

政府總部
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LABOUR AND WELFARE BUREAU
GOVERNMENT SECRETARIAT

Central Government Offices
Tim Mei Avenue
Tamar, Hong Kong

本函檔號 Our Ref.: LWB T4/18/29

來函檔號 Your Ref.:

24 July 2015

Ms Anita SIT
Clerk to Legislative Council Finance Committee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Sit,

Legislative Council Finance Committee
Follow-up Actions for Meeting on 26 June 2015

The proposal on additional one-off provision for social security recipients was discussed at the meeting of the Legislative Council Finance Committee held on 26 June 2015. Some Members requested the Government to provide information on the handling of residents' possessions and collection of fees and charges by residential care homes for the elderly (RCHEs), as well as the timetable for the review on Disability Allowance (DA). The relevant information is set out below for Members' reference.

Regarding Hon CHAN Chi-chuen's question on the handling of residents' possessions and collection of fees and charges by RCHEs, according to the requirement of the Comprehensive Social Security Assistance (CSSA) Scheme, the CSSA payment will in general be credited into the applicant's designated bank account on a monthly basis. If the applicant is aged below 18 without a parent or legal guardian; or an adult aged 18 or above who has been medically certified to be unfit to make a statement by the medical officer of public hospital or public clinic, an appointee would be required to act on such applicant's behalf and the

CSSA payment will be credited into the appointee's designated bank account on a monthly basis. Besides, under special circumstances where a mentally sound applicant is unable to draw money from the bank on his/her own due to disability, ill-health or other valid reasons, he/she may require another person (e.g. relative or friend) or an organisation to act as his/her agent to receive CSSA payments for him through the agent's bank account.

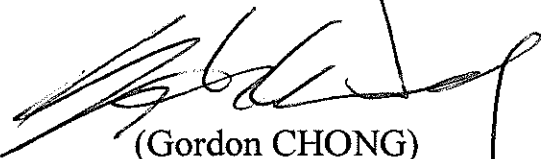
Under section 22 of the Residential Care Homes (Elderly Persons) Ordinance (RCHE Ordinance), the Director of Social Welfare has issued the Code of Practice for Residential Care Homes (Elderly Persons) (Code of Practice) to set out the principles, procedures, guidelines and standards for the operation, keeping, management or other control of RCHEs. RCHEs must strictly adhere to the requirements set out in the Code of Practice in handling residents' possessions and collection of fees and charges. The Licensing Office of Residential Care Homes for the Elderly (LORCHE) of the Social Welfare Department (SWD) conducts surprise inspections to RCHEs. If irregularities are detected, LORCHE will issue advisory letters, warning letters or directions under section 19 of the RCHE Ordinance to require the RCHE to rectify the irregularities within a specified period. If the RCHE fails to comply with the requirements of a direction given, SWD may consider taking prosecution action. In addition, if operators or staff of RCHEs are suspected to have embezzled the possessions of the residents or committed other criminal offences, SWD will report such cases to the police for criminal investigation and follow up.

As regards Hon Fernando CHEUNG's question on statistics relating to the prosecution of private RCHEs, SWD successfully prosecuted 31 private RCHEs under the RCHE Ordinance and the Residential Care Homes (Elderly Persons) Regulation during 2010-11 to 2014-15. These involved a total of 44 offences, including employment of insufficient staff, furnishing false information and failing to comply with a direction issued under section 19 of the RCHE Ordinance, etc. Among these cases, there was no offence relating to embezzlement of residents' CSSA payment.

Regarding Hon Cheung's question on the timetable for DA review, the Labour and Welfare Bureau has set up an inter-departmental working group to review the eligibility criteria for DA and related issues. This is a complicated subject. In exploring the options, the working group has to fully consider the policy, operational and financial implications, having regard to the existing support available to persons with disabilities. The working group has engaged a consultancy team

from The University of Hong Kong to study the experiences of other places, and briefed the Legislative Council Panel on Welfare Services on 9 March 2015. The working group hopes to complete its work by the end of this year.

Yours sincerely,



(Gordon CHONG)
for Secretary for Labour and Welfare