

For information
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Subcommittee to Study Issues Relating to Mainland-HKSAR Families

**Policies and measures having an impact
on Mainland-Hong Kong families**

PURPOSE

This paper informs Members of the policies and measures which have impact on Mainland-Hong Kong families, as well as support services rendered to these families.

BACKGROUND

Task Force on Population policy

2. Our population policy aims at optimizing Hong Kong's demographic structure by securing and nurturing a quality population which supports and sustains Hong Kong's development as a knowledge-based economy.
3. A wide range of policy initiatives are involved in order to achieve the aim of our population policy. As such, the formulation and implementation of relevant policies and measures inevitably need to be carried forward by individual bureaux. In September 2002, a Task Force on Population Policy was set up with a view to, among others, identifying the major challenges to Hong Kong arising from its demographic trends and characteristics; and recommending a set of coherent policy initiatives which the Administration can explore in the short and medium term. The Task Force released its report in February 2003, making a series of recommendations including skills upgrading; education and manpower development; attracting talents and quality migrants; and policies relating to the elderly and social welfare.

4. The Task Force made available a useful framework for bureaux to continue their work. Many of the recommendations of the Task Force had either been implemented or adopted as on-going measures by relevant bureaux. The Task Force had completed its work and ceased operation. All bureaux are required to review from time to time under their respective purviews measures which have a population angle and to formulate detailed implementation plans for these measures based on the latest population projection. A Steering Committee on Population Policy chaired by the Chief Secretary for Administration was also set up in October 2007 to monitor and coordinate efforts in this regard. Our priority areas are (a) raising the quality of our education through developing our education on all fronts and taking forward education reform; (b) developing Hong Kong as a regional education hub to attract more outstanding students to study in Hong Kong; (c) attracting talents to Hong Kong so as to maintain our competitiveness; and (d) adopting a full range of health care reform initiatives to maximize medical benefits and promote the good health of the community.

5. The recommendations of the then Task Force and ongoing measures of individual bureaux aim at addressing the major challenges brought about by the changing demographic structure from a holistic perspective to ensure Hong Kong's sustainability and long-term development. We are aware that some of the recommendations of the then Task Force would have impact on families with members from the Mainland. We are also conscious that these families may need special assistance. We have therefore put in place a package of support services for families with members from the Mainland to facilitate the early and smooth integration of the new arrivals from the Mainland into the local community on the one hand, and avoid labeling effect on the other. Details of the current policies which have impact on families with members from the Mainland; as well as support services currently rendered to these families are set out in the ensuing paragraphs.

IMMIGRATION POLICY

6. According to Article 22 of the Basic Law, people from other parts of Mainland China must apply for approval for entry into the Hong Kong Special Administrative Region (HKSAR). Mainland residents who wish to settle in Hong Kong must apply for a One Way Permit (OWP) from the Public Security Bureau Offices of the Mainland where their household registrations are kept. The existing OWP quota is 150 places per day, 60 of which are allocated to

persons holding Certificates of Entitlement¹, and the rest are for application by other Mainland residents for family reunion in Hong Kong. Moreover, Mainland residents may obtain an Exit-Entry Permit (EEP) (commonly known as “Two Way Permit”) and an exit endorsement (e.g. the “endorsement for visiting relatives”; and the “endorsement for individual visit” which was introduced in 2003) from the Public Security Bureau Offices of the Mainland for entry into Hong Kong as a visitor for purposes such as visiting relatives or sightseeing.

7. The process and assessment of applications for and the issue of OWPs, EEPs and exit endorsements are governed by the Mainland authorities in accordance with the laws, policies and regulations of the Mainland and fall outside the remit of the HKSAR Government. As far as the OWP is concerned, the Mainland authorities have since May 1997 applied a “Points System” to assess and determine the eligibility of applicants and the order in which they may settle in Hong Kong according to objective criteria. Based on the eligibility criteria recently announced by the Mainland authorities, the waiting time for separated spouses has been further shortened from around five years² to four years starting from 2009. The HKSAR Government will continue to exchange views from time to time with the Mainland authorities on the immigration arrangements for Mainland residents.

SUPPORT SERVICES

8. Various bureaux (and their departments) including Home Affairs Bureau, Labour and Welfare Bureau, Education Bureau, Transport and Housing Bureau, Food and Health Bureau and Security Bureau are involved in the provision of services for new arrivals from the Mainland. The Home Affairs Department (HAD) coordinates the service provision for new arrivals. It publishes and regularly updates a “Service Handbook for New Arrivals” to inform the new arrivals of essential information about living in Hong Kong.

9. To strengthen the provision of support services to families with new arrivals from the Mainland, HAD collaborated with a non-governmental organisation (NGO) to organise counseling groups and integration programmes

1. Persons claiming right of abode under paragraph 2(c) of Schedule 1 to the Immigration Ordinance have to apply for a Certificate of Entitlement from the Immigration Department (ImmD). Mainland residents holding a Certificate of Entitlement issued by ImmD and affixed onto an OWP issued by the Mainland authorities can enter Hong Kong to exercise their right of abode.

2. Before 2005, the waiting time had been around six to seven years for separated spouses in Guangdong Province and five years for those in other provinces. In 2005, the waiting time for separated spouses in all provinces was unified as five years.

for new arrivals in 2008-09. At the district level, HAD also allocates resources to priority districts with higher concentration of new arrivals to enable district organizations and local NGOs to organise programmes to assist those newly arrived in Hong Kong to integrate into the local community.

Housing

10. On the ground of family reunion, new arrivals (even if they have not yet lived in Hong Kong for seven years) can apply for inclusion into public rental housing (PRH) tenancy if they are the spouse, children aged under 18 or dependent family members of the tenants; or the spouse and children of one of the tenants' married children. A newly-arrived adult child of elderly tenants, together with his family members, may also be added to the tenancy under the enhanced Harmonious Families Addition Policy.

11. New arrivals who want to join their relatives in Hong Kong to apply for PRH flats or to apply PRH flats by themselves can register their applications on the Waiting List (WL) if they meet requirements such as income and asset limits. They will be allocated a PRH flat if half of the family members included in the application have lived in Hong Kong for at least seven years and are still living in Hong Kong (the applicant himself/herself needs not fulfil such requirement) at the time of allocation. Families with new arrivals which fail to meet the seven-year residence requirement but have grave difficulties in meeting imminent housing needs may apply to the Social Welfare Department (SWD) for compassionate rehousing. SWD will recommend eligible cases to Housing Department for consideration of waiving the residence requirement on flat allocation.

Employment assistance

12. New arrivals can have access to Labour Department's (LD) comprehensive employment assistance and guidance through its 12 job centres, Telephone Employment Service and the interactive Employment Service website. To cater for the special needs of new arrivals who wish to seek jobs, a resource corner has been set up in each job centre to provide comprehensive employment information. The job centres also conduct regular employment briefings tailor-made for the needs of new arrivals to facilitate their better understanding of the local job market. New arrivals who need more personalised and intensive employment assistance can join the Job Matching Programme at the

job centres. They are also welcome to enrol in various employment programmes including the Work Trial Scheme, the Employment Programme for the Middle-aged, Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme.

13. LD also organises job fairs in shopping malls, community halls and job centres at various districts from time to time to reach out to the residents, including new arrivals, for the dissemination of employment and vacancy information. Assistance is provided to employers to arrange for job interviews on the spot. LD will actively invite registered job seekers, including new arrivals, to participate in job fairs. In 2009, LD will strengthen its efforts to organise large-scale job fairs in areas where a large number of new arrivals reside (e.g. Kwun Tong and Kwai Tsing).

Social welfare services

14. The Comprehensive Social Security Assistance (CSSA) Scheme provides a safety net of last resort to meet the basic needs of those who cannot support themselves financially. It is non-contributory and wholly funded by the General Revenue. To be eligible for assistance, CSSA applicants must pass the financial tests and satisfy the residence requirements. With effect from 1 January 2004, to be eligible for CSSA, the applicant must have been a Hong Kong resident for at least seven years and have resided in Hong Kong continuously for at least one year immediately before the date of application. The seven-year residence requirement under the CSSA Scheme does not apply to persons who have acquired Hong Kong resident status before 1 January 2004. Children aged below 18 are also exempted from any prior residence requirements. This represents a relaxation of the past policy, when minors were also subject to the one-year residence rule.

15. The seven-year residence requirement provides a rational basis on which our public resources are allocated and ensures the sustainability of a non-contributory social security system. This requirement also aims to encourage new arrivals who can work to be self-reliant rather than relying on welfare assistance. It underlines the need for potential immigrants to Hong Kong to plan carefully and ensure that they have sufficient means to be self-supporting upon their arrival in Hong Kong.

16. If an applicant does not meet the residence requirements but is in genuine hardship, the Director of Social Welfare may exercise discretion to

waive the residence requirements in light of the exceptional circumstances of individual case and grant assistance to him/her. Moreover, where a new arrival works to support his/her family members, discretion will normally be exercised to waive the residence requirements for CSSA in recognition of the new arrival's efforts to become self-supporting. Between 1 January 2004 (i.e. when the new residence requirements came into effect) and end November 2008, discretion was exercised in 4 763 new applications where the applicants did not meet the seven-year residence requirement.

Services available at Integrated Family Service Centres and Integrated Services Centres

17. A wide range of publicly-funded welfare services are provided to help Mainland-Hong Kong families handle problems arising from geographical separation and to facilitate the early integration of their family members into the local community after they arrive in Hong Kong. Relevant services include those provided at Integrated Family Service Centres (IFSCs), Integrated Services Centres (ISCs), Integrated Children and Youth Service Centre, as well as medical social services, etc. For example, comprehensive family welfare services are available at the 61 IFSCs and two ISCs operated by SWD and subvented NGOs over the territory. Mainland spouses of Hong Kong residents who are on Two Way permits can approach IFSCs and ISCs for assistance when they encounter family problems during their stay in Hong Kong. Special programmes and activities are also organised for new arrivals.

18. Through subvented NGOs, various day and residential child care services are also available to children who have genuine needs and meet the admission criteria, including children whose parents are Mainland spouses of Hong Kong residents on Two Way Permits. In 2008-09, SWD has allocated additional resources to districts with a higher concentration of new arrivals to enhance support for them. SWD will continue to closely monitor service needs.

Services provided by the ISS-HK

19. In addition, SWD provides subvention to an NGO, the International Social Service Hong Kong Branch (ISS-HK), to operate the Cross-border and Inter-country Casework Service, which helps families cope with problems arising from geographical separation. Additional resources have been allocated to strengthen outreaching services of ISS-HK since 2007 to facilitate the early

identification and intervention of these family problems. ISS-HK is also running a New Arrivals Connect Service (Arrival Hotline) on self-financing basis, which provides support such as regular concern calls and provision of guidance and information to those who have arrived in Hong Kong for less than six months. In 2009-10, SWD will link up its Departmental Hotline with the Arrival Hotline so that calls from new arrivals to the SWD Hotline can be transferred to the Arrival Hotline and callers can receive tailor-made and targeted services provided by ISS-HK.

Projects supported by Government funds

20. Apart from the regular services mentioned in paragraphs 17 to 19 above, many community projects supported by Government funds such as the Community Investment and Inclusion Fund and the Partnership Fund for the Disadvantaged also benefit new arrivals, facilitating the development of local support network and their integration into the community.

Educational support

Support for newly-arrived students

21. Education Bureau (EDB) provides school placement service for students newly arrived in Hong Kong. These students may attend a six-month full-time Initiation Programme that helps them integrate into our community and education system before their admission to the public sector schools. For newly-arrived students who enter public sector schools direct, EDB provides schools with a School-based Support Scheme Grant to run support programmes for the students concerned. EDB also provides subsidies for NGOs to run a 60-hour Induction Programme which covers personal development, social adaptation as well as basic learning skills for these students.

Special measures for cross-boundary students

22. There has been a growing trend for students travelling daily from the Mainland across the boundary to attend schools in Hong Kong over the years. In this connection, the number of cross-boundary students has increased from 3 500 in the 2004-05 school year to 6 700 in the 2008-09 school year.

23. Having regard to the young age and the transportation needs of cross-boundary students using the Lo Wu Control Point, special arrangement has been made for them to board nanny buses at Lo Wu Station Road. To maintain road safety at Lo Wu Station Road, a limited number of Closed Area Permits are issued to cross-boundary students with strict traffic control in the area. Staggering school hours are arranged for the schools concerned. Besides, a pilot scheme allowing the limited opening of the Lok Ma Chau Spur Line Public Transport Interchange for private school buses was launched in April 2008. This measure was further enhanced in 2008-09 through the adoption of a "multi-time slot loading and unloading" arrangement for the school buses to provide extra flexibility in trip management.

24. In addition, a trial scheme involving four routes of cross-boundary school coaches was launched in March 2008. With the agreement between the Shenzhen Municipal and the HKSAR Government to further promote such service, 20 special quotas for cross-boundary school coaches have been granted as from late October 2008. If the demand for the service warrants, EDB will liaise with the Shenzhen Municipal to explore if additional special quotas can be made available.

25. At the same time, the Immigration Department has strengthened the clearance service for cross-boundary students by installation of a cross-boundary student automated passage clearance system (student e-channels) at the Lo Wu Control Point, and through the setting up of special counters for cross-boundary students at various boundary control points during peak hours. From 2007-08 onwards, the Student Financial Assistance Agency has also enhanced the rate of student travel subsidy to cover trips entering Hong Kong on public transport via the boundary control points nearest to their school district.

Integration into the Hong Kong education system

26. To facilitate the smooth integration of Hong Kong children who are staying and studying in the Mainland into the Hong Kong education system in future, EDB has launched a pilot project to enable two schools for Hong Kong children in Shenzhen to participate in the 2008-10 Secondary School Places Allocation System (SSPA). Through the pilot project, eligible Hong Kong children currently studying in Primary 5 in these two schools can be allocated a public sector Secondary One place in the secondary schools in Hong Kong in September 2010. As such, the parents can allow their children to stay in the Mainland for primary schooling and study in secondary schools in Hong Kong.

It also helps reduce the number of Hong Kong children crossing the boundary daily to study in schools in Hong Kong at young age.

Public healthcare services

27. The public healthcare services in Hong Kong cover a wide range of services from health promotion and disease prevention, to primary, secondary and tertiary care. These services are being provided by the Hospital Authority (on in-patient, ambulatory and outreach services) and the Department of Health (mainly on health education and disease prevention) respectively. All these services are available to our local residents at highly subsidized rates. To ensure rational use of our finite public resources, only Eligible Persons (i.e. holders of Hong Kong Identity Card; children who are Hong Kong residents and under 11 years of age; and other persons as approved by the Chief Executive of the Hospital Authority and the Director of Health) are eligible for the highly subsidized rates for our public healthcare services. As for non-local people, including spouses and children of Hong Kong resident present in Hong Kong as Two Way Permit holders, medical services are provided to them in emergency situations and they may also seek non-emergency medical services subject to service capacity. However, these people are Non-eligible Persons (NEP) and they should pay the specified charges (NEP charges) applicable to them for access to our public healthcare services.

28. There has been rapid increase in the demand for obstetric services in Hong Kong by non-local pregnant women in recent years. To tackle the problem, the Hospital Authority has implemented since 1 February 2007 new arrangements for obstetric service for NEPs. The new arrangements include the setting up of a booking system in public hospitals which ensures that local pregnant women will be given priority in the use of such service, and the revision of the service package charge for NEPs. Other measures including the setting up of booking system in private hospitals and the implementation of complementary immigration measures by the Immigration Department have also been introduced.

29. The objectives of the arrangements are to ensure that local pregnant women are given proper obstetric services and priority to use such services; limit the number of non-local pregnant women coming to Hong Kong to give births to a level that can be supported by our healthcare system; and deter dangerous behaviour of non-local pregnant women in seeking emergency hospital admissions through Accident and Emergency Departments shortly before labour.

30. Since the implementation of the arrangements for obstetric services for NEPs with effect from February 2007, the number of local pregnant women giving birth in public hospitals has increased by 8.7% in 2007 and 8.8% in 2008 when compared to 2006; while the number of non-local pregnant women giving birth in public hospital has decreased by 27.8% and 12.6% for the respective periods. Meanwhile, the number of deliveries by non-local pregnant women in public hospitals through the Accident and Emergency Departments has decreased by 82.4% in 2007 and 89.7% in 2008 when compared to 2006.

31. It remains our policy to ensure that local pregnant women are given proper obstetric services and the priority to use such services. The Hospital Authority will continue to closely monitor the demand and the use of obstetric services in public hospitals and will continue to provide such services to non-local pregnant women subject to service capacity and the relevant arrangements.

WAY FORWARD

32. The Administration will continue to monitor the level of services provided to Mainland-Hong Kong families to ensure that the support services could address their needs.

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