

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1738/02-03  
(These minutes have been  
seen by the Administration)

Ref : CB2/PL/WS

**Panel on Welfare Services**

**Minutes of meeting**  
**held on Monday, 10 March 2003 at 10:45 am**  
**in Conference Room A of the Legislative Council Building**

**Members Present** : Dr Hon LAW Chi-kwong, JP (Chairman)  
Hon Cyd HO Sau-lan  
Hon LEE Cheuk-yan  
Hon Fred LI Wah-ming, JP  
Hon Bernard CHAN, JP  
Hon LEUNG Yiu-chung  
Dr Hon YEUNG Sum  
Hon CHOY So-yuk  
Hon LI Fung-ying, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung  
Hon WONG Sing-chi  
Hon Frederick FUNG Kin-kee

**Members Absent** : Hon CHAN Yuen-han, JP (Deputy Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon Henry WU King-cheong, BBS, JP

**Public Officers Attending** : All items  
Mrs Carrie LAM, JP  
Director of Social Welfare

Item III

Mr Patrick NIP  
Deputy Secretary for Health, Welfare and Food (Elderly Services)

Item IV

Mr SIT Tung  
Assistant Director of Social Welfare (Information Systems and Technology)

**Clerk in Attendance** : Ms Doris CHAN  
Chief Assistant Secretary (2) 4

**Staff in Attendance** : Miss Mary SO  
Senior Assistant Secretary (2) 8

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**I. Items for discussion at the next meeting**  
(LC Paper Nos. CB(2)1401/02-03(01) and (02))

Members agreed to discuss the following items at the next regular meeting scheduled for 14 April 2003 -

- (a) Adoption; and
- (b) An update on the Ending Exclusion Project.

2. The Chairman asked the Administration to confirm as soon as possible whether the progress of the phasing out of homes for the aged could also be discussed at the meeting. As to the timing for the discussion of the deferred item of residential care services for frail elders, Deputy Secretary for Health, Welfare and Food (DSHWF) said that it could be discussed either in April or May 2003.

**II. Information paper issued since the last meeting**  
(LC Paper No. CB(2)1318/02-03(01))

3. Members noted a letter from the Boys' & Girls' Clubs Association of Hong

Kong dated 25 February 2003 on the adjustment of Comprehensive Social Security Assistance (CSSA) rates, and did not raise any query.

### **III. Relevance of the Population Policy to Social Welfare** (LC Paper No. CB(2)1401/02-03(03))

4. Director of Social Welfare (DSW) briefed members on the Administration's paper which set out the recommendations relating to social welfare made in the Report of the Task Force on Population Policy.

5. Referring to paragraph 14 of the Administration's paper on revisiting and redefining the notion of retirement and old age, Mr LEUNG Yiu-chung asked whether this meant that the retirement age would be extended beyond 65. Mr LEUNG expressed concern that if this was the case, the problem of unemployment would be worsened given that even middle-aged people had difficulties to find jobs. Mr LEUNG wondered whether the reason for extending the retirement age beyond 65 was to save Government expenditure on the Old Age Allowance (OAA). Mr LEUNG further said that setting the length of residence at seven years as one of the eligibility criteria for CSSA was too long, as it would subject needy new arrivals to live in poverty. Noting that DSW would have discretion to waive the residence requirement on compassionate grounds, Mr LEUNG asked under what circumstances would such a discretion be exercised.

6. DSHWF responded that revisiting and redefining the notion of retirement and old age was not for the purpose of cutting Government spending on OAA, which was under review in order to develop a long-term sustainable financial support system for the needy elderly. In view of the fact that about one quarter of the population was expected to be of age 65 or above in 2031, the Task Force on Population Policy recommended to encourage the public and private sectors to make the best use of the knowledge and experience of senior citizens. To this end, the Administration would conduct further research on the conceptual framework and overseas experiences in meeting the challenges of an ageing population, with a view to identifying and developing those ideas which might be applied in the local context. The community would be engaged in reinventing the concept of ageing and rethinking on the notion of retirement.

7. On waiving the residence rule in the eligibility for CSSA on compassionate grounds, DSW said that this discretion was also resorted to from time to time under the present rule with some 700 CSSA cases involving recipients who had resided in Hong Kong for less than one year. Generally speaking, the residence rule would be waived if the new arrivals had no relatives in Hong Kong to whom they could turn to for help, no income, their assets were below two monthly CSSA

payments applicable to their household size and had genuine difficulty to return to their place of origin. For instance, new arrivals who became widowed shortly after they came to Hong Kong and left with little or no means to raise their young children had been exempted from the residence rule on compassionate grounds. Similar approach to waive the residence rule would continue if the residence requirement for granting CSSA was changed from one year to seven years. Moreover, existing internal guidelines for waiving of residence rule would be made clearer and more transparent and in light of the operational experience of the new rule. DSW, however, pointed out that the majority of new arrivals, who were mainly from the Mainland, were not on public assistance, as evidenced by the fact that only some 18% of new arrivals from the Mainland were on CSSA benefits.

8. As to setting the length of residence at seven years for eligibility to apply for CSSA, DSW considered the new rule reasonable for the following reasons. First, CSSA was a non-contributory scheme funded entirely by general revenue. Eligibility based on a seven-year residence requirement reflected the contribution a resident had made towards the economy over a sustained period of time in Hong Kong. Moreover, against the serious fiscal deficit, there had been increasing public concerns that the current one-year residence rule for eligibility to apply for CSSA was too lax. Second, the seven-year residence requirement would be applied to new arrivals aged 18 or above. Waiving all new arrivals under the age of 18 from the residence requirement was a relaxation of the current rule, as the one-year residence requirement applied to all new arrivals regardless of the age. Thirdly, in genuine cases of hardship, DSW had the discretion to waive the residence requirement. Fourthly, it was not unreasonable to expect the sponsoring persons in Hong Kong to support their sponsored new arrivals or the new arrivals who were economically active to support themselves with their own means in Hong Kong.

9. DSW disagreed that the seven-year residence requirement for eligibility to apply for CSSA would subject needy new arrivals to live in poverty. Prior to implementing the new rule, appropriate steps would be taken to ensure that the new rule was brought to the attention of potential new arrivals so as to enable them to make an informed decision on whether they would move to Hong Kong taking into account all relevant considerations. Moreover, in genuine cases of hardship, DSW had the discretion to waive the seven-year residence requirement for new arrivals who had resided in Hong Kong for less than seven years. DSW further said that the Administration would not apply the new rule to existing new arrivals already residing in Hong Kong. The new rule would take effect from a future date and all new arrivals already in Hong Kong then would not be affected.

10. Mr WONG Sing-chi said that changing the residence requirement for the

CSSA Scheme from one year to seven years would aggravate discrimination against new arrivals, and deter needy new arrivals from seeking financial assistance. In the light of this, Mr WONG urged DSW to keep her promise made at the meeting on 11 November 2002 that the Administration would not change the residence requirement for the CSSA Scheme if CSSA standard rates were adjusted downwards.

11. DSW responded that she had never made any promise that the Administration would not change the residence requirement for the CSSA Scheme if CSSA standard rates were adjusted downwards. As clarified at the meeting on 10 February 2003, her reference at the earlier Panel meeting in November 2002 to the more drastic measures, such as changing the residency requirement for the CSSA Scheme, time-limiting the CSSA benefits and setting a ceiling on CSSA expenditure, to prevent CSSA expenditure from going out of control were then not the stance of the Administration. They were suggestions being made from time to time by some quarters in the community, and specifically on the issue of residence requirement, she noted that tightening the rule had been a suggestion made by some members of this Panel and three political parties with the Democratic Party being one of them. DSW pointed out that she had indeed tried to update members on deliberations likely to impact on CSSA. For instance, it was divulged to members at the February meeting that the population policy, to be finalised by the Chief Secretary for Administration, would address the residence requirement of CSSA in light of graving fiscal concern. DSW disagreed that the seven-year residence rule for providing CSSA benefits was a discriminatory policy against new arrivals. In approaching this complex issue, a very fine balance amongst the interests of various sectors of the community had been struck, with due regard to the long-term sustainability of Hong Kong's social services within limited financial resources. DSW assured members that in genuine cases of hardship, the seven-year residence rule for providing CSSA benefits would be waived.

12. Mr WONG Sing-chi urged the Administration to step up its publicity work to apprise the new arrivals that they could seek assistance under the CSSA Scheme when encountering financial difficulty even though they had not resided in Hong Kong for seven years if the seven-year residence rule was adopted. New arrivals should also be appraised that they could always seek help from Social Welfare Department (SWD) and non-governmental organisations (NGOs) providing welfare services when encountering personal or family problems.

13. DSW responded that this would be done, despite the fact that the social welfare system in Hong Kong was already very transparent. For instance, through the efforts of the 22 Family Support Networking Teams, vulnerable groups had become aware of where to go for help if they encountered personal or

family problem. This was evidenced by the fact that of the some 6 500 CSSA applications received by SWD each month, only 60% could meet the eligibility criteria. DSW reiterated that prior to implementing the new residence rule, appropriate steps would be taken to ensure that the new rule was brought to the attention of potential new arrivals. DSW, however, pointed out that potential new arrivals had become increasingly aware of the types of social services available in Hong Kong and the eligibility criteria. This was because following a new measure introduced by the Mainland authorities in November 2002 to facilitate spouses to visit their families more frequently in Hong Kong, spouses could now apply to visit Hong Kong on Two Way Permits as and when they wished once they had applied for an One Way Permit.

14. Ms LI Fung-ying sought information on the number of the 69 345 new arrivals CSSA recipients as at end of December 2002 who had not resided in Hong Kong for seven years, so as to better understand the impact of the seven-year residence requirement for the CSSA Scheme on new arrivals. Ms LI further said that the seven-year residence requirement for the CSSA Scheme a policy marred with contradiction, as its having the effect of deterring potential new arrivals to settle in Hong Kong was at variance with the policy of family reunion. On the other hand, DSW had discretion to waive such a requirement on compassionate grounds.

15. In response, DSW said that she would be happy to provide the information requested by Ms LI. DSW further said that the impact of the seven-year residence rule on new arrivals was not as adverse as some members had envisaged, having regard to the fact that the new rule would only apply to new arrivals aged 18 or above. This was a relaxation of the current one-year residence rule whereby new arrivals under the age of 18 had to reside in Hong Kong for one year in order to be eligible for CSSA. DSW pointed out that of the 69 345 new arrival CSSA recipients as at end of December 2002, 51.6% were below 18 of age. DSW reiterated that in approaching the issue of the eligibility for use of heavily subsidised public services, including the CSSA Scheme, a very fine balance amongst the interests of various sectors of the community had been struck, with due regard to the long-term sustainability of Hong Kong's social services within limited financial resources. For instance, although one of the effects of the new rule would result in Mainland spouses of elderly CSSA recipients having to find jobs to support themselves if they had not resided in Hong Kong for seven years, DSW did not consider such a change unreasonable. Where necessary, support and assistance would be provided to these new arrivals to find jobs. DSW drew members' attention to the fact that 27.2% of the CSSA cases with new arrival recipients as at end of December 2002 fell within the "old age" category, and many of these elderly recipients had young Mainland spouses who were economically active to support themselves with their own means.

16. Mr Fred LI clarified that the Democratic Party only suggested changing the residence requirement for the CSSA Scheme to three years. Mr LI expressed opposition to the seven-year residence requirement for the CSSA Scheme, as the deterrent effect of the new policy on new arrivals would reinforce the public's misconception that new arrivals were lazy people relying on public assistance. Mr LI then asked whether the implementation of the seven-year residence requirement for the CSSA Scheme would need legislation.

17. DSW responded that the Administration had never said that people on CSSA were lazy people, and applying a seven-year residence requirement for providing CSSA benefits was certainly not a policy designed to discourage new arrivals from getting such financial assistance for the reasons already repeatedly given at the meeting. Moreover, it was acknowledged in the Report of the Task Force on Population Policy that Hong Kong had to rely on admission of new arrivals to reduce population ageing and labour force shrinkage for its future economic growth. As to the question of whether implementation of the seven-year residence requirement for the CSSA Scheme would need legislation, DSW replied in the negative. Nevertheless, it was the Administration's plan to seek the endorsement of the Finance Committee of LegCo for the new rule, having regard to the fact that the CSSA Scheme was funded by general revenue and involved a significant sum.

18. Ms Cyd HO disagreed with the Administration's view that eligibility for the CSSA Scheme based on a seven-year residence requirement was right because seven years could adequately reflect the contribution a resident had made towards the economy over a sustained period of time in Hong Kong. In her view, granting of CSSA should only be considered from a humanitarian angle. To this end, Ms HO hoped that DSW, in exercising her power to waive the seven-year residence rule for granting CSSA, would have regard to the circumstances of each case and not merely following the internal guidelines. DSW assured members that this had always been the case and would continue to be so.

19. Mr Frederick FUNG expressed regret that the Task Group on Population Policy had looked upon older persons as a burden on society, as evidenced by paragraphs 3.6 to 3.10 of its Report which spelt out the adverse economic effects of having a larger elderly population group. Mr FUNG said that the Task Group had also failed to recognise that older persons of the next generation were more educated and financially well-off than older persons of the current generation, and would be an asset to society if they were given the opportunity to contribute to society. Mr FUNG further said that the population policy should not rely on admission of new arrivals to reduce population ageing and labour force shrinkage, and should encourage Hong Kong people to have more children by providing them

with incentives such as education allowance. If that was not the case, Hong Kong would lose its unique characteristics and become just one of the Mainland's cities.

20. DSHWF responded that the problems mentioned in paragraphs 3.6 to 3.10 of the Report of the Task Force on Population Policy were very real and needed to be addressed. However, this did not mean that the Task Force had taken a negative view on the elderly population. DSHWF referred members to paragraphs 5.46 to 5.49 of the Report which in essence stated that population ageing should be given a new perception, that it should not be seen as a burden on society but an opportunity to revisit the various aspects relating to ageing to ensure that these were in line with Hong Kong's socio-economic development and health and demographic profile, e.g. retirement and human resource practices which removed older persons from the workforce prematurely and placed them in a state of dependency, particularly financial dependency.

21. As to encouraging Hong Kong people to have more children, DSHWF said that the Task Force had considered whether Hong Kong should adopt pro-natalist policies to promote childbirth. In the final analysis, the Task Force considered it not appropriate to do so, as it was very much a matter of individual choices and the effectiveness of pro-natalist policies to promote childbirth adopted in countries with low fertilities rates were doubtful. DSHWF further said that it was not conducive to harmonisation of society if a distinction was drawn made between people who came to Hong Kong under the One Way Permit Scheme and people who were born in Hong Kong. Nevertheless, it might be worthwhile to find out how the former group had changed the profile of Hong Kong's social structure in the long run.

22. Mr Tommy CHEUNG said that the Liberal Party supported the seven-year residence requirement for the CSSA and hoped that this could be implemented as soon as possible. Mr CHEUNG then asked whether the "absence rule" in the various social security schemes was only applicable to recipients spending time in the Mainland within a permissible period of time in order to be able to continue to receive their payment. DSW replied that no specification on places had been made for the "absence rule" in the various social security schemes.

23. The Chairman asked whether consideration could be given to applying the eligibility criteria for subsidised housing to the CSSA Scheme. Namely, if one-half of the family members included in the application for CSSA had lived in Hong Kong for seven years and were still living in Hong Kong, they should be deemed as having satisfied the eligibility requirement for the CSSA Scheme. The Chairman further said that if the intention of the residence requirement was to deter abuse of the CSSA Scheme by new arrivals, setting the length of residence at



three years or even five years should be sufficient.

24. DSW responded that the Administration would not apply the eligibility criteria for subsidised housing to the CSSA Scheme. DSW, however, pointed out that all new arrivals under the age of 18, regardless of their place of birth, would be waived the seven-year residence requirement. DSW remained of the view that setting the length of residence at seven years was reasonable for the reasons already given at the meeting. Moreover, the seven-year residence requirement would be waived in genuine cases of hardship. DSW further said that at present, over two-thirds of the new arrival CSSA recipients had lived in Hong Kong for at least three years.

25. The Chairman further said that if one-half of the family members included in the application for subsidised housing would be provided accommodation applicable to their household size, then the payment to a CSSA recipient should not be reduced if his spouse, who was not eligible for CSSA benefits because she could not satisfy the residence requirement, had found a paid job. Ms Cyd HO concurred with the Chairman. In response, DSW said that she would need to check and revert to members after the meeting.

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#### **IV. Implementation of the Information Technology Strategy for the Social Welfare Sector**

(LC Paper No. CB(2)1401/02-03(04))

26. DSW took members through the Administration's paper which set out the progress on the implementation of the information technology (IT) strategy for the social welfare sector in the past two years.

27. Miss CHOY So-yuk urged SWD to do more in collecting old computers and distributing them to people who could not afford to buy their own computers.

28. DSW agreed and said that SWD had all along supported funding requests from NGOs to re-cycle old computers to people in need. DSW, however, pointed out that the carrying out of such a task was very complicated as it involved clearing up the softwares in the computers, delivering the computers to the recipients, helping the recipients to install and use the computers and providing maintenance to the computers afterwards.

29. Ms LI Fung-ying noted that the objective of the IT strategy for the social welfare sector was to encourage the management and staff of all social welfare organisations to expand and improve their use of IT in managing their organisations, communicating and delivering services, to enhance their

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competence in using IT for their business through training, and to assist welfare service recipients and disadvantaged individuals to use IT by making IT accessible and ensuring that they had the skills to use IT. In the light of this, Ms LI asked why the bulk of the resources had been spent on procurement of IT products and services.

30. DSW responded that this was understandable, in order to get the IT infrastructure set up in the social welfare sector. DSW, however, envisaged that requests for funding in the coming two years would focus on promoting wider use of IT by welfare service recipients and disadvantaged individuals and providing IT training to management and staff of social welfare organisations.

31. Mr LEUNG Yiu-chung said that IT training provided for elders and disabled people would be wasted if they did not have the chance to apply what they had learnt. In the light of this, Mr LEUNG asked whether consideration could be given to installing more computers at the multi-service centres and the social centres for the elderly and at the rehabilitation service units for people with disabilities.

32. DSW responded that due to fiscal constraints, it would be difficult to ask for additional funding to install more computers at the multi-service centres and the social centres for the elderly and at the rehabilitation service units for people with disabilities. Nevertheless, consideration was being given to see how use of computers in the community could be shared. For instance, consideration was being given to allowing elders to use the computers installed at youth centres in the morning when the centres were closed to youngsters. Also, access to computers was available at cyber centres and the community facilities of the Home Affairs Department. DSW also said that SWD had obtained a Lotteries Fund (LF) grant of \$73.34 million for disbursement to non-profit-making NGOs providing welfare services upon application to help meet the cost of providing broadband Internet access and digital certificates for a period of three years starting from December 2001.

33. Ms Cyd HO requested the Administration to provide information on the money spent on paying the copyright fee for the software used by SWD and the subvented welfare organisations. Ms HO hoped that SWD would reimburse NGOs the difference in the increase to the soft copyright fee which might be brought about by higher taxation levied on IT companies concerned.

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34. DSW agreed to provide the information requested by Ms HO in paragraph 33 above after the meeting.

35. Mr WONG Sing-chi hoped that in the re-engineering of community support

services for the elderly, due regard would be given to ensuring adequate space to incorporate IT development in the District Elderly Community Centres (DECCs) and the Neighbourhood Elderly Centres (NECs). Mr WONG further hoped that more support could be provided to NGOs in the development of computer software for their own use.

36. DSW responded that every effort would be made to ensure adequate space for DECCs and NECs. For instance, where practicable, vacant space adjacent to the existing elderly centres would be annexed as part of DECCs or NECs. As to Mr WONG's second suggestion, DSW said that a LF grant of \$9.065 million had been obtained by SWD to set up a functional unit with the Hong Kong Council of Social Service to provide a range of IT services to NGOs in 2001. DSW, however, pointed out that as the unit was intended to run on a self-financing basis, a charge would be made for use of services provided by the unit in the long run.

37. In summing up, the Chairman hoped that in order to expedite the wide use of IT in the social welfare sector, more training should be provided to NGO staff and that NGOs should recruit more people with IT experience.

38. There being no other business, the meeting ended at 12:33 pm.