

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2964/05-06  
(These minutes have been  
seen by the Administration)

Ref : CB2/PS/1/04

**Panel on Welfare Services**

**Subcommittee on Review of the  
Comprehensive Social Security Assistance Scheme**

**Minutes of the 15<sup>th</sup> meeting  
held on Wednesday, 19 July 2006 at 10:45 am  
in the Chamber of the Legislative Council Building**

- Members present** : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)  
Hon LEE Cheuk-yan  
Hon CHAN Yuen-han, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon LEUNG Kwok-hung
- Members absent** : Hon TAM Yiu-chung, GBS, JP  
Hon LI Fung-ying, BBS, JP
- Members attending** : Hon Albert CHAN Wai-yip  
Dr Hon KWOK Ka-ki
- Public Officers attending** : Mr D C CHEUNG  
Principal Assistant Secretary for Health, Welfare and Food  
(Elderly Services and Social Security) 2
- Miss Cherie YEUNG  
Assistant Secretary for Health, Welfare and Food  
(Elderly Services and Social Security) 4

Mr CHENG Chok-man  
Chief Social Security Officer (Social Security) 1  
Social Welfare Department

Mr NG Wai-kuen  
Chief Social Security Officer (Social Security) 2  
Social Welfare Department

**Deputations  
by invitation** : New Women Arrivals League

Ms ZHANG Xun-rian

Ms YEUNG Siu-kuen

Concerning CSSA Review Alliance

Mr AU YEUNG Tat-chor  
Committee Organizer Assistant

Hong Kong Christian Institute

Mr FAN Lap-hin  
Project Secretary

Society for Community Organization

Miss SZE Lai-shan  
Community Organizer

New Immigrants' Mutual Aid Association

Ms FAN Ka-sau  
Member

Mission to New Arrivals Ltd

Ms MA Man-ngor  
Service Center Coordinator

Christian Action

Mr Sam KWONG

Hong Kong Association for the Survivors of Women Abuse  
(Kwan Fook)

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Ms LIU Ngan-fung  
Chairman

Ah Chu

Justice and Peace Commission of the HK Catholic Diocese

Ms Lina CHAN

**Clerk in attendance** : Ms Doris CHAN  
Chief Council Secretary (2) 4

**Staff in attendance** : Ms Maisie LAM  
Council Secretary (2) 2

Miss Maggie CHIU  
Legislative Assistant (2) 4

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**I. Seven-year residence requirement under the Comprehensive Social Security Assistance Scheme**

(LC Paper Nos. CB(2)2998/03-04, CB(2)1401/04-05, CB(2)2757/05-06(01) to (05), CB(2)2774/05-06(01), CB(2)2762/05-06(01) to (02) and CB(2)2793/05-06(01))

At the invitation of the Chairman, Principal Assistant Secretary for Health, Welfare and Food (Elderly Services and Social Security) 2 (PASHWF(ES&SS)2) introduced the Administration's paper (LC Paper No. CB(2)2757/05-06(01)) setting out the seven-year residence requirement under the Comprehensive Social Security Assistance (CSSA) Scheme; the operation of discretion; other forms of assistance available to new arrivals; as well as the latest development and trends.

Views of deputations

*New Women Arrivals League*  
(LC Paper No. CB(2)2757/05-06(03))

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2. Ms ZHANG Xun-rian and Ms YEUNG Siu-kuen presented the views of the New Women Arrivals League as detailed in its submission tabled at the meeting. Ms ZHANG, a new arrival single mother having meniere's disease, said that she was informed by the staff of the Social Welfare Department (SWD) right away when she made an application for CSSA that she was ineligible for both CSSA and the Support for Self-reliance Scheme because she was unable to meet the seven-year residence requirement. She was forced to rely on the CSSA payments of her son for survival.

3. Ms YEUNG said that imposing a residence requirement for eligibility to apply for CSSA was unreasonable, as new arrival applicants were also Hong Kong residents in genuine need. This put the new arrivals at a disadvantage to become self-reliant as they had to struggle to make both ends meet and adapt to the new environment.

*Concerning CSSA Review Alliance  
(LC Paper No. CB(2)2757/05-06(04))*

4. Mr AU YEUNG Tat-chor took members through the submission of the Concerning CSSA Review Alliance, which held the view that the tightening of the residence requirement for CSSA from one year to seven years in 2004 on the ground that the increasing demand for CSSA from new arrivals had led to burgeoning welfare spending was not justifiable as the number of CSSA cases involving new arrivals only accounted for 14% of total caseloads in 2003. In particular, the Alliance urged the Administration –

- (a) to abort the seven-year residence requirement for CSSA, which had aggravated discrimination against new arrivals and was at variance with the objective of CSSA which sought to provide a safety net for financially vulnerable people;
- (b) to include taking care of young children or family members as one of the considerations for waiving the seven-year residence requirement for CSSA; and
- (c) to review the operation of discretion to waive the residence requirement and regularly update SWD's internal guidelines in this regard so as to address the problem of lack of consistency amongst the Social Security Field Units (SSFUs) in different districts.

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*Hong Kong Christian Institute*  
(LC Paper No. CB(2)2762/05-06(01))

5. Mr FAN Lap-hin presented the views of the Hong Kong Christian Institute as detailed in its submission tabled at the meeting. He said that the seven-year residence requirement was running contrary to the population policy of promoting social integration of new arrivals as well as the objective of the social security scheme to provide financial support to the vulnerable groups and assist them to move towards self-reliance. It had created a labelling effect on new arrivals as dependants of welfare assistance.

6. Mr FAN further said that the criteria for determining whether a CSSA applicant was in genuine hardship and be eligible for waiving the seven-year residence requirement should be made clear. Frontline SWD staff should not ask new arrivals not meeting the residence requirement to withdraw their applications for CSSA, without first informing them of the availability of a discretion mechanism.

*Society for Community Organization (SOCO)*  
(LC Paper No. CB(2)2762/05-06(02))

7. Miss SZE Lai-shan pointed out that only 10% of the new arrivals coming to Hong Kong for family reunion had to apply for CSSA due to genuine hardship. The operation of discretion to waive the seven-year residence requirement was however not working as intended as many CSSA applicants not meeting the residence requirement were requested to withdraw their applications or had to wait for months or years for approval of waiving such requirement. There were also instances where SWD had only approved some previously rejected cases with discretion after SOCO expressed its intention to seek a judicial review. In the light of this, Miss SZE highlighted the following recommendations in SOCO's submission –

- (a) the Administration should remove the residence requirement for CSSA to protect the fundamental rights of the new arrivals to social security under the Basic Law and the various international human rights treaties and provide support to parents in taking care of their children; and
- (b) SWD should require the processing of an application for waiver of the seven-year residence requirement for CSSA to be completed within one month. In view of the lead time required to consider an application for waiver of residence requirement, SWD should provide temporary financial relief to these applicants to assist them to tide over the initial period of financial hardship.

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*New Immigrants' Mutual Aid Association  
(LC Paper No. CB(2)2762/05-06(02))*

8. Ms FAN Ka-sau related the difficulties she had encountered in applying for CSSA. Ms FAN pointed out that her first application for CSSA was not filed because of not meeting the seven-year residence requirement. When she made an application for a second time with the assistance of SOCO, the frontline staff of SWD advised her that she did not satisfy the eligibility criteria for CSSA and request her to sign a letter to withdraw her application, which included a statement that she did not need the assistance at this stage.

9. Miss SZE Lai-shan asked SWD the reasons for rejecting Ms FAN's CSSA application. She requested SWD to keep a proper record in respect of the circumstances of each and every CSSA applicant, including those who withdrew their applications subsequently.

*Mission to New Arrivals Ltd*

10. Ms MA Man-ngor said that she had come across cases where the CSSA applications from new arrivals not meeting the seven-year residence requirement were dragged on for six months or more, or were denied CSSA even with the provision of medical certificates that the applicants were not fit for work. Ms MA criticised that the Administration had shifted its responsibility for assisting people in need to the non-governmental organisations (NGOs), as evidenced by the fact that the number of new arrivals applying for emergency relief funds of NGOs had been on the rise after the implementation of the seven-year residence requirement for CSSA. This was contrary to the objective of CSSA to provide a safety net of last resort for those in need.

*Christian Action*

11. Mr Sam KWONG shared the view of SOCO that the processing time for an application to waive the seven-year residence requirement for CSSA should be limited to one month. He pointed out that the Christian Action had recently handled a case where an application from a single mother suffering from cancer required a processing time of six weeks, even with the provision of supporting document from medical social worker that the new arrival was not able to work.

12. Mr KWONG further said that the seven-year residence requirement ran counter to the principle of CSSA to provide a safety net for the needy to meet their basic needs. He pointed out that SWD had required a new arrival single mother, who was relying on the CSSA payments of her three-month-old baby, to secure

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employment earning not less than \$1,435 per month as a condition of receiving CSSA as well as a child-care grant up to a maximum of \$4,676 per month to cover fees for her child to attend a day crèche. He pointed out that the development of the child concerned would be seriously undermined and the money to be spent on child care services would also far exceed the amount of CSSA to be granted to the mother.

*Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)*  
(LC Paper No. CB(2)2793/05-06(01))

13. Ms Au Chu said that she was advised by SWD staff that she was ineligible for CSSA under the seven-year residence requirement, notwithstanding that she was forced to move away from her spouse with her young daughter because of family violence. Although she was a victim of domestic violence and was not able to work because of the need to take care of her child, no discretion was exercised to waive the residence requirement for her application for CSSA.

*Justice and Peace Commission of the HK Catholic Diocese*  
(LC Paper No. CB(2)2757/05-06(05))

14. Ms Lina CHAN highlighted the following views of the Justice and Peace Commission of the HK Catholic Diocese as detailed in its submission tabled at the meeting –

- (a) the new arrivals had provided a steady supply of labour force and contributed to the economic development of Hong Kong. However, the residence requirement had deepened discrimination against them and deterred them from early integration into the community; and
- (b) the Administration should respect the human right of the new arrivals who come to Hong Kong for family reunion and there should not be any difference in the eligibility criteria for receiving social benefits. It was also unreasonable to request them to have sufficient means to be self-supporting before settling in Hong Kong.

The Administration's response

15. PASHWF(ES&SS)2 responded as follows –

- (a) the tightening of the residence requirement for CSSA was in line with the principle of seven-year residence requirement for providing social benefits heavily subsidised by public funds as recommended by the Task Force on Population Policy in February 2003. While

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the Administration was committed to providing a safety net for the financially vulnerable, it also needed to strike a reasonable balance among the interests of various sectors of the community, having regard to the long-term sustainability of the social security system and the need for a rational basis for allocating the heavily subsidised social services in the light of ever-rising demand;

- (b) most developed countries imposed a residence requirement as a condition for the receipt of non-contributory welfare benefits. The residence requirement was also meant to encourage potential new arrivals to plan carefully before settling in Hong Kong;
- (c) frontline SSFU staff would inform all potential CSSA applicants of the eligibility criteria for CSSA, including the seven-year residence requirement. However, SWD had not collated a breakdown of the withdrawal cases by reasons for withdrawal as the CSSA applicants were not required to provide such information;
- (d) the Administration had no intention to alter the seven-year residence requirement for CSSA. Children aged below 18 were now exempted from any prior residence requirement for CSSA. In cases of genuine hardship, SWD would exercise discretion to waive the seven-year residence requirement for adult CSSA applicants. The number of cases approved with discretion had increased from 230 in 2004-05 to 843 in 2005-06;
- (e) while assessment of special cases might take more time, the average processing time for an application for CSSA would be four weeks, subject to the provision of all relevant information. In order to ensure that the exercising of discretion to waive the seven-year residence requirement was fairly and consistently applied, all Senior Social Security Officers (SSSOs) of SWD, who were delegated with the discretionary power, would meet regularly to share experience on the operation of such; and
- (f) SWD had all long encouraged employable CSSA recipients to move towards self-reliance. In cases where a new arrival was working to support his/her family members, discretion would normally be exercised to treat him/her as an eligible member of the family for the purpose of CSSA in recognition of the efforts of the new arrival to become self-supporting.



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Discussion

16. Mr LEE Cheuk-yan expressed disappointment that despite repeated calls from members since the introduction of the proposal to tighten the residence requirement for CSSA in 2003, the Administration still failed to realise that the seven-year residence requirement would aggravate inter-generation poverty as the children had to share their CSSA payments with their parents. He then made the following suggestions –

- (a) the Administration should accept and appraise all CSSA applications to determine whether discretion should be exercised to exempt a new arrival from the seven-year residence requirement. The existing arrangement of advising the new arrivals of the eligibility criteria at the time of application would only force most of them to withdraw their CSSA applications in the belief that they were not qualified for assistance; and
- (b) the Administration should adopt a simple across the board approach to exercise discretion to grant CSSA to those straightforward cases, such as new arrivals in genuine hardship, single mothers with young children or applicants who had to look after their spouses suffering from serious illness.

17. PASHWF(ES&SS)2 responded that having the discretionary power to waive the residence requirement for CSSA was necessary, in view of the varying circumstances of the applicants. Furthermore, the adoption of an across the board approach was not justifiable, bearing in mind that CSSA was a non-contributory scheme financed by general revenue. He assured members that SWD would carefully consider each case on its own merit, with due regard to the special circumstances of each applicant.

18. Regarding the operation of discretion, Chief Social Security Officer (Social Security) 1 (CSSO(SS)1) said that when a CSSA application involving any person not meeting the seven-year residence requirement was received by SSFU, the caseworker would explain to the applicant, among other things, the residence requirement as an eligibility criteria for CSSA. It had also been the standard practice of SSFUs to give a copy of the pamphlet on residence requirements for CSSA and Social Security Allowance to each and every CSSA applicant who did not meet the residence requirement. There was no question of the applicants not knowing that in exceptional circumstances, CSSA might be granted at the discretion of the Director of Social Welfare (DSW) to a person who did not satisfy the residence requirement as this had been clearly stipulated in the pamphlet. If the applicants wished to seek waiver of residence requirement, the caseworkers

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would obtain all relevant information and submit a report to their senior officers for a decision on the application. A CSSA applicant who was not satisfied with the decision made by SWD could lodge an appeal with the Social Security Appeal Board within four weeks immediately following the date of notification of the decision from SWD.

19. In response to the Chairman's enquiry on when a CSSA applicant would be required to sign a withdrawal letter, CSSO(SS)1 explained that if the applicants had filed an application for CSSA, it would be necessary for them to sign a withdrawal statement should they subsequently wish to withdraw their applications. As to whether frontline staff of SSFUs would advise the new arrivals not meeting the residence requirement of their rights to seek waiver of the seven-year residence requirement under the CSSA Scheme, CSSO(SS)1 said that the information on discretion had been set out in the pamphlet on residence requirements referred to in paragraph 18 above.

20. The Chairman considered that the existing arrangements discouraged the new arrivals from applying for CSSA from the stage of enquiry and most applicants were unaware of the availability of a discretionary mechanism. He asked whether SWD had kept record of those cases where the new arrivals decided not to proceed to make a CSSA application after making the enquiry. CSSO(SS)1 responded that SWD had not collated such information.

21. Mr LEE Cheuk-yan pointed out that the attitude of the frontline SWD staff handling the cases had deterred many new arrivals from applying for CSSA at the outset. He added that the Commission on Poverty (CoP) should have a role to play in addressing the poverty problems created by the residence requirement.

22. Mr LEUNG Kwok-hung said that Article 36 of the Basic Law provided that Hong Kong residents shall have the right to social welfare in accordance with law. He considered that the root cause of the problem of subjecting the new arrivals to residence requirements in their applications for CSSA was that the Administration had regarded them as immigrants. He added that the residence requirement had forced the new arrival parents to live on the CSSA payments of their children and exacerbated inter-generation poverty.

23. PASHWF(ES&SS)2 responded that the imposition of the seven-year residence requirement was in compliance with the Basic Law. Article 145 of the Basic Law provided that "On the basis of the previous social welfare system, the Government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on the development and improvement of this system in the light of the economic conditions and social needs". There was no question that the tightening of the residence requirement for CSSA in 2004 was a development in

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the context of Article 145 of the Basic Law, having regard to the fact that the purpose of such was to secure the long-term sustainability of the social security system and the need for a rational basis on which public resources could be allocated in the light of fiscal constraints and ever-rising demands.

24. Miss CHAN Yuen-han expressed disappointment that despite discussions held with the Administration in the last legislative session on the operation of discretion to waive the seven-year residence requirement for CSSA, the issues raised by deputations remained unsolved. This was evidenced by the fact that all the applicants in the cases referred to by deputations at the meeting were in genuine hardship which warranted the waiver of the residence requirement for CSSA. The cases taken up by Members of the Legislative Council (LegCo) also revealed that many new arrivals were not aware of their rights to seek waiver of the residence requirement and it took a long period of time for their CSSA applications to be processed.

25. Miss CHAN urged the Administration to exercise its discretionary power in a humane manner to grant CSSA to the new arrivals in genuine need and not to evade its responsibility to assist the financially vulnerable. She further requested SWD to set up a working group to facilitate discussions between the deputations and the Administration on the subject.

26. PASHWF(ES&SS)2 assured members that every effort had been and would continue to be made by SWD to improve the operation of the discretion to waive the residence requirement for those who were in need. Where necessary, staff of SWD would be happy to discuss with members and deputations after the meeting to follow up the individual cases referred to at the meeting.

27. Ms LIU Ngan-fung of Kwan Fook pointed out that since 2004, around one-third of the 98 reported family violence cases of Kwan Fook had been denied CSSA. 10 of the cases involved victims who had been in Hong Kong for less than seven years but no discretion had been exercised to waive their residence requirement for CSSA. Ms LIU added that the residence requirement was at variance with the obligation of the Government to uphold the United Nations Convention on the Rights of the Child. There was an instance where a victim of family violence was requested by SWD to sign an undertaking to take up employment when her child reached three years old as a condition to receive CSSA. She requested the Administration to help the new arrivals who were in need of assistance, in particular the victims of family violence, to tide over their short-term financial difficulties and adapt to the new environment.

28. Miss CHAN Yuen-han said that in many instances, SWD would grant CSSA to the new arrivals only after there had been interventions by NGOs or

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LegCo Members. In view of the discriminatory treatment, she called on the Administration to step up its effort to ensure as far as possible that discretion to waive the residence requirement was fairly and consistently applied.

29. The Chairman asked the Administration how it would take forward the suggestions raised by members and deputations that an across the board approach should be adopted to waive the residence requirement for cases of single parents, victims of family violence and family carers. Miss CHAN Yuen-han suggested that the Subcommittee could further discuss with the Administration the criteria for exercising the discretion to waive the residence requirement where necessary.

30. PASHWF(ES&SS)2 reiterated that it was not practicable to adopt an across the board approach to develop specific rules for establishing whether a person unable to satisfy the residence requirement had genuine hardship, as each case had to be considered on its own merits. CSSO(SS)1 supplemented that one of the main justifications for approving CSSA applications with discretion was financial hardship of the new arrivals caused by family problems, such as death, ill-health or imprisonment of the breadwinner or the applicant was being abused by his/her spouse and had no other resources, details of which were set out in paragraph 10 of the Administration's paper. It had also been clearly set out in the pamphlet on residence requirements mentioned in paragraph 18 above that discretion would normally be exercised to waive the residence requirement for applicants with neither income nor other resources who had been forced to move away from their spouse with their young children because of domestic violence.

31. In response to the Chairman's suggestion that SWD should find out the circumstances of the 2 892 new arrivals who had withdrawn their applications in 2005-06 to see whether they were suffering from financial hardship caused by family problems, CSSO(SS)1 said that SWD had no information on the reasons for their withdrawal and had not followed up these cases. He stressed that of the 843 cases approved with discretion, 487 cases were approved in recognition of the new arrivals' efforts to become self-reliant through securing employment, even though their monthly income might not be sufficient to meet the basic needs of the family. The remaining 356 cases were approved on account of the new arrivals' financial hardship caused by family problems, old age or ill health with no other resources.

32. Mr Alan LEONG made the following suggestions –

- (a) the relevant Panel or this Subcommittee could conduct an overall review of the principle of seven-year residence requirement for providing social benefits heavily subsidised by public funds as the policy had been implemented for more than two years; and

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- (b) as regards the 1 073 CSSA applications approved with discretion in 2004-05 and 2005-06, the Administration should institutionalise the reasons for waiving the residence requirement for these cases with a view to providing an objective criteria for the exercise of discretion.

33. Ms YEUNG Siu-kuen told the meeting that experience of the New Women Arrivals League showed that in many cases, SWD would only encourage CSSA applicants not meeting the residence requirement to seek employment, but would not take the initiative to find out whether their circumstances warranted the exercise of discretion to waive the residence requirement. In these cases, many new arrivals, even though they failed to secure employment, withdrew their CSSA applications subsequently.

34. Miss SZE Lai-shan supported Mr Alan LEONG's call for institutionalising the reasons for waiving the seven-year residence requirement for CSSA, taking into account of the problems of long processing time and unnecessary delay for the approval of straightforward cases. Mr FAN Lap-hin echoed similar views. He added that the withdrawal figures provided by the Administration, which did not include those cases where the new arrivals decided not to proceed with the CSSA application on learning of the residence requirement, could not accurately reflect the true picture of the problems created by the residence requirement.

35. Referring to the second suggestion of Mr Alan LEONG in paragraph 32 above, PASHWF(ES&SS)2 said that all the seven SSSOs would meet regularly to share experience on the operation of discretion to waive the seven-year residence requirement for CSSA. If SSSOs were in doubt as to whether CSSA should be granted to persons not satisfying the residence requirement, they would confer with their senior officers such as the District Social Welfare Officers who would in turn confer with the directorate officers of SWD Headquarters where necessary.

36. To better understand the impact of the seven-year residence requirement for CSSA on the new arrivals, the Chairman suggested that the Administration could collaborate with the Research and Library Services Division of the LegCo Secretariat to conduct a comprehensive review on the residence requirement.

37. In response to Mr Alan LEONG's further enquiry on whether SWD could make public the decisions of the SSSOs on how discretionary power had been exercised in the past to waive the residence requirement, PASHWF(ES&SS)2 said that SWD's internal guidelines for exempting a person from meeting the seven-year residence requirement had already been made more comprehensive with examples of typical cases for approving officers' reference. CSSO(SS)1 supplemented that the meetings of the SSSOs could ensure that the exercise of discretion would be consistently applied.

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38. Mr Alan LEONG was not satisfied with the Administration's response. He said that SSSOs should take on board the deputations' views on the difficulties encountered by the new arrivals in applying for CSSA. It was also unreasonable not to exempt CSSA applicants from the residence requirement because they could return to their place of origin. He asked whether consideration could be given to refine the waiver of the residence requirement. In response, PASHWF(ES&SS)2 reiterated his points made in paragraph 35 above and added that training for SSFU staff had been stepped up to ensure that all cases were handled properly.

39. Referring to the reply made by the Administration in paragraph 31 above, the Chairman remarked that the Subcommittee could design a form for use of SWD to collate information on the reasons for the applicants' withdrawal of their CSSA applications. The Subcommittee could conduct an overall review of the policy of the seven-year residence requirement if such information was available.

40. Mr LEUNG Kwok-hung sought information from the Administration on the number of meetings that had been held by the SSSOs to share experience on the waiver of the residence requirement as well as the issues discussed. In response, CSSO(SS)1 said that SWD would hold meeting every three months to discuss issues of mutual concern.

41. Mr LEE Cheuk-yan surmised that the SSSOs would not be in full picture of the circumstances of the CSSA applicants who did not satisfy the residence requirement because there were many instances where the frontline SSFU staff rejected the CSSA applications right away solely on the basis that the applicants could not satisfy the seven-year residence requirement. Mr LEE then made the following recommendations –

- (a) CoP should tackle the poverty problems created by the population policy on the seven-year residence rule for providing social benefits heavily subsidised by public funds, as the adverse effects on families who were ineligible for CSSA under the requirement were clear;
- (b) the Administration should review the procedure and criteria for exercising discretion to waive the residence requirement;
- (c) SWD should find out the circumstances of the 2 892 withdrawal cases, referred to in paragraph 10 of the Administration's paper, to see what assistance could be rendered to these applicants;
- (d) the Administration should consider adopting an across the board approach for straightforward cases where the applicants were in genuine hardship and institutionalising the reasons for approving applications with discretion; and

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- (e) instead of rejecting applications from the outset or requesting the applicants to withdraw their applications solely on the ground of failure to meet the residence requirement, SWD should accept and appraise all CSSA applications to determine whether the applicants should be exempted from the residence requirement.

42. Mr Frederick FUNG shared members' views about the operation of the waiver of the seven-year residence requirement and the suggestions of the Concern Group on Policies for New Arrivals as detailed in its submission (LC Paper No. CB(2)2774/05-06(01)). He further said that he had not come across any case where the new arrival single parent who had to stay at home to take care of his/her child(ren) under the age of 12 was granted exemption. As a result, the single parents concerned were forced to rely on the CSSA payments of their children for livelihood. To ensure the well-being of children and in view of the inadequacy of the existing child care support services, Mr FUNG requested the Administration to make it a policy that CSSA would be granted for such cases, instead of providing assistance to them by discretion.

43. PASHWF(ES&SS)2 reiterated that it was the policy of the Government to encourage new arrivals having the capability to work to be self-reliant before resorting to public funds for their subsistence. In recognition of the new arrivals' efforts to become self-supporting, discretion would normally be exercised to treat them as eligible members of the family for the purpose of CSSA. Chief Social Security Officer (Social Security) 2 (CSSO(SS)2) supplemented that in the past, there were instances of single parents being exempted from the seven-year residence requirement on account of their genuine financial hardships because of their inability to secure an employment.

Way forward

44. Having regard to the Administration's position on the subject, members agreed that the Chairman should write to the Financial Secretary requesting the CoP to look into the poverty problems created by the seven-year residence requirement for CSSA. The Chairman should also write to the Secretary for Health, Welfare and Food to convey the request of the Subcommittee for his attendance at future meetings to answer questions from members on the residence requirement and requesting the Administration to conduct a review of the operation of the discretionary mechanism.

45. There being no other business, the meeting ended at 12:53 pm.