

立法會
Legislative Council

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Panel on Welfare Services

**Paper for the meeting of the
Subcommittee to study issues relating to the Comprehensive Social Security
Assistance and Social Security Allowance Schemes to be held on 6 May 2004**

Background

At the meeting on 25 March 2004, members decided to draw up a list of recommendations with regard to the waiver of residence requirement under the Comprehensive Social Security Assistance (CSSA) Scheme for follow up by the Administration.

Recommendations of the Subcommittee

2. Recommendations of the Subcommittee are as follows -
 - (a) Social Security Field Units staff of the Social Welfare Department (SWD) must apprise all potential applicants at the outset that discretion might be exercised to waive the seven-year residence requirement under the CSSA Scheme in cases of genuine hardship;
 - (b) SWD should publicise a set of Frequently Asked Questions (FAQs) to facilitate better understanding of the operation of discretion under the CSSA Scheme to waive the seven-year residence rule by applicants and non-governmental organisations (NGOs), amongst others. A copy of the draft FAQs is in the **Appendix**; and
 - (c) For applications involving family problems, social workers from the Family Services Centres/Integrated Family Service Centres of SWD should be engaged to render assistance, instead of doing so after the new arrivals are refused CSSA.

Action sought

3. The Administration is invited to comment on the Subcommittee's recommendations set out in paragraph 2 above.

Frequently asked questions on waiver of discretion of the residence requirement under the Comprehensive Social Security Assistance (CSSA) Scheme

1. What are the factors to be considered for waiving the residence requirement under the CSSA Scheme?
2. Will discretion be granted to waive the residence requirement under the CSSA Scheme for a battered spouse with young children and have no income?
3. Will money borrowed from friends/relatives or finance companies be considered an income/financial resources of the applicant?
4. Who will decide it is in the best interest of the new arrival applicant to return to his/her place of origin?
5. Whether there is an appeal mechanism against decisions made by SWD on the CSSA applications; if so, what are the procedures and the time required?
6. If waiver of the residence requirement is not granted, what other forms of assistance are available?
7. Whether discretion would be exercised to treat a new arrival, who works to support himself/herself and his/her family members, as an eligible member for the purpose of CSSA in recognition of the new arrival's efforts to become self-supporting? If so, whether he/she would still be recognised as an eligible member for the purpose of CSSA if he/she subsequently become unemployed?
8. What should I do if Social Security Field Units staff turn down my CSSA application after they know that I could not satisfy the seven-year residence requirement?