

**Panel on Welfare Services**

**List of issues suggested to be considered**  
(position as at 16 October 2012)

**Proposed timing for  
discussion**

**1. Reports issued by the Subcommittee on  
Guardianship and Custody of the Law Reform  
Commission ("LRC")**

At the meeting on 8 February 2010, the Administration briefed the Panel on its position on the recommendations made by LRC in the Report on Guardianship of Children, the Report on International Parental Child Abduction, as well as the Report on Child Custody and Access. The Administration has since then completed the legislative amendments for implementing the recommendations in the Report on Guardianship of Children and is working on the amendments to the relevant legislation for implementing the recommendations of the Report on International Parental Child Abduction.

First quarter of 2013

As for the Report on Custody and Access ("the Report") released on 7 March 2005, the Administration advised that it is studying the recommendations carefully. The Administration launched a four-month public consultation on 28 December 2011 on whether the "joint parental responsibility model" should be implemented in Hong Kong by legislative means. The Panel was briefed on the consultation paper at its meeting on 9 January 2012. A special meeting was held on 25 February 2012 to receive views from deputations on the consultation paper. According to the Administration, it would map out, in the light of comments received, whether and how to take forward the relevant recommendations of the Report.

**Proposed timing for discussion**

**2. Infirmity care in non-hospital setting**

The Administration consulted the Panel in December 2004 on a proposal to launch a trial scheme to provide infirmity care places for medically stable elders in a non-hospital setting. Various options are being explored, including upgrading some of the places in subvented residential care homes for the elderly to provide infirmity care. The Administration will report the progress in due course.

To be decided

**3. Retirement protection**

The Panel and its Subcommittee on Retirement Protection had studied the subject of universal retirement protection in the last legislative term. The Subcommittee submitted its report (LC Paper No. CB(2)1942/11-12) to the Panel on 14 May 2012 and made a number of recommendations for the Administration's consideration. The Subcommittee also recommended that the Panel should follow up with the Administration on the matter in the next legislative term.

To be decided

**4. Charitable fund-raising activities**

The existing framework for the monitoring of charitable fund-raising activities was discussed at the meeting on 11 June 2007. Members agreed to further discuss the matter in the next session, especially the monitoring of the use of income generated from public charitable fund-raising activities.

To be decided

Following the release of the Consultation Paper on Charities by the Charities Sub-committee of LRC, the Panel held a special meeting on 24 August 2011 to receive public views on the subject. The LRC Charities Sub-committee has proceeded to work on concrete proposals for enhancing the monitoring measures for charitable fund-raising activities in light of the views collected from the public consultation which ended in October 2011.

**5. Review of the system for processing applications for Disability Allowance ("DA") under the Social Security Allowance ("SSA") Scheme**

Item proposed by Hon WONG Kwok-hing and Hon WONG Kwok-kin in the last legislative term. Members were concerned about the eligibility criteria for DA, the system for processing DA applications and the appeal mechanism.

To be decided

The Administration advised that the judicial review case lodged by a former applicant against the decision of the Administration in respect of his eligibility for DA closed in June 2011. The Administration will revert to the Panel in due course upon the completion of its review on the mechanism for implementing the DA scheme.

**6. Review of the one-year-continuous-residence requirement under the Comprehensive Social Security Assistance ("CSSA") Scheme and SSA Scheme**

At the meeting on 12 July 2010, Mr LEUNG Yiu-chung expressed concern about the High Court ruling on the judicial review of the one-year-continuous-residence requirement under the CSSA Scheme and proposed to follow up the matter as well as the residence requirement for Old Age Allowance ("OAA") applicants.

To be decided

In anticipation of the appeal proceedings, members agreed to revisit the need to discuss the matter in due course.

Pursuant to the Court of Appeal's ruling made in February 2012, the one-year-continuous-residence requirement was removed from the CSSA Scheme. Meanwhile, the Court of First Instance dismissed two cases of judicial review of the OAA one-year-continuous-residence requirement on 14 May and 17 September 2012 respectively, and ruled that the requirement was constitutional.

**Proposed timing for discussion**

**7. Progress on the implementation of the licensing scheme for residential care homes for persons with disabilities ("RCHDs") and related complementary measures**

At the request of the Subcommittee on Residential Care Homes (Persons with Disabilities) Regulation and Residential Care Homes (Persons with Disabilities) Ordinance (Commencement) Notice 2011, the Administration agreed to report to the Panel on the progress of the implementation of the licensing scheme for RCHDs and the related complementary measures, including the pilot Bought Place Scheme for RCHDs and Financial Assistance Scheme at suitable juncture after the commencement of the licensing scheme.

January 2013

**8. Visiting Pharmacist Scheme**

Item proposed by the Administration in the 2011-2012 session.

To be decided

**9. Progress Report on Child Development Fund**

Item proposed by the Administration in the 2011-2012 session. The Administration will brief members on the implementation progress and enhancement measures of the Child Development Fund.

First quarter of 2013

**10. Review of rent allowance under the CSSA Scheme**

At the joint meeting of the Panel and the Panel on Housing held on 13 April 2012, members expressed concern about the inadequacy of the rent allowance under the CSSA Scheme for street sleepers on CSSA to meet rental expenses of private housing and considered it necessary for the Panel to follow up on the review mechanism for the maximum rate of the rent allowance.

To be decided

**Proposed timing for discussion**

**11. Guangdong Scheme**

At the meeting on 12 March 2012, the Panel was briefed on the Guangdong Scheme for the provision of OAA to Hong Kong elders who chose to move to live in Guangdong. Members were concerned about the implementation timetable and the plan to extend the Scheme to other provinces, e.g. Fujian. Members agreed at the meeting on 12 April 2012 that the Panel should continue to follow up the matter.

Second quarter of 2013

**12. Old Age Living Allowance**

At the meeting on 10 July 2012, members expressed concern about the implementation progress of the proposal to introduce a new allowance for the elderly as announced by the Chief Executive in his election manifesto.

October 2012

The Administration announced on 16 July 2012 that a new Old Age Living Allowance of \$2,200 per month would be introduced as an additional form of financial assistance for Hong Kong elders aged 65 or above who had insufficient means for a living and were in need of support. The Administration will consult the Legislative Council ("LegCo") regarding arrangements to brief this Panel on the details of the new allowance in October 2012.

**13. Provision of barrier free access and facilities for persons with disabilities**

The Panel and its Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities had studied the subject of provision of barrier free access and facilities for persons with disabilities in the last legislative term. The Subcommittee submitted its report (LC Paper No. CB(2)2065/11-12) to the Panel on 29 May 2012 and made a number of recommendations for the Administration's

To be decided

consideration. The Subcommittee also recommended that the Panel should follow up with the Administration on the matter in the next legislative term. The Administration will continue to provide a quarterly report on the progress of the retrofitting programme for upgrading the barrier-free facilities in existing government premises and facilities and the Housing Authority properties to the Panel for information.

**14. Injection into the Community Investment and Inclusion Fund ("CIIF")**

Item proposed by the Administration. The Financial Secretary has announced in his 2012-2013 Budget to inject an additional \$200 million into CIIF to ensure that the fund can continue to perform its social function in furthering social capital development at the district level. The Administration will consult members on the injection proposal with a view to seeking the Finance Committee("FC")'s approval in the first quarter of 2013.

Fourth quarter of 2012

**15. Annual adjustment of payment rates under the CSSA Scheme and the SSA Scheme**

Item proposed by the Administration. Approval of FC is required for the annual adjustment of social security payment rates. In accordance with the established mechanism, the Administration would brief the Panel in November each year on the adjustment proposal based on the latest available Social Security Assistance Index of Prices figure, with a view to seeking FC's approval in December for effecting the annual adjustment. The revised rates would take effect in February of the following year.

November 2012

**Proposed timing for discussion**

**16. Construction of a contract residential care home for the elderly ("RCHE") cum day care unit ("DCU") and a day care centre for the elderly ("DE") in Long Ping**

Item proposed by the Administration. Approval of the FC is required for any Lotteries Fund ("LF") projects carrying recurrent implications over \$10 million. The Administration would seek LF funding in 2012-2013 for the construction of a contract RCHE cum DCU and DE in Long Ping. Since the recurrent implications of the project will likely exceed \$10 million, the Administration intends to consult the Panel in November 2012 with a view to seeking FC's approval in the first quarter of 2013.

November 2012

**17. Social Enterprise Development Fund ("SEDF")**

Item proposed by the Administration. On 16 July 2012, the Chief Executive announced the plan to establish SEDF to support the further development of social enterprises by seeking a funding of \$500 million from LF. The Administration has been consulting the relevant stakeholders and devising the details for the Fund.

December 2012

The Administration will brief members on SEDF and advised that members of the Panel on Home Affairs should be invited to join the discussion of this item.