

立法會
Legislative Council

LC Paper No. CB(2)625/14-15
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 10 November 2014, at 10:45 am
in Conference Room 3 of the Legislative Council Complex

- Members present** : Hon CHEUNG Kwok-che (Chairman)
Hon CHAN Yuen-han, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Ronny TONG Ka-wah, SC
Dr Hon LEUNG Ka-lau
Hon Frankie YICK Chi-ming
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
- Members absent** : Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
- Members attending** : Hon LEE Cheuk-yan
Hon KWOK Wai-Keung

**Public Officers : Item IV
attending**

Mrs Elina CHAN
Principal Assistant Secretary for Labour and Welfare
(Welfare) 3
Labour and Welfare Bureau

Miss Cecilla LI
Assistant Director of Social Welfare (Elderly)
Social Welfare Department

Item V

Ms Doris CHEUNG, JP
Deputy Secretary for Labour and Welfare (Welfare) 1
Labour and Welfare Bureau

Miss Fiona LI
Principal Assistant Secretary for Labour and Welfare
(Welfare) 2
Labour and Welfare Bureau

Mr Albert SU
Assistant Commissioner of Transport (Management &
Paratransit)
Transport Department

Item VI

Mr Donald CHEN, JP
Deputy Secretary for Labour and Welfare (Welfare) 2
Labour and Welfare Bureau

Miss Maria LAU
Acting Deputy Director of Social Welfare
(Administration)
Social Welfare Department

Mr NG Wai-kuen
Chief Social Security Officer (Social Security)1
Social Welfare Department

Ms Cecilia CHAN
Senior Statistician (Social Welfare)
Social Welfare Department

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

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

Miss Maggie CHIU
Legislative Assistant (2) 4

Miss Tess HUI
Clerical Assistant (2) 4

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I. Confirmation of minutes

[LC Paper No. CB(2)188/14-15]

The minutes of the meeting held on 9 October 2014 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that no paper had been issued since the last meeting.

III. Items for discussion at the next meeting

[LC Paper Nos. (2)213/14-15(01) to (02)]

3. Members noted that the Administration had proposed to discuss at the next meeting scheduled for 8 December 2014 the following items –

- (a) Setting up a new contract residential care home for the elderly ("RCHE") with a day care unit at Welfare Block of Shek Mun Estate Phase II public rental housing ("PRH") development, Shatin;
- (b) Setting up of an Integrated Rehabilitation Services Complex at the site of ex-Kai Nang Sheltered Workshop and Hostel, Kwun

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Tong;

- (c) Setting up of an Integrated Rehabilitation Services Complex at the site of ex-Siu Lam Hospital, Tuen Mun; and
- (d) Elderly Services Programme Plan.

IV. Pilot Scheme on Community Care Service Voucher for the Elderly

[LC Paper Nos. CB(2)213/14-15(03) to (04)]

4. At the invitation of the Chairman, Principal Assistant Secretary for Labour and Welfare (Welfare)³ ("PAS(LW)(Welfare)³") and Assistant Director of Social Welfare (Elderly) ("ADSW(Elderly)") briefed members on the progress of implementing the first phase of the Pilot Scheme on Community Care Service Voucher for the Elderly ("the Pilot Scheme").

Reasons for withdrawal from the Pilot Scheme

5. Mr TAM Yiu-chung said that he was given to understand that some service providers were unable to provide the required services because they lacked the resources for recruiting care staff. Noting that 184 participants had withdrawn from the Pilot Scheme for the reason of no suitable service providers/service packages, he enquired about whether the withdrawals were mainly due to inadequate supply of service providers and care staff.

6. ADSW(Elderly) responded that all recognized service providers ("RSPs") were now ready and had the manpower required for providing the services. As there were a total of 62 RSPs for the first phase of the Pilot Scheme and the number of RSPs in the selected districts ("Pilot Districts") ranged from four to 12, voucher holders would have a choice of RSPs. The first phase of the Pilot Scheme only covered eight Pilot Districts, but RSPs in Sham Shui Po district were requested to serve voucher holders living in Sham Shui Po district as well as those living in Kowloon City and Yau Tsim Mong districts. Some voucher holders who were living in Kowloon City or Yau Tsim Mong districts were concerned about the transport arrangement for commuting to Sham Shui Po district. The Administration hoped that it would be able to identify additional RSPs in the neighbourhood of voucher holders in the second phase of the Pilot Scheme.

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7. Dr Fernando CHEUNG took the view that 31.7 % of the total number of voucher holders had not yet chosen the service providers/service packages because the service packages did not meet their needs. Dr Helena WONG said that it was necessary to understand better the reasons for the withdrawal of the 184 participants. In her view, a mechanism should be in place to ensure that the services provided by RSPs could satisfy the needs of voucher holders and RSPs had the capacity to provide the required services. She requested the Administration to provide information on (a) the types of services required by these participants; (b) whether there were RSPs in the districts where these participants were residing; and if so, whether the RSPs concerned were able to provide the services required by these participants; and (c) whether lack of service quota was a reason of withdrawal of these participants.

8. In response to Mr POON Siu-ping's enquiry, ADSW(Elderly) confirmed that the participants who had withdrawn from the Pilot Scheme could re-join the Pilot Scheme when they were able to identify their desired service provider or service package through their responsible workers.

9. In response to Mr POON Siu-ping's question about the service packages to be provided in the second phase of the Pilot Scheme, ADSW(Elderly) said that the Sau Po Centre on Ageing ("COA") of the University of Hong Kong had been commissioned by the Social Welfare Department to conduct an evaluation study on the first phase of the Pilot Scheme. In conducting the study, COA would interview the participants who had withdrawn from the Pilot Scheme to understand more about their reasons for withdrawal. COA would also collect information from the target beneficiaries and their family members on their reasons for not participating in the Pilot Scheme. RSPs' operational experience would also be collected. The Administration would review the service packages with a view to allowing more flexibility in the choice of services, thereby providing more personalized services for the eligible elderly persons in the second phase of the Pilot Scheme.

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10. In response to the Chairman's enquiry about the implementation schedule for the second phase of the Pilot Scheme, ADSW(Elderly) said that the second phase was scheduled to be launched in September 2015 over a period of two years. The Chairman requested the Administration to submit the interim report on the COA's study before June 2015 to facilitate the Panel's consideration of the second phase of the Pilot Scheme.

11. Dr Fernando CHEUNG said that the COA's study should analyze whether affordability of target beneficiaries and the service types were also

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reasons for non-participation in the Pilot Scheme. He was also of the view that case managers should not be related to RSPs to avoid possible conflict of interests in drawing up care plan for voucher holders. The engagement of impartial external parties as case managers should also be included in the COA's study. Sharing a similar view, the Chairman said that the functions of case management should be performed by civil servants in the second phase of the Pilot Scheme as they did not have any vested interest.

12. Mr Albert HO said that the Pilot Scheme could not help alleviate the pressure on the demand for subsidized community care services ("CCS") or residential care services ("RCS") given its scale and the lead time for launching the second phase. The Administration should consider increasing the number of vouchers. He opined that the withdrawal of some participants from the Pilot Scheme after they had been offered a CCS or RCS place was an indication that the services provided under the Pilot Scheme were not comprehensive. The Administration should find out the reasons why they preferred conventional subsidized CCS or RCS to the Pilot Scheme. Periodic surveys on the satisfactory level of voucher users should be conducted through case managers by way of questionnaires.

13. ADSW(Elderly) responded that the Pilot Scheme was not meant for replacing RCS but sought to provide CCS which suited the needs of the elderly persons while they were waiting for RCS. After vouchers were issued to the participants of the Pilot Scheme, the Administration would change the participants' applications for long-term care ("LTC") services on the Central Waiting List ("CWL") into "inactive cases". Voucher holders might, if needed, request the Administration to re-activate their applications for LTC services with their waiting positions resumed according to the original application dates. There were cases in which participants of the Pilot Scheme had not asked for re-activation of their LTC service applications.

14. The Chairman said that deactivating the LTC service applications of voucher holders might demotivate them to join the Pilot Scheme. To find out its impact on the Pilot Scheme, the Administration should consider removing such an arrangement from the second phase of the Pilot Scheme.

Selection of service providers and pilot districts

15. In response to Mr LEUNG Che-cheung's enquiry about the deadline for voucher holders to select service providers, ADSW(Elderly) responded that, in principle, voucher holders were required to select service providers

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within three months upon receipt of the vouchers. However, the Administration would give more time to voucher holders to choose their desired service providers. She added that voucher holders could choose RSPs in any of the Pilot Districts and could switch to other RSPs after having used the service for at least one month. The Administration encouraged service users to review their service needs from time to time and look for the service packages that best suited their needs. Mr LEUNG Che-cheung said that information on RSPs in each pilot district would be very useful for the eligible elderly persons to decide whether to participate in the Pilot Scheme.

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16. The Chairman said that while many RSPs were located in PRH estates, some were operating in private premises and for them, the rent level had a direct impact on their operating costs. As the sustainability of the operation of RSPs hinged on the number of vouchers they received, he requested the Administration to provide information on the number of vouchers each of the 62 RSPs had received. ADSW(Elderly) responded that most of the RSPs did not set up their centres for the purpose of the Pilot Scheme. Many of them had been providing CCS or RCS before the Pilot Scheme was launched and some of them were operating on a self-financing basis.

17. Pointing out that Kwai Ching district had a large number of elderly residents, Mr LEUNG Yiu-chung wondered why the district was not selected for the Pilot Scheme. He also enquired about whether the participation rate of the first phase of the Pilot Scheme met the Administration's expectation. ADSW(Elderly) responded that in selecting the Pilot Districts, the Administration would take into account the number of suitable service providers and the waitlisting situation of RCS and CCS in a district. The Administration hoped that more districts could be covered in the second phase of the Pilot Scheme. As some 200 voucher holders were still choosing their preferred service packages, the number of voucher users receiving services from RSPs would increase with time when the voucher users had chosen their services. Mr LEUNG Yiu-chung was of the view that the Administration would not be able to test the capability and quality of service providers if the Pilot Scheme was launched in only a few districts.

Provision of LTC services

18. Dr Fernando CHEUNG pointed out that over 20 000 elderly persons who were waiting for subsidized CCS and/or RCS were assessed under the

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Standardised Care Need Assessment Mechanism for Elderly Services ("SCNAMES") as moderately impaired. The provision of only 1 200 vouchers was far from adequate to meet the service demand. He further said that as many elderly persons from low-income families could not afford the co-payment, adopting the "user pays" principle and introducing a means-test mechanism for subsidized CCS was a wrong approach. Instead of introducing the Pilot Scheme by using the Lotteries Fund, the Administration should draw up a holistic and long-term plan to address the inadequate provision of LTC services. Pointing out that some RSPs had to pull their existing resources for the Pilot Scheme and thus thinning out the resources for their subsidized services, he took the view that the Administration should adopt the conventional approach for the provision of subsidized care services for the elderly. Services dedicated for elderly persons with severe impairment should also be provided.

19. ADSW(Elderly) responded that conventional subsidized CCS were not provided free of charge. A service user was required to pay around \$900 to \$988 a month for services provided by a day care centre for the elderly ("DE") and an average of \$300 a month for subsidized CCS. As 72% of the total number of participants of the Pilot Scheme were paying the lowest level of the sliding scale of co-payment (i.e. \$500), affordability should not be a reason for non-participation. More information on the Pilot Scheme would be disseminated to the elderly persons, responsible workers, elderly centres and DEs so that voucher holders could be provided with suitable services.

20. Dr Fernando CHEUNG said that the first phase of the Pilot Scheme did not cover elderly persons who were assessed under SCNAMES as severely impaired and the waiting time for subsidized RCS was unreasonably long. He called on the Administration to consider including these elderly persons in the second phase of the Pilot Scheme. ADSW(Elderly) responded that the service needs of the elderly persons with severe impairment would be considered in the second phase of the Pilot Scheme.

21. Dr KWOK Ka-ki said that the withdrawal of some participants from the Pilot Scheme after being offered a subsidized CCS or RCS place had reflected that they were not satisfied with the service quality of some service providers. Given that many participants preferred the conventional subsidized CCS and there were some 30 000 waitlistees in CWL, he considered that the Administration should increase the provision of subsidized LTC services expeditiously. He requested the Administration to provide a timetable in this regard.

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22. PAS(LW)(Welfare)3 responded that the Administration would continue to allocate resources for the provision of subsidized RCS. The Administration had already earmarked sites in 11 development projects for the construction of new contract RCHEs and would continue to identify sites for this purpose. In the coming three years, more than 1 500 additional residential care places for the elderly would be provided. In the medium and longer-term, another 7 000 such places were expected to be provided under the Special Scheme on Privately Owned Sites for Welfare Uses should all projects proceed as proposed. As for CCS, an additional 1 500 places for home care services would be provided by phases starting from March 2015. The Administration would continue to provide additional subsidized CCS in tandem with the Pilot Scheme. The Administration would draw on the experience of the first phase of the Pilot Scheme and improve the flexibility of service packages in the second phase of the Pilot Scheme.

23. Dr KWOK Ka-ki said that having regard to the large number of waitlistees in CWL and the fact that the 7 000 additional places would only be provided in the next five to 10 years, the additional provision could not help reduce the waiting time for such services.

24. The Deputy Chairman was of the view that given the long waiting time for subsidized CCS or RCS, some poor elderly persons had no choice but to opt for the Pilot Scheme although they could barely afford the co-payment. She took the view that the Pilot Scheme should only be regarded as one of the means of providing CCS. To address the shortage of LTC services, the Administration should explore more ways to increase the provision and types of LTC services.

25. ADSW(Elderly) responded that currently, there were around 1 600 elderly persons (excluding those pending placement arrangement) waiting for day care services. The Administration had been increasing subsidized day care services and an additional 220 places would be provided in DEs and day care units in contract RCHEs in 2014. Under the Pilot Scheme, 608 voucher holders had opted for the single mode which could relieve the waitlisting situation of day care services to a certain extent. In designing the parameters for the second phase of the Pilot Scheme, the Administration would examine whether the existing service packages suited the needs of the elderly persons and whether these packages were flexible enough. PAS(LW)(Welfare)3 supplemented that identifying premises for the provision of RCHEs would likely be one of the key issues to be studied by the Elderly Commission ("EC") when formulating the

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Elderly Services Programme Plan.

26. The Deputy Chairman called on the Administration to formulate policies on the provision of RCHEs in PRH and provide a timetable in this regard.

Increasing the subsidy for service providers

27. Mr TANG Ka-piu said that according to some service providers, with the monthly voucher value of \$6,000, they could only afford to provide the single mode three days a week. In his view, the Administration should raise the amount of subsidy for service providers to the same level as the subsidy provided for users of DEs so that voucher users could receive at least 10 sessions of day care services a week. He sought information on the costs involved in increasing the subsidy as proposed and the expenditures incurred so far in the Pilot Scheme.

28. ADSW(Elderly) responded that the Administration had yet to compute the expenditures incurred in the first phase of the Pilot Scheme as some voucher holders had not yet started to use the services. She said that the existing service modes did not aim to save costs but to provide more options for voucher users. The Administration had considered the report of the Consultancy Study on Community Care Services for the Elderly ("Consultancy Study") commissioned by EC in 2010 in designing the service modes for the Pilot Scheme. According to the Consultancy Study, some elderly persons preferred receiving both day care and home care services but under the current situation, they could only receive either subvented day care or home care services but not both at the same time.

29. The Chairman said that the Panel should follow up the Pilot Scheme at a Panel meeting to be held in the second quarter of 2015.

V. Extending the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities to Green Minibuses

[LC Paper Nos. CB(2)213/14-15(05) to (06) and CB(2)762/13-14(01)]

30. At the invitation of the Chairman, Deputy Secretary for Labour and Welfare (Welfare)1 ("DS(W)1") briefed members on the latest position of the proposed extension of the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("the Scheme") to green minibuses ("GMBs") in phases starting from the first quarter of 2015.

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She also mentioned that there were currently around 1.2 million eligible beneficiaries under the Scheme, with about 1.07 million elderly people aged 65 above and about 140 000 eligible persons with disabilities.

Review of the means of providing fare concessions

31. Mr CHAN Chi-chuen said that as some beneficiaries of the Scheme might take a long-haul bus for short trips, the Administration had to bear a higher amount of fare differential because the fares of long-haul buses were higher. He sought information on the amount of extra reimbursement involved in this regard. Assistant Commissioner of Transport (Management & Paratransit) ("AC/MP") responded that at the early stage of the implementation of the Scheme, some elderly beneficiaries took long-haul buses instead of short-haul buses for short trips as they were not familiar with the bus routes. Such a phenomenon had become less common after the Scheme had been implemented for a period of time and was expected to fade out with the extension of the Scheme to GMBs. At the request of Mr CHAN Chi-chuen, the Administration undertook to provide information on the number beneficiaries taking long-haul buses for short trips as far as practicable.

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32. Mr CHAN Chi-chuen took the view that the Administration should consider providing the beneficiaries of the Scheme with cash subsidy or an Octopus card designed for the Scheme so that they could enjoy fare concession in all GMB routes. This would help save the resources involved in the relevant administrative, accounting and operational arrangements and avoid the reimbursement of a higher fare differential to operators, which was unnecessary.

33. DS(W)1 responded that having regard to the large number of beneficiaries (around 1.2 million) and the fact that Octopus cards were widely used, the Administration considered that the current arrangements were convenient for the beneficiaries of the Scheme. Nonetheless, the Administration would conduct a comprehensive review of the Scheme in 2016-2017 which would cover, inter alia, the means of providing fare concession to beneficiaries.

Measures to increase the participation of GMB operators in the Scheme

34. Mr POON Siu-ping, Mr KWOK Wai-keung, Mr Frederick FUNG and Mr CHAN Han-pan expressed concern about the non-participation in the Scheme by some operators and enquired about the reasons of non-participation. Mr POON Siu-ping asked whether the Administration

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would impose a condition to require the existing GMB operators to participate in the Scheme when renewing their operating licences.

35. AC/MP responded that there remained 29 existing GMB operators which had not indicated interest in joining the Scheme. Some of these operators had started to organize the necessary data for articulating with the Centralised Settlement Platform ("the Platform") under the Scheme and were trying to resolve the technical problems. Some of them required some time to sort out their internal accounting and financial arrangements among different shareholders. The Administration would continue to liaise with these operators and encourage them to join the Scheme. He said that the duration of the operating licences of GMB was normally three years and could be renewed subject to satisfactory performance of the operator concerned. Existing GMB operators had been invited to take part in the Scheme on a voluntary basis. At Mr POON Siu-ping's request, the Administration would provide information on the GMB routes which were covered by the Scheme.

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36. Mr KWOK Wai-keung said that allowing GMB operators to join the Scheme on a voluntary basis would result in some routes not being covered by the Scheme and hence render some eligible beneficiaries unable to benefit from the Scheme. Given that there was only a small difference between the nominal fare and the concessionary fare for some GMB routes, some operators might consider that the Scheme was of little help in boosting patronage. He wondered whether it was one of the reasons of non-participation in the Scheme. He urged the Administration to require all GMB operators to participate in the Scheme so that all eligible beneficiaries could enjoy the fare concessions.

37. Mr Frederick FUNG wondered why the discussions between the Administration and some GMB operators had started so late. He was of the view that the Administration should find out the reasons of non-participation and offer assistance to the 29 operators to facilitate their participation in the Scheme.

38. AC/MP responded that the Administration had informed all the 155 GMB operators of the extension of the Scheme in one go, following the announcement made by the Chief Executive in the 2014 Policy Address. Some operators had taken more time than others to decide whether to join the Scheme for various reasons. As many of the 29 operators were commercial organizations owned by at least two to three shareholders, the shareholders needed time to come up with an agreement in relation to the management of the relevant bank accounts, settlement of the revenue

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forgone which would be reimbursed to the participating operators via the Platform, etc. The Administration would evaluate the performance of GMB operators in considering their applications for operating licences but it would be difficult for the Administration to interfere with the operators' internal affairs. He further said that the Administration had explained to the GMB operators the settlement procedures of the Octopus Cards Limited ("OCL"), auditing requirements, etc. in an attempt to ease the worries of GMB operators. The Administration had encouraged these operators to start making technical arrangements for the interface with the Platform and when they were ready, the Administration would assist them in catching up with the participation in the Scheme. Since June 2014, the Transport Department ("TD") had incorporated conditions to require operators to participate in the Scheme upon the introduction of services when inviting applications for operation of GMB route packages, with a view to ensuring that new GMB routes would be covered by the Scheme.

39. AC/MP further said that the participation of 126 operators (i.e. about 80% of all GMB operators) in the Scheme would be a drive for the remaining operators to join the Scheme. The Administration would consider ways to facilitate these operators to join the Scheme.

40. Mr KWOK Wai-keung enquired about whether OCL would charge the Administration for the provision of data for setting up the GMB database for the Scheme. AC/MP responded that there was no additional cost for the data collection.

41. Mr TANG Ka-piu asked whether the 83 GMB routes which were not yet covered by the Scheme were being served by other public transportation. AC/MP responded that most of these routes, especially those ran via housing estates, had alternative transport services available. The Administration would provide members with information on the public transportation serving these routes when it was available.

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Implications of the Scheme on the patronage of GMBs

42. Mr POON Siu-ping expressed concern that the extension of the Scheme to GMBs might impose a burden on the passenger load for certain GMB routes during peak hours. Mr CHAN Han-pan said that with the provision of fare concession by some GMBs, some elderly persons might take GMBs instead of public buses. He asked whether the Administration would accede to the operators' request for increasing the number of seats in GMBs.

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43. AC/MP responded that as many elderly persons took GMBs during peak hours before the Scheme was extended to GMBs, offering concessionary fare by some GMBs was unlikely to cause a sharp increase in the patronage. He further said that whether it was necessary to increase the number of seats of GMBs would depend on the service demand and the development of the public transport system in the coming years. The Administration would keep in view the changes in the demand for GMB services and request the operators concerned to enhance their services if necessary. The request for an increase in the number of passenger seats of GMBs should not be considered in conjunction with the Scheme.

Implementation details

44. Noting that the Administration had proposed to launch the extension by batches, Mr TAM Yiu-chung sought information on the coverage of different batches. He said that the Administration should provide the public with information on the GMB routes which were covered by the Scheme as early as possible.

45. DS(W)1 responded that 126 of the existing GMB operators had indicated interest in joining the Scheme. The first batch would cover 116 operators, representing about 75% of all the GMB operators. The second batch would cover the remaining 10 interested operators which would need some time to complete the required tasks under the Scheme and the third batch would be the remaining 29 operators. The Administration aimed to launch the extension by three to four batches and would arrange for suitable publicity on the implementation of the extension as appropriate.

The Scheme's interface with the interchange discount programmes between GMBs and other public transport operators

46. In response to Mr TAM Yiu-chung's enquiry about the Scheme's interface with the interchange discount programmes between GMBs and other public transport operators, AC/MP said that under the Scheme, it was technically feasible to retain the interchange discounts. If it was confirmed that the relevant interchange discount programmes would continue, the Administration would make the necessary adjustments to the system so that the beneficiaries of the Scheme would continue to receive the interchange discounts. The amount of interchange discounts might vary depending on the patronage, the agreement between the operators concerned, etc.

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According priority to livelihood-related funding proposals for consideration by the Finance Committee

47. Noting that the submission of the funding proposal in relation to the extension of the Scheme for consideration by the Finance Committee ("FC") was not included in the Administration's paper (LC Paper No. CB(2)213/14-15(05)), Mr TANG Ka-piu enquired about whether FC's approval of the relevant funding proposal was not required. DS(W)1 responded that funding approval had been obtained from FC to launch the Scheme in 2012. The extension of the Scheme would entail an additional one-off system procurement and enhancement cost of \$7.4 million and the estimated cost of reimbursing GMB operators under the Scheme would be around \$1 million in 2014-2015. If such costs had an implication on the approved estimates of expenditure of the Scheme, the Administration would follow the established mechanism to seek approval of the revised estimates under delegated authority. The costs to be incurred under the Scheme in 2015-2016 and subsequent financial years would be reflected in the Budget of the respective financial year for the Legislative Council's examination and approval.

48. The Deputy Chairman said that there were a lot of funding proposals pending FC's consideration and some of them (e.g. social security payments under the Social Security Allowance ("SSA") and Comprehensive Social Security Assistance ("CSSA") Schemes) had a bearing on the livelihood of the grassroots. The Administration should consider adopting measures to speed up the necessary process such as approving funding proposals by using delegated authority so that the needy could receive the subsidies as early as possible.

49. DS(W)1 responded that as both the recurrent expenditure on the reimbursement of revenue forgone to the GMB operators under the Scheme in 2014-2015 and the additional one-off system procurement and enhancement costs did not exceed the \$10 million threshold, it could be approved under delegated authority. Since the funding arrangement for different initiatives varied, the Administration would look into the feasibility of obtaining approval under delegated authority for other initiatives.

Provision of barrier-free facilities in public transport

50. Dr Fernando CHEUNG expressed concern that as GMBs were not equipped with barrier-free facilities, wheelchair users were unable to take GMBs. Persons with mobility difficulties, visually impaired persons and

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persons with hearing impairment also had great difficulties in using GMB services. To his knowledge, many GMB operators were willing to facilitate wheelchair users to take GMBs by installing stair lift and converting the back seat in GMBs. The Administration should consider providing subsidy for GMB operators for the provision of these barrier-free facilities. The Administration should also improve the barrier-free facilities of public transport vehicles by installing stop request bells and bus stop announcement system. Sharing a similar view, the Deputy Chairman said that due consideration should also be given to facilitate elderly persons to use GMB services.

51. AC/MP responded that the proposed conversion to GMBs should be carefully handled as it would affect the existing mode of operation and running costs of GMBs. The Administration would keep in view the development as suggested by members. He further said that the Administration had allocated more resources in procuring new rehabuses to enhance rebus services. The Administration would continue to enhance rebus services. He pointed out that stop request bells were installed in most GMBs and the Administration would remind the operators to ensure proper repair and maintenance of the bells.

52. Dr Fernando CHEUNG pointed out that of the some 14 000 requests for rebus services which were not entertained, around 7 000 were requests for attending medical appointments. He opined that as the existing rebus services could not meet the service demand, the proposed conversion could, as a first step, start with a small number of GMBs which stopped at hospitals.

Extending the Scheme to other public transport

53. In response to the view of the Deputy Chairman and Dr Helena WONG on extending the Scheme to red minibuses, DS(W)1 said that as the Administration had to reimburse the participating operators the fare differential on an accountable basis and the fare of red minibuses was not regulated by TD, it would have practical difficulties to extend the Scheme to red minibuses.

54. Mr TANG Ka-piu said that as "kaito" was the only mode of transportation for some residents in the Islands District, the Administration should consider extending the concessionary fare to "kaito". AC/MP responded that "kaito" mainly served visitors during holidays. Neither the service schedules nor fare of "kaito" was subject to the Administration's regulation. As such, the Administration had no plan at this stage to extend

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the Scheme to "kaito". Mr TANG said that there were around 30 elderly persons living on Po Toi Island. He called on the Administration to collect "kaito" operators' views on their interest in joining the Scheme.

Legislative Amendments

55. The Chairman reminded members that the Government would amend Schedule 5 to the Disability Discrimination Ordinance (Cap. 487) ("DDO") by January 2015, to put beyond doubt that the provision of the proposed public transport fare concessions would not constitute a contravention of DDO.

VI. Annual adjustment of social security payment rates under the CSSA Scheme and the SSA Scheme, and issues relating to rent allowance under the CSSA Scheme

[LC Paper Nos. CB(2)213/14-15(07) to (08) and CB(2)523/13-14(01)]

(With the consent of all members present, the Chairman extended the meeting time to end at 1:30pm.)

56. At the invitation of the Chairman, Deputy Secretary for Labour and Welfare (Welfare)2 ("DS(W)2") briefed members on the Administration's proposal to seek the approval of FC to adjust the standard payment rates under the CSSA Scheme and rates of allowances under the SSA Scheme with effect from 1 February 2015, according to the established mechanism based on the movement of the Social Security Assistance Index of Prices ("SSAIP").

Declaration of interests

57. The Chairman drew members' attention to Rule 83A of the Rules of Procedures regarding personal pecuniary interest to be disclosed. He reminded members to declare interests in the matter under discussion, if any.

Adjustment of the FC agenda

58. Mr CHAN Chi-chuen supported the funding proposal on annual adjustment of social security payment rates under the CSSA Scheme and the SSA Scheme ("the Funding Proposal"). Nevertheless, he considered that in the face of the backlog of funding proposals awaiting consideration

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by FC, the Administration had to adjust the FC agenda, otherwise FC's approval of the Funding Proposal could not be obtained in December 2014 rendering the new rates unable to take effect from 1 February 2015. Dr Fernando CHEUNG and Mr LEE Cheuk-yan expressed a similar view.

(The Deputy Chairman took the chair at this juncture in the absence of the Chairman.)

59. Mr Frederick FUNG said that FC needed time to deliberate on each funding proposal, particularly the controversial funding proposals on environmental infrastructure projects. In this connection, it was foreseeable that FC's approval of the Funding Proposal could not be obtained in December 2014. He expressed regret that the Administration disregarded this situation and still set out in its paper the unachievable implementation schedule on the annual adjustment.

60. DS(W)2 said that in response to the suggestion on adjusting the FC agenda, the Financial Services and the Treasury Bureau had already issued a letter to the FC Chairman explaining that all the FC agenda items were important and urgent in different ways, and the Administration had no intention to alter the sequence of the agenda items at this juncture. He added that the Administration would continue to follow the current annual adjustment mechanism, which was agreed by FC, to adjust standard payment rates under the CSSA Scheme and the SSA Scheme on an annual basis by taking account of the movement of SSAIP for the past 12 months ending October. As the SSAIP data for October 2014 would only be available by end-November 2014, the Funding Proposal was expected to be submitted to FC for approval in December 2014.

61. Mr TANG Ka-piu disagreed with the suggestion on advancing the FC agenda item on the Funding Proposal. He suggested that the Administration should seek delegated authority from FC to ensure that social security payment rates could be adjusted timely according to the established mechanism in the future. The Deputy Chairman expressed a similar view. DS(W)2 responded that the aforesaid suggestion was worth considering. Mr CHAN Han-pan said that FC should be requested to expedite deliberations on all funding proposals.

(The Chairman took the chair at this juncture.)

62. Dr Fernando CHEUNG intended to move a motion urging the Administration to adjust the FC agenda to accord priority to the item on the Funding Proposal. The Chairman explained that since the motion was

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proposed during the period of extension of the meeting, the House Rules disallowed the motion to be dealt with at the meeting. He suggested issuing a letter to urge the Secretary for Labour and Welfare ("SLW") to request the Financial Services and the Treasury Bureau to adjust the FC agenda. Members concurred with his suggestion. The Deputy Chairman said that the Administration should also be urged to take any effective measures (e.g. using delegated powers) to expedite the processing of the Funding Proposal.

(Post-meeting note: The letter to SLW by the Chairman was issued on 11 November 2014. SLW replied to him on 26 November 2014.)

63. Pointing out that members had time and again expressed concern about the annual adjustment mechanism for the standard payment rates under the CSSA Scheme and the rates of allowances under the SSA Scheme, Mr LEE Cheuk-yan considered that it was not appropriate for FC to delegate the authority for approving the annual payment adjustment to the Administration.

64. Mr TANG Ka-piu enquired about whether there would be a retrospective arrangement if the Funding Proposal was approved by FC after December 2014. DS(W)2 advised that if FC's funding approval could not be secured in December 2014 rendering the new rates unable to take effect from 1 February 2015, the Administration would exceptionally consider making a retrospective arrangement, which was only applicable to adjustments for payments where there are established adjustment mechanisms of a cyclical nature. Nevertheless, he stressed that the retrospective arrangement was not desirable as it would deviate from the agreed effective date between the Administration and FC, and the CSSA and SSA recipients still had to suffer from the delay in the disbursement of adjusted payments.

Annual adjustment mechanism

65. Pointing out that there were about 100 000 CSSA households living below the poverty line in 2012, Dr Fernando CHEUNG said that the existing level of CSSA payment was inadequate to meet the basic needs. Under the current annual adjustment mechanism, the CSSA payment rates lagged behind the prevailing inflation and thus failed to keep up with the pace of changes in living costs. He urged the Administration to conduct a study on basic needs and revert to adjusting the CSSA and SSA payment rates based on inflation forecast.

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66. DS(W)2 advised that the current annual adjustment mechanism for standard payment rates of the CSSA Scheme and rates of allowances under the SSA Scheme was considered objective, as it had taken account of the SSAIP movement for the past 12 months ending October and the weighting system of SSAIP was updated every five years on the basis of the findings of the Household Expenditure Survey on CSSA Households. Besides, in the light of economic situations, poverty alleviating measures on promoting employment and upward mobility of young people, as well as certain enhancement measures on the CSSA Scheme had been implemented. He further said that it was not appropriate to revert to adjusting the payment rates based on inflation forecast, having regard to the observations made by the Director of Audit in his Report published in 1999. One of the observations was that the combination of over-estimation of SSAIP and the deviations from the stated annual inflationary adjustment mechanism had a significant impact on Government expenditure. Against the above background, the Administration would adhere to the current annual adjustment mechanism.

67. Mr LEE Cheuk-yan said that the Labour Party strongly urged the Administration to revert to the inflation forecast methodology, and the failure to do so would be an indication that the Administration had no sincerity to improve the livelihood of the poor.

Level of rent allowance

68. Noting that the maximum rates of the rent allowance ("MRA") under the CSSA Scheme could only cover the actual rent paid by about 50% of CSSA households living in rented private housing, Dr Fernando CHEUNG called on the Administration to review the adjustment mechanism of MRA. Mr CHAN Han-pan expressed a similar view and was concerned that the Consumer Price Index (A) rent index for private housing could not truly reflect the soaring rental for sub-divided units, in which many CSSA households were accommodated. Many recipients of the rent allowance under the CSSA Scheme could not afford the rapidly rising rental. The Administration should consider providing more interim housing for the needy groups.

69. Mr Frederick FUNG considered that different rent indices should be adopted for different districts given that the rental in urban areas was higher than that in other districts. The Chairman shared his view and suggested that the Census and Statistics Department should conduct a survey to study rental rates in different districts, the data of which could be

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used to set different levels of rent allowance according to the districts that the CSSA recipients were living in. He also called on the Administration to consider requesting owners of private housing to enter into tenancy agreements with tenants, where the rental during the terms of the tenancy agreements could be fixed.

70. The Deputy Chairman pointed out that high rental adversely affected not only the CSSA recipients living in rented private housing, but also those living in private RCHEs. Some of these RCHEs had lowered the quality of service to save resources in order to cope with the soaring rental. She urged the Administration to take measures to solve the problem.

71. DS(W)2 responded that apart from the annual adjustment of MRA, the Community Care Fund ("CCF") would re-launch the "Subsidy for CSSA Recipients Living in Rented Private Housing" programme in 2014, which aimed to provide a one-off payment for CSSA households living in rented private housing and paying a rent exceeding MRA under the CSSA Scheme. It was expected that the rent allowance-cum-CCF subsidy could cover the actual rent paid by 66% of CSSA households living in rented private housing. He stressed that the provision of a rent allowance comparable to the market rent might trigger a rise in the private housing rental and would generate financial pressure on non-CSSA private housing tenants and more families might fall into the CSSA safety net as a result. The Administration would increase the supply of PRH to address the housing needs of the needy groups in the long run.

72. In response to the Chairman's invitation of views, members present supported in principle the submission of the Funding Proposal to FC for consideration.

(The Chairman extended the meeting for 10 minutes beyond the extended ending time.)

VII. Amending the name and terms of reference of the Subcommittee on Strategy and Measures to Tackle Domestic Violence
[LC Paper No. CB(2)213/14-15(09)]

73. At the invitation of the Chairman, Dr Fernando CHEUNG briefed members on his proposal to amend the name of the Subcommittee to "Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence" and revise its terms of reference ("TOR") to include studying issues relating to sexual violence. He referred members to his

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letter dated 15 October 2014 (LC Paper No. CB(2)213/14-15(09)) for details.

74. The Deputy Chairman said that she would propose amendments to the revised TOR set out in Dr CHEUNG's proposal. She would provide the Secretariat with her proposal in writing after the meeting.

75. Dr Helena WONG said that she would propose amendments to the revised TOR proposed by Dr CHEUNG as follows:

(a) in paragraph (d) –

(i) education against domestic violence and sexual violence should be included;

(ii) "review on child fatality and serious cases" should be replaced by "review on domestic violence and sexual violence which caused fatality and serious cases". In this connection, Dr Fernando CHEUNG said that the review on child fatality and serious cases was an established mechanism and therefore should not be revised;

(b) in paragraph (f), the specific groups should include sex workers; and

(c) measures taken by the Police in handling domestic violence and sexual violence, and procedural guidelines and classification system of the Police for handling the relevant cases should be added to TOR.

76. The Chairman said that the revised TOR proposed by Dr CHEUNG with further amendments by the Deputy Chairman and Dr Helena WONG would be circulated for members' consideration.

(Post-meeting note: A marked-up version of TOR of the Subcommittee incorporating further amendments put forward by members to Dr CHEUNG's proposal was issued vide LC Paper No. CB(2)270/14-15 on 13 November 2014.)

77. In response to Dr Fernando CHEUNG's enquiry about when the Subcommittee could be formed, the Chairman said that a vacant slot had become available to accommodate its activation. Calling of membership of the Subcommittee could commence after its TOR was approved by the

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Panel.

VIII. Any other business

78. There being no other business, the meeting ended at 1:34 pm.

Council Business Division 2
Legislative Council Secretariat
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