

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

Support Services for Families with Newly Arrived Members from Mainland

Waiting List Applicants

It is Housing Authority's (HA) policy to provide housing to eligible people with housing need in Hong Kong. People coming from the Mainland can apply for public rental housing (PRH) once they enter Hong Kong on One Way Permits, provided that they have met application requirements.

2. A Waiting List (WL) applicant must be 18 years of age or above. The relationship between the applicant and his/her family members must fall into either one of the following categories: husband and wife, parents and children, grandparents and grandchildren, unmarried brother and sister or other dependent relatives who are willing to live with the applicant. A person under the age of 18 must apply together with his/her parents or legal guardian.

3. At the time of flat allocation, at least half of the family members must have lived in Hong Kong for 7 years and are still living here. A person under the age of 18 will be deemed to have fulfilled the 7-year residence rule if he/she has established Hong Kong birth status as permanent resident, or one of his/her parents has lived in Hong Kong for 7 years.

4. Persons who fail to meet the residence requirement but have grave difficulties in meeting their imminent housing needs may apply to the Social Welfare Department for PRH under the Compassionate Rehousing category.

Sitting PRH Tenants

5. Subject to the fulfillment of the prescribed eligibility criteria (e.g. comprehensive means test and domestic property test), newly-arrived family members of a tenant can be added into the PRH tenancy if they have the right of abode in Hong Kong. Permitted categories for addition include-

- (a) tenant's spouse;
- (b) children under the age of 18;

- (c) spouse and children of one of tenant's married offspring (who must be an authorised occupant);
- (d) dependent parents or grandparents;
- (e) dependent relatives (for whom constant care is required); and
- (f) adult offspring (and his/her family members).

6. To assist the newly-arrived residents in the PRH to better adapt to the new living environment, HA has introduced a pilot scheme of setting up a Housing Advisory and Service Team (HAST) in Tin Shui Wai for two years since April 2008. The HAST aims to proactively reach out to the new PRH tenants, including the new arrivals, to help them better settle in the community. Having reviewed the effectiveness of the scheme, the HAST scheme will be extended to cover PRH estates in Tuen Mun and Tung Chung Districts for another two years starting from mid-April 2010.

Support Services for Families with Members Holding Two Way Permits (TWPs)

WL Applicants

7. Persons who have no right to land in Hong Kong or whose right to land in Hong Kong is subject to some conditions of stay (except a limit of stay) will not be accepted for application for PRH because their stay is only temporary and conditional in nature.

Sitting PRH Tenants

8. While entering Hong Kong on strength of Two Way Permits (TWPs), spouses of tenants can apply for a temporary stay to take care of their families. For divorced cases, if the spouses who are holding TWPs have justified grounds to stay in Hong Kong, for example, a strong need for them to take care of their young Hong Kong children, HA may consider allowing temporary stay for them on a case-by-case basis, having taken into account the circumstances and merits of the case.

9. As stated in paragraph 3 above, a person under the age of 18 will be

deemed to have fulfilled the 7-year residence rule if he/she has established Hong Kong birth status as permanent resident. Therefore, Hong Kong born children to a PRH tenant can be added to the tenancy as authorised occupants, subject to their meeting of other eligibility requirements for tenancy addition (including tenant's possession of custodian right of children), irrespective of the marital status of their parents.

10. For cases of deceased tenants, if the surviving spouses who enter Hong Kong on strength of TWPs have justified grounds to stay in Hong Kong, for example, to take care of their Hong Kong born young children who are genuinely residing in PRH flats, HA may allow them to stay in PRH flats temporarily. In such cases, HA may grant the tenancy to adult relatives or legal guardians of the children.

Housing Department
30 March 2010