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Legislative Council

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Paper for House Committee meeting on 9 June 2000

**Report of the Panel on Housing on the recommendations of
its Subcommittee on Rehousing Arrangements for Residents
Affected by Clearance of Squatter Areas**

Purpose

This paper reports on the deliberations and the recommendations of its Subcommittee on Rehousing Arrangements for Residents Affected by Clearance of Squatter Areas.

The Subcommittee

2. At the Housing Panel meeting held on 1 November 1999 when the subject of rehousing criteria for squatters affected by clearance exercise was discussed, members decided to form a subcommittee to examine the issue in detail with a view to recommending to the Administration the possible ways to resolve the rehousing problem of squatter clearances. Five members joined the Subcommittee. The membership list and the terms of reference of the Subcommittee are provided respectively in **Appendices I and II**.

3. Under the Chairmanship of Hon LEE Cheuk-yan, the Subcommittee has held five meetings. Apart from exchanging views with the Administration, the Subcommittee has also invited views from the Concern Group on the Rights of Residents affected by Diamond Hill Squatter Area Clearance and the Joint Council on Squatter Areas in Hong Kong.

Deliberations of the Subcommittee

4. The task of the Subcommittee is to identify means to address the housing needs of residents affected by the clearance of squatter areas. Members of the Subcommittee are aware of the difficulties faced by squatter clearances who are forced to surrender their homes as a result of clearance operations. Members note that quite a number of the clearances are not eligible for public rental housing (PRH) and, even if they are offered interim housing(IH), these places are usually far away from their existing accommodation and their place of work/study. They are particularly concerned about the social impact on these clearances and consider it important to conduct social impact assessments on the affected clearances who might have both financial and adjustment difficulties when forced to move away from the neighborhood where they are accustomed.

5. Members opine that since it is the Administration's decision to demolish the homes of those affected by squatter clearance, it should have the responsibility to rehouse them according to their needs. During the course of deliberation, the Subcommittee has examined different means to address the problem, as explained in the ensuing paragraphs.

Provision of interim housing in urban area

6. The Subcommittee considers that the most viable solution to the problem is the provision of interim housing in urban areas. Where possible, a choice of allocation of urban IH units should be given to squatter clearances to cater for their individual needs. In this connection, the Subcommittee has exchanged views with the Administration on a number of arrangements but to no avail.

Conversion of vacant PRH blocks/units into IH

7. Members are of the view that "unpopular" PRH flats normally rejected by applicants on the Waiting List (WL) should be put to full use. These units could be offered to squatter clearances as IH. They also notice that some older PRH blocks have been vacated for redevelopment. By using these vacant units as IH, at least the size of the current problem could be reduced. The Administration however maintains that Housing Department (HD) will continue to let out "unpopular" flats through the special flat selection exercise to WL applicants. As a matter of equity, vacant PRH flats are allocated to WL applicants strictly in accordance with their registered numbers.

8. As regards the conversion of older rental flats for IH purposes, the Administration advises that HD has already made such an attempt. Three old rental blocks due for redevelopment in Kwai Shing Estate and Shek Lei Estate were used as IH in order to meet short term IH demand. However, this has resulted in serious delay in housing development and cannot achieve an overall environmental improvement to the area in question. As regards Block 23 of Tung Tau Estate as suggested by members, the Administration indicates that this 33-year old Mark IV block has been scheduled for redevelopment under the Comprehensive Redevelopment Programme. The block will be demolished in mid-2001 for public housing development. Any delay in the demolition of this rental block will affect the overall redevelopment programme. Furthermore, the structural conditions and age of the block would render the proposed conversion not feasible.

Deferment of clearance of Temporary Housing Areas

9. Members consider that another alternative is to use the cleared Temporary Housing Areas (THAs) in the urban areas, e.g. Kai Yiu, Kai Wo and Kai Lok THAs in Kowloon Bay, as IH for the time being. The Administration however advises that it is Government's intention to clear all remaining THAs by the end of 2000 in order to improve the living conditions of those areas and free land for development.

Allocating IH units in the New Territories to WL applicants and tenants in urban PRH

10. Members consider that if WL applicants and tenants of old PRH units in the urban area could have the option to take up the new purpose-built IH units in the New Territories, this will make available additional urban PRH units for the clearerees. Members are aware that as a result of this arrangement, there will be a mix of IH and PRH units within the same block. They consider it an acceptable arrangement as IH blocks have also been built adjacent to PRH blocks. Members opine that this arrangement will allow full utilization of all available PRH units.

11. The Administration considers it undesirable to use urban PRH flats as IH accommodation. It stresses that it is the policy of the Housing Authority to provide new IH to meet the operational demands from squatters affected by Government clearances and victims of natural disasters who are not eligible for PRH. To avoid queue-jumping, all squatter clearerees rehoused to IH are required to register on WL. Their subsequent rehousing to PRH is dependent upon their registered numbers on WL, and is subject to their satisfying the eligibility criteria prevailing at the time when their WL applications mature. As new WL applicants can only apply for PRH in the extended urban area and the New Territories, IH accommodation should likewise be provided in the New Territories. Furthermore, provision of IH in the urban area would only be a temporary relief since clearerees would ultimately be rehoused to the extended urban area and the New Territories when their WL applications mature.

12. To assist clearerees who may have difficulty adjusting to their new living environment, the Administration advises that HD has been organizing visits to the IH in Tsuen Wan and Tuen Mun for the clearerees. An information booklet on the environment and the community facilities of IH is also made available to all clearerees. In addition, HD works closely with the Social Welfare Department to offer assistance to clearerees with specific and genuine difficulties.

13. To meet the demand for IH in the coming years, the Housing Authority will be building new IH blocks in Tuen Mun and Tin Shui Wai providing some 17,700 units for allocation to eligible families. The first batch of new IH at Tuen Mun (about 8,700 units) will be available in early 2000, while some 4,000 and 5,000 IH units at Tin Shui Wai will be available in 2001 and 2003 respectively. The design of these new IH blocks is comparable to PRH blocks, i.e. with self-contained toilets and kitchen facilities. Other community and shopping facilities are also provided in these IH estates. The design and facilities in these IH units are much better than those in traditional THAs.

Review of rehousing criteria

14. Members are of the view that the Administration has been taking progressive steps to tighten the eligibility criteria for PRH in respect of squatter clearerees. The Government has already capped the number of clearerees eligible for PRH by the 1984/85 Squatter Occupancy Survey (SOS). The implementation of 923 policy (which requires all residents rehoused to IH/THA after 23 September 1995 to register on WL) and the introduction of the comprehensive means test in September 1998 have rendered a number of squatter clearerees ineligible for PRH. As a result of the changes in housing policy, some squatter clearerees who have been tolerating unacceptable living conditions for years

in the hope of rehousing to PRH would find themselves ineligible because they are not able to pass the comprehensive means test. The comprehensive means test has actually encouraged applicants on the WL to spend or dispose of their savings in an attempt to regain their eligibility for PRH. Members consider that the current rehousing criteria for squatter clearerees should be reviewed and a new average waiting time should be set for rehousing instead of working on the basis of SOS .

15. The Administration advises that the SOS is meant to be a freezing survey to deter the growth of squatter population. The disposition of the SOS basis will result in a number of undesirable consequences-

- (a) People would be encouraged to move to squatter areas and this would result in queue jumping for PRH over other prospective tenants including WL applicants;
- (b) A change of the long established baseline would encourage new squatting as people might be led to believe that new squatting is permitted and residents of new squatters would be rehoused to PRH; and
- (c) The possible influx of squatter population into the squatter areas would further aggravate the poor living environment. The buying and selling of squatter structures would also become rampant.

In short, the Administration considers that once the baseline is changed, the original purpose of conducting the freezing survey will be defeated. This would create a lot of unnecessary disputes and unjustified claims.

Review on the rehousing policy for elderly residents affected by clearance of squatter areas

16. Given that the Administration has introduced a number of priority housing schemes for elderly WL applicants and those affected by redevelopment, the Subcommittee considers that the same arrangement should also apply to the elderly residents affected by clearance of squatter areas. Special consideration should be given to the 60 elderly families of Diamond Hill squatter area for rehousing in the urban area.

17. The Administration advises that elderly households are currently given priority in rehousing and they are able to be rehoused in around two years through various Elderly Priority Schemes under the WL. Squatter clearerees whose WL applications are due for allocation within the next 12 months are given advance offers of PRH under the Anticipatory Housing Scheme and deserving cases are referred to the Social Welfare Department for consideration of compassionate rehousing on individual merits.

Request for meeting the key decision-makers in housing policies

18. Noting the negative response of the officers appearing before the Subcommittee in addressing the difficulties faced by prospective clearerees, the Subcommittee saw the need to escalate the exchange of views at a higher level. The Subcommittee sought to meet

the Chairman of the Housing Authority (HA), the Chairman of the Rental Housing Committee of HA, the Secretary for Housing and the Director of Housing at any time and venue convenient to them. The meeting could be in any form, open or closed, as they desired. Despite repeated requests, these officers declined to meet members of the Subcommittee. Instead, they offered to send the Deputy Secretary for Housing and the Acting Director of Housing to meet the Subcommittee in late May 2000.

19. As the Subcommittee has already met with the representatives of the Housing Bureau and the Housing Department at its earlier meetings, the Chairman of the Subcommittee considers it meaningless to continue the discussion with the same level of officers as the crux of the problem now faced with lies in the policies rather than the implementation of policies.

The Subcommittee's recommendations

20. On 29 May 2000, the Subcommittee held an internal discussion to consider the way forward. Members present at the meeting expressed great disappointment at the negative response of the Administration and regret that senior officers have declined to meet with the Subcommittee. The fact that these senior officers responsible for the formulation of housing policies refused to have direct dialogue with a Subcommittee of the Legislative Council with a responsibility for a specific housing policy issue has further undermined the relationship between the Executive and the Legislature. Members have requested that the matter be brought before the Panel on Housing at its meeting on 5 June 2000 such that consideration could be given to bringing the matter before the House Committee.

Panel's endorsement of the Subcommittee's recommendations

21. At the Housing Panel meeting on 5 June 2000, members of the Panel noted the deliberations of the Subcommittee and its concerns about the need for direct dialogue with key decision-makers on policy issues. Members of the Panel have agreed that the Subcommittee's concern be duly reflected to the House Committee at its meeting on 9 June 2000 by the Chairman of the Housing Panel.

Advice sought

22. Members are requested to note the content of this paper and the recommendations given in paragraphs 20 and 21.

立法會房屋事務委員會
受清拆影響的寮屋區居民的安置安排小組委員會

LegCo Panel on Housing
Subcommittee on Rehousing Arrangements for Residents Affected
by Clearance of Squatter Areas

委員名單
Membership list

| | |
|-----------|------------------------------|
| 李卓人議員(主席) | Hon LEE Cheuk-yan (Chairman) |
| 李永達議員 | Hon LEE Wing-tat |
| 李華明議員 | Hon Fred LI Wah-ming, JP |
| 陳婉嫻議員 | Hon CHAN Yuen-han |
| 梁耀忠議員 | Hon LEUNG Yiu-chung |

合共：5 位議員
Total: 5 Members

日期：1999 年 12 月 15 日
Date: 15 December 1999

LegCo Panel on Housing

**Subcommittee on Rehousing Arrangements for Residents Affected
by Clearance of Squatter Areas**

Terms of Reference

To identify means to address the housing needs of residents affected by clearance of squatter areas.