registration**

\$2,600
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**b) Prescribed interest on the amount of First Charge**

2.756 % p.a. <sup>Note 9</sup>
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**c) Amount of monthly maintenance payable to a spouse or former spouse exempted from the Director of Legal Aid's First Charge**

\$9,540
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**Note 1:**

*The Director of Legal Aid may waive the financial eligibility limit in meritorious cases involving a possible breach of the Hong Kong Bill of Rights Ordinance or an inconsistency with the International Covenant on Civil and Political Rights. The Director also has discretion to grant legal aid in criminal cases to an applicant whose financial resources exceed the limit if he is satisfied that it is desirable in the interests of justice to do so. In both cases, a contribution on higher rates calculated in accordance with the financial resources of the applicants is payable.*

**Note 2:**

*The amounts of personal allowances are adjusted in February each year in line with the Consumer Price Index A, and every five years in line with the latest Household Expenditure Survey conducted by the Census and Statistics Department.*

**Note 3:**

*Contribution is payable upon acceptance of legal aid and may be paid by instalments if allowed by the Director.*

**Note 4:**

*Type I Proceedings cover the following cases :*

(a)	<i>Employees' compensation claims irrespective of the amount of the claim;</i>
(b)	<i>Representation for employees in appeals against awards made by the Labour Tribunal irrespective of the amount in dispute; and</i>
(c)	<i>Fatal and non-fatal personal injuries claims where the claim is likely to exceed \$75,000.</i>

**Note 5:**

Type II Proceedings cover the following cases where the claim is likely to exceed \$75,000 :

(a)	Medical and dental negligence claims;
(b)	Professional negligence claims against : <ul style="list-style-type: none"><li>- lawyers;</li><li>- certified public accountants (practising);</li><li>- registered architects;</li><li>- registered professional engineers;</li><li>- registered professional surveyors;</li><li>- registered professional planners;</li><li>- authorized land surveyors;</li><li>- registered landscape architects; and</li><li>- estate agents;</li></ul>
(c)	Negligence claims against insurers or their intermediaries in respect of the taking out of personal insurance products;
(d)	Monetary claims against vendors in the sale of completed or uncompleted first-hand residential properties;
(e)	Professional negligence claims against financial intermediaries licensed or registered for Type 1 (dealing in securities), Type 2 (dealing in futures contracts) or Type 8 (securities margin financing) regulated activities within the meaning of the Securities and Futures Ordinance (Cap.571); and
(f)	Monetary claims in respect of derivatives of securities, currency futures or other futures contracts on the basis that the person was induced to deal in those derivatives, futures or contracts by fraud, deception or misrepresentation.

**Note 6:**

Payable after the conclusion of the case if successful.

**Note 7:**

For employees' compensation claims and personal injuries claims:

- (a) except as otherwise provided in subparagraph (b) below, if the claim is settled before the date of commencement of the trial, the rate of contribution is 6%;
- (b) if the claim is settled before the date of commencement of the trial but after a brief for attendance at trial is delivered to counsel, the rate of contribution is 10%; and
- (c) in any other case, the rate of contribution is 10%.

For representation for employees in appeals against awards made by the Labour Tribunal:

- (a) except as otherwise provided in subparagraph (b) below, if the claim is settled before the date of commencement of the hearing of the appeal in the Court of First Instance, the rate of contribution is 6%;
- (b) if the claim is settled before the date of commencement of the hearing of the appeal in the Court of First Instance but after a brief for attendance at the hearing is delivered to counsel, the rate of contribution is 10%; and
- (c) in any other case, the rate of contribution is 10%.

**Note 8:**

- (a) Except as otherwise provided in subparagraph (b) below, if the claim is settled before the date of commencement of the trial, the rate of contribution is 15%;
- (b) if the claim is settled before the date of commencement of the trial but after a brief for attendance at trial is delivered to counsel, the rate of contribution is 20%; and
- (c) in any other case, the rate of contribution is 20%.

**Note 9:**

This rate is adjusted annually on 1 June each year.

