

**立法會**  
**Legislative Council**

Ref : CB2/DC/KC/06

**Extract from Minutes of Meeting between Legislative Council Members  
and Kowloon City District Council Members  
on Thursday, 9 November 2006, at 10:45 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon LI Fung-ying, BBS, JP (Convenor)  
Hon James TO Kun-sun  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Miriam LAU Kin-yee, GBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Frederick FUNG Kin-kee, SBS, JP

**By Invitation** : **Kowloon City District Council**

Ir WONG Kwok-keung, JP (Chairman)  
Mr CHAN Ka-wai (Vice Chairman)  
Mr CHAN King-wong  
Mr Ringo CHIANG Sai-cheong, MH  
Mr HO Hin-ming  
Mr IP Che-kin, MH  
Mr LEE Kin-kan  
Ms LI Lin  
Mr Bruce LIU Sing-lee  
Ms Rosanda MOK Ka-han  
Mr NG Ching-man  
Ms SIU Yuen-sheung, BBS, JP  
Mr WEN Choy-bon, MH  
Dr WONG Yee-him

**In attendance** : Mr Alba AU Kam-wing  
Clerk to Kowloon City District Council

**Staff in Attendance :** Miss Flora TAI  
Chief Council Secretary (2)2

Ms Rebecca LEE  
Council Secretary (Social Functions)

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**II. Giving due regard to the issue of Mainland pregnant women giving birth in Hong Kong**

15. Mr HO Hin-ming pointed out that the trend of Mainland pregnant women giving birth in Hong Kong had not subsided even though there had been an increase in charges by the Hospital Authority (HA). On the contrary, the problem was getting more and more serious. Not only had it created tremendous pressure on public hospitals, local people's access to health care services was also affected. He believed that the problem was mainly attributed to the fact that children born by Mainland pregnant women in Hong Kong could obtain Hong Kong identity cards, the right of abode as well as other benefits. He requested LegCo Members to urge the Government to review the local immigration policy and improve the health care system with a view to serving the local residents.

16. Mr IP Che-kin pointed out that Mainland pregnant women often sought medical treatment at hospitals late at night so as to pay lower fees. He considered that if necessary, Hong Kong should explore with the Mainland authorities on tightening up the issuing of exit permits to Mainland pregnant women. He opined that the problem of Mainland pregnant women had far-reaching consequences and put tremendous pressure on Hong Kong as a whole. The problem might not be resolved even with the introduction of various new taxes.

17. According to Ms LI Lin, many members of the public had expressed their concerns about the worsening of the problem of Mainland pregnant women giving birth in Hong Kong. For the people of Hong Kong, they had to shoulder the outstanding medical fees of Mainland pregnant women as well as the costs of raising their children in future. Moreover, these children would

feel that they were abandoned by their parents. Such feelings would have an impact on their perspectives of family, ethics, their morals and values in future. Ms LI opined that children lacked parental care would give rise to many social problems.

18. Dr WONG Yee-him shared Ms LI's view. He considered that the public health care system was affected by Mainland pregnant women on three fronts, namely the workload of staff, the utilization of resources and the staff morale. He considered the hospital fees payable by Mainland pregnant women too low and hence they lacked the incentive to turn to private hospitals. Besides, HA had not adopted any measures to encourage those Mainland pregnant women who could afford the fees to go to private hospitals instead of public hospitals. He hoped that the Government could step up its efforts in this respect. In addition, Dr WONG also considered the welfare benefits available to single-parent families too generous and hoped that the Government could tighten up the eligibility criteria to prevent abuse of the welfare services it provided. Furthermore, he hoped that the Immigration Department could restrict the entry of Mainland pregnant women and pointed out that some overseas airports had already adopted measures to refuse the entry of pregnant women. He hoped that LegCo Members would take this into consideration.

19. Mr CHAN Ka-wai pointed out that those children who were born in Hong Kong by Mainland women usually returned to the Mainland with their parents and stayed there until the age of six. When these children reached the age for admission to primary schools in Hong Kong, the Government had to provide additional school places in the border area as their parents could not stay in Hong Kong. If the Government failed to do so, the likely social problems caused by the education problems of these children might be even more consequential. Since their parents could not come to Hong Kong, these children would have to be under the care of other people. Mr CHAN echoed Dr WONG's view and considered that the Government might develop regional health care services to divert those better-off Mainland pregnant women to private medical institutions. Such a move would be beneficial to the economy of Hong Kong as a whole. He opined that the crux of the problem involving the need to change the existing population policies because at present, children born in Hong Kong had the right of abode, regardless of whether their parents were Hong Kong residents or not.

20. Mr James TO said that the issue of Mainland pregnant women was rather complex. As far as he was aware, the Security Bureau was conducting a study to ascertain whether

Mainland pregnant women gave birth in Hong Kong for the following reasons:

- (1) to obtain the right of abode in Hong Kong;
- (2) the one-child policy of the Mainland; or
- (3) to enjoy better health care services.

21. According to the figures provided by the Security Bureau, more than 8 000 children were born to non-local residents in Hong Kong in 2002 and the fathers of about 12% of these children were not Hong Kong residents. However, in 2005, the fathers of 50% of the 20 000 children born in Hong Kong were not Hong Kong residents. The Government had also explored the option of refusing the entry of Mainland pregnant women but there were difficulties in the legal aspect. Besides, if pregnant women entered Hong Kong at the early stages of their pregnancies, Immigration Department staff would have no way to intercept them. Furthermore, the Government had also pondered on the issue of medical fees.

22. Mr TO explained that if the right of abode was the crux of the problem, the Government had to examine the need to amend the Basic Law. However, if the findings of the study revealed that the incentive of giving birth in Hong Kong was the one-child policy of the Mainland or the better health care services in Hong Kong, the Government would have to consider alternative solutions. He was aware that Hong Kong had its population policies. The prevailing low birth rate in Hong Kong gave rise to the problem of an ageing population. If these babies were to grow up in Hong Kong, they would become a productive force in Hong Kong. They might contribute to the development of Hong Kong and the Mainland in future which would certainly be beneficial to the local economy.

23. Mr Frederick FUNG was very supportive of Mr TO's view. In dealing with the issue of single-parent families, he suggested that the Government should consider processing concurrently the applications for settlement in Hong Kong submitted by Mainland children and their mothers so that they could come to Hong Kong together. This would reduce the number of single-parent families and the demand for social welfare benefits. Besides, Mr FUNG pointed out that LegCo Members had advocated for the Hong Kong Government's participation in vetting and approving the applications of Mainlanders for settlement in Hong Kong as the order of priority concerned would directly affect the allocation of housing, education and health care resources. However, the suggestion had not been accepted by the Mainland authorities.

24. Mr HO Hin-ming pointed out that the low birth rate in Hong Kong was due to the tremendous pressure borne by the people which included certain circumstantial factors. He criticized the Hong Kong Government for not only failing to offer incentives to promote childbirth among the people of Hong Kong but also indirectly supporting non-local residents to give birth with public funds. He pointed out that according to the laws of some countries, even children with the right of abode would not be eligible for welfare benefits if their parents did not meet the residency requirement. He urged the Government to review the relevant arrangements and adopt measures to promote childbirth among the people of Hong Kong.

25. Mr LEE Kin-kan pointed out that many Mainlanders, who were not familiar with the welfare system of Hong Kong, were not aware that children receiving the Comprehensive Social Security Assistance could not join them in returning to their home towns. If their children returned to the home towns with them, various housing and education problems would arise as these children did not have household registrations. Therefore, if more information about Hong Kong's social welfare system could be provided to the people in the Mainland, it would help them make an informed decision as to whether they should give birth in Hong Kong.

26. The Chairman of KCDC said that members of KCDC had two main areas of concern. First, the impact on local women's access to obstetrics services as a result of the increased number of Mainland pregnant women. Second, the additional financial pressure on Hong Kong due to the entitlement to welfare benefits of children born to non-local pregnant women. He suggested that the delivery charges for non-local women be raised to discourage them from coming to Hong Kong. He also hoped that LegCo Members would ask the Government to adopt measures to alleviate the impact of the problem of Mainland pregnant women on the access to health care services by local women.

27. In conclusion, the Convenor advised that the LegCo Panel on Health Services would continue to keep the problem in view. She also undertook to relay KCDC's views and concerns regarding the relevant immigration policies, welfare benefits and increase of school places in the border area to the Panel on Security, the Panel on Welfare Services and the Panel on Education respectively.

LegCo Secretariat

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