

立法會
Legislative Council

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**Paper for the House Committee meeting
on 18 January 2002**

**Report of the Panel on Welfare Services concerning the lack of consultation on
the "Financial Assistance Scheme for Family Members of
those who Sacrifice their Lives to Save Others"**

Purpose

This paper reports on the concern of the Panel on Welfare Services (the Panel) about the lack of prior consultation on the "Financial Assistance Scheme for Family Members of those who Sacrifice their Lives to Save Others" (the Scheme) which took effect on 9 January 2002.

Background

2. On 9 January 2002, the Health and Welfare Bureau requested the Panel to add a new item to the agenda of the Panel meeting on 14 January 2002 to discuss the Scheme and provided an information paper setting out the details of the Scheme (LC Paper No. CB(2)851/01-02(08) issued to Panel members on 9 January 2002).
3. The Health and Welfare Bureau simultaneously issued the same paper to all Members in the form of a Legislative Council (LegCo) Brief (File Ref. HW/CR/1/4830/00(01)).
4. The Bureau also issued a press release announcing the setting up and immediate commencement of the Scheme on the same day.

Concern of the Panel

5. Members are generally supportive of the Scheme but have reservations about the scope and details of the Scheme. They have expressed deep regret at the Administration's total disregard of LegCo by only informing Members of the Scheme on the day it took effect. Members of the Panel have raised a number of queries and suggestions concerning the Scheme. They are of the view that these queries and

suggestions should have been considered by the Administration before announcing the details of the Scheme.

6. Members are also concerned about the Administration's timing of discussing the Scheme with the Panel five days after the commencement of the Scheme. For this reason, members have grave doubts about the Administration's sincerity in seeking the views of the Panel and have expressed strong dissatisfaction that there has been no prior consultation.

7. The Panel considers that in line with the established practice, it is incumbent upon the Administration to consult LegCo before implementing the Scheme. Members have pointed out that the Scheme involves new policy and has financial implications as the Administration has estimated that the maximum financial implications of the Scheme will be in the order of \$12 million per annum. Members are also not convinced that there is any great urgency in implementing the Scheme on 9 January 2002 prior to consulting LegCo on 14 January 2002.

8. The Administration has pointed out that the Scheme will be funded from the General Revenue, and that the Secretary for the Treasury has delegated authority to create non-recurrent commitments, as and when a case arises, provided the financial assistance does not exceed \$10 million. Since the maximum level of payment for each application under the Scheme will be approximately \$6 million, the Administration is of the view that there should be no need for the Administration to seek the approval of the Finance Committee for making such one-off ex-gratia payment.

Recommendation

9. Members are of the view that the Administration has failed to explain why it has not followed the established practice of prior consultation with the relevant Panel in this particular case. Members agree that the matter should be brought to the attention of the House Committee to seek its support for the matter to be raised with the Chief Secretary for Administration.

Advice Sought

10. Members are invited to support the recommendation in paragraph 9 above.