

政府總部
勞工及福利局
香港添馬添美道
政府總部



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.:

16 December 2016

Clerk to Panel on Welfare Services
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Mr Colin CHUI)

Dear Mr CHUI,

**Legislative Council Panel on Welfare Services
Follow-up to meeting on 14 November 2016**

At the meeting of the Legislative Council (LegCo) Panel on Welfare Services on 14 November 2016, the Government was requested to provide further information relating to the non-contributory Comprehensive Social Security Assistance (CSSA) Scheme and Social Security Allowance (SSA) Scheme. I am authorised to reply as follows.

Rent Paid by and Rent Allowance Payable to Households on CSSA Living in Kwun Tong, Sham Shui Po and Tsuen Wan

Under the CSSA Scheme, rent allowance is payable as a special grant to eligible CSSA recipients to meet the cost of accommodation. The amount of the monthly allowance is equal to the actual rent paid by the household or the maximum rent allowance (MRA) determined with reference to the number of eligible household members, whichever is the less.

Following the CSSA rent allowance adjustment mechanism approved by the Finance Committee of the LegCo, the Government reviews the levels of MRA annually based on movements of the Consumer Price Index (A) rent index for private housing (CPI(A) rent index). In accordance with the above mechanism, the levels of MRA under CSSA were adjusted upward by about 30% between 2013 and 2016 (increased by 7.8%, 6.5%, 6.7% and 5.8% in 2013, 2014, 2015 and 2016 respectively). The existing levels of MRA and those after taking into account the room of upward adjustment by 4.3% according to the movement of CPI(A) rent index as at end-September 2016 (reported in LC Paper No. CB(2)149/16-17(03)) are set out in the table below –

	MRA payable under CSSA					
	Number of eligible household members					
	1	2	3	4	5	6 or above
Existing levels of MRA	\$1,735	\$3,490	\$4,560	\$4,850	\$4,865	\$6,080
Adjusted levels of MRA (+4.3%)	\$1,810	\$3,640	\$4,755	\$5,060	\$5,075	\$6,340

Based on the statistics kept by the Social Welfare Department (SWD), as at end-September 2016, the numbers of CSSA cases living in private housing in Kwun Tong, Sham Shui Po and Tsuen Wan, and receiving rent allowance with actual rent less than or equal to, and exceeding the MRA with the proposed upward adjustment of 4.3% are set out in the table below –

District	Number of CSSA cases (as at end-September 2016)	
	Actual rent less than or equal to the proposed MRA	Actual rent exceeding the proposed MRA
Kwun Tong	819	722
Sham Shui Po	2 341	1 995
Tsuen Wan	569	522

Raising Rent Allowance to Alleviate the Burden of CSSA Households Living in Sub-divided Flats

The Census and Statistics Department conducted a thematic household survey on the situation of sub-divided units in Hong Kong between May and September 2015. The relevant information is contained in the Thematic Household Survey Report No. 60 published in March 2016 (<http://www.statistics.gov.hk/pub/B11302602016XXXXB0100.pdf>).

As mentioned above, the levels of MRA were adjusted upward by about 30% between 2013 and 2016. Separately, following its implementation in 2011, the Community Care Fund decided to re-launch the programme entitled “Subsidy for CSSA Recipients Living in Rented Private Housing” from 2013 to 2015. The programme aims to provide a one-off payment to CSSA households living in rented private housing and paying a rent exceeding the MRA under the CSSA Scheme so as to relieve their financial burden in face of periodical rent increase. The programme was extended in 2016. Each eligible one-person and two-or-more-person CSSA household would be provided with a one-off subsidy of \$2,000 and \$4,000 respectively. About 15 000 CSSA households would benefit from this programme.

Number of Applications for Exempting from the Declaration Requirement under the CSSA Scheme and the Number of Approved Cases

Under the existing arrangements, for persons who apply for CSSA on an individual basis, they are required to report their financial positions through the application forms. In addition, SWD requires their family members to submit declaration forms on their financial contribution to the applicants. This arrangement applies to all persons (including elderly and non-elderly applicants) who apply for CSSA on an individual basis. Under special circumstances where the applicants' family members could not provide such declarations (e.g. elderly applicants have poor relationship with their family members), SWD may consider exercising discretion to waive the relevant requirement having regard to individual circumstances. SWD does not keep the statistics relating to the declaration requirement.

Discretionary Approval relating to the Pre-application Residence Requirements under the CSSA and SSA Schemes

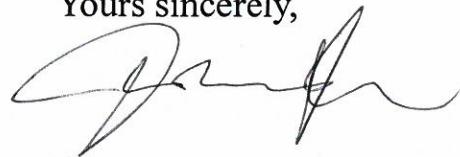
Following the judgment of the Court of Final Appeal handed down on 17 December 2013 on a judicial review case regarding the pre-application residence requirements of the CSSA Scheme, SWD has restored the “one-year residence requirement”, i.e. an applicant must have held Hong Kong resident status for not less than one year, and have resided in Hong Kong for at least one year since acquiring the Hong Kong resident status. The one-year residence need not be continuous or immediately before the date of application. An absence-from-Hong Kong allowance of 56 days has also been put in place. In assessing whether CSSA applicants fulfill the “one-year residence requirement”, the Director of Social Welfare (DSW) may exercise discretion to disregard the days of absence from Hong Kong under special circumstances (e.g. the applicant is undertaking paid employment or is under medical treatment in places outside Hong Kong, etc.).

It is noteworthy that Hong Kong residents under the age of 18 will be exempted from the above residence requirements. As a safety net of last resort, the CSSA Scheme has also built in flexibility for DSW to exercise discretion to grant CSSA to an applicant not meeting the residence requirements in cases of genuine hardship (e.g. the applicant is medically certified to be unfit for work because of ill health/disability, the applicant does not have any other financial sources, etc.).

As regards the pre-application residence requirements of the SSA Scheme, an applicant must have been a Hong Kong resident for at least seven years, and have resided in Hong Kong continuously for at least one year immediately before the date of application. Absence from Hong Kong up to a maximum of 56 days during the one-year period is treated as meeting with requirement. In assessing whether an SSA applicants fulfills the one-year continuous residence requirement, arrangements similar to those of the CSSA Scheme as mentioned above will apply, i.e. DSW may, under special circumstances, exercise discretion to disregard the days of absence from Hong Kong. Separately, Hong Kong residents under the age of 18 who apply for the Disability Allowance under the SSA Scheme will be exempted from the above residence requirements.

DSW will continue to carefully consider the applications for discretionary approval on a case-by-case basis.

Yours sincerely,



(Miss LI Wan-in)

for Secretary for Labour and Welfare

c.c. Director of Social Welfare
(Attn : Miss LAU Choi-ha, Rita)