

立法會
Legislative Council

LC Paper No. CB(2)2250/08-09

(These minutes have been
seen by the Administration)

Ref : CB2/PS/3/08

Panel on Welfare Services

Subcommittee on Poverty Alleviation

**Minutes of the 5th meeting
held on Tuesday, 9 June 2009, at 10:45 am
in the Chamber of the Legislative Council Building**

Members present : Hon Frederick FUNG Kin-kee, SBS, JP (Chairman)
Hon LEE Cheuk-yan
Hon TAM Yiu-chung, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS

Members absent : Hon LEUNG Yiu-chung
Hon Ronny TONG Ka-wah, SC

Member attending : Hon LEUNG Kwok-hung

Public Officers attending : Item I

Mrs Polly CHAN
Principal Assistant Secretary for Labour and Welfare
(Welfare) 4

Mr Henry LAI
Assistant Secretary for Labour and Welfare (Welfare) 4B

Mr FUNG Pak-yan
Deputy Director of Social Welfare (Administration)

Mr CHAN Wing-hoi
Chief Social Security Officer (Social Security)²
Social Welfare Department

**Deputations
by invitation**

: Item I

The Against Elderly Abuse of Hong Kong

Mr FOO Wai-lok
Principal Consultant (Elderly Services)

The Boys' and Girls' Clubs Association of Hong Kong

Mr WONG Kwai-yau
Supervisor

Hong Kong Chinese Civil Servants' Association, Social
Work Officer Grade Branch

Mr CHEUNG Kam-ki
Vice Chairman

Justice and Peace Commission of the Hong Kong Catholic
Diocese

Ms YIP Po-lam
Organizer

Hong Kong Association for the Survivors of Women Abuse
(Kwan Fook)

亞花
Member

風雨同路

阿宝
Member

Association for Concern for Legal Rights of Victims of
Domestic Violence

Ms LIU Ngan-fung

The Chinese Grey Power

Mr KU Shek-mou
Committee Member

Ms LEE Tsui-king
Organizer

Labour Rights Commune

Mr WONG Chi-kwan
Member

Joint Alliance for Universal Retirement Protection

Mr AU YEUNG Kwun-tung
Organizer

港島單親互助社

Ms FUNG Kan-ho
Spokesperson

爭取基層生活保障聯盟

Ms WONG Sau-ping

Sham Shui Po Community Association

Ms CHAU Kit-yin
Vice Chairman

Oxfam Hong Kong

Mr Alfred CHOY Man-kit
Programme Officer for Hong Kong Programme

Elderly Rights League (H.K.)

Mr DING Mo-cheung
Representative

Children Rights Association

Ms MOK Shui-lin
Parent

Grassroots Housing Group

Mr CHAN Siu-ming
Community Organizer

Society for Community Organization

Miss SZE Lai-shan
Community Organizer

New Immigrants' Mutual Aid Association

Ms LO Yee-fung
Representative

Concerning Group for Women Poverty

Ms IP Lai-hing
Organizer

Hong Kong Christian Institute

Miss WONG Mei-fung
Project Secretary

Concerning CSSA Review Alliance

Mr AU YEUNG Tat-chor
Community Organizer

Rights for Basic Living Security Association

Ms CHOI Po-foon

Hong Kong Chinese Civil Servants' Association, Social
Security Assistants Branch

Mr CHAN Chun-wah
Chairman

Christian Action

Ms Carol LEE Wing-chong
Manager, Social Services Department

New Women Arrivals League

Man Ching
Member

The Forthright Caucus

Mr Fernando CHEUNG
Forthright Caucus' Chair

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

Staff in attendance : Miss Florence WONG
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

I. Review of the Comprehensive Social Security Assistance Scheme

[LC Paper Nos. CB(2)1481/08-09(01) to (02), CB(2)1712/08-09(01) to (02), CB(2)1774/08-09(01) to (05), CB(2)1793/08-09(01) and CB(2)1821/08-09(01) to (06)]

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

2. The Subcommittee received views from 27 deputations on the Comprehensive Social Security Assistance (CSSA) Scheme. Major views of the deputations are summarised as follows –

Adequacy of CSSA payments and the adjustment mechanism of the CSSA Scheme

- (a) the CSSA payments were inadequate to meet the basic needs of children and could not support their development and learning needs in full. It was noteworthy that the magnitude of the rise in prices for school-related items in the past few years was greater than the movements in Social Security Assistance Index of Prices (SSAIP). There was a need to review the level of CSSA payments for children, and calculate the level of CSSA payments for them having regard to their development needs based on a different formula;

Action

- (b) the CSSA payments were inadequate to meet the basic needs of the elderly, in particular the expenses for private medical treatment and nutritious diets. Besides, the requirement for elders living with their family members to apply for CSSA on a household basis had given rise to the problem of elders in poverty. In the absence of a retirement protection scheme in Hong Kong, many grassroots were very concerned about their livelihood in the twilight years;
- (c) over one half of CSSA households living in private housing were paying actual rental higher than the maximum levels of rent allowance (MRA) under the CSSA Scheme. They had to cut other expenses on basic needs to save money for the rental. The Administration should consider restoring MRA to the 2003-level and reviewing the existing adjustment mechanism of MRA;
- (d) the abolition of special grants and long-term supplement for able-bodied adult CSSA recipients, including dental grants, expenses for eye glasses and rental deposit had posed hardship to CSSA households and further widened the gap between the rich and the poor;
- (e) the basic needs items covered under the CSSA Scheme were incompatible with the present needs, for instance, Internet access charges were not included. The Administration should conduct a comprehensive review on the CSSA Scheme. Besides, the interval for conducting the Household Expenditure Survey (HES) on CSSA Households should be shortened from five years to three years;
- (f) under the current mechanism for adjusting CSSA standard rates, the adjustment of CSSA standard rates lagged behind the inflationary cycle and failed to catch up with the rising prices. The Administration should consider reverting to the forecast methodology;

Operation of the discretionary mechanism on residence requirements

- (g) some Hong Kong residents who had worked outside Hong Kong for a period of time and had returned to Hong Kong due to loss of jobs were not eligible for CSSA because they could not satisfy the one-year-continuous-residence requirement. Although the Director of Social Welfare (DSW) might exercise discretion to waive the one-year-continuous-residence requirement, they would be granted with the discretion only when their savings had been almost used up. Given that these people were Hong Kong permanent residents, the one-year-continuous-residence requirement should be abolished;

Action

- (h) the seven-year residence requirement under the CSSA Scheme had posed financial difficulties to families with newly arrived members. Although discretion could be exercised having regard to individual circumstances, many newly arrived women had difficulties in meeting the criteria for exercising the discretion to waive the residence requirement. Moreover, it was difficult for some newly arrived single mothers to find jobs for fulfilling the working hours requirement under the New Dawn Project without leaving their children unattended. The Administration was urged to provide more assistance to these families, for instance, setting up a fund to assist newly arrived women to integrate into the society and enter into the labour market;
- (i) although discretion could be exercised to waive the residence requirements under the CSSA Scheme, the operation of the discretionary mechanism lacked transparency; and
- (j) the Administration should delegate the authority to exercise discretion to waive the residence requirements to frontline social workers in SWD, who had more in-depth understanding of the needs of the applicants.

3. Deputy Director of Social Welfare (Administration) (DDSW(A)) advised that the CSSA Scheme, which was non-contributory, aimed to provide a safety net of last resort for those in need so that they could meet their basic needs. The Administration had to strike a balance between providing financial assistance to the needy and ensuring proper use of public fund. In response to the concerns raised by the deputations, DDSW(A) made the following points –

- (a) the Administration attached great importance to the needs of children and would look into the aspect of Internet access charges in the forthcoming HES on CSSA Households. CSSA was not the only source of assistance to the needy, there were other forms of assistance, such as medical waivers, Computer Recycling Programme and school-based grants for after-school activities etc available for students from needy households, whether or not they were already on CSSA;
- (b) the rationale for requiring elders living with their family members to apply for CSSA on a household basis was to encourage family members to support each other. Nonetheless, discretion would be exercised if there were special circumstances, for example, where an elderly applicant had poor relationship with his/her family members or there were special reasons for which children of an applicant could not provide support to him/her;

Action

- (c) under the existing mechanism, the CSSA standard rates were adjusted annually in accordance with the movement of SSAIP in order to maintain the purchasing power of the payments, and an additional adjustment was made in August 2008 ahead of the normal adjustment cycle to ease the impact of inflation on CSSA recipients. Besides, two additional months and one additional month of CSSA standard rates were paid to CSSA recipients in 2008 and 2009 respectively. In accordance with the same mechanism, CSSA payment rates were adjusted downward by 11.1% in 2003 in the light of the persistent drop in SSAIP during the deflationary period;
- (d) MRA would be adjusted in accordance with the movement of index for private housing rent of Consumer Price Index (A) under the existing mechanism;
- (e) the long-term supplement for able-bodied adult CSSA recipients was abolished in 1999 to encourage them to work towards self-reliance. To provide additional financial incentives for able-bodied adult CSSA recipients to find and remain in employment, the "no reduction" limit for Disregarded Earnings (DE) had been raised and the eligibility criteria for DE had also been relaxed in December 2007;
- (f) DSW would take into account all relevant factors of each case, such as domestic violence, to establish whether there was genuine hardship for exercising his discretion to waive the seven-year residence requirement. Each case would be considered on its own merits. Over 5 000 CSSA applications had been exempted from the requirement since 1 January 2004;
- (g) in considering whether discretion would be exercised to waive the one-year-continuous-residence requirement, resources available to the applicants and their family members would be taken into account to establish whether the applicants were in genuine hardship. Over 3 000 CSSA applications had been exempted from the requirement since 1 June 2007; and
- (h) there was a clear delineation of work between frontline social workers and social security officers of Social Security Field Units (SSFUs) in SWD.

4. Principal Assistant Secretary for Labour and Welfare (Welfare)⁴ supplemented that families encountering hardship could always approach the SSFUs. Staff at the SSFUs would render assistance to them or refer their cases to other agencies for follow-up as appropriate.

Action

5. The Chairman thanked deputations for attending the meeting and said that the Subcommittee would take into consideration deputations' views when drawing up the recommendations for the Administration's consideration.

II. Any other business

Discussion item for the next meeting

6. The Subcommittee agreed to discuss the progress of development of social enterprises at the next meeting to be held on 7 July 2009.

Proposal to conduct a duty visit by the Subcommittee
[LC Paper No. CB(2)1793/08-09(02)]

7. The Subcommittee supported the proposed duty visit to the Republic of Korea and Taiwan from 19 to 25 July 2009. Members agreed to open the membership of the delegation to non-Subcommittee members. Members noted that endorsement of the Panel on Welfare Services and the House Committee would be sought on the proposed duty visit.

8. There being no other business, the meeting ended at 12:46 pm.

Council Business Division 2
Legislative Council Secretariat
17 July 2009

**Proceedings of the 5th meeting of the
Subcommittee on Poverty Alleviation
on Tuesday, 9 June 2009, at 10:45 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Review of the Comprehensive Social Security Assistance (CSSA) Scheme</i>			
000000 - 000630	Chairman	Opening Remarks	
000631 - 000814	The Against Elderly Abuse of Hong Kong	Presentation of views Concern about the lack of transparency in the operation of discretionary mechanism and the inadequacy of CSSA payments to the elderly recipients for having nutritious diets	
000815 - 001132	The Boys' and Girls' Clubs Association of Hong Kong	Presentation of views [LC Paper No. CB(2)1774/08-09(01)] Concern about the well-being of children and request for calculating the CSSA payment levels for children recipients based on a different formula	
001133 - 001510	Hong Kong Chinese Civil Servants' Association, Social Work Officer Grade Branch	Presentation of views [LC Paper No. CB(2)1712/08-09(01)] Suggestions of delegating the authority for exercising the discretion to waive the residence requirements under the CSSA Scheme to frontline social workers in the Social Welfare Department (SWD) and setting up a fund to assist the newly arrived women to integrate into the society and enter into the labour market	
001511 - 001834	Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)	Presentation of views Concern about the difficulties faced by families under the threat of domestic violence and the inadequacy of CSSA payments in meeting the needs of children on CSSA	
001835 - 002206	風雨同路 Chairman	Presentation of views Concern about the difficulties and stress faced by newly arrived women in meeting the seven-year residence requirement under the CSSA Scheme	
002207 - 002612	Association for Concern for Legal Rights of Victims of Domestic Violence	Presentation of views Concern about the difficulties faced by newly arrived women, especially those who were victims of domestic violence, and request for abolishing the seven-year residence requirement under the CSSA Scheme	
002613 - 002928	The Chinese Grey Power	Presentation of views [LC Paper No. CB(2)1774/08-09(02)] Concerned that the adjustment of CSSA payments lagged behind inflation under the existing adjustment mechanism	

Time marker	Speaker(s)	Subject(s)	Action required
002929 - 003325	Labour Rights Commune Chairman	Presentation of views [LC Paper No. CB(2)1774/08-09(03)] Concern about the difficulties faced by the grassroots and the lack of retirement protection	
003326 - 003714	Joint Alliance for Universal Retirement Protection Chairman	Presentation of views Request for a review on the requirement for the elderly living with their family members to apply for CSSA on a household basis and the introduction of a universal retirement protection scheme	
003715 - 004113	港島單親互助社 Chairman	Presentation of views [LC Paper No. CB(2)1774/08-09(04)] Request for increasing the CSSA standard rates and re-examining critically the basic needs items covered by the CSSA Scheme	
004114 - 004447	爭取基層生活保障聯盟 Chairman	Presentation of views Concern about the incompatibility of basic needs items covered under the CSSA Scheme in meeting the needs of CSSA recipients and request for shortening the interval of conducting the Household Expenditure Survey (HES) on CSSA Households from five years to three years	
004448 - 004800	Sham Shui Po Community Association	Presentation of views Concern about the problem of elderly in poverty resulted from the requirement of elderly living with their family members to apply for CSSA on a household basis, and the inadequacy of CSSA payments in meeting the basic needs of recipients	
004801 - 005123	Oxfam Hong Kong	Presentation of views Concern about the resources and assistance available to families with newly arrived members, and request for abolishing the seven-year residence requirement under the CSSA Scheme	
005124 - 005245	Elderly Rights League (H.K.)	Presentation of views [LC Paper No. CB(2)1774/08-09(05)] Concern about the inadequacy of rent allowance under the CSSA Scheme in meeting the rental, and request for restoring the maximum levels of rent allowance (MRA) to the 2003-level	
005246 - 005606	Children Rights Association	Presentation of views [LC Paper No. CB(2)1774/08-09(05)] Concern about the inadequacy of CSSA payments in meeting the basic needs of children, in particular the need of accessing the Internet for learning purpose	
005607 - 005835	Grassroots Housing Group	Presentation of views [LC Paper No. CB(2)1774/08-09(05)]	

Time marker	Speaker(s)	Subject(s)	Action required
		Request for abolishing the one-year-continuous-residence requirement and restoring MRA to the 2003-level	
005836 - 010144	Society for Community Organization	<p>Presentation of views [LC Paper No. CB(2)1774/08-09(05)]</p> <p>Concern about the poverty problem resulted from the abolition of special grants for able-bodied adult CSSA recipients, the inadequacy of MRA and disregarded earnings (DE) arrangements as well as the residence requirements</p>	
010145 - 010358	New Immigrants' Mutual Aid Association	<p>Presentation of views [LC Paper No. CB(2)1774/08-09(05)]</p> <p>Concern about the difficulties faced by newly arrived single mothers, and request for abolishing the seven-year residence requirement under the CSSA Scheme</p>	
010359 - 010719	Concerning Group for Women Poverty	<p>Presentation of views</p> <p>Concern about the difficulties faced by women in poverty, and request for a comprehensive review on the CSSA Scheme</p>	
010720 - 011029	Hong Kong Christian Institute	<p>Presentation of views</p> <p>Concern about the inter-generational poverty problem faced by CSSA households and discrimination against new arrivals</p> <p>Request for a comprehensive review on the CSSA Scheme</p>	
011030 - 011344	Concerning CSSA Review Alliance	<p>Presentation of views</p> <p>Concern about the criteria for exercising discretion to waive the residence requirements</p>	
011345 - 011500	Rights for Basic Living Security Association	<p>Presentation of views</p> <p>Request for a review on the adjustment mechanism of the CSSA payment rates</p>	
011501 - 011811	Hong Kong Chinese Civil Servants' Association, Social Security Assistants Branch	<p>Presentation of views [LC Paper No. CB(2)1712/08-09(02)]</p> <p>Rationale for introducing financial tests and requirements under the CSSA Scheme, i.e. it was non-contributory and financed by public money</p>	
011812 - 012121	Christian Action	<p>Presentation of views</p> <p>Concern about the difficulties faced by newly arrived single mothers resulted from the seven-year residence requirement</p>	
012122 - 012226	New Women Arrivals League	<p>Presentation of views [LC Paper No. CB(2)1793/08-09(01)]</p>	

Time marker	Speaker(s)	Subject(s)	Action required
	Chairman	Concern about the difficulties faced by newly arrived single-parent families	
012227 - 012545	The Forthright Caucus	<p>Presentation of views</p> <p>View that the mindset of the Administration, which attached too much to the accounting approach in balancing the income and expenditure, was deviated from the primary objective of the CSSA Scheme to provide financial assistance to members of the public who were in genuine hardship</p> <p>Request for reverting the adjustment mechanism of CSSA payments to forecast methodology and abolishing the residence requirements</p>	
012546 - 012842	Justice and Peace Commission of the Hong Kong Catholic Diocese	<p>Presentation of views</p> <p>Concern about the poverty problem resulted from the stringent eligibility requirements under the CSSA Scheme</p>	
012843 - 013608	Chairman Administration	<p>The Administration's response that –</p> <p>(a) the CSSA Scheme, which was non-contributory, aimed to provide a safety net of last resort for those in need so that they could meet their basic needs. However, to ensure its sustainability, there was a need to strike a balance between providing assistance to the needy and ensuring proper use of public funds;</p> <p>(b) under the existing mechanism, CSSA standard rates were reviewed and adjusted annually in accordance with the movement of the Social Security Assistance Index of Prices (SSAIP) in order to maintain the purchasing power of the payments. An adjustment to CSSA standard rates was made in August 2008 ahead of the normal adjustment cycle to ease the impact of inflation on CSSA recipients;</p> <p>(c) to provide additional financial incentive for able-bodied adult CSSA recipients to work toward self-reliance, the DE arrangements had been relaxed in December 2007;</p> <p>(d) the Administration would look into the aspect of Internet access charges in the forthcoming HES on CSSA Households. CSSA was not the only source of assistance to the needy, there were other forms of assistance, such as medical waivers, Computer Recycling Programme and school-based grants for after-school activities etc; and</p> <p>(e) notwithstanding the residence requirements under the CSSA Scheme, discretion had been exercised to waive the requirements for cases in genuine hardship over the past few years</p>	
013609 - 013711	Chairman	Invitation of further views from deputations	

Time marker	Speaker(s)	Subject(s)	Action required
013712 - 013917	Concerning CSSA Review Alliance	<p>Whether discretion would be exercised to waive the seven-year residence requirement to those newly arrived women who were divorced</p> <p>Whether discretion would be exercised to waive the one-year-continuous-residence requirement to the applicants only until their available resources could not maintain two months' living</p>	
013918 - 013956	Justice and Peace Commission of the Hong Kong Catholic Diocese	<p>Rationale for requiring elderly who lived with their family members to apply for CSSA on a household basis</p> <p>Whether objective factors would be taken into account in determining exercising discretion</p>	
013957 - 014201	Society for Community Organization	Concern about the inadequacy of CSSA payments for the recipients to lead a quality life and request for a change of policy on residence requirements rather than relying on the discretionary mechanism	
014202 - 014227	Grassroots Housing Group	Concern that over one half of CSSA households living in private housing were paying actual rental higher than MRA and request for a review on the adjustment mechanism of MRA	
014228 - 014703	Chairman Administration	<p>The Administration's response that –</p> <p>(a) discretion to waive the seven-year residence requirement would be exercised to those who were in genuine hardship. Each case would be considered on its own merits. DSW would take into account all relevant factors of each case, such as domestic violence, to establish whether there was genuine hardship for exercising his discretion;</p> <p>(b) when considering whether to exercise discretion to waive the one-year-continuous-residence requirement, resources available to the applicants and their family members would be taken into account to establish whether the applicants were in genuine hardship;</p> <p>(c) the rationale for requiring the elderly living with their family members to apply for CSSA on a household basis was to encourage family members to support each other. Nonetheless, discretion would be considered if there were special circumstances, for example, where an elderly applicant had poor relationship with his/her family members or there were special reasons for which children of an applicant could not provide support to him/her; and</p> <p>(d) MRA would be adjusted in accordance with the movement of index for private housing rent of Consumer Price Index (A)</p>	
014704 - 014900	爭取基層生活保障聯盟	Concern about the downward adjustment of CSSA standard rates by 11.1% in 2003, the abolition of the long-term supplement and various special grants for	

Time marker	Speaker(s)	Subject(s)	Action required
		able-bodied adult CSSA recipients and questioned about the findings that the average CSSA monthly payment was higher than the average monthly CSSA household expenditure	
014901 - 015136	Association for Concern for Legal Rights of Victims of Domestic Violence	Concern – (a) whether the seven-year residence requirement applied to Disability Allowance (DA) applicants; (b) about the number of applications for discretion to waive the residence requirements; and (c) whether consideration would be given to delegating authority to frontline social workers in SWD to exercise the discretion	
015137 - 015220	The Chinese Grey Power	Appeal to the Administration to attach more importance to the need of the elderly	
015221 - 015332	Labour Rights Commune	Concern about the operation of discretionary mechanism	
015333 - 015910	Chairman Administration	The Administration's response that – (a) as shown from the findings of HES on CSSA Households, average monthly CSSA payments was greater than the average monthly CSSA household expenditure; (b) CSSA standard rates were adjusted downward by 11.1% in 2003 to an appropriate level in the light of the persistent drop in SSAIP during the deflationary period; (c) the long-term supplement for able-bodied CSSA recipients was abolished in 1999 in order to encourage the able-bodied adult to work for self-reliance; (d) the residence requirements also applied to DA applicants; and (e) there was a clear delineation of work between frontline social workers and social security officers of Social Security Field Units in SWD. Specifically, the latter was responsible for vetting CSSA applications	
015911 - 020201	Chairman Mr CHEUNG Kwok-che	Agenda item for the next meeting Proposed duty visit to the Republic of Korea and Taiwan	