

立法會
Legislative Council

LC Paper No. CB(2)2330/13-14
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seen by the Administration)

Ref : CB2/HS/1/12

Subcommittee on Poverty

**Minutes of the twenty-second meeting
held on Monday, 7 July 2014, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon Frederick FUNG Kin-kee, SBS, JP (Chairman)
Dr Hon Fernando CHEUNG Chiu-hung (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-che
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon Frankie YICK Chi-ming
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon TANG Ka-piu, JP

**Public Officers : Item I
attending**

Ms Jane LEE
Principal Assistant Secretary for Labour and Welfare
(Poverty)
Labour and Welfare Bureau

Mr Gordon CHONG
Principal Assistant Secretary for Labour and Welfare
(Welfare) 4 (Acting)
Labour and Welfare Bureau

Mr Albert LEUNG
Senior Education Officer (Placement & Support)
Education Bureau

Miss Maria LAU
Assistant Director of Social Welfare (Social Security)
Social Welfare Department

Mr FUNG Man-chung
Assistant Director of Social Welfare (Family & Child
Welfare)
Social Welfare Department

Mrs Tonia LEUNG, JP
Assistant Commissioner (Employment Services)
Labour Department

Mr Michael LEE
Chief Housing Manager (Applications)
Housing Department

Mr Benny LUI
Principal Economist (5) (Acting)
Economic Analysis and Business Facilitation Unit
Financial Secretary's Office

Attendance by : Item I
invitation

Democratic Alliance for the Betterment and Progress of
Hong Kong

Ms CHEUNG Fan-lan
Deputy Spokesperson of Welfare Services

Miss Cynthia CHEUNG Sin-tung

Mr Alex FU Chuen-lung

Mr Michael FUNG Kei-lap

反對濫用綜援大聯盟

Mr Harris YEUNG
召集人

New Arrival Women League

Mr WONG Kai-hing
Community Organizer

Ms LAM Chung-yan, Member of Sha Tin District
Council

Mr Victor NG

Liberal Party Youth Committee

Mr Dominic LEE
Chairperson

Miss Amanda Queiroz

The Lion Rock Institute

Mr Andrew SHUEN Pak-man
Research Director

Labour Party

Mr Calvin TSANG
Representative

Mr CHONG Tik-man

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Ms Catherina YU
Senior Council Secretary (2) 4

Miss Kay CHU
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

- I. Poverty of new-arrivals (including policy implications brought about by the judgment of the Court of Final Appeal on the residence requirement for Comprehensive Social Security Assistance)**
[LC Paper Nos. CB(2)1946/13-14(01) to (04) and CB(2)2008/13-14(01)]

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

2. The Subcommittee requested the Administration to provide information on –

- (a) the number of convicted fraud Comprehensive Social Security Assistance ("CSSA") cases involving new-arrivals in 2011, 2012 and 2013 respectively; and
- (b) the number of able-bodied and unemployed CSSA recipients who had participated in the Integrated Employment Assistance Programme for Self-reliance of the Social Welfare Department.

Action

(*Post-meeting note:* The Administration had provided the required information vide LC Paper No. CB(2)2316/13-14(01) on 23 September 2014.)

II. Subjects to be discussed at meetings in October and November 2014

[LC Paper No. CB(2)1946/13-14(05)]

3. Members agreed on the subject to be discussed at the meeting scheduled for 28 October 2014, as detailed in the paper prepared by the Legislative Council Secretariat [LC Paper No. CB(2)1946/13-14(05)].

III. Any other business

4. There being no other business, the meeting ended at 12:53 pm.

Council Business Division 2
Legislative Council Secretariat
24 September 2014

**Proceedings of the twenty-second meeting of the
Subcommittee on Poverty
on Monday, 7 July 2014, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Poverty of new-arrivals (including policy implications brought about by the judgment of the Court of Final Appeal on the residence requirement for Comprehensive Social Security Assistance)</i>			
000123 - 000911	Chairman Administration	Briefing by the Administration on the poverty statistics relevant to new-arrivals and its support for new-arrivals.	
000912 - 001220	Chairman Democratic Alliance for the Betterment and Progress of Hong Kong	Urging the Administration to – (a) provide vocational training for prospective new-arrivals, especially Hong Kong residents' Mainland overage children, so as to facilitate their integration into the labour market and the community; (b) shorten the average waiting time of Hong Kong people's Mainland spouses for one-way permits from four years to less than three years; and (c) discuss with the Mainland authorities the feasibility of retaining new-arrivals' registered residence on the Mainland for two years during which new-arrivals had an option for going back to and settling on the Mainland in case they could not adapt to living in Hong Kong.	
001221 - 001529	Chairman Miss Cynthia CHEUNG Sin-tung	Views that the Administration should utilize the tax revenue to alleviate poverty of Hong Kong permanent residents instead of new-arrivals. Lowering the residence requirement under the Comprehensive Social Security Assistance ("CSSA") Scheme from seven years to one year would encourage more new-arrivals to rely on the social security system.	
001530 - 001813	Chairman Mr Alex FU Chuen-lung	Views that new-arrivals were expected to become self-reliant. Nevertheless, implementation of one-year residence requirement under the CSSA Scheme would encourage new-arrivals relying on the social security system without contributing to Hong Kong economy, thereby downgrading Hong Kong's competitiveness.	

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001814 - 002122	Chairman Mr Michael FUNG Kei-lap	Urging the Administration to – (a) alleviate poverty of Hong Kong local people first instead of providing social security assistance for new-arrivals, which would increase the financial burden of the Government; and (b) make reference to other countries to implement an effective immigration policy, which required new-arrivals to declare that they could support themselves financially.	
002123 - 002423	Chairman 反對濫用綜援大聯盟	It was not reasonable that – (a) new-arrivals insisted to have family reunion in Hong Kong and then rely on the social security system while they could make a living on the Mainland; and (b) the Administration provided new-arrivals with social security assistance when Hong Kong was facing scarcity of resources.	
002424 - 002730	Chairman New Arrival Women League	Presentation of views – (a) according to the Basic Law, new-arrivals qualified to obtain Hong Kong identity cards were Hong Kong non-permanent residents who had the right to social welfare in accordance with the law; and (b) Hong Kong people and their spouses in the Mainland had the right to choose the place, i.e. Hong Kong or the Mainland, for family reunion.	
002731 - 003037	Chairman Ms LAM Chung-yan, Member of Sha Tin District Council	View that the Administration should provide specialized support services for new-arrivals to help them overcome language and other barriers, and encourage them to join the labour market.	
003038 - 003341	Chairman Mr Victor NG	Views and suggestion that: (a) some new-arrivals were abusing CSSA; (b) lowering the residence requirement under the CSSA Scheme might have implications on other welfare policies; and (c) the Administration should take steps to encourage new-arrivals receiving CSSA to become self-reliant.	

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003342 - 003650	Chairman Liberal Party Youth Committee	Views that the immigration policy led to the importation of poverty given that there was no financial requirement for applying for one-way permits and welfare policies for new-arrivals were comprehensive. The Administration should review the immigration policy and discuss with the Mainland authorities to allow new-arrivals to reinstate their registered residence on the Mainland if necessary.	
003651 - 003946	Chairman Miss Amanda Queiroz	View that lowering the residence requirement under the CSSA Scheme would encourage an influx of new-arrivals to abuse CSSA, thereby increasing the financial burden of the Government and leading to a social chaos in the end.	
003947 - 004300	Chairman The Lion Rock Institute	View that the Administration and Legislative Council Members should consider proposing that the Basic Law be amended, so that Hong Kong could have the autonomy to formulate welfare policies on the basis of social consensus.	
004301 - 004609	Chairman Labour Party	Views that new-arrivals living in different districts might have different needs. The Administration should conduct a study to identify their needs, enhance dissemination of information on welfare services and strengthen its collaboration with non-governmental organizations ("NGOs") in order to facilitate service delivery to new-arrivals.	
004610 - 004916	Chairman Mr CHONG Tik-man	Presentation of views as detailed in the submission [LC Paper No. CB(2)1946/13-14(03)]	
004917 - 005543	Chairman Administration	The Administration's response to the major views and concerns of deputations that – (a) the Home Affairs Department ("HAD") had commissioned two NGOs to implement the Expectation Management Programmes in Shenzhen and Guangzhou respectively to help prospective settlers have a better understanding of the circumstances in Hong Kong. The programmes also sought to help prospective settlers strengthen their abilities to cope with difficulties they might face when settling in Hong Kong through a series of activities including community education, support network and training courses organized by the two NGOs; (b) in addition to the various employment support services provided by the	

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		<p>Administration, the Employees Retraining Board offered dedicated training courses for new-arrivals (e.g. Cantonese courses, the Foundation Certificate in Skills for Employment) to help them improve their capability to adapt to the local employment market and acquire job search skills;</p> <p>(c) one of the objectives of the Low-income Working Family Allowance ("LIFA") was to encourage self-reliance through employment. By providing eligible low-income working families with suitable assistance and encouraging the working members to stay in active employment would help prevent them from falling into the CSSA net;</p> <p>(d) the number of CSSA applications involving persons having resided in Hong Kong for less than seven years had fallen sharply from a high of 170 cases per working day in late December 2013 (i.e. after the handing down of the Court of Final Appeal ("CFA")'s judgment) to 20 to 30 cases per working day in recent months;</p> <p>(e) in addition to satisfying the residence requirement and means tests, CSSA recipients who were able-bodied adults were required to actively seek full-time jobs and participate in the Support for Self-reliance ("SFS") Scheme of the Social Welfare Department ("SWD") if they were unemployed or working but with monthly earnings or working hours below the prescribed level set by SWD;</p> <p>(f) the Fraud Investigation Teams of SWD would investigate suspected fraud and abuse cases to combat fraud and abuse of CSSA; and</p> <p>(g) the rising education level and family income of new-arrivals might mean that new-arrivals were less inclined to apply for CSSA, while the recovery of the local employment market and the introduction of LIFA which had no residence requirement would help prevent new-arrivals from falling into the CSSA net.</p>	
005544 - 005736	Chairman New Arrival Women League	<p>Concerns and views that –</p> <p>(a) some single mothers were receiving the CSSA standard rate for unemployed adults. They should be provided the CSSA standard</p>	

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		<p>rate for single parent/family carer instead;</p> <p>(b) there should be clearer guidelines for exercising discretion by the Administration to grant CSSA to those who did not meet the residence requirement; and</p> <p>(c) child care services and employment support services should be strengthened to facilitate new-arrivals to take up employment.</p>	
005737 - 005850	Chairman The Lion Rock Institute	Enquiry about whether the Administration would consider amending the Basic Law so that Hong Kong could have the autonomy to formulate welfare policies on the basis of social consensus.	
005851 - 010029	Chairman Mr CHONG Tik-man	View that the Administration should conduct tracking surveys to find out the problems faced by new-arrivals after they had settled in Hong Kong for several years.	
010030 - 010212	Chairman Liberal Party Youth Committee	<p>Views that the Administration should –</p> <p>(a) enhance the transparency of the SFS Scheme including the attendance of the participants, the mechanism for penalizing participants whose attendance rate was low, etc.; and</p> <p>(b) consider requiring one-way permit applicants to have a guarantor as a condition for granting such permit.</p>	
010213 - 010605	Chairman Administration	<p>The Administration's response that –</p> <p>(a) the Director of Social Welfare would examine an applicant's financial situation, social circumstances and other relevant conditions on a case by case basis in exercising discretion to grant CSSA;</p> <p>(b) under the Integrated Employment Assistance Programme for Self-reliance ("IEAPS"), SWD had commissioned NGOs to provide one-stop integrated employment assistance services to help employable able-bodied CSSA recipients seek employment and improve their employability. NGOs operating IEAPS projects would provide single parents or child carers participating in the service with information on child care services as appropriate;</p> <p>(c) participants of the SFS Scheme were required to sign an undertaking to indicate that they fully understood their obligations to</p>	

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		<p>comply with all the requirements under the SFS Scheme. A participant who failed to comply with any of the requirements stated in the undertaking was subject to sanctions including deduction of his/her CSSA payment;</p> <p>(d) the Community Care Fund ("CCF") had launched a three-year pilot incentive scheme ("the CCF pilot incentive scheme") in April 2014 to further encourage able-bodied unemployed CSSA recipients of IEAPS to secure employment;</p> <p>(e) HAD had since 1996 conducted regular surveys on new-arrivals from the Mainland. The suggestion of conducting tracking surveys on new-arrivals would be relayed to HAD; and</p> <p>(f) it was clearly stated in the CFA's judgment that the judgment was specific to CSSA and should not be applied generally to the application arrangements for other government assistance programmes. The Administration respected CFA's ruling on the residence requirement for CSSA.</p>	
010606 - 011015	Chairman Deputy Chairman Administration	<p>The Deputy Chairman's concern that the problem of discrimination against new-arrivals was serious and such discrimination might stem from the misunderstandings about new-arrivals. He enquired how the Administration would address the problem.</p> <p>The Administration's response that the Government had been facilitating early integration of new-arrivals into the local community through providing them with appropriate support services, employment assistance services, retraining programmes, etc.</p>	
011016 - 011553	Chairman Mr KWOK Wai-keung Administration	<p>Mr KWOK Wai-keung's enquiries and concern that –</p> <p>(a) how many of the convicted fraud CSSA cases (256, 260 and 341 cases in 2011, 2012 and 2013 respectively) involved new-arrivals;</p> <p>(b) latest position regarding the suggestion to allow new-arrivals an option of going back to and settling on the Mainland in case they could not adapt to living in Hong Kong; and</p>	Admin (paragraph 2 of the minutes)

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		<p>(c) some new-arrivals who had obtained professional qualifications on the Mainland could not find a job in the same profession because their qualifications were not recognized in Hong Kong. The Administration should consider offering articulation programmes for these new-arrivals to help them bring their strengths into full play.</p> <p>The Administration's response that –</p> <p>(a) information on the local system and examinations regarding professional qualifications would be provided for interested new-arrivals for reference. For new-arrivals who had obtained professional qualifications on the Mainland but could not work in the same profession in Hong Kong, the Administration would help them find jobs the nature of which was related to their previous work experience; and</p> <p>(b) the Administration would continue to reflect to the Mainland authorities as appropriate the views of various sectors regarding the arrangements of one-way permit.</p>	
011554 - 012134	Chairman Mr LEE Cheuk-yan Administration	<p>Mr LEE Cheuk-yan's views that –</p> <p>(a) child care services should be strengthened to facilitate newly-arrived parents to take up employment; and</p> <p>(b) some new-arrivals had genuine financial difficulties. To avoid the perception of new-arrivals abusing CSSA, the Administration should analyze the profiles of the 5 567 applications involving persons having resided in Hong Kong for less than seven years, which were received since the date of the CFA's judgment up to 27 June 2014.</p> <p>The Administration's response that –</p> <p>(a) except for aided standalone child care centres, child care services had not been fully utilized; and</p> <p>(b) child care services would be strengthened in 2014-2015. The Administration had allocated \$17 million to extend the service hours of some after-school care programmes on weekday evenings, Saturdays, Sundays</p>	

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		and school holidays starting from end 2014. Additional places would be provided for home-based child care services and funding would be increased for operators to enhance social work support for the services under the Neighborhood Support Child Care Project ("NSCCP").	
012135 - 012600	Chairman Mr LEUNG Che-cheung Administration	<p>Mr LEUNG Che-cheung's enquiry about the statistics of CSSA recipients who had been on CSSA for a lifetime.</p> <p>The Administration's response that in general, elderly persons were on CSSA for a long period of time. Measures including the IEAPS and Disregarded Earnings had been implemented under the CSSA Scheme to encourage able-bodied adults to become self-reliant so that they could leave the CSSA net.</p>	
012601 - 013033	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK's concern about the effectiveness of the SFS Scheme and his request for information on the number (and percentage) of CSSA recipients participating in the SFS Scheme, the number of participants being penalized because of non-compliance with the requirements under the SFS Scheme and whether the penalty had improved compliance.</p> <p>The Administration's response that it might not have all the required information but would provide the number of able-bodied and unemployed CSSA recipients who had participated in the IEAPS.</p> <p>Mr YICK's view that the Administration should start collecting the aforesaid information to evaluate the effectiveness of the SFS Scheme.</p>	Admin (paragraph 2 of the minutes)
013034 - 013552	Chairman Mr CHEUNG Kwok-che Administration	<p>Views of Mr CHEUNG Kwok-che –</p> <p>(a) SWD should collaborate with the Labour Department in helping new-arrivals and prospective new-arrivals who did not want to rely on CSSA to find part-time jobs in residential care homes for the elderly;</p> <p>(b) the Administration should analyze the supply of and demand for child care services in individual districts to ensure surplus resources were suitably allocated to meet service needs; and</p> <p>(c) the Administration should provide the timetable for reviewing the CSSA Scheme.</p>	

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		<p>The Administration's response that –</p> <ul style="list-style-type: none"> (a) it would examine the distribution of child care services and the service needs in each district for better resource deployment. Provision of child care services would be planned according to the characteristics and service needs of the districts; and (b) it would monitor the development of the IEAPS and the CCF pilot incentive scheme and evaluate their effectiveness in helping able-bodied CSSA recipients seek employment and become self-reliant. 	
013553 - 014111	Chairman Mr WONG Yuk-man Administration	<p>Mr WONG Yuk-man's views that –</p> <ul style="list-style-type: none"> (a) to avoid negative impressions about CSSA recipients, the Administration should explain clearly the CSSA Scheme, disseminate statistics on different categories of CSSA cases and rectify misunderstanding about CSSA; and (b) to minimize conflicts in the society arising from CSSA, the Administration should consider securing donations from the society to pay for CSSA and formulating policies to complement such implementation. <p>The Administration's reiteration that it would continue to strive to facilitate early integration of new-arrivals into the local community.</p>	
014112 - 014922	Chairman Dr KWOK Ka-ki Administration	<p>Dr KWOK Ka-ki's concerns and views that –</p> <ul style="list-style-type: none"> (a) the Administration had replaced the service centres which provided dedicated services for new-arrivals with Integrated Family Service Centres ("IFSCs"). Service centres targeted for new-arrivals should be re-opened as soon as possible; (b) child care services should be reviewed to facilitate new-arrivals to take up employment; and (c) the allowance for carers of NSCCP was too low and was of little help in relieving the financial burden of newly-arrived women who wished to be carers of NSCCP. The Administration should increase the amount of allowance. <p>The Administration's explanation on the justifications for integrating services for</p>	

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		<p>new-arrivals into IFSCs and the scope of services of IFSCs.</p> <p>The Administration advised that the services provided by IFSCs were more comprehensive than that of the former support centres for new-arrivals. Last year, there were 103 groups and programmes targeted for new-arrivals, benefiting more than 1 800 new-arrivals.</p>	
014923 - 015352	Chairman Mr Albert HO Administration	Mr Albert HO's view that many family problems (e.g. domestic violence) of newly-arrived households were caused by poverty. The Administration should conduct tracing investigations on the poverty situation of and domestic violence cases involving newly-arrived households.	
015353 - 015843	Chairman Mr TANG Ka-piu Administration	<p>Mr TANG Ka-piu's views that –</p> <p>(a) there was a consensus that legal actions should be taken against CSSA fraud cases and assistance should be offered to those genuinely in need. The Administration should take steps to address the community's concern about the abuse of CSSA; and</p> <p>(b) a mechanism should be established to facilitate new-arrivals' utilization of skills and professional qualifications obtained on the Mainland but were not recognized in Hong Kong.</p> <p>The Administration's response that issues relating to recognition of qualifications did not apply only to new-arrivals. The Administration would provide new-arrivals with information on the examinations for obtaining recognized qualifications locally where appropriate.</p>	
015844 - 020324	Chairman	<p>Extension of the meeting time for 10 minutes beyond the appointed ending time by the Chairman.</p> <p>The Chairman's views and concerns that –</p> <p>(a) less than 1% of CSSA recipients were new-arrivals. Given the Government's huge fiscal surplus, it should be able to provide CSSA for new-arrivals with financial hardship;</p> <p>(b) the Administration should facilitate local recognition of qualifications obtained by new-arrivals on the Mainland so that they could take up employment with higher pay;</p>	

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		<p>(c) given the low birth rate in Hong Kong, the population would be reduced by half in 30 to 50 years if Mainlanders were forbidden to live in Hong Kong. It would have a great impact on the development of Hong Kong; and</p> <p>(d) the amount of CSSA was far from adequate to cover the rent of private housing.</p>	
020325 - 020820	Chairman Deputy Chairman Administration	<p>The Deputy Chairman's views that –</p> <p>(a) having regard to the fact that in 2012, the post-intervention poverty rate of new-arrival households (36.9%) was higher than the overall average (15.2%), the Administration should implement specific measures to help these households alleviate poverty. Child care services should be reviewed to facilitate newly-arrived women to take up employment; and</p> <p>(b) the Administration should resolve the conflicts and discrimination against new-arrivals swiftly before the problems got worse.</p> <p>The Administration's response that –</p> <p>(a) the Government's poverty alleviation policy was to encourage self-reliance through employment, whilst putting in place a reasonable and sustainable social security and welfare system to help those who could not provide for themselves. The Administration would allocate resources to help the most needy; and</p> <p>(b) the introduction of LIFA and the one-year residence requirement for CSSA applicants might help improve the poverty situation of new-arrival poor households.</p>	
<i>Agenda item II – Subjects to be discussed at meetings in October and November 2014</i>			
020821 - 020908	Chairman Deputy Chairman	Members agreed on the subject to be discussed at the meeting in October 2014.	