

立法會 *Legislative Council*

立法會 CB(3)147/06-07 號文件

2006 年 11 月 24 日內務委員會會議文件

定於 2006 年 11 月 29 日立法會會議上提出的質詢

提問者：

- | | | |
|------|---------------------|---------------|
| (1) | 湯家驊議員 | (口頭答覆) |
| (2) | 張超雄議員 | (口頭答覆) |
| (3) | 馮檢基議員 | (口頭答覆) |
| (4) | 余若薇議員 | (口頭答覆) |
| (5) | 譚香文議員 | (口頭答覆) |
| (6) | 涂謹申議員 | (口頭答覆) (新的質詢) |
| | <i>(取代其原先提出的質詢)</i> | |
| (7) | 林偉強議員 | (書面答覆) |
| (8) | 楊孝華議員 | (書面答覆) |
| (9) | 曾鈺成議員 | (書面答覆) |
| (10) | 黃定光議員 | (書面答覆) |
| (11) | 李永達議員 | (書面答覆) |
| (12) | 何俊仁議員 | (書面答覆) |
| (13) | 蔡素玉議員 | (書面答覆) |
| (14) | 李國英議員 | (書面答覆) |
| (15) | 梁耀忠議員 | (書面答覆) |
| (16) | 陳偉業議員 | (書面答覆) |
| (17) | 張學明議員 | (書面答覆) |
| (18) | 李國麟議員 | (書面答覆) |
| (19) | 單仲偕議員 | (書面答覆) |
| (20) | 劉江華議員 | (書面答覆) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

#(6) 涂謹申議員 (口頭答覆)

根據現行房屋政策，公共房屋(下稱“公屋”)申請人不得擁有或與人共同擁有任何住宅樓宇。就離婚個案而言，如其中一方不願意辦理物業的轉名手續，更改在土地註冊處共同擁有業權的登記，雙方便不符合申請公屋的資格。就此，政府可否告知本會：

- (一) 社會福利署(下稱“社署”)怎樣協助這類離婚人士分開居住；過去3年成功及未能協助這類人士另覓居所的個案數目各有多少；而就未能協助的個案而言，當中曾發生家庭糾紛及暴力事件的個案數目；
- (二) 房屋署(下稱“房署”)署長可否行使酌情權，批准未能處理好業權分配的離婚人士申請或入住公屋；若可以，過去3年，獲署長行使酌情權批准這類人士以一般租約租住公屋、有條件租約租住公屋或申請輪候公屋的個案數目各有多少；以及不獲批准以一般租約租住公屋、有條件租約租住公屋或申請輪候公屋的個案數目各有多少；及
- (三) 房署會不會考慮修訂公屋申請條件，讓法庭判令不獲業權的離婚人士，縱使仍未完成辦理更改業權手續，仍可獲准申請輪候公屋，以協助一些沒有尋求社署協助的離婚人士解決分開居住的問題，避免發生嚴重的家庭糾紛或家庭暴力事件？

(6) Hon James TO (Oral Reply)

According to the existing housing policy, public housing applicants should not own or co-own any domestic property. In case of divorce, neither party is eligible to apply for public housing if either of them does not wish to pursue the process of transferring the title of their property which has been registered as co-owned property in the Land Registry. In this connection, will the Government inform this Council:

- (a) of the assistance provided by the Social Welfare Department ("SWD") to such divorced couples in finding accommodation to live separately; the respective numbers of cases in the past three years in which SWD has succeeded in helping such persons to find accommodation and those in which it has failed to do so; and among the latter cases, of the number of those in which domestic disputes and violence have taken place;
- (b) whether the Director of Housing ("D of H") can exercise discretion to allow divorced persons who fail to resolve the problem of property ownership to apply for or be accommodated in public housing; if he can, of the respective numbers of cases in the past three years in which D of H has exercised his discretion to allow such persons to lease public housing units on normal tenancy terms or on conditional terms, or to apply for public housing; and the respective numbers of cases in which such persons were not allowed to lease public housing units on normal tenancy terms or on conditional terms, or to apply for public housing; and
- (c) whether the Housing Department will consider amending the eligibility criteria for applying for public housing to allow divorced persons who cannot obtain the title to the properties concerned under court decrees to apply for public housing even if the transfer of title is still in progress, so as to help divorced persons who have not sought assistance from SWD to resolve their accommodation problems if they are to live separately from their spouses, so as to prevent serious domestic disputes or violence?