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Tel : 2794 5270

Fax : 2794 5322

10 September 2010

By Fax

The Honourable LEE Cheuk-yan
Chairman to Subcommittee
to Study Issues Relating to Mainland-HKSAR Families
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear the Honourable LEE,

**Subcommittee to Study Issues Relating to Mainland-HKSAR Families
Support Services for families with members holding Two Way Permits**

Thank you for your letter addressed to the Chairman of Hong Kong Housing Authority (HA) dated 10 August 2010. Further to our interim reply dated 30 August, I am authorized to give you a reply.

Firstly, I would like to point out that the special cases, which we mentioned in our previous correspondence to the Legislative Council Secretariat, are applicable to existing tenancies in Public Rental Housing (PRH) only. It is a special arrangement to facilitate the affected children, who are the family members in the original tenancies, to continue to stay in their PRH units upon the death of the tenants (their fathers) or upon divorce where their custodies are granted to their mothers who are holders of Two Way Permit (TWP). Under the arrangement, HA will allow a legal guardian to sign the tenancy agreement in order for the children to stay on. For the benefit of the minor children, we have exercised flexibility on a case-by-case basis to allow their mothers holding TWP for temporary stay to take care of these children.

The proposal by your Subcommittee for extending the above arrangement to allow households consist only of the children with their single mothers being TWP holders to apply for PRH through the waiting list is an entirely different matter. It would in effect allow these households with their mothers who are yet qualified to be our waiting list applicants to jump the

香港九龍橫頭磡南道3號香港房屋委員會客務中心

HD601 Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon, Hong Kong.

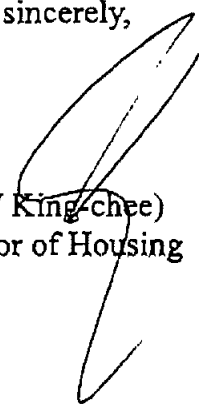
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queue and cause unfairness to other applicants already on the PRH waiting list, including those newly arrived in Hong Kong with the right of abode. As explained in our previous correspondence to the Legislative Council Secretariat, PRH resource is limited and it is essential for HA to achieve a balance between the housing needs of those who have newly arrived in Hong Kong and those who have stayed in Hong Kong for a longer period of time. The proposal would undermine the waiting list system.

That said, as quoted by yourself and further explained in the second paragraph above, we already have measures in place to allow the children and their mothers holding TWP to stay in the PRH flats despite the departure of their fathers who had been the tenant of the flats. Concerning the interests of those children with their mothers being TWP holders and "left-behind" in private housing due to divorce or the death of their fathers, the Social Welfare Department (SWD) has well established measures to provide the necessary assistance. If the legal guardian together with the children under special circumstances have urgent housing need, SWD may consider supporting them for Compassionate Rehousing. Upon recommendation by SWD, HA would process the Compassionate Rehousing application promptly and effect the corresponding PRH allocation subject to available housing resources.

For further enquiries, please contact the undersigned.

Yours sincerely,



(CHOW King-chee)
for Director of Housing

c.c. Secretary for Home Affairs (Attn. Ms Grace Lui)
Assistant Director (Estate Management) 3