

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. \$3,000 for applicant.
- ii. \$3,000 for the working spouse.
- iii. Up to \$3,000 for each dependant.
- iv. an amount not exceeding \$10,000 for rent (if any)
- v. the applicant's contribution to the CPF.
- vi. the spouse's contribution to the CPF.

- (d) has applied for legal aid in respect of family proceedings as defined in the Act, where a minor is involved, to further exclude the following property in determining the disposable capital:
 - a. a dwelling-house owned and exclusively used by the applicant and his family as their home if the annual value of the dwelling-house is assessed at not more than \$20,000;
 - b. an additional amount equal to \$5,000

REGISTRATION HOURS

Mondays to Fridays
8.30 am to 5.00 pm

Saturdays
8.30 am to 12.00 pm

45 Maxwell Road #07-11
The URA Centre East Wing
Singapore 069118
Tel: 1800-2255 529 Fax: 6325 1402
<http://www.mlaw.gov.sg/lab>

All information in this brochure is accurate as at 21 July 2015

A GUIDE TO THE



LEGAL AID BUREAU

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 Test

The Means Test determines your financial eligibility for legal aid based on the value of your annual household earnings and capital assets.

The Merits Test determines if there are reasonable grounds for granting legal aid in the circumstances of the case.

WHAT TYPE OF HELP CAN I GET?

The Legal Aid Bureau provides 3 categories of professional help. They are:

- a) Legal Advice – It consists of oral advice on Singapore Law.
- b) Legal Assistance – It includes drafting of simple documents.
- c) Legal Aid – it covers representation in civil court actions.

For Legal Advice and Assistance, you must pass the Means Test. For Legal Aid, you must also pass the Merits Test.

HOW DO I APPLY?

You have to come personally to the Bureau to register an application. If you are below 21 years old, the application would have to be made on your behalf by your guardian. You must also produce your identity card for registration.

AM I SUBJECT TO THIRD-PARTY CASINO EXCLUSION?

From 1 August 2013, if you are granted legal aid, you will be subject to Third-Party Casino Exclusion. Under Third-Party Casino Exclusion, you shall not enter or remain, or take part in any gaming on any local casino premises. The Third-Party Casino Exclusion will remain in force until all your active legal aid cases are closed. Please note that until the casino operator is so notified of the termination of your Third-Party Casino Exclusion, you can be refused entry into the local casinos. For more information on Casino Exclusion, please call the National Problem Gambling Helpline at 1800 6 668 668.

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 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:

- \$6,000 for applicant.
- \$6,000 for the working spouse.
- Up to \$6,000 for each dependant.
- an amount not exceeding \$20,000 for rent (if any)
- the applicant’s contribution to the Central Provident Fund.
- the spouse’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 \$13,000 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.
- Up to \$46,000 of total surrender value of life insurance policies.

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 an 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 (a) annual value of the property in 2.? (b) value of the property?	\$ <input type="text"/> \$ <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, insurance policies) what is their value?	\$ <input type="text"/>	3. How many persons are dependent on you?	x \$6,000 (Max) \$ <input type="text"/>
Total Disposable Capital		4. How many persons are dependent on your spouse?	x \$6,000 (Max) \$ <input type="text"/>
\$ <input type="text"/>		5. Personal deductions	\$6,000
Disposable Capital Limit		6. Working Spouse deductions (if any)	\$6,000
\$10,000		7. Rent if any (subject to maximum of \$20,000 per annum)	\$ <input type="text"/>
		Total Disposable Income (ie Total Income less Total Deductions)	
		\$ <input type="text"/>	
		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 fails to make full and frank disclosure of his means or fails to inform the Director of changes to his means 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.

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 (IC)
- CPF Contribution History for the past 12 months*
- Pay slip or letter from employer showing income for the past 12 months if you do not pay contribution to CPF*
- Latest income tax assessment / (IR8A form)*
- Updated joint and personal Bank Books, Bank Statements, Fixed Deposits Receipts and any other Bank Investment products
- Tenancy/Rental Agreement (if any)
- Surrender Value of all your Life and Other Insurance Policies (if any)
- The Central Depository (CDP) Account Statement (if any)
- The annual value of your property if it is not an HDB flat
- Motor Vehicle log book (if any)
- All other documents which are relevant to your case

* - including spouse’s 12 months CPF Statement or pay slip or letter from employer or IR8A form