

**立法會**  
**Legislative Council**

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**Subcommittee to Study Issues Relating to Mainland-HKSAR Families**

**Minutes of the 17<sup>th</sup> meeting**  
**held on Thursday, 28 April 2011, at 2:30 pm**  
**in the Chamber of the Legislative Council Building**

**Members present** : Hon LEE Cheuk-yan (Chairman)  
Hon LEUNG Yiu-chung (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon WONG Kwok-hing, MH  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan  
Hon CHAN Hak-kan  
Hon CHEUNG Kwok-che  
Hon WONG Sing-chi

**Members absent** : Hon Abraham SHEK Lai-him, SBS, JP  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon WONG Yuk-man

**Member attending** : Dr Hon LEUNG Ka-lau

**Public Officers attending** : Item I

Home Affairs Bureau

Miss Christine CHOW  
Principal Assistant Secretary for Home Affairs  
(Civic Affairs) 2

Home Affairs Department

Miss Dora FU  
Assistant Director of Home Affairs (3)

Food and Health Bureau

Miss Gloria LO  
Principal Assistant Secretary for Food & Health  
(Health) 2

Hospital Authority

Ms Margaret TAY  
Chief Manager (Integrated Care Programmes)  
Hospital Authority

Education Bureau

Mr CHING Wai-hung  
Senior Education Officer (Placement and Support)

Mrs LEUNG LAM Mei-po  
Chief School Development Officer (North)

Census and Statistics Department

Mr Stephen LEUNG  
Assistant Commissioner for Census and Statistics  
(Social)

**Attendance by : Item I  
invitation**

Hong Kong Obstetric Service Concern Group

Dr LEE Chin-peng  
Member

Justice and Peace Commission of the Hong Kong  
Catholic Diocese

Miss Jackie HUNG  
Project Officer

Hong Kong Christian Institute

Mr Andrew SHUM Wai-nam  
Programme Secretary (Social Concern)

New Women Arrivals League

Miss MO Pui-sim  
Secretary

Mainland-Hong Kong Families Rights Association

Mr LAM Tsun-fai  
Member

關注中港家庭權利聯席

Mr TSANG Koon-wing  
Member

**Clerk in Attendance** : Miss Betty MA  
Chief Council Secretary (2) 4

**Staff in Attendance** : Ms Yvonne YU  
Senior Council Secretary (2) 4

Miss Maggie CHIU  
Legislative Assistant (2) 4

Action

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- I. Use of public obstetric services by Mainland women whose spouses are Hong Kong residents and service support plan for children born in Hong Kong to Mainland women**  
[LC Paper Nos. CB(2)1578/10-11(01) to (02)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

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2. Members noted that at its meeting on 11 April 2011, the Panel on Health Services passed a motion which urged the Government to, apart from reserving adequate obstetric services quota for local pregnant women, give priority to women whose spouses were permanent Hong Kong residents in allocating the remaining quota.

3. The Subcommittee received views from six deputations on the public obstetric service arrangements for non-local women, in particular Mainland women whose spouses were Hong Kong residents. The deputations' views are summarised at **Annex**.

4. According to Hong Kong Obstetric Service Concern Group, the annual delivery capacity in public hospitals had been fully utilized and stretched to its limit. In its view, the total number of deliveries in 2011 should be contained at 42 000, i.e. the annual delivery capacity in public hospitals. Notwithstanding this, the Concern Group reckoned that the total births born in Hong Kong to Mainland women with Hong Kong resident husbands in public hospitals was 3 581 in 2010. Should the number of deliveries in public hospitals by and large remain in the region of some 3 500 in 2011, the service demand could barely cope with by public hospitals.

5. The other five deputations expressed grave concern about HA's decision to stop accepting booking for obstetric services from Mainland spouses of Hong Kong residents and highlighted the acute problem faced by these Mainland pregnant women for not being able to secure a booking for local obstetric services. They strongly urged the Administration to review the latest arrangements and actively consider allowing Mainland women whose spouses were Hong Kong residents to use local obstetric services.

6. Chief Manager (Integrated Care Programmes) of HA ("CM(ICP)/HA") advised that based on the total number of deliveries between January and early April 2011 and the booking for obstetric services in public hospitals for the rest of the year, it was anticipated that the total number of deliveries by eligible persons ("EPs") and non-eligible persons ("NEPs") in public hospitals in 2011 would exceed the annual delivery capacity in HA i.e. 42 000. In order to reserve sufficient places for local pregnant women and to ensure that they had priority over non-local pregnant women in the use of obstetric services, HA announced on 8 April 2011 that public hospitals would stop accepting booking for obstetric services from non-local women till the end of 2011.

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7. Principal Assistant Secretary for Food and Health (Health) 2 ("PAS(H)2") said that the Government was committed to providing quality and priority obstetric services to local women. The healthcare of local expectant mothers should not be compromised under any circumstances. The Administration must ensure that the professional standard of obstetric care was maintained and that the ethical medical practice was continued. Taking into account the need to ensure rational use of the finite resources, the heavily subsidised obstetric services were available only to Hong Kong residents on an individual basis, irrespective of whether their spouses were Hong Kong residents. Under the prevailing arrangements, all Mainland women with Hong Kong resident husbands were treated no differently from other NEPs. PAS(H)2 further said that the Secretary for Food and Health met with a group of obstetricians, gynaecologists and paediatricians in public hospitals and representatives of private hospitals in early April 2011 to exchange views on the problem of surging demand of obstetrics and neonatal services from non-local women, with a view to jointly exploring every possible means to tackle the problem.

8. Members generally considered that Mainland women whose spouses were Hong Kong residents and their Hong Kong born children were in effect members of Hong Kong families. The existing arrangements in respect of the use of obstetric services were not only punitive and discriminatory against Mainland spouses of Hong Kong residents, but also were detrimental to family unity and social integration. Having regard to the fact that the number of live births born by Mainland women and fathered by Hong Kong residents was 3 581 in 2010, members considered that such demand for local obstetric services could be absorbed by public hospitals. Members strongly urged the Administration to review the arrangement of not accepting booking from Mainland women with Hong Kong resident husbands and consider introducing an extra tier for the obstetric package service charges for Mainland spouses of Hong Kong residents.

9. To relieve the pressure on the capacity of obstetric services in public hospitals and to ensure sufficient places for local pregnant women, Ms Audrey EU and Ms Cyd HO suggested that the Administration should consider purchasing additional places from private hospitals to increase the annual delivery capacity. She would convey the suggestion to the relevant authorities for consideration.

10. PAS(H)2 said that the Government was very concerned about the ongoing surge of the number of Mainland women giving birth in Hong Kong

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in recent years because of the strain on the overall healthcare system and local obstetrics and neonatal services. The Food and Health Bureau would collect more information about the operation of obstetric services, and line up further discussion with the public and the private sectors with a view to jointly exploring every possible means to tackle the problem. From the population policy angle, the Steering Committee on Population Policy considered that all Mainland women with Hong Kong husbands should be treated no differently from other NEPs. The Administration's existing obstetric arrangements were in accordance with the recommendation of the Steering Committee and the Administration considered that such arrangements should be maintained.

11. PAS(H)2 further said that if non-local pregnant women with Hong Kong resident husbands were entitled to make booking for obstetric services at EP rates, this would generate pressure for the Government to apply EP rates to all non-local persons whose spouses were Hong Kong residents for use of public healthcare services.

12. Some members held the view that it was unfair that Mainland women whose spouses were civil servants were entitled to the same subsidised rates as local women in using obstetric services in public hospitals, but not other Mainland spouses of Hong Kong residents. PAS(H)2 clarified that civil servants' Mainland spouses were eligible for subsidised obstetric services as part of the civil service medical benefits. She would relay the concern to the Civil Service Bureau.

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13. At the request of members, the Administration/HA would provide -

- (a) the number of deliveries by NEP women whose spouses were Hong Kong residents between January and 7 April 2011 as far as practicable; and
- (b) the total number of EPs who had made bookings for obstetric services in both public hospitals and private hospitals in 2011, if available.

14. The Chairman said that the use of public obstetric services by Mainland women whose spouses were Hong Kong residents should be studied in the context of the population policy. The Subcommittee would invite the Chief Secretary for Administration ("CS") to attend the next meeting to discuss issues relating to the review of the population policy

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which had impact on families with members from the Mainland and family reunion.

15. Ms Audrey EU expressed concern whether the measures to control the use of obstetric services by non-local women implemented by the Government might have violated the United Nations human rights treaties such as the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. The Research Division of the Legislative Council Secretariat was requested to prepare an information note on the subject to facilitate further deliberation.

LegCo  
Secretariat

*(Post-meeting note: An information note on "The United Nations human rights treaties and measures to control the use of obstetric services by non-local women" prepared by the Research Division was issued to members vide LC Paper No. IN22/10-11 on 18 July 2011.)*

**II. Any other business**

16. Members agreed that the next meeting would be held on 30 May 2011 at 10:45 am to discuss the implementation progress of applications of Mainland "overage children" of Hong Kong residents under the One Way Permit Scheme. Issues relating to the population policy would be added to the agenda of the next meeting, if CS would be able to attend the meeting.

*(Post-meeting note: The next Subcommittee meeting was rescheduled for 14 June 2011 at 10:45 am.)*

17. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 2  
Legislative Council Secretariat  
7 December 2011

**Proceedings of the 17<sup>th</sup> meeting of the  
Subcommittee to Study Issues Relating to Mainland-HKSAR Families  
on Thursday, 28 April 2011, at 2:30 pm  
in the Chamber of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Use of public obstetric services by Mainland women whose spouses are Hong Kong residents and service support plan for children born in Hong Kong to Mainland women</i>			
000000 - 000529	Chairman	The Chairman drew members' attention to the motion passed at the meeting of the Panel on Health Services on 11 April 2011, which urged the Administration to, amongst others, give priority to women whose spouses were Hong Kong residents in allocating obstetric services quota.	
000530 - 001319	Administration Chairman	Briefing by the Administration on the obstetric services for non-local women and preparations to facilitate children born in Hong Kong to Mainland women to study and live in Hong Kong [LC Paper No. CB(2)1578/10-11(01)].	
001320 - 001838	Hong Kong Obstetric Service Concern Group Chairman	<p>Presentation of views -</p> <p>(a) the annual delivery capacity in public hospitals had been fully utilized and stretched to its limit when the annual deliveries had reached 42 000 in 2010. Based on the booking for the use of obstetric services from non-local women in December 2010, it was projected that the total number of deliveries in public hospitals would be about 47 000 in 2011. Taking into account the capacity of obstetric services in public hospitals, the Concern Group took the view that the number of deliveries this year should be contained at the last year's figure, i.e. about 42 000;</p> <p>(b) the high turnover rates of obstetricians and gynaecologists as well as midwives in public hospitals had further stretched the capacity of obstetric services in public hospitals, not to mention the service quality; and</p> <p>(c) of the 6 169 births born in Hong Kong to Mainland women whose spouses were Hong Kong residents in 2010, 3 581 were delivered in public hospitals, the Concern Group reckoned that such demand for obstetric services could barely be coped</p>	

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		with in public hospitals on the assumption that the number of deliveries in public hospitals would by and large remain in 2011.	
001839 - 002410	Justice and Peace Commission of the Hong Kong Catholic Diocese Chairman	<p>Presentation of views -</p> <p>(a) it was unfair to blame solely on Mainland women giving birth in public hospitals in Hong Kong for causing tremendous pressure on the capacity of obstetric services in public hospitals. The Administration should not shirk its responsibility to project the demand for local obstetric services from non-local women having regard to the ruling of the Court of Final Appeal in the <i>Chong Fung Yuen case</i> stated that children of Chinese nationality born in Hong Kong to Chinese nationals had the right of abode. The Administration should draw up specific measures to address issues relating to the settlement of children born to Mainlanders in Hong Kong;</p> <p>(b) the current capacity of obstetric services was under-provision as the Hospital Authority ("HA") had reduced the resources for obstetric services because of the low fertility rate in the last decade;</p> <p>(c) many Mainland women with no marital ties in Hong Kong chose to give birth in Hong Kong so as to avoid breaching the Mainland's one-child policy. The Administration should discuss with the Mainland authorities its impact on the population policy in Hong Kong; and</p> <p>(d) being the chairman of the Steering Committee on Population Policy, the Chief Secretary for Administration ("CS") should attend the Subcommittee's future meeting to discuss issues relating to the review of the population policy which had impact on families with members from the Mainland and family unity.</p>	
002411 - 002734	Hong Kong Christian Institute Chairman	<p>Presentation of views -</p> <p>(a) the existing obstetric service charges and HA's latest arrangement for stop accepting booking for obstetric services from non-local women were punitive and discriminatory against those Hong Kong</p>	

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		<p>residents with Mainland spouses, and had affected their childbearing plan;</p> <p>(b) measures to control the use of obstetric services should be drawn up from the family perspective; and</p> <p>(c) it was unacceptable that the Administration refused to adopt a two-tier structure for the NEP obstetric package charge for Mainland spouses of Hong Kong residents and those NEPs with no marital ties in Hong Kong.</p>	
002735 - 003213	New Women Arrivals League Chairman	<p>Presentation of views as detailed in the submission. [LC Paper No. CB(2)1600/10-11(01)]</p> <p>Opposition to HA's latest decision to stop accepting booking of obstetric services from non-local women till the end of 2011, as it was discriminatory against those Hong Kong residents with Mainland spouses and contradictory to the Government's policy of encouraging giving more births.</p>	
003214 - 003527	Mainland-Hong Kong Families Rights Association Chairman	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)1629/10-11(01)] -</p> <p>(a) highlighting the acute problem faced by non-local pregnant women whose spouses were Hong Kong residents and who were unable to secure a booking of obstetric services;</p> <p>(b) the inadequate capacity of obstetric services in public hospitals was due to the reduction of resources in the past years, the Administration and HA should allocate adequate resources to fully meet the demand for the service; and</p> <p>(c) different measures to control the use of obstetric services in Hong Kong should be adopted in respect of non-local women whose spouses were Hong Kong residents and those had no marital ties in Hong Kong. Specifically, priority should be given to Mainland spouses of Hong Kong residents to use local obstetric services.</p>	
003528 - 004111	關注中港家庭權利聯席	<p>Presentation of views -</p> <p>Calling on the Administration to tackle the</p>	

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		<p>problem being faced by Mainland pregnant women with Hong Kong resident husbands and were unable to make prior booking for obstetric services following the announcement of HA's decision to stop accepting booking for obstetric services from non-local women till the end of 2011. Consideration should be given to according priority to allocate the unused reserved places for local pregnant women to these Mainland women.</p>	
004112 - 004519	Chairman HA Administration	<p>HA's responses -</p> <ul style="list-style-type: none"> <li>(a) the total number of deliveries in public hospitals in 2010 was 42 606, of which 31 911 were delivered by eligible persons ("EPs"). It was projected that the number of deliveries by EPs in 2011 would increase to some 34 000;</li> <li>(b) the total number of deliveries by NEPs in public hospitals between January and early April 2011 was in the region of 4 000 and the booking for obstetric services in public hospitals by NEPs for the rest of the year was about 5 500, though HA did not have information on whether fathers of these babies were Hong Kong permanent residents. The total demand for local obstetric services in 2011 from EPs and NEPs would exceed the annual delivery capacity in HA; and</li> <li>(c) in order to reserve sufficient places for local pregnant women and to ensure that they had priority over non-local pregnant women in the use of obstetric services, HA announced on 8 April 2011 that public hospitals would stop accepting booking for obstetric services from non-local women till the end of 2011.</li> </ul> <p>The Administration's responses -</p> <ul style="list-style-type: none"> <li>(a) since the implementation of the arrangements for obstetric services for NEPs, HA had stopped making bookings for non-local pregnant women when the service capacity was reached. This was to ensure that local pregnant women would be given priority in receiving services in public hospitals;</li> <li>(b) under the prevailing arrangements, all Mainland women with Hong Kong</li> </ul>	

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		<p>husbands would be treated no differently from other NEPs; and</p> <p>(c) the Secretary for Food and Health had met with a group of obstetricians, gynaecologists and paediatricians in public hospitals and representatives of private hospitals in early April 2011 to exchange views on the problem of surging demand of obstetrics and neonatal services from non-local women, with a view to jointly exploring every possible means to tackle the problem.</p>	
004520 - 005134	Mr WONG Kwok-hing Chairman Administration	<p>Views of Mr WONG Kwok-hing that -</p> <p>(a) given that children born to Mainland mothers and fathered by Hong Kong residents were in effect members of Hong Kong families, these Mainland spouses of Hong Kong residents should be entitled to use subsidised obstetric services. It was fundamentally incorrect to classify these Mainland women as NEPs. In his view, the Administration should review the existing obstetric service arrangements for NEPs, with a view to allowing Mainland spouses of Hong Kong residents to receive same services in public hospitals as EPs. The Administration should also review the classification of NEPs; and</p> <p>(b) every possible assistance should be rendered to non-local pregnant women with Hong Kong resident husbands and who were unable to make booking for obstetric services in public hospitals, if they could not afford the obstetric package charge of private hospitals.</p> <p>The Administration's response that -</p> <p>(a) the Government was very concerned about the ongoing surge of the number of Mainland women giving birth in Hong Kong in recent years because of the strain on the overall healthcare system and local obstetrics and neonatal services. The Food and Health Bureau would further discuss with public and private hospitals with a view to jointly exploring every possible means to tackle the problem; and</p> <p>(b) the definition of EPs was adopted in 2003</p>	

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		<p>in the light of the recommendations in the Report of the Task Force on Population Policy to the effect that non-Hong Kong residents who were spouses of Hong Kong residents would be treated as NEPs and they should be charged at the NEP rates when patronizing public obstetric services.</p> <p>Mr WONG Kwok-hing expressed regret and disappointment at the Administration's reluctance to review the definition of EPs in order to resolve the problem of using obstetric services faced by Mainland women with Hong Kong resident husbands at root.</p> <p>The Chairman's advice that issues relating to the use of subsidised obstetric services by Mainland women with Hong Kong resident husbands should be examined in the context of population policy. The Subcommittee would invite CS again to attend the future meeting to discuss the subject.</p>	
005135 - 005703	Mr CHEUNG Kwok-che Chairman HA	<p>Mr CHEUNG Kwok-che suggested that public obstetric services should be provided in the following order of priority -</p> <ul style="list-style-type: none"> <li>(a) local pregnant women;</li> <li>(b) Mainland women with Hong Kong resident husbands; and</li> <li>(c) Mainland women with no marital ties in Hong Kong.</li> </ul> <p>Mr CHEUNG advised that it was reported that about 1 000 obstetric service places were still available in two public hospitals after HA's announcement of closing the booking for obstetric services in public hospitals on 8 April 2011, he ascertained the availability of these places.</p> <p>HA's clarification that taking into account the number of deliveries in public hospitals by EPs and NEPs in the first four months of 2011 and the booking for obstetric services in the remaining months in 2011, it was projected that the demand would have exceeded the annual delivery capacity in HA.</p>	
005704 - 010542	Ms Audrey EU Chairman HA Administration	<p>Views of Ms Audrey EU that -</p> <ul style="list-style-type: none"> <li>(a) as opposed to Mainland women whose spouses were Hong Kong residents,</li> </ul>	

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		<p>non-local spouses of Hong Kong residents could obtain residence shortly after the marriage, and thereby they were regarded as EPs if they gave birth in public hospitals. The arrangement was unfair to Mainland spouses of Hong Kong resident husbands and was detrimental to family unity and social integration of babies born to these parents. This was also contrary to the Government's call for closer integration with the Mainland; and</p> <p>(b) the Administration should consider purchasing obstetric services from private hospitals so as to alleviate the demand for obstetric services in public hospitals.</p> <p>The Administration's advice that public hospitals had to stop accepting booking for obstetric services from non-local women because their capacity was fully utilized. The suggestion of purchasing places from private hospitals would be conveyed to the relevant authorities for consideration.</p>	<b>Admin</b>
010543 - 010744	<p>Ms Audrey EU Chairman 關注中港家庭權利聯席</p>	<p>Ms Audrey EU's enquiry about the number of Mainland pregnant women with Hong Kong resident husbands failed to secure places for delivery in public hospitals following the announcement of HA's decision to stop accepting booking for obstetric services from non-local women.</p> <p>關注中港家庭權利聯席's estimation that about 100 to 200 Mainland pregnant women were affected by HA's decision to stop booking for obstetric services from non-local women. The deputation drew members' attention to the possibility of redistributing the unused obstetric service quotas in public hospitals to non-local women as some pregnant women would have made bookings for obstetric services in both public and private hospitals, but eventually gave birth in private hospitals.</p>	
010745 - 011156	<p>Mr TAM Yiu chung Chairman</p>	<p>Views of Mr TAM Yiu-chung that -</p> <p>(a) the trend of Mainland women giving birth in Hong Kong would continue to increase in the light of economic situation and the one-child policy in the Mainland;</p> <p>(b) Mainland women with Hong Kong husbands and who were waiting for the issue of One Way Permits ("OWPs") were</p>	

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		<p>in effect members of Hong Kong families. The latest arrangement for not accepting booking for obstetric services from non-local women would aggravate the dissatisfaction of these families with the Government. The Administration should review the arrangement from the policy perspective; and</p> <p>(c) the Administration should consider adopting a two-tier structure for public obstetric service charges for Mainland spouses of Hong Kong residents and other NEPs with marital ties in Hong Kong. The status of the former group of Mainland women could be verified by producing supporting documents such as marriage certificates and OWP application.</p>	
011157 - 012412	Ms Cyd HO Chairman HA Administration	<p>Views of Ms Cyd HO -</p> <p>(a) it was absurd to use the capacity of obstetric services as the tool to control population growth in Hong Kong;</p> <p>(b) it was Government's responsibility to ensure that private hospitals were capable of providing neonatal intensive care service before expanding their obstetric services;</p> <p>(c) whether spare capacity was reserved in public hospitals for delivery by local pregnant women even though they had not made prior bookings; if so, whether HA would consider deploying the reserved capacity to meet the demand from Mainland women whose spouses were Hong Kong residents and were pregnant prior to HA's decision to stop accepting booking for the services; and</p> <p>(d) the Administration should actively consider the proposal of purchasing obstetric services from private hospitals.</p> <p>HA's advice that the arrangement aimed to reserve sufficient places for delivery by local pregnant women. As the service capacity was reached and the utilization rate of neonatal intensive care service was 120%, HA had to stop making bookings for non-local women. Neither could the service capacity be further lifted. Based on past statistics, the number of double bookings for obstetric services with both</p>	

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		<p>public and private hospitals was insignificant.</p> <p>Ms Cyd HO's concern that HA's latest arrangement would result in more non-local pregnant women seeking emergency hospital admissions through the Accident and Emergency Departments for delivery.</p>	
012413 - 013033	Chairman Administration	<p>Concern raised by the Chairman -</p> <ul style="list-style-type: none"> <li>(a) differential treatments for Mainland spouses of civil servants and those whose husbands were Hong Kong residents in using local obstetric services;</li> <li>(b) the obstetric service arrangement was a means for those NEPs who were financially capable of meeting the service charges to obtain the permanent residence for their babies;</li> <li>(c) an overhaul of the population policy should be conducted to enable Mainland women whose spouses were Hong Kong residents to give birth in Hong Kong so as to facilitate early integration with the society and unity of the families concerned. The population policy should be formulated from the perspective of family unity; and</li> <li>(d) the Administration should resume the arrangement for Mainland women to make bookings for public obstetric services, with priority given to those whose husbands were Hong Kong residents.</li> </ul>	
013034 - 013643	Mr CHEUNG Kwok-che Chairman Administration	<p>Mr CHEUNG Kwok-che expressed dissatisfaction at the Administration's refusal to adopt a two-tier structure for the NEP obstetric package charges for Mainland spouses of Hong Kong residents and those NEPs with no marital ties in Hong Kong. In his view, priority for using public obstetric services should be given to those NEPs with marital ties in Hong Kong.</p> <p>The Administration's advice that in the light of the read-across implications on other heavily subsidised healthcare services if there was a change to the eligibility criteria of NEPs for obstetric services, the existing obstetric service charge arrangements for NEPs should be maintained.</p> <p>The Chairman's view that the Administration</p>	

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		<p>should, in the light of the surge local demand for public obstetric services, stop accepting booking for obstetric services from NEPs who had no marital ties in Hong Kong. As for those Mainland women whose spouses were Hong Kong residents, they should be charged at the same NEP rate for hospitalisation, i.e. \$3,300 per day.</p>	
013644 - 014617	<p>Mr LEUNG Yiu-chung Chairman Administration HA</p>	<p>Views of Mr LEUNG Yiu-chung that -</p> <p>(a) it was unacceptable and inappropriate that Mainland women whose spouses were civil servants were entitled to the same subsidised rates as local women in using obstetric services in public hospitals, but not other Mainland women whose spouses were Hong Kong residents; and</p> <p>(b) it was Government's responsibility to review and refine the existing policy and arrangements concerning families with Mainland members, with a view to facilitating family reunion.</p> <p>The Administration's advice that Mainland spouses of civil servants were eligible for subsidised obstetric services as part of the civil service medical benefits. The definition of EPs was adopted in 2003 in the light of the recommendations of the Task Force on Population Policy concerning the eligibility for major benefits subsidised by public funds, i.e. the seven-year residence requirements.</p> <p>The Chairman's view that as Mainland spouses of civil servants could still make booking for local obstetric services, the Administration had in effect treated them as EPs. The Administration should make clear its policy on the status of these Mainland women. The Administration would relay the Chairman's concern to the Civil Service Bureau.</p>	<p><b>Admin</b></p>
014618 - 015213	<p>Ms Audrey EU Chairman Administration HA</p>	<p>Ms Audrey EU's concern about the number of Mainland pregnant women with Hong Kong resident husbands were unable to make bookings for obstetric services in public hospital as a result of HA's decision to stop booking for obstetric services.</p> <p>The Administration's advice that it was optional for Mainland women as to whether they would disclose the resident status of their spouses when using HA's service. Ms Audrey EU</p>	

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		<p>requested and the Administration agreed to provide the number of deliveries by NEP women whose spouses were Hong Kong residents between January and 7 April 2011 as far as practicable.</p> <p>Ms Audrey EU's reiteration that it was Government's responsibility to fully meet the demand for local obstetric services from Mainland women whose spouses were Hong Kong residents, as both the Mainland mothers and their babies were in effect members of Hong Kong families. Consideration should be given to purchasing obstetric services from private hospitals to meet the demand from NEPs whose spouses were Hong Kong residents.</p>	<b>Admin</b>
015214 - 015729	<p>關注中港家庭權利聯席 Chairman Ms Audrey EU</p>	<p>Ms Audrey EU's enquiry about the feasibility of gathering information concerning those Mainland pregnant women with Hong Kong resident husbands and could not secure a booking for public obstetric service.</p> <p>關注中港家庭權利聯席's estimation that about 50 cases were concerned. To better understand the unused capacity of public hospitals, the deputation sought clarification about the number of EPs who might have made bookings for obstetric services in both public and private hospitals.</p> <p>The deputation's suggestion that the Subcommittee should invite CS to attend a future meeting to discuss issues relating to the population policy which had impact on families with Mainland members.</p>	
015730 - 015948	<p>Ms Cyd HO Chairman</p>	<p>Views of Ms Cyd HO that -</p> <p>(a) if Mainland women whose spouses were Hong Kong residents were forced to give birth in the Mainland as a result of the latest arrangement of not accepting booking for public obstetric services, the right of abode of those children born to these Mainland mothers and fathered by Hong Kong residents were deprived of; and</p> <p>(b) while raising on objection to providing subsidised obstetric services to Mainland spouses of civil servants as part of the civil service medical benefits, the Administration should consider purchasing the services from private hospitals so as</p>	

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		release the reserved places in public hospitals to those Mainland women whose spouses were Hong Kong residents.	
015949 - 020133	Mr CHEUNG Kwok-che Chairman	Views of Mr CHEUNG Kwok-che that the use of obstetric services by Mainland women whose spouses were Hong Kong residents should be studied in the context of the population policy. CS should be invited to attend the Subcommittee's future meeting to discuss issues relating to the review of the population policy.	
020134 - 020429	Chairman HA	<p>HA's advice that the booking for public obstetric services from EPs up to end 2011 was about 24 000.</p> <p>At the request of the Chairman, HA would provide the total number of EPs who had made bookings for obstetric services in both the public hospitals and private hospitals in 2011, if available.</p> <p>The Chairman's appeal to the Administration to provide assistance to Mainland pregnant spouses of Hong Kong residents to give birth in Hong Kong. The Subcommittee would extend invitation to CS again to attend the next meeting to discuss issues relating to the review of the population policy.</p>	<b>HA</b>
020429 - 020559	Ms Audrey EU Chairman	Ms Audrey EU's suggestion of requesting the Research Division of the Legislative Council Secretariat to prepare an information note on whether the measures to control the use of obstetric services by non-local women implemented by the Government would have violated the United Nations human rights treaties such as the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.	<b>LegCo Secretariat</b>
<i>Agenda item II – Any other business</i>			
020600 - 020659	Chairman	Date and discussion item of next meeting.	