

WHAT HAPPENS IF I FAIL THE MEANS TEST AND I AM FACING HARDSHIP?

Where an applicant fails the means test but is facing hardship, the Director may in any case where the applicant:

- (a) is living separate and apart from his spouse and where it appears to the Director in his absolute discretion to be reasonable to do so to relieve hardship, disregard the income of the spouse;
- (b) is suffering from any sudden physical or mental disability which permanently and severely restricts his capacity to earn an income and where it appears to the Director in his absolute discretion to be reasonable to do so to relieve hardship,
 - a. in determining the disposable capital, exclude savings of the applicant up to \$30,000; and
 - b. in determining the disposable income, deduct a further amount of:
 - \$1,000, in the case of an applicant who has also suffered a sudden loss of income and requires legal aid to defend or take legal proceedings as a matter of urgency; or
 - \$2,000 in any other case.
- (c) has suffered a sudden loss of income and requires legal aid to defend or take legal proceedings as a matter of urgency, and where it appears to the Director in his absolute discretion to be reasonable to do so to relieve hardship:
 - a. regard the total disposable income limit to be \$5,000 during the period of 6 months immediately preceding the date of application; and
 - b. regard the 'disposable income' to mean the income of an applicant together with the income of the spouse of an applicant during the period of 6 months immediately preceding the date of application, after deducting:
 - i. \$1,750 for each dependent,
 - ii. \$2,250 personal deduction for the applicant,
 - iii. an amount not exceeding \$500 for rent (if any),
 - iv. an amount equal to the applicant's contribution to the Central Provident Fund.

HOW CAN WE HELP YOU?

The Legal Aid Bureau was established in 1958 to provide legal advice, assistance and aid to persons of limited means.

'Advice' is oral information on Singapore Law and advice on what steps you might take in the circumstances. 'Assistance' is provided for the drafting of simple documents such as wills, deed polls, deeds of separation and achieving out-of-court settlements. 'Aid' means that we will help represent you in court proceedings.

If you need the services of a lawyer and cannot afford one, you may apply for legal aid.

REGISTRATION HOURS

Mondays to Fridays
8.30 am to 12.30 pm
2.00 pm to 5.00 pm

Saturdays
8.30 am to 12.30 pm

45 Maxwell Road #08-12
The URA Centre East Wing
Singapore 069118.
Tel: 1800-3251424 Fax: 6325 1402
www.lab.gov.sg

All information in this brochure is accurate as at June 2007

A GUIDE TO THE



LEGAL AID SCHEME



MINISTRY OF LAW
SINGAPORE

WHAT TYPE OF CASES ARE COVERED?

The Legal Aid Scheme covers civil matters such as divorce, custody of children, adoption, wrongful dismissal, letters of administration/probate, tenancy disputes, claims in contract and tort.

The Legal Aid Scheme does not cover criminal matters.

HOW DO I QUALIFY FOR LEGAL AID

To qualify for legal aid you must:

- a) be a Singapore citizen or permanent resident; and
 - b) pass the Means and Merits tests.
- 1) THE MEANS TEST determines your financial eligibility for legal aid based on the value of your annual household earnings and capital assets.
 - 2) THE MERITS TEST determines if there are reasonable grounds for granting legal aid in the circumstances of the case.

HOW DO I APPLY?

The first step is to come personally to the Bureau to register an application. If you are below 21 years of age, the application would have to be made on your behalf by your guardian. The registration fee is \$1.00 and you must bring your identity card.

Our customer service officers will take you through the Means Test by asking you questions about your income and assets. If you require oral advice, a legal officer on duty will answer your questions on the same day. If you require legal assistance or aid, an appointment will be given to you.

WHEN IS LEGAL AID GRANTED?

After an inquiry has been carried out on your application, an opinion on the merits of your application will be tabled before the Legal Aid Board. Legal Aid will be granted to you after the Legal Aid Board approves your application for Legal Aid.

DO I HAVE TO PAY FOR LEGAL AID?

You may be required to pay a small financial contribution to the Bureau for the work done. The amount of the contribution would depend on your income and assets, the complexity of the case and the type of work done.

THE MEANS TEST

Under the means test, persons with a disposable income of not more than \$10,000 per annum and a disposable capital of not more than \$10,000 may be granted legal aid.

“Disposable income” is defined in the Legal Aid and Advice Act (The Act) as the income of the applicant together with the income (if any) of the spouse of the applicant, during the period of 12 months immediately before the date of the application, after deducting:

- \$3,500 for each dependent.
- \$4,500 personal deduction for the applicant.
- an amount not exceeding \$1,000 for rent (if any).
- the applicant’s contribution to the Central Provident Fund.

“Disposable Capital” is defined in the Act as the property to which an applicant for legal aid owns, excluding:

- the subject-matter of the proceedings.
- the wearing apparel of the applicant.
- the tools of trade of the applicant.
- Household furniture used by the applicant in his house.
- a dwelling house owned and exclusively used by the applicant and his family as their home assessed at an annual value of not more than \$7,800 or a Housing and Development Board flat owned and exclusively used by the applicant and his family as their home.
- savings of the applicant of up to \$30,000, if he is of the age of 60 years and above.
- moneys standing to the credit of the applicant’s account in the Central Provident Fund.

WHAT HAPPENS TO MY CASE AFTER LEGAL AID IS GRANTED?

The Bureau will inform you that legal aid has been granted and a lawyer will be assigned to your case.

The Legal Officers of the Bureau handle most of the cases.

Some cases are assigned to volunteer-lawyers in private practice. They are our panel lawyers and will be paid by the Bureau.

WHAT DOCUMENTS DO I BRING FOR MY FIRST APPOINTMENT?

Please bring the following documents on the date of your first appointment to help us process your case.

- Your identity card
- Pay slip/letter from your employer showing your income for the past 12 months
- CPF Statement showing your contribution history for the past 12 months
- Latest income tax assessment
- Bank book/statement of account/fixed deposit receipts
- All other documents which are relevant to your case

Providing quality legal aid and advice to persons of limited means

ANSWER THESE QUESTIONS TO DETERMINE IF YOU ARE LIKELY TO QUALIFY FOR LEGAL AID

CAPITAL ASSETS		INCOME	
1. If you own any motor vehicle, what is its value?	\$ <input type="text"/>	1. What was your income for the last 12 months?	\$ <input type="text"/>
2. Do you own any property besides a HDB flat?	Yes / No	2. What was the income of your spouse for the last 12 months?	\$ <input type="text"/>
3. If the answer to 2. is yes, what is the annual value of the property in 2.?	\$ <input type="text"/>	Income	\$ <input type="text"/>
4. What amount do you have by way of savings in banks/financial companies in joint/personal accounts?	\$ <input type="text"/>	Less Deductions	
5. If you own any other assets, for example shares, what is their value?	\$ <input type="text"/>	3. How many persons are dependent on you?	x \$3,500 \$ <input type="text"/>
6. If you own any insurance policies, what is the total surrender value?	\$ <input type="text"/>	4. How many persons are dependent on your spouse?	x \$3,500 \$ <input type="text"/>
		5. Personal deductions	<input type="text"/> \$4,500
		6. Rent if any (subject to maximum of \$1,000 per annum)	\$ <input type="text"/>
Total Disposable Capital	\$ <input type="text"/>	Total Disposable Income (ie Total Income less Total Deductions)	\$ <input type="text"/>
Disposable Capital Limit	\$10,000	Disposable Income Limit	\$10,000

NOTICE TO APPLICANT

Under Section 21 of the Legal Aid & Advice Act (Chapter 160), an applicant who knowingly makes any false statement or representation shall be guilty of an offence and shall be liable on conviction to a fine of up to \$5,000 or imprisonment of up to 6 months or to both.