

立法會
Legislative Council

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LC Paper No. CB(2)1229/17-18

(These minutes have been seen
by the Administration)

Panel on Home Affairs

**Minutes of meeting
held on Monday, 22 January 2018, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon MA Fung-kwok, SBS, JP (Chairman)
Hon YUNG Hoi-yan (Deputy Chairman)
Hon CHAN Hak-kan, BBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon YIU Si-wing, BBS
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon IP Kin-yuen
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Tanya CHAN
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon KWONG Chun-yu

Members attending : Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming, SBS, JP

Members absent : Dr Hon Fernando CHEUNG Chiu-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP

**Public Officers : Item III
attending**

Dr LAW Chi-kwong, GBS, JP
Chairperson of the Community Care Fund Task Force
under the Commission on Poverty
Secretary for Labour and Welfare

Mr Patrick LI, JP
Deputy Secretary for Home Affairs (1)

Mr Nick AU YEUNG
Principal Assistant Secretary for Home Affairs
(Community Care Fund)

Ms May CHAN, JP
Deputy Secretary for Education (6)

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

Ms Ivis CHUNG
Chief Manager (Allied Health)
Hospital Authority

Item IV

Mr LAU Kong-wah, JP
Secretary for Home Affairs

Mr Patrick LI Pak-chuen, JP
Deputy Secretary for Home Affairs (1)

Mr Sammy LEUNG Ka-lok
Principal Assistant Secretary for Home Affairs (Civic
Affairs) 1

Po Leung Kuk

Mr James CHAN Yum-min
Chief Executive Officer

Mrs Bridget YU CHAN Wai-ping
Principal Social Services Secretary (Family, Child Care,
Children and Youth)

Mr Eddie LEUNG Yu-cheung
Head of Property and Works

P&T Architects and Engineers Ltd

Ms Esther Chow
Director

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Mr Richard WONG
Senior Council Secretary (2) 6

Mrs Fonny TSANG
Legislative Assistant (2) 3

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I. Information papers issued since the last meeting
[LC Paper Nos. CB(2)639/17-18(01) and CB(2)729/17-18(01)]

Members noted that the following papers had been issued after the last meeting:

- (a) joint letter dated 4 January 2018 from Dr Hon Fernando CHEUNG, Hon SHIU Ka-chun and Hon Dennis KWOK; and
- (b) the Administration's response to the above joint letter.

II. Items for discussion at the next meeting
[LC Paper Nos. CB(2)730/17-18(01) and (02)]

2. The Panel agreed to discuss the following items proposed by the Administration at the next regular meeting on 26 February 2018 at 8:30 am:

- (a) designation and enhancement of suitable sports facilities as competition venues; and
- (b) Opening up School Facilities for Promotion of Sports Development Scheme.

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3. Ms Tanya CHAN expressed dissatisfaction with the Administration's failure to propose specific timing for discussion of the review on the policy of Private Recreational Leases and the outcome of the public consultation on the proposed amendments to the Chinese Temples Ordinance (Cap. 153) (i.e. items 8 and 10 on the Panel's list of outstanding items for discussion respectively). The Chairman said that he would follow up with the Administration.

III. Community Care Fund

[LC Paper Nos. CB(2)707/17-18(01) and CB(2)730/17-18(03)]

4. The Chairperson of the Community Care Fund Task Force under the Commission on Poverty / the Secretary for Labour and Welfare ("C of CCF Task Force") briefed members on the salient points of the Administration's paper.

5. Members noted the submission provided by "關注基層住屋聯席", which was tabled at the meeting.

(Post-meeting note: The submission was issued to members vide LC Paper No. CB(2)754/17-18(01).)

Discussion

6. In response to members' enquiries about the implementation progress of various programmes recently rolled out by the Community Care Fund ("CCF"), C of CCF Task Force and the Principal Assistant Secretary for Home Affairs (CCF) said that as at 31 December 2017, eight person-times had benefitted from the "Subsidy for eligible patients to purchase ultra-expensive drugs (including those for treating uncommon disorders)" ("the Ultra-expensive Drugs Programme") with a disbursement of \$31.4 million, and 15 persons had benefitted from the "Subsidy for persons holding non-local qualifications to conduct qualifications assessment" with a subsidy amount of about \$2,500 for each person. However, as the "Pilot scheme on relaxing the household income limit of the Fee-waiving Subsidy Scheme under the After School Care Programme for low-income families and increasing Fee-waiving Subsidy places" had just commenced, the beneficiary statistics were not yet available.

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CCF programmes in progress/to be rolled out

7. Mr SHIU Ka-chun expressed concern about the financial difficulty encountered by recipients of the "Subsidy for the Comprehensive Social Security Assistance ("CSSA") recipients living in rented private housing and paying a rent exceeding the maximum rent allowance ("MRA") under the CSSA Scheme". He asked why the monthly subsidy amount was set at either 50% of the portion of the rental amount exceeding the applicable MRA or 15% of the applicable MRA, whichever was the less. In response, C of CCF Task Force said that introducing a certain ratio of co-payment would allow recipients to prudently make their choice of residence according to their needs. He added that the adjustment was made after taking into consideration suggestions made by relevant community organizations. Upon completion of the programme, CCF would consider whether further adjustment was needed in the evaluation.

8. As regards the "Relocation allowance for residents of illegal domestic premises in industrial buildings who have to move out as a result of the Buildings Department's enforcement action", Mr SHIU Ka-chun considered it too strict to require that the applicant and his/her family members must hold a Hong Kong Identity Card/Hong Kong birth certificate. He pointed out that some of the households living in such premises consisted of parents who were holders of Two Way Permit and children who were holders of Hong Kong Identity Card/Hong Kong birth certificate. In response, C of CCF Task Force said that the relevant eligibility requirement was common in the Government's regular assistance programmes. In response to Mr SHIU Ka-chun's enquiry on the level of allowance granted under the above programme, C of CCF Task Force clarified that the level of allowance granted under the above programme would be the same as that under the "Pilot scheme on relocation allowance for beneficiaries of the 'Community Housing Movement'".

9. The Chairman noted that the "Elderly dental assistance programme" ("the EDA Programme") was launched in September 2012 but had not yet been incorporated into the Government's regular assistance programmes. He considered that CCF programmes such as the EDA Programme which were effective and had long-term service demand should be regularized, and sought details of the criteria for making such decisions. Mr KWONG Chun-yu asked whether any CCF programmes would be regularized in the near future.

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10. C of CCF Task Force said that generally speaking, when deciding whether to incorporate an CCF programme into the Government's regular assistance programmes, the Administration would consider the evaluation report of the relevant assistance programme, service demand for the programme and the availability of Government resources. The EDA programme had not yet been completed. For the next phase of the programme, its coverage was planned to be extended to elders aged 65 or above who were recipients of the Old Age Living Allowance ("OALA"). Upon completion of the programme, the Food and Health Bureau would submit an evaluation report to the CCF Task Force.

11. Mr LUK Chung-hung urged CCF to expeditiously expand the coverage of the EDA programme to persons aged 65 or above who received OALA. Mr KWONG Chun-yu questioned whether the number of beneficiaries under the EDA programme was too small compared to the number of eligible persons. In response, C of CCF Task Force explained that the timing for expanding the programme coverage had to take into consideration the capacity of the participating dentists/clinics. Besides, as the programme aimed to subsidize the needy elders with low income for dentures and other related necessary dental services, not all eligible persons had such needs and would submit applications.

12. As regards the Ultra-expensive Drugs Programme, Mr KWONG Chun-yu asked whether CCF would increase the amount of commitment if eligible patients exceeded the expected number of beneficiaries (i.e. 11 to 19). Mr YIU Si-wing asked whether the Administration/CCF had assessed the actual number of eligible patients requiring assistance under this programme. Mr KWONG and Mr YIU asked whether there was any plan for incorporating this programme into the Government's regular assistance programmes.

13. In response, C of CCF Task Force said that the coverage of the Ultra-expensive Drugs Programme was mainly based on the clinical indication of the relevant drugs rather than financial consideration. He added that if the programme was incorporated into the Government's regular assistance programmes, it was more likely to be incorporated into the Samaritan Fund rather than the Hospital Authority Drug Formulary.

14. Mr LUK Chung-hung considered that both the "Pilot scheme on living allowance for carers of elderly persons from low-income families" and the "Pilot scheme on living allowance for low-income carers of persons with disabilities" had addressed the community needs, and asked whether CCF

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would re-launch these two programmes. In response, C of CCF Task Force said that the Social Welfare Department had commissioned a study centre to conduct the evaluation study of these two programmes, and would submit the evaluation report to the CCF Task Force and contemplate the way forward in due course.

Suggestions on new programmes

15. Mr SHIU Ka-chun said that the Administration/CCF should consider providing rent subsidy to those who were on the waiting list for public rental housing ("PRH") but did not receive CSSA. He queried the Administration's view that providing rent subsidy would trigger an increase in the rental level in private housing, and asked whether such view was supported by any studies and/or empirical data. Mr LUK Chung-hung commented that using the same reasoning, the Administration should not have put forward funding schemes using the "money-following-the-user" approach, such as the Elderly Health Care Voucher Scheme ("the HCV Scheme"). He considered that if the Administration/CCF would not implement rent subsidy or launch another round of the "One-off living subsidy for low-income households not living in public housing and not receiving CSSA", consideration should be given to implementing rent control.

16. C of CCF Task Force said that according to a long-established economics concept, whenever there was an increase in demand for housing, particularly due to higher income, if the supply was inelastic, the rent would increase. He added that for example, in 1996 and 1997, MRA under the CSSA Scheme was relatively high, and at that time, the rental level charged to tenants living in bedspace who were CSSA recipients was considerably higher than those who were non-CSSA recipients. However, as Hong Kong had not implemented rent subsidy for non-CSSA recipients in the past, there were no statistical data showing the correlation between rent subsidy and rental level in private housing in Hong Kong. He further explained that rent subsidy and the HCV Scheme were different in nature, as one of the main objectives of the HCV Scheme was to supplement existing public healthcare services by providing financial incentive for elders to choose private healthcare services.

17. Mr IP Kin-yuen said that given the wide public concerns about child abuse cases recently, CCF should consider subsidizing kindergartens to engage social workers. C of CCF Task Force said that the main objective of CCF was to provide assistance to people facing economic difficulties, and

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therefore, the programme suggested by Mr IP would fall outside the purview of CCF. He added that it was more appropriate for such programme to seek funding from other sources, e.g. the Lottery Fund. In response to Mr IP's enquiry about the progress made by the Education Bureau ("EDB") in respect of providing subsidy to needy secondary and primary students for purchasing tablet computers to conduct e-learning, C of CCF Task Force said that to his understanding, EDB was working on the details and would submit the programme proposal to the CCF Task Force for consideration shortly.

18. Mr LUK Chung-hung noted that as at the end of December 2017, the total commitment of CCF had exceeded \$8 billion while only around \$5.7 billion had been disbursed to implementing agencies. He questioned whether the eligibility criteria of CCF assistance programmes were overly strict and, therefore, the number of successful applicants was much lower than expected. Mr YIU Si-wing said that CCF might adopt a more lenient approach in setting the eligibility criteria of assistance programmes. He also asked how many assistance programmes were on the waiting list of CCF.

19. C of CCF Task Force said that the eligibility criteria of different CCF programmes varied. Generally speaking, the threshold would be set at 75% of the relevant Median Monthly Domestic Household Income ("MMDHI"), but the threshold was set at 150% of MMDHI for selected programmes, e.g. the "Subsidy for the severely disabled persons aged below 60 who are non-CSSA recipients requiring constant attendance and living in the community". He added that if members identified any assistance programmes of which the eligibility criteria were too strict, CCF would look into that. He further said that CCF did not have a waiting list for assistance programmes. Upon receipt of any proposed assistance programme, CCF would consider its feasibility, compatibility with the existing policies and whether it could achieve the objective of CCF. Announcement would be made once the Commission on Poverty ("CoP") approved to launch any new CCF programme.

20. Mr LUK Chung-hung suggested that in order to support more assistance programmes, CCF should consider devising a more active investment strategy to increase the investment return. In response, C of CCF Task Force said that as at the end of 2017, the balance of CCF consisted mainly of the placement of \$18.499 billion at the Hong Kong Monetary Authority ("HKMA") and bank deposits of around \$1.339 billion. He added that the CCF Task Force considered it appropriate for HKMA to continue to manage the investment portfolio for CCF.

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21. In response to Ms Tanya CHAN's enquiries, C of CCF Task Force said that the total amount of donations received by CCF in 2017 was some \$50,000. CCF had issued letters in January 2018 to past donors expressing that CCF welcomed donations from the community, but CCF currently had no plan to launch any fundraising campaign. In response to Ms Tanya CHAN's enquiry on the structure of CCF, C of CCF Task Force added that the Government had reappointed members of CoP and its four Task Forces (including the CCF Task Force) for a term of one year from 1 July 2017 to 30 June 2018 and that the structure of CoP and its Task Forces was being reviewed.

IV. Youth Hostel Scheme project by Po Leung Kuk

[LC Paper Nos. CB(2)707/17-18(02) and CB(2)730/17-18(04)]

22. At the invitation of the Chairman, the Secretary for Home Affairs ("SHA") briefed members on the salient points of the Administration's paper on the Youth Hostel Scheme ("YHS") project by Po Leung Kuk ("PLK") [LC Paper No. CB(2)707/17-18(02)].

Discussion

Youth Hostel Scheme

23. Mr HUI Chi-fung, Mr IP Kin-yuen and Mr Michael TIEN expressed concern about the requirement that youth hostel tenants would have to withdraw their applications for PRH upon acceptance of tenancy offered by youth hostels. They considered that the requirement would deter those who had applied for PRH from applying for YHS, as the youth hostel tenancy was limited to an aggregate of no more than five years only. Mr HUI suggested scrapping the requirement, so that a young tenant under YHS who had genuine need for PRH could still apply for PRH, and at the same time could "accumulate savings to pursue their medium-term aspirations in personal development", which was one of the aims of YHS. The Chairman also considered that the Administration should explore certain arrangements so that eligible young persons would not have to give up either applying for PRH or a youth hostel unit without other choice. Mr TIEN said that given this requirement, YHS would not be able to attract low-income youths who had genuine need for PRH. He reckoned that YHS would attract those who earned at least a salary of some \$20,000. Mr KWONG Chun-yu asked

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whether it was one of the policy objectives of YHS to help tenants to save up for the down payment for purchasing their own property.

24. SHA explained that as housing was a precious resource in Hong Kong, it was necessary to avoid double benefits and create unfairness to those who were not youth hostel tenants. He clarified that the aim of YHS was not to help tenants accumulate enough savings for a down payment. He said that the aims of YHS were to provide an alternative to meet the aspirations of some of the working youth in having their own living spaces, enable young tenants to accumulate savings to pursue their medium term aspirations in personal development, and unleash the potential of under-utilized sites held by non-governmental organizations ("NGOs").

25. Noting that the monthly income limit of YHS was set at \$20,000, Mr Michael TIEN asked whether the income level of applicants would be determined by their average monthly income over a period of time or only by their monthly income at the time of application, as he was concerned that some young people might have unstable income. The Principal Social Services Secretary (Family, Child Care, Children and Youth) of PLK ("PSSS of PLK") said that the income limit test would be based on the average monthly income over a period of time, say, six months or more.

26. The Deputy Chairman asked whether youth hostel tenants would be subject to asset limit test again if their assets increased substantially during the tenancy period. PSSS of PLK explained that in order to encourage the tenants to accumulate savings, there would only be an income and asset limit test at the time of application, but not upon renewal of tenancy. The tenants should not own any residential properties in Hong Kong.

27. Noting that the rental was required to be set at a level not exceeding "60% of the market rent of flats of similar size in nearby areas", Mr CHAN Chi-chuen and Mr SHIU Ka-chun expressed concern that such a level might still be unaffordable for many working youths. Mr SHIU considered that the rental level might be pegged to the rent allowance under CSSA. In response, SHA said that the said rental level was set when the policy on YHS was formulated and there was no plan to change it.

28. Mr CHAN Chi-chuen was concerned about the slow progress of implementation of YHS. He requested the Administration to provide more detailed information on the six YHS projects under planning/construction. SHA agreed to provide detailed information on the six projects.

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29. The Chairman said he noted that some sharing accommodation projects were very well received recently and asked if the Administration would explore in this direction, such as implementing similar projects enabling young tenants to live together with elderly tenants. SHA responded that NGOs with under-utilized sites were welcome to propose any alternative youth hostel projects with innovative ideas and the Administration would actively consider.

The youth hostel project in Ma Tin Pok, Yuen Long

30. Mr SHIU Ka-chun asked about the construction cost of a youth hostel place. Head of Property and Works of PLK ("H(P&W) of PLK") said that the construction cost of the superstructure per square feet was around \$2,100 and the construction cost per hostel place was around \$550,000. Mr LUK Chung-hung asked how the construction cost of the superstructure (i.e. \$2,100 per square feet) was calculated. H(P&W) of PLK explained that it was calculated taking into account the costs of the relevant superstructure works and electrical and mechanical facilities. He added that if the cost of the foundation works was included in the calculation, the construction cost per square feet would be \$2,700.

31. Mr SHIU Ka-chun enquired if a certain quota of the hostel units would be allocated for disadvantaged young people referred by social workers. PSSS of PLK said that PLK had the discretion to make exceptional arrangements taking into consideration the circumstances of individual tenants, and 5% of the youth hostel units would be reserved for such purpose. Mr SHIU suggested increasing this percentage to 8% - 10%.

32. Ms Tanya CHAN enquired about the estimated rental level for a single unit and a double unit of the PLK youth hostel. The Chief Executive Officer of PLK ("CEO of PLK") said that based on a recent review of the market rent, the monthly rent would be set at slightly over \$2,000 for a single hostel unit, and around \$3,000 for a double unit (inclusive of management fees).

33. Ms Tanya CHAN asked if there would be any catering facilities inside the PLK youth hostel or nearby. Mr KWONG Chun-yu asked if there would be a pet-friendly floor in the hostel. Mr LEUNG Che-cheung asked whether there would be a mechanism for expelling tenants who had breached the tenancy agreement. CEO of PLK said that they would listen to the

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views and comments of all stakeholders concerned in drawing up the detailed design of the youth hostel and in deciding on its hostel management arrangements.

34. In reply to the Deputy Chairman's enquiry, H(P&W) of PLK said that the carpark would mostly be used by visitors and staff. There would be over 80 bicycle parking spaces and motorcycle parking spaces for use by the tenants. Mr LEUNG Che-cheung and Mr LUK Chung-hung expressed concern about the transport arrangement. CEO of PLK said that PLK would maintain communication with the Yuen Long District Council and relevant departments on the transport arrangements.

35. Mr SHIU Ka-fai asked if male and female tenants would live on separate floors in the youth hostel, and whether there would be a metal gate for each hostel unit. PSSS of PLK confirmed that each unit would be an individual living unit, and having the service intent to maximize utilization, there would be no separate floors for men and women. There would be no metal gates. PSSS of PLK added that there would be 24-hour security guards.

36. Mr YIU Si-wing was concerned about how the Administration would monitor the use of the rental surplus and the remuneration of the senior management of NGOs concerned under YHS. Deputy Secretary for Home Affairs (1) said that under YHS, all participating NGOs would be required to meet the maintenance costs for the hostels concerned, and a mechanism would be put in place to monitor the income and expenses of the hostels. To ensure that each youth hostel would be developed and operated in accordance with the policy objectives, NGOs would be governed by a Grant and Operation Agreement ("GOA") and land leases. GOA would set out the parameters under which NGOs would manage and maintain the youth hostels. For example, NGOs would be required to establish a mandatory reserve at a level sufficient to cover the maintenance cost for the hostels during the term of the GOA. NGOs would have to seek prior approval from SHA if they wished to transfer some of the extra operating surplus, after fulfilling the mandatory reserve requirement, to support other non-profitable and worthwhile services for the benefit of society. Ms Tanya CHAN requested provision of a sample copy of GOA for members' reference. She was concerned about the arrangements on the mandatory reserve and land lease terms.

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(Post-meeting note: The Administration's supplementary information was issued to members vide LC Paper No. CB(2)1192/17-18(01) on 10 April 2018.)

37. Summing up, the Chairman said he noted that members raised no objection to submitting the funding proposal to the Public Works Subcommittee for consideration.

V. Any other business

38. There being no other business, the meeting ended at 10:34 am.

Council Business Division 2
Legislative Council Secretariat
17 April 2018