

A BILL

intituled

An Act to amend the Legal Aid Act 1971.

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BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Legal Aid (Amendment) Act 1994. Short title.
2. The Legal Aid Act 1971, which in this Act is referred to as the "principal Act", is amended in section 2 in the definition of "judge" by inserting after the words "High Court" the words ", the Court of Appeal or the Federal Court, as the case may be". Amendment of section 2. Act 26.
3. Subsection 15(2) of the principal Act is amended— Amendment of section 15.
 - (a) in subparagraph (b)(i) by substituting for the words "one thousand five hundred" the words "two thousand"; and
 - (b) in subparagraph (b)(ii) by substituting for the word "two" the word "three".
4. Subsection 16(1) of the principal Act is amended— Amendment of section 16.
 - (a) in subparagraph (b)(i) by substituting for the words "one thousand five hundred" and the word "eight" the words "two thousand" and the word "thirteen" respectively; and

(b) in subparagraph (b)(ii) by substituting for the word "two" and the words "seven thousand five hundred" the word "three" and the words "twelve thousand" respectively.

New section
16B.

5. The principal Act is amended by inserting after section 16A the following section:

"Registra-
tion fee. 16s. Any person who has qualified for legal aid under section 15, 16 or 16A shall be required to pay to the Director a sum of two ringgit as registration fee."

Amendment
of section 17.

6. Subsection 17(1) of the principal Act is amended—

(a) in the definition of "disposable capital"—

(i) by substituting for the word "one" appearing in paragraph (v) the word "two"; and

(ii) by substituting for the word "one" appearing in paragraph (vi) the word "three"; and

(b) in the definition of "disposable income"—

(i) by substituting for the words "four hundred", the words "one thousand two hundred and fifty" and the words "one thousand" appearing in paragraphs (i), (ii) and (iii) the words "one thousand", the words "two thousand" and the words "one thousand five hundred" respectively;

(ii) by deleting the word "and" appearing at the end of paragraph (ii);

(iii) by substituting for the full stop appearing at the end of paragraph (iii) the word "; and"; and

(iv) by inserting after paragraph (iii) the following paragraph:

"(iv) the amount paid by the applicant and the spouse of the applicant

towards the Employees Provident Fund and Employees Social Security.".

7. Paragraph 29(4)(b) of the principal Act is amended by substituting for the word "one" the word "two".

Amendment
of section
29.

EXPLANATORY STATEMENT

This Bill seeks to amend the Legal Aid Act 1971 ("the Act").

2. *Clause 2* seeks to amend the definition of "judge" so as to include a Judge of the Court of Appeal and the Federal Court.

3. *Clauses 3 and 4* seek to amend sections 15 and 16 of the Act respectively to increase the ceiling in respect of an applicant's disposable capital. With this amendment, more people would qualify for legal aid.-

4. *Clause 5* seeks to introduce a new section 16B for the collection of registration fees for all civil matters handled by the Legal Aid Bureau other than legal advice.

5. *Clause 6* seeks to amend the definitions of "disposable capital" and "disposable income" in section 17 so as to increase the amount that is to be excluded or deducted therefrom, It also seeks to add another category to be deducted from "disposable income" i.e. the amount paid towards the Employees Provident Fund and Employees Social Security.

6. *Clause 7* seeks to amend section 29 to increase the fee for legal advice from one to two ringgit.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.

[PN. (U²) 1698.]