

LEGAL AID ACT

(Promulgated on January 7, 2004)

Chapter 1. General Principles

Article 1. This act is promulgated to provide the necessary legal assistance to protect the rights and interests of people who, due to the lack of financial resources or other reasons, are unable to obtain adequate legal protection.

Article 2. In this Act, *legal aid* includes:

1. legal consulting;
2. negotiation and settlement;
3. the drafting of legal documents;
4. representation or advocacy in litigation or arbitration;
5. assistance in providing other necessary legal services and expenses;
and
6. any other services that the Foundation has resolved to provide.

Article 3. In this Act, *financially disadvantaged persons* or *indigent persons* refer to persons who qualify as being *low-income households* under the *Social Assistance Act* or whose monthly disposable income and assets are below the prescribed standard.

The Foundation is responsible for issuing Regulations to define the standard stated in this Article.

Article 4. The State is responsible for promoting legal aid and for providing the necessary funding. The Courts, Prosecutor's Offices, Bar Associations and attorneys are under an obligation to assist in implementing legal aid.

Article 5. In this Act, a reference to the *Competent Authority* is a reference to the *Judicial Yuan*.

A Foundation (*the Foundation*) is established to accomplish the purpose of this Act. The Competent Authority is responsible for issuing the Articles of Donation and Incorporation of the Foundation.

Article 6. The ji-jin (*the Endowment*) of the Foundation is NTD10,000,000,000. Apart from encouraging donations from the public, the Competent Authority will budget annual contributions to the Endowment of the Foundation.

The initial Endowment is NTD500,000,000. The Competent Authority will provide the initial Endowment.

Article 7. The Articles of Donation and Incorporation must clearly state the following matters:

1. the primary purpose of the Foundation;
2. the name of the Foundation;
3. the addresses of the Foundation and its branch offices;
4. the type and amount of the Endowment and methods of holding and utilizing the Endowment;
5. business activities;
6. organizational structure;
7. the management of human resources;
8. the supervision and management of the Foundation's business and financial affairs;
9. the making and assessment of applications for legal aid and the review of decisions;
10. Board of Directors and Board of Supervisors;
11. executives and staff;
12. accounting;
13. amendments to the Articles of Incorporation;
14. the procedures for the promulgation, amendment and abolition of the Regulations authorized by this Act;
15. the procedures for handling assets;
16. the circumstances in which the Foundation may dissolve, the procedures for dissolution and the handling of any remaining assets of the Foundation; and
17. any other important matters stipulated by this Act.

Article 8. The Competent Authority will budget to subsidize the Foundation each year to meet the requirements of the Foundation's activities.

The related departments of the Central Government will budget to subsidize the Foundation.

Other sources of funding for the Foundation are as follows:

1. subsidies from city and county governments;
2. donations from the national and local Bar Associations;
3. interest income on the Endowment;
4. contributions paid by an applicant towards legal fees and expenses in accordance with this Act;
5. donations from other groups or individuals; and
6. any other income.

Article 9. The Foundation will be located where the Competent Authority's offices are situated.

The Foundation may establish and locate its branch offices ("Branch Office/s") on the basis of the jurisdiction of the District Courts.

Article 10. The activities of the Foundation are as follows:

1. to promulgate and revise Regulations for providing legal aid;
2. to plan and perform legal aid work;
3. to collect, hold and utilize legal aid funding;
4. to promote legal aid education;
5. to provide legal aid services requested by governmental or other organizations;
6. to adjudicate appeals from the decisions of the Examining Committees of the Branch Offices; and
7. any other legal aid matters.

- Article 11.** The activities of the Branch Offices are as follows:
1. to assess and execute decisions to approve, refuse, revoke or terminate applications;
 2. to assess and execute decisions to pay (including advance payments), reduce, cancel, refund, share or be responsible for the fees and other expenses of legal aid providers;
 3. to mediate disputes between recipients of legal aid and their providers;
 4. to assist in raising legal aid funding; and
 5. to perform tasks assigned by the Board of Directors and other legal aid services.
- Article 12.** The promulgation, amendment and abolition of Regulations authorized by this Act must be approved by the Competent Authority.

Chapter 2. Applications For Legal Aid

- Article 13.** Financially disadvantaged persons may apply for legal aid.
- Article 14.** The following persons may apply for legal aid without review of their financial circumstances:
1. persons who have been accused of crimes that could result in sentences of three years or more or crimes over which the High Courts have jurisdiction at first instance, and who have not chosen their own defense counsel at the hearing of their cases;
 2. persons under mental disability such that they are unable to make statements fully and have not chosen their own defense counsel at the hearing of their cases, and the Chief Justice is of the opinion that it is necessary that they are represented;
 3. persons who qualify as being ***low-income households*** under the *Social Assistance Act*.
- Article 15.** Articles 13 and 14 are applicable to any persons lawfully residing in Taiwan.
- Article 16.** Applications for legal aid will not be granted in the following circumstances:
1. where the statements and other information provided by the applicant fail to establish any grounds for bringing a legal action or raising any available defenses;

2. where the potential award sought by the applicant is less than the costs of litigation and compensation for lawyers, unless the dispute raises issues of great legal or social significance;
3. where legal aid has already been given in the matter and further legal aid is unnecessary;
4. where litigation is pursued against the Foundation;
5. where litigation is pursued outside Taiwan; and
6. in matters that are incongruent with the purposes of legal aid.

Clauses 1 and 2 in this Article are not applicable to legal consulting.

Article 17. Depending on the available funding, the Foundation may determine the type of legal aid and the scope of representation appropriate for each matter.

Article 18. Applications for legal aid must be submitted to Branch Offices either orally or in writing, specifying:

1. the applicant's name and address; or if an application is made by a representative, the name and address of the representative and his or her relationship with the applicant;
2. a statement of the facts relevant to the case and the evidence pertaining to these facts;
3. documentation showing the financial state of the applicant and of the family members cohabiting with the applicant; and
4. the legal aid services sought.

Where an application is made orally, the Branch Office must record the relevant information in a written statement and read it to the applicant or his or her representative, or request that the statement be perused by the applicant or his or her representative. The applicant or his or her representative shall execute the statement upon confirmation of its accuracy,

If an application does not comply with the procedures stipulated in paragraph 1, the Branch Office must request the applicant to supplement his or her application within a given time. If the applicant fails to do so within the time given, the application will be refused. The refusal will clearly indicate the time for submitting an appeal.

Article 19. Branch Offices shall approve applications which satisfy the requirements for legal aid and comply with the procedures of application. Approvals are to be notified in writing, stating the following:

1. the type of legal aid granted;
2. whether complete or partial legal aid has been granted;
3. with respect to partial grants, the amount of legal fees and expenses which the applicant is required to contribute and the due date for payment; and
4. the name of the legal aid services provider.

Article 20. If the circumstances of a recipient of legal aid change after an application has been approved such that it is necessary to extend or vary the type or scope of legal aid, the recipient may submit an application to the approving Branch Office to extend or vary the legal aid services sought.

Articles 13 to 19 apply to the requirements, procedures and decision-making under this Article.

Article 21. In the event of an emergency, a Branch Office may decide to grant legal aid on a temporary basis, notwithstanding that an applicant has not demonstrated eligibility for legal aid.

The Branch Office must revoke its temporary decision once it is verified that the recipient is not eligible for legal aid.

Upon revocation of a grant in accordance with this Article, the Branch Office may by written notice demand the recipient to reimburse any legal fees and expenses incurred by the Branch Office.

Article 22. A Branch Office must revoke any legal aid granted on the grounds of false or misleading information contained in the documentation or statements supplied by a recipient of legal aid.

Upon revocation of a grant in accordance with this Article, the Branch Office must by written notice demand the recipient to reimburse any legal fees and expenses incurred by the Branch Office.

Article 23. The Foundation or its Branch Offices may terminate the grant of legal aid in the following circumstances:

1. where a recipient is no longer financially eligible due to inheritance, bestowal or for any other reasons;
2. where the recipient of legal aid has died;
3. where legal aid has become unnecessary because the relevant laws or circumstances of the case have changed or because the subject matter of litigation has been destroyed;
4. where a recipient has, without due reason, failed to cooperate with what are required in the provision of legal aid, or has failed to contribute to the legal fees and necessary expenses as required so that proceedings cannot continue, or has behaved in an inappropriate manner towards the provider of legal aid services; or
5. where it is no longer necessary to provide legal aid for other reasons.

Chapter 3. Legal Aid Providers and Their Fees

Article 24. The Foundation may employ or appoint attorneys to provide legal aid services.

The Foundation may authorize appropriate professionals or organizations to provide legal consulting services.

If the Foundation employs full-time attorneys under special circumstances, the conditions of employment and the amount of pay are to be determined by the Foundation.

Article 25. Unless an attorney has reasons to be exempted from providing legal aid services under this Act, he or she must provide legal aid services through the Bar Association of which he or she is a member.

The grounds for exemption are to be determined by the Foundation in conjunction with the national and local Bar Associations.

Every Bar Association must prepare and deliver a roll of attorneys providing legal aid and a roster of their availability to the Foundation and its Branch Offices. Each Bar Association must advise the Foundation and the Branch Offices of any changes to these rolls and rosters.

Article 26. Branch Offices must provide recipients of legal aid with the rolls of legal aid services providers and assist them in selecting the most appropriate providers.

If a recipient of legal aid is unable to choose a providers, or selects an inappropriate provider, the Branch Office may assign a provider pursuant to paragraph 1, Article 24.

Article 27. In performing legal aid services, attorneys must faithfully execute their tasks and comply with their professional obligations.

Attorneys chosen or appointed to provide legal aid services must not refuse to provide services without good cause.

Non-compliance with this Article is deemed a violation of professional ethics. Cases of serious violation will be referred to the Attorney Discipline Committee by the Foundation and be determined according to the *Attorney Regulation Act*.

Article 28. Compensation for legal aid providers is paid by Branch Offices according to the following standards:

1. the fee for legal consulting and other necessary legal services is 1 to 5 units;
2. the fee for mediation, settlement or the drafting of legal documents which do not involve representation in litigation or arbitration is 2 to 10 units;
3. the fee for representation at each level of court hearing or arbitration is 15 to 50 units.

Fees may be increased by 1 to 10 units if settlement was reached due to the assistance of the legal aid provider.

Article 29. Providers may apply to the applicable Branch Office for the advance payment of legal fees and necessary expenses before providing legal aid services. Alternatively, providers may apply for payment upon the completion of a legal aid matter or within 1 month after the entry of judgment at each level of court hearing.

Article 30. In the event that a provider fails to satisfactorily perform legal aid services, the applicable Branch Office may reduce or cancel the fees of the provider or replace the provider with another.

Article 31. Legal fees and necessary expenses are payable at each level of court hearing and for each legal aid matter.

Regulations providing for the calculation of legal fees and for the payment (including pre-payment), reduction or cancellation of legal fees and necessary expenses will be issued by the Foundation and submitted to the Competent Authority for approval.

Article 32. When a Branch Office decides to grant legal aid, it must consider the financial circumstances of the applicant and determine whether legal aid should be fully or partially granted.

Where legal aid is partially granted and the applicant is unable to pay his or her share of the legal fees and necessary expenses on time, the relevant Branch Office may pay in advance on behalf of the applicant.

The Foundation will issue Regulations for assessing an applicant's financial circumstances and the share of legal fees and necessary expenses that must be paid by an applicant.

Article 33. If the value of the award recovered by a recipient of legal aid is greater than the standard prescribed by the Foundation, the relevant Branch Office may request the recipient to refund all or part of the legal fees and necessary expenses.

Article 34. A recipient of legal aid must pay the amount of the legal fees and necessary expenses or statutory charges within the time limits specified in the written notice issued by the applicable Branch Office.

Where a recipient of legal aid fails to make payments in accordance with the written notice and has not raised any objections to the notice, or where objections have been raised but were refused by the Foundation or its Branch Offices, the relevant Branch Office may apply to the court for compulsory execution. Such applications shall be exempt from paying execution fees.

Where the requirement to pay legal fees and necessary expenses or statutory charges is likely to cause financial hardship to the recipient of legal aid and the family members cohabiting with him or her, the Branch Office may reduce the amount of payment required.

Article 35. The legal fees and necessary expenses incurred by a Branch Office during the course of providing legal aid services in a lawsuit constitute the litigation costs arising from such lawsuit.

The legal fees and necessary expenses incurred by a Branch Office during the course of providing legal aid services may be claimed from the other party to the proceedings which is liable to pay costs.

A Branch Office may request the other party to the proceedings which is liable to pay costs to refund the legal fees and necessary expenses incurred by the Branch Office.

A Branch Office may apply to the court for an assessment of litigation costs and an order for compulsory execution on the grounds that the recipient of legal aid has a valid basis of execution.

Legal fees and necessary expenses received by a Branch Office under subparagraph 3 count towards the legal fees and necessary expenses which a recipient of legal aid must share, be responsible for or repay.

Chapter 4. Procedures for Assistance and Dispute Resolution

Article 36. A person who is dissatisfied with the decision of the Examining Committee of the Branch Office may appeal to the Review Committee of the Foundation, and give reasons for appeal, within 30 days of receiving notice of the decision.

The requirements of Article 18 are applicable to appeals filed pursuant to this Article.

The decision of the Review Committee is final and cannot be appealed.

Article 37. Where a dispute between a recipient of legal aid and his or her provider cannot be resolved, the relevant Branch Office will mediate the dispute and may stipulate terms of reconciliation.

The procedures for mediating the dispute and the effect of the mediation are governed by the relevant provisions of the *Civil Procedure Code* for mediation and for stipulating terms of reconciliation.

Chapter 5. The Organization and Supervision of the Foundation

Article 38. The Foundation shall establish a Board of Directors, which comprises of thirteen Directors who serve a term of three years and receive no remuneration.

The Directors are appointed by the President of the Judicial Yuan from the following persons:

1. two representatives of the Judicial Yuan and one representative of the Ministry of Justice, the Ministry of Interior and the Ministry of National Defense respectively. Such representatives shall resign from the Board of Directors if they cease to be employed by the applicable Ministry or Judicial Yuan;
2. four attorneys recommended by the national Bar Association and local Bar Associations as persons who actively participate in legal aid work ;
3. two academics or experts having specialist knowledge in law or in related disciplines;
4. one representative of disadvantaged groups; and
5. one representative of the aboriginal people.

The Directors appointed pursuant to paragraph 2, clause 1 of this Article are eligible for reappointment upon the expiration of their tenure without limitation on the number of terms that they can serve. If a Director ceases to be a member of the relevant Yuan or Ministry and loses his or her director status, the Foundation must report to the President of Judicial Yuan for his or her dismissal and for the appointment of another Director to serve the remaining term.

The Directors appointed pursuant to clauses 2 to 5 may be reappointed for one more term upon the expiration their tenure. The number of reappointed Directors must not exceed two thirds of the total number of Directors appointed pursuant to these four clauses.

From the second term, the Board of Directors must nominate new Directors in accordance with paragraph 1, clauses 2 to 5 one month prior to the expiration of their tenure. All nominations made under this Article shall be delivered to the President of the Judicial Yuan for appointment.

If a Director resigns or acts improperly during his or her tenure, the Foundation will report to the President of the Judicial Yuan for his or her dismissal.

Article 39. The Board of Directors is the highest decision-making body of the Foundation and is responsible for the following matters:

1. the appointment and dismissal of the Secretary-General, Directors and Executive Secretaries of the Branch Offices, Commissioners of Examining Committees and the Review Committee, Commissioners of specialist committees and other important offices;
2. the directions and planning of the Foundation's activities;
3. planning of the Foundation's budget;
4. the holding and utilization of the Endowment;
5. fund-raising;
6. the promulgation, amendment and abolishment of the Regulations which the Foundation is authorized to make under this Act;
7. amendments to the Foundation's Articles of Incorporation;
8. management of the assets of the Foundation;
9. decisions on other important matters.

Article 40. The Chairperson of the Foundation convenes meetings of the Board of Directors and act as the Chairperson. If for some reasons the Chairperson cannot convene the meetings, the Chairperson may appoint one of the Directors to act as his or her representative. In the event that the Chairperson fails to appoint a representative or fails to convene the meetings, the Directors may elect one of the directors to convene or hold the meetings.

Unless this Act provides otherwise, a resolution must be passed by more than half of the votes cast by more than half of the Directors on the Board of Directors who are present at the meeting.

Resolutions to amend the Foundation's charter or to transfer its significant assets must be passed by more than two-thirds of the votes cast by more than two thirds of the Directors on the Board of Directors who are present at the meeting. Such resolutions must be reported to the Judicial Yuan for approval.

Article 41. The Chairperson of the Foundation is in charge of the activities of the Foundation and represents the Foundation.

The Directors will nominate from among themselves a Chairperson, and the Foundation will submit the nomination to the President of the Judicial Yuan for

approval and appointment. The Chairperson shall hold office for a term of three years.

During his or her tenure, if the Chairperson resigns, ceases to be a Director or should be dismissed for improper conduct, the Foundation must report to the President of the Judicial Yuan for permission to dismiss the Chairperson.

The Competent Authority shall direct the Board of Directors to nominate a new Chairperson within a given time to serve the remaining term.

Article 42. A full-time Secretary-General having specialist knowledge in law will manage the affairs of the Foundation under the orders of the Chairperson.

The Chairperson will report to the Board of Directors for the appointment and dismissal of the Secretary-General.

Article 43. Depending on the requirements of its business, the Foundation may establish specialist committees under the Board of Directors to deal with matters relating to legal aid.

Each specialist committee comprises of several Commissioners who receive no remuneration. One Commissioner-General is elected from among the Commissioners to manage the activities of the committee.

The Foundation will appoint persons having specialist knowledge in law or in related disciplines to act as Commissioners of the specialist committees. Decisions about the resignation or the dismissal of Commissioners for improper conduct must be made by the Board of Directors.

Article 44. A Director will manage the affairs of a Branch Office for a term of three years and receive no remuneration. The Foundation will nominate persons having specialist knowledge in law or in related disciplines and report to the President of the Judicial Yuan for approval and appointment.

If a Director of a Branch Office resigns or should be dismissed for improper conduct, the Foundation will report to the President of the Judicial Yuan for permission to dismiss the Director.

Article 45. A full-time Executive Secretary having specialist knowledge in law or in related disciplines will manage the affairs of the Branch Office under the orders of the Director of the Branch Office.

Directors of Branch Offices will report to the Foundation for the appointment and dismissal of Executive Secretaries.

Article 46. Each Branch Office shall establish an Examining Committee and appoint Commissioners who serve a term of three years and receive no remuneration.

The Director of each Branch Office will nominate persons from judges, public prosecutors, judge advocates, attorneys, or academics and experts having specialist knowledge in law, and report to the Foundation for their appointment. If a Commissioner resigns or should be dismissed for improper conduct, the Director of the Branch Office will report to the Foundation for the dismissal of the Commissioner.

Article 47. The Examining Committee is responsible for deciding the following matters:

1. the granting, refusal, cancellation and termination of an application for legal aid;
2. the payment (including pre-payment), reduction or cancellation of legal fees and necessary expenses;
3. the determination of the amount of legal fees and necessary expenses that the applicant should share or be responsible for;
4. mediation of any disputes between recipients of legal aid and their providers and the terms of reconciliation; and
5. decisions on other matters.

The Examining Committee must provide the reasoning for decisions made in this Article in writing.

Article 48. A decision of the Examining Committee is to be made by three Commissioners of the Committee by consensus.

The Foundation will issue Regulations prescribing the decision-making in this Article by the Examining Committee.

Article 49. The Foundation shall establish a Review Committee and appoint Commissioners who serve a term of three years and receive no remuneration.

The Review Committee is responsible for reviewing appeals from the decisions of the Examining Committees of the Branch Offices.

A Commissioner of an Examining Committee must not act as a Commissioner of the Review Committee.

Commissioners of the Review Committee are nominated by the Directors of the Branch Offices from senior judges, public prosecutors, judge advocates, attorneys or academics and experts having specialist knowledge in law, and reported to the Foundation for appointment. If a Commissioner resigns or should be dismissed for improper conduct, the Director of the Branch Office will report to the Foundation for the dismissal of the Commissioner.

Article 50. A decision of the Review Committee is to be made by three Commissioners of the Committee by consensus.

The Foundation will issue Regulations prescribing the review of decisions by the Review Committee.

Article 51. Five Supervisors will be appointed to serve a term of three years and receive no remuneration.

The Supervisors of the first term are appointed by the President of the Judicial Yuan from the following persons:

1. one representative of the Executive Yuan;
2. one representative of the Judicial Yuan;
3. one attorney based on the recommendations of the national and local Bar Associations;
4. one person who has specialist knowledge in accounting or in related disciplines; and
5. one impartial public figure.

The Supervisors appointed pursuant to paragraph 2, clauses 1 and 2 of this Article may be reappointed upon the expiration of their tenure without any limitation on the number of terms that they can serve. If a Supervisor ceases to be a member of the relevant Yuan or Ministry and loses his or her Supervisor

status, the Foundation must report to the President of Judicial Yuan for his or her dismissal and for the appointment of another Supervisor to serve the remaining term.

The Supervisors appointed pursuant to clauses 3 to 5 may be reappointed for one more term upon the expiration their tenure. The number of reappointed Supervisors must not exceed two thirds of the total number of Supervisors appointed pursuant to these three clauses.

From the second term, the Board of Supervisors must nominate new Supervisors in accordance with clauses 3 to 5 one month prior to the expiration of their tenure. All nominations made under this Article shall be delivered to the President of the Judicial Yuan for appointment.

During his or her tenure, if a Supervisor resigns or should be dismissed for improper conduct, the Foundation will report to the President of the Judicial Yuan for his or her dismissal.

Article 52. The Supervisors perform their duties independently, and are responsible for the following matters:

1. the development of the Foundation's business and the supervision of officers who perform the Foundation's business;
2. the auditing of the Endowment, savings and other assets of the Foundation;
3. the inspection of the financial status of the Foundation; and
4. the examination of the final accounting of the Foundation.

The Supervisors may attend meetings of the Board of Directors to provide their views on relevant matters.

Article 53. The Supervisors will nominate from among themselves a Chairperson of the Board of Supervisors, and the Foundation will submit the nomination to the President of the Judicial Yuan for approval and appointment. The tenure of the Chairperson of the Board of Supervisors is three years.

Where disputes between the Supervisors arise from the independent exercise of their powers, the Chairperson of the Board of Supervisors will convene a meeting of the Board of Supervisors to settle the disputes.

A resolution of a meeting convened in this Article must be passed by more than half of the votes cast by more than half of the Supervisors on the Board of Supervisors who are present at the meeting.

If the Chairperson of the Board of Supervisors resigns during his or her tenure, or loses his or her Supervisor status, or should be dismissed for improper conduct, the Foundation will report to the President of Judicial Yuan for permission to dismiss the Supervisor.

If the events stated in the preceding paragraph occur, the Competent Authority must request the Foundation to nominate a new Chairperson of the Board of Supervisors within the time given to serve the remaining term.

Article 54. A person who has committed a dishonorable crime under Criminal Law, or has been declared bankrupt or unfit to dispose property, or is certified by a public hospital as being physically or mentally disabled and is unable to perform his or her duties, or has been convicted of being involved in organized crimes, must not serve as a Director or Supervisor of the Foundation.

Article 55. Based on its purpose of establishment, the Foundation must prepare and submit an annual work plan and a budget to the Competent Authority six months prior to the commencement of the fiscal year.

The Foundation must submit the annual work plan, balance sheet and inventory of assets to the Competent Authority for its future reference within one month after the fiscal year has ended.

Article 56. In order to supervise the proper operation of the Foundation's activities, the Competent Authority may request the Foundation to report on its activities, accounting and on matters relating to the Foundation's assets. The Competent Authority may appoint an officer to inspect the Foundation's activities, accounting books and other documentation.

Article 57. The Foundation must establish an accounting system and keep the relevant accounting books and records for inspection by its Supervisors and the Competent Authority.

Article 58. If a Director does not perform his or her duties in accordance with this Act, or provides reports required under this Act which are deceptive or dishonest, or fails to allow inspections in accordance with Article 57, the Competent Authority may take corrective actions or dismiss the Director depending on the severity of his or her violation of this Article.

Article 59. In order to supervise and ensure the proper operation and sound development of the Foundation, the Competent Authority must issue Regulations for the supervision and management of the Foundation.

Chapter 6. Miscellaneous

Article 60. All employees holding unpaid positions under this Act will be paid travel expenses in accordance with this Act.

Article 61. The Foundation will issue Regulations governing the financial relationship between the Foundation and its Branch Offices and the methods of utilizing financial resources.

Article 62. The court shall grant procedural relief to a recipient of legal aid who makes an application to the court during the course of litigation. This Article does not extend to a person who is in possession of proof of ineligibility for legal aid.

Article 63. A person who has provided legal aid services under this Act owes a duty of confidentiality towards an applicant who has provided information of a secret or private nature, and must not disclose such information without the prior consent of the applicant or without a legitimate purpose.

Article 64. A judicial officer, military staff or an attorney in the course of their professional practices must advise a client who is eligible for legal aid under this Act of his or her rights to apply for legal aid in accordance with the provisions this Act.

At the conclusion of each court hearing, a legal aid services provider must advise a recipient of legal aid of the requirements for further appeal and the time limitations for filing the appeal.

Article 65. Where a Branch Office is of the opinion that a legal aid claim has a highly favorable prospect of success and it is necessary to apply to the court for an

injunction to preserve the status quo, the Branch Office may issue a certificate in partial or full payment of the security required by the order.

Article 66. The date when this Act becomes operative is to be determined by the Judicial Yuan.