

中華人民共和國香港特別行政區
參照
《經濟、社會與文化權利的國際公約》
提交的報告

**Report of the Hong Kong
Special Administrative Region
of the People's Republic of China
in the light of the
International Covenant on
Economic, Social and Cultural Rights**

342. The Government also supports the development of marine fish culture which is practised in 26 designated zones. In 1997, the capture fishing industry and the marine fish culture industry produced some 186,000 tonnes and 2,960 tonnes of fish respectively. In March and April 1998, a bloom of marine algae - known as "red-tide" and commonly found in other parts of the world - killed a large proportion of farmed fish. However, the loss accounted for only 1% of Hong Kong's annual fish consumption. The Government has made available \$200 million in low interest loans and \$17 million in ex-gratia allowances to help affected mariculturists re-establish their businesses. We have commissioned consultants to propose appropriate measures to improve the monitoring and management of red-tide and to reduce its impact on mariculture.

Wholesale markets

343. As explained in paragraph 173 of the previous reports, the Government administers and manages wholesale markets for fresh primary food produce. It has built two integrated wholesale market complexes for vegetables, fruit, eggs, freshwater fish and poultry. High standards of cleanliness and hygiene are enforced, particularly in the light of the experience gained in 1997 from our response to the 'avian flu' outbreak discussed in paragraphs 424 to 429 below in relation to Article 12.

Housing

The need

344. In paragraph 174 of the previous report, we explained that - in early 1995 some 181,000 households (495,300 persons) were inadequately housed. An estimate made in June 1998 indicated that the number had fallen to 170,000 households (437,000 persons). As before, the term "inadequately housed" refers to persons living in squatter areas on Government land, in temporary housing, in cottage areas, in non-self-contained flats, in roof-top structures, or in shared accommodation in the private sector.

Housing policy - Government's commitment

345. The Government remains committed to addressing the long term housing needs of Hong Kong by helping all households gain access to adequate and affordable housing, and - for the reasons in paragraph 346 below - to encouraging home ownership in the community. The Government's policy is to build an average of 50,000 flats a year in the public sector and to form land and build the necessary infrastructure to meet the long-term demand of about 35,000 private flats a year. This objective forms part of the long term housing strategy described below.

Long Term Housing Strategy

346. In February 1998, the Government published a White Paper on Long Term Housing Strategy. The Paper followed the review foreshadowed in paragraph 183 of the previous report. It took into consideration the results of a public consultation exercise conducted in the first half of 1997 and built on the foundation provided by the following housing initiatives announced by the Chief Executive in July and October 1997. It sets out clear housing targets, of which the most important are to -

- (a) produce an average of 50,000 flats a year in the public sector, and continue to form land and build the necessary infrastructure to meet the long-term demand of about 35,000 private flats a year based on current projections. Actual production will, however, depend on developers' commercial decisions;
- (b) achieve a home ownership rate of 70% by 2007. Currently it is 52%; and
- (c) reduce the average waiting time for public rental housing to three years by 2005. At present it is six and a half years.

347. To meet these objectives, we will -

- (a) regularly and accurately assess housing demand;
- (b) provide a sufficient supply of land, together with supporting infrastructure; and - without in any way compromising standards of quality and safety - shorten development procedures and relieve constraints in the construction industry;
- (c) draw up a long-term flat production programme and put in place efficient mechanisms for monitoring progress and solving problems;
- (d) create conditions to enable the private sector to make the fullest possible contribution towards meeting the demand for housing. At the same time, we will continue to monitor the private property market and, if necessary, take measures to avoid drastic fluctuations in prices and discourage property speculation;
- (e) continue to implement subsidised housing schemes to enable those in the relevant income groups to buy their own homes;
- (f) continue to provide public housing at reasonable rents to those who cannot afford any other type of housing; and
- (g) implement initiatives to address the housing needs of groups in special need.

Housing legislation

348. As explained in paragraph 176 of the previous report, the right to housing is protected under a range of laws covering such matters as land resumption, provision of public housing, bedspace apartment safety and service standards of estate agents. Details are at Annex 23.

Co-ordinating housing policy

Role of the Housing Bureau

349. As explained in paragraph 179 of the previous report, the role of the Housing Branch (now known as the Housing Bureau) is to develop policies and strategies for the provision of housing - both public and private - and to co-ordinate government action in the execution of housing policies and programmes. The aim is to provide an adequate supply of housing at affordable prices or rents to meet demand in the public and private sectors. To achieve this, the Bureau monitors the performance of the residential property market closely and co-ordinates inter-departmental action relating to the housing production process.

Public housing

Work of the Housing Authority

350. As explained in paragraph 184 of the previous report, the Hong Kong Housing Authority was established under the Housing Ordinance (Chapter 283) in 1973. It is an independent, statutory body responsible for carrying out Hong Kong's public housing programmes. Its prime objective is to provide affordable housing to the needy in accordance with the Long Term Housing Strategy.

351. The Housing Authority plans and builds public housing - and associated amenities - either for rent or for sale. It also provides interim accommodation to families who do not qualify for public rental housing but require shelter. It is also the Government's agent for land clearance and prevention of squatting. The Government provides funding support for the public housing programme and land for public housing on concessionary terms.

352. As at 30 June 1998, about 2.2 million people (33% of the population) were living in public housing estates with a total stock of about 656,000 flats.

Work of the Housing Society

353. As explained in paragraph 186 of the previous report, the Hong Kong Housing Society is a non-profit-making organisation whose objective is to provide housing - both for rent and for sale - for specific low and middle-income groups. As previously reported, the Government grants the Society land at concessionary premium and loans at low rates of interest.

354. The Housing Society continues to administer the Sandwich Class Housing Scheme and the Home Starter Loan Scheme on behalf of the Government: see paragraphs 368 to 371 below.

Eligibility for public rental housing

355. As explained in paragraph 189 of the previous report, eligibility for public rental housing is contingent on applicants' incomes falling within prescribed income limits. For example, the monthly limit for a four-person family is now \$17,700. An asset test will be imposed at the end of this year to ensure that public rental housing flats are allocated to families in genuine need. The applicants and the majority of their family members must have resided in Hong Kong for at least seven years and must not have owned any private domestic property within two years preceding application. Some

commentators consider that the 'majority rule' discriminates against new arrivals from Mainland China. This issue is addressed in paragraphs 381 to 382 below.

Waiting list for public housing

356. As at 30 June 1998, the nominal waiting list comprised about 147,000 applications. However, as explained in paragraph 190 of the previous report, many applications are submitted by existing public housing tenants and some applicants are ineligible for one reason or another. So it is likely that - as before - the effective length of the waiting list is about 80,000 applications. The list breaks down as follows -

| <u>Type of accommodation</u> | <u>Number of applications on waiting list</u> | <u>Number of flats allocated (1997-98)</u> |
|------------------------------|---|--|
| One-person | 20,400 | 2,300 |
| Two-person | 35,600 | 2,600 |
| Three-person | 40,900 | 3,000 |
| Four-person | 35,200 | 3,000 |
| Five-person and above | 15,400 | 1,700 |

357. As stated in paragraph 346 (c) above (in relation to the Long Term Housing Strategy), the Government has pledged to reduce the average waiting time for a public rental flat. Currently, that average is six and a half years. We aim to reduce it to under five years by 2001 (almost a 50% improvement on 1990 when the waiting time was nine years); to four years by 2003; and to three years by 2005. To achieve this, we will increase the supply of new or refurbished flats to families on the waiting list from an annual average of 14,000 flats to 20,000 flats beginning in the year 2000.

Rents and rent assistance

358. Rent levels for public housing are determined on the basis of tenants' ability to pay. Other factors - such as location, facilities, operating costs, rates and inflation - are also taken into account: these vary between estates. It is a statutory requirement that the overall median rent to income ratio of households cannot exceed 10%⁴. The current public housing rents represent a ratio of about 9%.

359. Tenants facing temporary financial hardship may be granted rent reduction of 50% for up to two years. Those who continue to face difficulty after two years are normally required to transfer to flats with lower rents in the same district. They then receive a domestic removal allowance and are granted a rent-free period of one month. Households with elderly or disabled members are exempted from this requirement.

360. Tenants with long-term financial difficulties may seek help under the Comprehensive Social Security Assistance Scheme (CSSA): see paragraphs 137 to 155 above in respect of Article 9. If found eligible, they receive a rent allowance for the full amount payable and money for subsistence.

Interim housing

361. In paragraphs 209 and 210 of the previous report, we explained that temporary housing areas (THAs) provided accommodation for the homeless, including for example people affected by clearances, fires and natural disasters but who were ineligible for permanent public housing. THAs consist of single-storey and two-storey structures with basic facilities. At the end of June 1995, there were 37 THAs housing 41,200 people.

⁴ Housing Ordinance, section 16(1)(b).

362. We also reported that a clearance programme was in progress with a view to rehousing the majority of THA residents by 1997. And we envisaged clearing all pre-1984 THAs by 1996.

363. The programme has made steady progress. All the pre-1984 THAs have been cleared and - as at 30 June 1998 - there were just 15 THAs housing about 15,000 people. The Government will phase these out by the year 2000. However, for the foreseeable future there will be families who do not qualify for public rental housing but require shelter for one reason or another. To meet their needs, the Housing Authority will provide a new form of 'interim accommodation'. This will comprise flats in purpose-built high-rise blocks. The standard of accommodation will be significantly better than that available in traditional THAs.

Subsidised home ownership schemes and loan schemes

364. The Government believes that home ownership is the aspiration of many in the community: a view strongly supported by the popularity of the schemes designed to meet that aspiration (see below). We also believe it to be desirable because it fosters a sense of belonging and helps families to provide for their own future financial security. Our target is to achieve a home ownership rate of 70% by 2007: at present, it is 52%. But private sector homes remain beyond the reach of many families. We will continue to help those who are eligible to buy their own homes through the various schemes described below.

Sale of public rental housing flats to tenants (Tenants Purchase Scheme)

365. We initiated this scheme in January 1998. The aim is to give public housing tenants the opportunity to own the flats they are living in. We expect that at least 250,000 families will do so over the next ten years. Under this scheme, the price of a flat

is determined by its "adjusted replacement cost⁵". In practice, this results in an initial discount equivalent to about 70% of the market value of the flat. Because the objective is to encourage people to be own - occupiers, and not to provide them with a means to a quick profit at public expense, owners who sell flats so purchased on the open market must repay the discount to the Government.

366. The Scheme is progressing in phases. The first phase, involving about 27,000 households, has been well received. Another 18 estates (84,000 flats) will be brought into the Scheme over the next three years.

Home Ownership Scheme and Private Sector Participation Scheme

367. As explained in paragraph 198 of the previous report, these schemes enable middle and low income families⁶ to buy their own homes at prices well below market value (50% below on average). As at 31 December 1997, about 230,000 flats had been built under the two schemes. Their combined effect has been to increase the rate of home ownership in the public sector from 5% in 1982 to 23% in 1995, and to 28% as at 30 June 1998.

Sandwich Class Housing Scheme

368. As explained in paragraph 202 of the previous report, the Scheme aims to meet the needs of the "sandwich class". This group comprises families who are not eligible for the low income housing schemes but lack the resources to purchase reasonable accommodation in the private sector. They include numerous young managerial and professional couples who contribute significantly to Hong Kong's

⁵ Under the "adjusted replacement cost" approach, the price of a flat is based on the present-day cost of replacing it, with adjustments to take into account age, location and other relevant factors.

⁶ As a general rule, family income must not exceed HK\$33,000 a month (the Committee will recall that - in 1995 - the limit was \$25,000: paragraph 199 of the previous report). But the rule does not apply to public housing tenants. The purpose of the exception is to encourage wealthier tenants to move out of public rental housing making room for needier families.

economic well-being. Their major difficulties are finding sufficient cash for the initial downpayments⁷.

369. As described in paragraph 202 of the previous report, the Scheme comprises a main scheme and a loan scheme. It is targeted at families living in private rented accommodation with monthly incomes currently between \$33,001 and \$60,000. The main scheme entails granting land on concessionary terms to the Housing Society to build flats for sale to the sandwich class. As at 30 June 1998, about 7,000 such flats had been sold. The loan scheme offers loans of up to \$550,000 at low interest to assist eligible families to purchase their own homes in the private sector. At present, the loan scheme has a total capitalisation of \$3.38 billion. As at 30 June 1998, some 5,200 loans - totalling \$2.5 billion - had been granted.

370. We previously reported that we intended to build 20,000 flats under the main scheme by the year 2000. We recently reviewed this target and decided to suspend further construction of such flats, with the exception of projects (involving about 4,000 flats) on which construction was already underway. Residential property prices have dropped significantly in the past year and good quality flats in the private sector are now affordable to the sandwich class. We will, however, continue to provide loans for downpayment to this group to allow them a wider choice.

Home Starter Loan Scheme

371. This Scheme was initiated in 1998 with a capital of \$18 billion provided by the Government. Its purpose is to help first time home buyers purchase their own homes. The Housing Society is the operating agency and the Scheme is expected to benefit 30,000 eligible families⁸ in 'tranches' of about 6,000 loans a year in each of the next five

7 Mortgage lending is restricted to a maximum of 70% of the purchase price. The aim is to maintain lending within prudent limits.

8 To be eligible, households must have monthly incomes of below \$70,000 and have not owned any domestic property within the past ten years. They must not possess net assets in excess of \$1.2 million.

years. The loans will attract a low rate of interest and will be subject to a maximum of \$600,000. In June 1998, we decided to advance to 1998-99 some 6,000 loans originally 'earmarked' for 1999-2000.

Home Purchase Loan Scheme

372. As explained in paragraph 201 of the previous report, this Scheme enables public housing tenants and families in the low income group to borrow money - interest free - towards the cost of private sector flats. The conditions remain as previously explained. That is, public housing tenants who have borrowed under the Scheme must surrender their rental flats. Borrowers can choose between -

- (a) loans to cover downpayments, conveyance fees and stamp duty; and
- (b) mortgage subsidies for a total of 48 months.

Currently, the maximum individual loan amount for an applicant not living in public rental housing remains \$400,000. Those choosing the mortgage subsidy option still receive \$3,400 a month. The corresponding sums for public housing tenants remain \$600,000 and \$5,100 respectively. By the end of 1997, about 20,000 loans and 1,300 subsidies had been granted since the Scheme began in 1988.

Groups in special need

Single person households

373. In 1997, for the reasons in paragraph 200 above (in relation to Article 10), there were about 270,000 single person households in Hong Kong: about 14% of all households. About one-third of these persons were elderly. By 2005, the number of one-person households is expected to rise to about 338,000, an increase of 25%.

374. Many of these individuals already live in public rental housing, subsidised home ownership flats or adequate private sector accommodation. But others do not, so - from 1998 to 2001 - the Housing Authority plans to allocate 36,500 small flats to eligible single persons in genuine need. Over 70% of these will be allocated to the elderly.

Housing policy for the elderly

375. The Government's policy remains to give elderly people in need priority access to public housing and to ensure that there is an adequate supply of flats with facilities and services suited to them. At the end of 1997, some 509,000 people aged 60 or above - over half Hong Kong's elderly population - were living in either public rental housing or in subsidised home ownership flats.

Preferential housing schemes for the elderly

376. To encourage elderly people living in inadequate private sector accommodation to join the waiting list for public rental housing, we have opened five Housing Information Centres in districts with large concentrations of elderly residents. Their purpose is to alert elderly people to their housing entitlements. We will set up a sixth centre by the end of 1998.

377. As at 30 June 1998, more than 40,000 elderly persons had benefited from the various housing priority schemes. These include, for example, the Single Elderly Person Priority Scheme, the Elderly Persons Priority Scheme (for two-person and three-person households), and the Families with Elderly Persons Priority Scheme. Currently, there are about 9,000 single elderly persons on the waiting list. Our target is to allocate public rental flats to them within two years of application. But those whose situations warrant compassionate consideration can be placed immediately.

378. The Government encourages families to live with - and take care of - their elderly members. This is because we believe older persons are happiest living in their own homes in the company of their families and that their families are best placed to care for them. We will introduce new measures to further this policy by the end of 1998.

Special accommodation for the elderly

379. Elderly people not living with their families have access to two types of accommodation in public rental estates -

- (a) **the Housing for Senior Citizens Scheme:** provide specially designed rental housing units with warden service. Currently, there are 6,400 such units. A further 4,000 will be built between 1997-98 and 2001-02; and
- (b) **purpose-built and self-contained flats in rental estates:** over 21,300 flats have been allocated to the elderly over the past four years. Another 22,700 flats will be provided between 1998-99 and 2001-02.

Housing programme for elderly in the middle income group

380. For obvious reasons, efforts to provide housing for the elderly have focused on those who are most in need. But we are conscious that there exists a sandwich class of elderly persons in the middle income group whose needs have yet to be addressed. Essentially, they require affordable, purpose-built accommodation with integrated care services. With that in mind, we have initiated a pilot Senior Citizen Residence Scheme comprising 500 small flats in the urban areas for lease for life to elderly persons. Residents will be provided with medical and other facilities on site.

New arrivals from Mainland China

381. The Government advises new arrivals of available housing facilities on their arrival in Hong Kong. It also helps them to register for public housing. Spouses or dependent children of existing tenants in public housing may live with them if they so wish.

382. Otherwise, however, applicants for public rental housing must have at least seven years' residence in Hong Kong before they are eligible for public rental flats. Where applicants have families, more than 50% of family members (including the applicant) must have at least seven years' residence in Hong Kong in order to qualify. All locally born children are considered to have met the residence qualification provided that at least one parent has satisfied the residence rule. Some commentators consider that this rule discriminates against new arrivals. But the Government considers it fair and reasonable that scarce housing resources should first be allocated to meet the needs of longer term residents and locally born children. Permanent resident status is not a qualification for public rental housing.

Squatters

383. Despite the increasing influxes of new arrivals, the squatter population was contained at around 230,000 (as at June 1998) as a result of our on-going clearance and rehousing programmes. This figure includes both illegal squatters on Government land and squatters on private land, some of whom live in structures that are both substantial and more than adequate in housing terms.

384. The Government is determined to solve the housing problem of the inadequately housed squatters over time. All urban squatters on Government land have now been offered rehousing. The next target is to clear and rehouse 12,000 squatter families over the next five years. This entails -

- (a) removing structures that are exposed to the risk of landslips;
- (b) clearing land for public development; and
- (c) removing structures to improve the environment or living standards.

385. Squatters who are not affected by these clearances are encouraged to join the waiting list for public rental housing.

Bedspace apartments

386. In paragraph 214 of the previous report, we explained that bedspace apartments (the so-called "cage homes") were private dwellings in which bedspaces were rented to people who, for personal reasons, required very basic accommodation. As at 30 June 1998, there were 101 such premises housing about 2,300 persons: a decline of 33% and 28% respectively from the position reported in the previous report (150 premises housing about 3,200 persons). Most are located in densely-populated urban areas and have been in existence for many years. Rents are comparatively low. To maximise earnings, operators usually install as many bedspaces as possible. This has resulted in overcrowding, high fire risks and other hazards arising from structural strain.

387. In paragraph 40 of its Concluding Observations on the previous report, the Committee strongly reiterated its recommendation that the Government should undertake, as a matter of high priority, the total eradication of "cage homes".

388. As stated in paragraph 215 of the previous report, the Government shares the concerns that the Committee and local commentators have expressed about living conditions in bedspace apartments. But the fact remains that there is a residual demand for low cost accommodation in convenient, core urban locations. This is demonstrated by the reluctance of many bedspace apartment lodgers to accept better alternative accommodation outside these areas (see paragraph 392 below). Therefore, we maintain that it would be wrong to outlaw this kind of accommodation. Instead, the policy remains to ensure that bedspace apartments meet the statutory fire and building safety standards. Our proposals for achieving this objective were explained in paragraph 217 of the previous report and in our responses to questions 30 and 36 on the Committee's

difficulties, such as mental illness. NGOs also provide day relief centres, temporary shelters and hostels and outreach services. Between January 1991 and June 1998, permanent accommodation was arranged for over 1,080 street sleepers. In 1996, we established a Multi-disciplinary Team for Elderly Street Sleepers (on a pilot basis) to provide counselling services and health care advice to vulnerable elderly street sleepers.

Private housing

396. The private sector has a crucial role to play in meeting Hong Kong's housing needs, not least because many households earn incomes that are beyond the limits for the various forms of assistance described above. At present, about 50% of Hong Kong's population lives in private housing. By the end of 1997, private housing stock amounted to about 940,000 flats. As indicated in paragraph 346 above in relation to the Long Term Housing Strategy, the Government will facilitate the production of private sector flats. To achieve this, we will provide a steady and sufficient supply of land for private housing development, streamline and accelerate the relevant approval procedures. We will also encourage private sector involvement in public housing programmes by inviting private developers to build subsidised home ownership flats as part of "mixed developments".

397. Additional measures to help families whose incomes exceed the limit for government assistance, include -

- (a) **tax relief for home buyers:** introduced in the 1998-99 financial year; and
- (b) **increasing the availability of mortgage finance to home buyers:** in March 1997, we established the Hong Kong Mortgage Corporation to provide a discount market for mortgages held by the banks. The aim is to reduce banks' existing exposure to the domestic property sector, thus releasing funds for new loans.