

CONSUMER LEGAL ACTION FUND APPLICATION FOR LEGAL ASSISTANCE

Part 1 Particular of Applicant

1. Name (English): _____
(Chinese): _____

2. H.K. Identity Card No. / Passport / Travel Document No. / Other Government-issued Photo Identification Papers (please select one):

H.K. Identity Card No. (first letter and following 3 digits):	<table border="1"><tr><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td></tr></table>				
Passport / Travel Document No. (first 4 letters / digits):	<table border="1"><tr><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td><td style="width: 25px; height: 25px;"></td></tr></table>				
Other Government-issued Photo Identification Papers (please state particulars):					

(The assessment of your application and pursuit of legal action are serious and important matters. To ensure that the information and facts provided are true and accurate and within the applicant's personal knowledge, you will be required to produce your identification document to the Consumer Council for verification of your identity. Failure to do so **will** render your application not pursuable and be rejected.)

3. Residential Address: _____

Correspondence Address (if different from above): _____

Tel.: _____ Fax: _____

Email address: _____

4. Occupation: _____

Part 2 Particulars of Case

5. Please briefly state your case and enclose relevant materials: -

Please tick "✓" the appropriate box or boxes.

6. Please state the purposes of this application: -

To sue / To appeal To defend To continue an action
(Action No. _____ (if applicable))

7. Have you applied for legal assistance under the Consumer Legal Action Fund before?

Yes No

If yes, please state the particulars: -

8. Have you applied to the Legal Aid Department for any form of legal aid in respect of the present case?

Yes No

If yes, please state the result:

- pending result
 case rejected
 case accepted

9. Have you ever laid any complaint or sought or received any advice, in respect of the present case with or from the police, relevant government departments, bureaus or tribunals dealing with complaints (e.g. Office of The Ombudsman, Insurance Complaints Bureau), lawyers and so on?

Yes No

If yes, please state the particulars: -

10. Source of Referral: -

Self Application

Consumer Council Ref. Case No.: _____

Others: _____

I hereby declare that the above information is true and correct. I authorize the Consumer Council ("Trustee") as trustee of the Consumer Legal Action Fund ("Fund") to verify it from any source. I understand that if I furnish any false statement or false representation or if I do not provide full, true and accurate information to the Trustee in connection with this application, I may forthwith be disqualified from obtaining legal assistance from the Fund and any legal assistance granted to me may be terminated forthwith and I must indemnify the Trustee against any and all losses, costs, expenses, claims, damages and liabilities incurred or that may be incurred by the Trustee in connection with or arising out of this application or the legal assistance granted.

I understand that while litigants can use mediation to resolve their dispute, whether the legal assistance granted by the Fund would cover the costs of mediation shall depend on case progress.

Signature of Applicant

Date

Note to Applicants

Important Notice

1. This application must be accompanied by a cheque for payment of the application fee or copy of the remittance advice. Payment may be made by cheque payable to "Consumer Council – CLAF Trust Account" or bank transfer to 808-695282-001 (HSBC) ("Consumer Council – CLAF Trust Account").
2. Submitting this application and payment of the application fee give no guarantee that legal assistance will be granted. The application fee is non-refundable whether the application is approved or declined.
3. Each application for legal assistance will be considered on eligibility and against other assessment criteria, including without limitation merits of the case and level of consumer interest involved. If the application is approved, the applicant will receive an agreement in duplicate setting out the scope, conditions and terms of the legal assistance to be provided by the Fund, as well as their responsibilities and obligations as an assisted consumer ("Agreement with Assisted Consumer"). The applicant should review the Agreement with Assisted Consumer and its terms before confirming acceptance of assistance from the Fund.
4. If legal assistance is granted, such legal assistance may be terminated at any time as provided in the Agreement with Assisted Consumer.
5. ***If the assisted matter is successful, the applicant is liable to pay a contribution to the Fund. The contribution is subject to a cap: 25% of the Benefit Value obtained for matters determined in the Small Claims Tribunal and 50% of the Benefit Value obtained for all other matters. Calculation of the contribution is set out in the pamphlet on "Consumer Legal Action Fund" and in the "Agreement with Assisted Consumer".***
6. The applicant must not directly or indirectly offer any advantage to any staff member of the Trustee (1) as an inducement to or reward for or otherwise on account of his performing, expediting, delaying or abstaining from performing any act or favouring of any person in his capacity, and/or

(2) in connection with the application and/or any assistance granted to the applicant (whether prior to, during or after the application and/or provision of assistance) or whilst having dealings of any kind with the Trustee under any circumstances, irrespective of the reason, intention or motive therefor, which may constitute an offence under the Prevention of Bribery Ordinance. "Advantage" includes (but is not limited to) any gift (both of money and in kind), loan, fee, reward, commission, office, employment, contract, service and favour.

Information and Personal Data

7. In submitting this application, the applicant agrees that the information and personal data supplied may be used (irrespective of whether the application is granted, unsuccessful or withdrawn) for the purpose(s) of
- (a) processing the applicant's application for legal assistance from the Fund and communicating with the applicant;
 - (b) verifying the identity of the applicant and any information and records relating to the applicant;
 - (c) carrying out any matching procedures with other cases of similar circumstances;
 - (d) conducting and handling the applicant's case if the application for legal assistance is granted;
 - (e) the discharge of the Consumer Council's statutory functions, including but not limited to (i) release and provide the same to any governmental or public bodies or authorities and agencies for investigation or action and/or tendering of advice; (ii) publish the same in the Trustee's CHOICE magazines, publicity and education activities, social media or other medium (whether online or printed versions) provided that the identity of the applicant shall not be disclosed, (iii) conducting studies, product/service testing and/or research into matters concerning consumer interests in Hong Kong and/or for other research and statistical purposes; and/or (iv) taking other action for the protection of the applicant's rights and generally protecting the interests of the consumer public as the Trustee may consider fit and proper; and/or
 - (f) other related purposes.

8. It is obligatory for you to provide the information requested in this form (unless stated otherwise), as well as other relevant information, document or material requested from time to time, to enable the Fund to process your application and carry out the purposes stated above. If you do not provide such information, document or material, the Fund and the Trustee shall be entitled to not accept or process your application, or to reject your application.
9. If legal assistance is granted, you will be required to provide, in full, your Hong Kong Identity Card number, passport number, travel document number and/or details of other Government-issued photo identification papers for insertion into the Fund's Agreement with Assisted Consumer.
10. Personal data collected from the applicant will not be kept longer than is necessary for the fulfillment of the purposes for which the data is or is to be used and will be erased when it is no longer required. Any queries relating to the retention and erasure of personal data can be made to the Legal Assistant by email cc@consumer.org.hk or by calling 2856 3113.
11. For the purposes referred to in the above, the Trustee may disclose the information supplied and personal data to third parties involved in the subject matter of the application including lawyers instructed by the Trustee, parties involved in the applicant's case and their lawyers, parties involved in other cases of similar circumstances, and other relevant persons, organization and authorities including government departments.
12. The applicant may request access to personal data held by the Trustee about himself/herself and request the Trustee to correct such data. The Trustee may charge a reasonable fee for processing any data access or correction requests. Such requests should be made in writing and addressed to the Legal Assistant at 22nd Floor, K. Wah Centre, 191 Java Road, North Point, Hong Kong.