

**For information
on 9 November 2012**

Finance Committee of the Legislative Council

Old Age Living Allowance: Responses of the Government to the questions raised by some Members of the Legislative Council

Purpose

Some Members of the Legislative Council (LegCo) wrote to the Chairman of the Finance Committee (FC) on 7 November 2012 (see Annex), requesting for written responses from the Government to their questions about Old Age Living Allowance (OALA). This paper provides our responses to those questions.

Positioning and payment rate of OALA *[In response to items 2, 10, 18, 19 and 20 of the letter from the LegCo Members]*

2. OALA aims at alleviating poverty. As a new form of financial assistance falling between Comprehensive Social Security Assistance (CSSA) which is the final safety net, and Old Age Allowance (OAA) which is not for poverty alleviation, OALA seeks to supplement the living expenses of Hong Kong (HK) elders aged 65 or above with financial needs. Accordingly, it is reasonable to set the payment rate of OALA between the two existing measures mentioned above. As stated in paper FCR(2012-13)54, setting the payment rate of OALA at \$2,200 per month fulfils the pledge of the Chief Executive in his election manifesto (i.e. “build on the existing Old Age Allowance scheme and introduce a special allowance for the elderly who are in need so that they can receive about double the amount of the allowance (\$2,200) every month after a simple declaration of income and assets.”).

3. OALA will adopt the income and asset declaration mechanism for the existing Normal OAA, which is familiar to elders and well established. We do not consider that this will bring about a “labelling effect” on existing Normal OAA recipients or future OALA recipients.

4. As for the proposal to enhance the CSSA Scheme, the Administration just announced today (9 November) the terms of reference, composition and membership of the new Commission on Poverty (CoP). A task force, with the

Chief Secretary for Administration as chairman and the Secretary for Labour and Welfare as vice-chairman, will be set up under the CoP to explore the relevant matters.

Income and asset declaration for OALA *[In response to items 1, 7-9, 17 and 21 of the letter]*

5. How to handle personal savings and assets is a personal choice. Moreover, after the implementation of OALA, elders aged 70 or above can continue to receive OAA of \$1,090 per month if they exceed the income and asset limits for OALA or do not want to make a declaration. In the circumstances, we have reservation about the argument that elderly people will use up their savings deliberately to satisfy the eligibility criteria for OALA.

6. The definitions of “income” and “assets” for OALA will be identical to those for the existing Normal OAA:

- (a) “income” includes wages from employment; income from handiwork, business, etc. (including salaries, wages, monthly commissions or bonuses received, and monthly income from self-employment); retirement benefits/pensions; and net income on rentals collected. Contributions from family members, relatives or friends, and monthly payments received under reverse mortgage schemes are excluded, but any unspent and accumulated amount of savings/cash in hand generated will be treated as “assets”;
- (b) “assets”¹ include land and non-owner occupied properties²; cash in hand; bank savings; investments in stocks and shares (including bonds, unit trust funds and accrued retirement benefits); vehicle for investment (e.g. taxi and public light bus) and its business licence; and gold bars and gold coins, etc. (personal ornaments shall be disregarded). Owner occupied properties, columbarium niches for self-use in future, and the cash value of insurance schemes are excluded.

7. The above income and asset requirements are well established and familiar to many elders, and provide a relatively reliable basis for the Government to make an assessment. As the payment rate of OALA is about double that of the existing OAA, we believe that it is moderately generous to

1 Including those in HK, Macau, the Mainland or overseas.

2 Only the value of one residential property which is the principal place of residence in HK is disregarded. Other properties separately or jointly owned by the applicant and/or his spouse are regarded as “non-owner occupied properties” and should be taken into account for assessment of “assets”.

continue adopting the existing income and asset limits for OAA for elders aged 65 to 69. In fact, the asset limit of \$186,000 for OALA singleton elders is more than four times that for CSSA singleton elders (\$38,000). Besides, as the needs of individuals vary, it is difficult for the Social Welfare Department (SWD) to deal with the limits on a case-by-case basis according to the expenditure of the individuals. At present, the monthly income limit for singleton elders is \$6,660, and contributions from family members, relatives or friends are excluded. Elders whose monthly income is higher than \$6,660 should be able to meet their daily living expenses in general.

8. The income and asset limits for OALA are not static, but will be adjusted annually according to the Social Security Assistance Index of Prices (SSAIP) under the established mechanism. As at the end of September 2012, the 12-month moving average of the SSAIP registered an increase of 3.7% when compared with that of last year. We expect that the relevant data will continue to register an increase when the current adjustment cycle ends at the end of October. We will continue to closely monitor changes in the SSAIP, and then make upward adjustments to the asset limits in February next year in accordance with the established mechanism. In fact, the asset limits for Normal OAA to be adopted by OALA have registered an accumulated increase of 8.8% since 2009. We consider that a more pragmatic approach is for the Government to introduce OALA first, to be followed by a review of the limits based on implementation experience as necessary.

9. At present, nearly 90% of the elders aged 70 or above are receiving CSSA, Disability Allowance (DA), or Higher OAA of \$1,090 per month. It is believed that if no declaration of means is required, more elders aged 70 or above will have the incentive to apply for OALA which is \$2,200 per month. Since OALA has no quota and expenditure ceiling, we consider it appropriate to take into account the additional allowance expenditure which may arise from the said incentive when we estimate the financial implications.

10. Besides, the moderately liberal and simple declaration system of OALA is premised on honest declaration by the beneficiaries. They have the responsibility to declare their income and assets truthfully. Applicants will fulfil the eligibility criteria if their income and assets do not exceed the respective limits at the time of the declaration. It is a personal decision of elders as to how to handle their own assets, and they should do so carefully. SWD will closely examine the circumstances of individual cases where the declaration does not match the facts. If an elder intentionally withholds or omits any information, he/she may breach the law. SWD will also duly recover any overpayment.

Preparatory work of SWD *[In response to item 3 of the letter]*

11. After obtaining funding approval from FC, SWD will need to carry out a series of preparatory tasks which are tightly intertwined, including computer upgrading, selection of a suitable printing contractor through tender to produce hundreds of thousands of letters (involving data testing and verification with SWD's Computer Section), issuance of letters to 290 000 "auto-conversion" recipients, screening out from the computer database the data of elders who indicate in their reply that they would opt out of OALA or whose income and/or assets have exceeded the limits. Only after completing the above procedures can SWD make use of a long period of holidays (a total of five days are needed) to proceed with the conversion of computer data and calculation of allowance payment for eligible recipients.

Grace period and the "auto-conversion" arrangement *[In response to items 5, 6, 11, 12 and 16 of the letter]*

12. As the financial conditions of elders seldom change substantially, SWD proposes that a grace period be provided for OALA, as in the case of Normal OAA. For auto-conversion cases, postal submission cases and new applications received within 2013, the grace period will be the 24 months counting from the first day of the month of funding approval by FC (i.e. the effective date of OALA). Even if an elder's financial conditions change within the grace period, which results in his/her income and/or assets exceeding the limits, the amount of allowance granted will not be affected. For new application cases submitted after 31 December 2013, the grace period will be 12 months counting from the application date or the eligibility date, whichever is the later. The grace period arrangement is not applicable to cases of false declaration.

13. After the grace period, if the income and/or assets of a recipient exceed the limits or if there have been changes in his/her circumstances (e.g. separation, home removal, etc.), the recipient has a responsibility to report to SWD. Under normal circumstances, if the total value of a recipient's income or assets exceeds the limits, the recipient will cease to be eligible for the allowance starting from the next payment month. The recipient will have to return all overpayment (if any) to SWD.

14. "Auto-conversion" is a special arrangement for the public's convenience, enabling eligible elders to receive OALA as early as possible and saving them the trouble of queuing up at the Social Security Field Units of SWD for completing the application procedures. These elders have undergone

basically the same means declaration procedures in the past, and their income and asset levels are unlikely to increase and render them ineligible over time.

15. While making these convenient arrangements, SWD will also make arrangements at different stages to identify ineligible recipients:

- (a) before the implementation of OALA, SWD will issue notification letters to the existing OAA recipients who can switch to OALA through “auto-conversion” to inform them of the arrangement. In the letter, SWD will remind them of their responsibility to declare truthfully whether their income and assets have exceeded the limits, and that they should make a declaration to SWD promptly if they opt not to switch to OALA, or if their income and/or assets have exceeded the limits. SWD will state clearly in the letter that all elders who do not opt out or do not declare that their income and/or assets have exceeded the prescribed limits will be regarded as eligible for OALA, and thereby benefit from the “auto-conversion” arrangement.
- (b) starting from 2014, SWD will conduct a postal review for elders who have benefited from the “auto-conversion” arrangement. SWD will issue letters to them and request them to declare afresh their income and assets. SWD will also remind them through different channels such as press release. If the recipients fail to declare afresh their income and assets before the end of the grace period, OALA payment to recipients aged between 65 and 69 will stop while recipients aged 70 or above will switch to Higher OAA instead. If the recipients make a declaration after the end of the grace period, but with reasonable explanation and their eligibility is confirmed later, SWD will help them complete the necessary procedures and pay them back the amount of allowance they should have received.

Staffing arrangements for handling cases of auto-conversion and new applications at the initial stage *[In response to items 12 and 14 of the letter]*

16. SWD will recruit additional staff to implement OALA and handle all new applications and cases switching to OALA through the simplified procedures. During the process, SWD will explain the application procedures through different channels (including issuing letters to existing OAA and DA recipients, issuing press releases and broadcasting Announcements in the Public Interest on television and radio). Such work will be undertaken by SWD staff. If any non-governmental organisation is involved, it will only be helping to

explain the general procedures. SWD will not disclose the personal data of applicants to these organisations.

Mechanism for review by means of random checks *[In response to item 15 of the letter]*

17. OALA will adopt the declaration mechanism for the existing Normal OAA, under which applicants will only need to make a simple declaration of their income and assets. As for the means test mechanism for the CSSA Scheme, it requires the applicants to submit supporting documents for SWD to verify their eligibility in detail, apart from declaring their income and assets.

18. SWD will, having regard to the risks involved, adopt a suitable random-checking mechanism for review, and conduct regular data-matching with other government departments and related organisations to cross-check the information provided by OALA recipients. Besides, SWD operates a reporting hotline, and its Fraud Investigation Teams will follow up suspected fraud cases. SWD will look into the actual circumstances of each case carefully. If an elder intentionally withholds or omits any information, he/she may breach the law. SWD will also duly recover any overpayment.

The pre-application one-year continuous residence rule *[In response to item 4 of the letter]*

19. The requirement of having resided in HK continuously for at least one year (i.e. the one-year continuous residence (OYCR) rule) helps identify those applicants with a close connection with HK. It provides a basis for allocating public resources and helps sustain the non-contributory social security system amidst an increasing demand. This is a very important policy applicable to the existing Social Security Allowance (SSA) Scheme as well as the future Guangdong (GD) Scheme thereunder.

20. Applying the OYCR rule to the GD Scheme means that a substantial number of HK elders who have already settled in GD would need to come back to stay in HK for one year in order to be eligible. The decision of these elders to move to GD some time ago has made it difficult for them to satisfy the OYCR rule now even though a GD Scheme, which is meant precisely to facilitate HK elders' residence in GD, will now be available. We fully understand their difficulties and sympathise with them. We will therefore put in place a special one-off arrangement at the initial stage of implementing the GD Scheme to allow elders who have satisfied all other eligibility criteria, except the OYCR rule, to benefit from the GD Scheme without having to first return to stay in HK.

The special one-off arrangement will only apply in the first year of the GD Scheme.

21. The special one-off arrangement for the GD Scheme is only for addressing the special circumstances of those HK elders who have already settled in GD, and will only be applicable in the first year after the implementation of the GD Scheme. Elders who will join the GD Scheme through the special one-off arrangement can switch to OAA or DA in HK one year after they first receive OAA under the GD Scheme. The arrangement will be the same if they would like to switch to OALA in HK.

Fiscal discipline *[In response to items 25 and 26 of the letter]*

22. According to the Government's established fiscal discipline, in seeking FC's approval for funding, departments cannot assume that FC must grant the approval. Therefore, in general the effective date for the funding proposal cannot be set **before** the date of FC approval. In accordance with this principle, social welfare-related funding proposals have no retrospective effect in general. Our proposal to set the effective date for OALA on the first day of the month of FC's approval is basically in line with the practice that funding proposals should have no retrospective effect. Setting the effective date on the first day of the month of FC's approval is easy for the elderly to understand, and does not conflict with the established principle.

23. As regards the 2009 grade structure reviews (GSR) mentioned in the FC paper FCR(2009-10)42, the Standing Commission on Civil Service Salaries and Conditions of Service and the Standing Committee on Disciplined Services Salaries and Conditions of Service submitted their respective reports to the Government in November 2008. Upon receipt of the reports, the Administration conducted two rounds of consultation with the staff side and obtained the consent of the LegCo Panel on Public Service before seeking FC's funding approval in December 2009.

24. As the reference date for the GSR on the civilian directorate was 1 April 2008, 1 April 2009 was set as the effective date having regard to the timeliness of the review.

25. The funding application for OALA is in line with the principles of financial prudence which require the Government to keep expenditure within the limits of revenue and spend only when necessary. It has been processed according to the Government's internal mechanism for resource allocation, and has not violated fiscal discipline.

“Ex-gratia payment” *[In response to items 32 and 33 of the letter]*

26. Making an additional “ex-gratia payment” to eligible elders, which is to be calculated with reference to the period between October this year and the effective month of OALA, is de facto advancing the effective date of OALA to a date before FC’s funding approval. At the same time, there is a lack of justifications to peg the effective date of the “ex-gratia payment” to October 2012.

Figures on recipients and the related allowance expenditures *[In response to items 13 and 22-24 of the letter]*

27. The numbers of elders currently receiving Normal OAA and Higher OAA, and the related estimated expenditures, are as follows:

Year	Normal OAA		Higher OAA	
	No. of recipients	Estimated allowance expenditure*	No. of recipients	Estimated allowance expenditure*
2012	80 000 (September 2012)	\$1.1 billion	450 000 (September 2012)	\$5.9 billion

* Estimates

28. It is estimated that after the introduction of OALA, all existing Normal OAA recipients as well as some existing recipients of Higher OAA and Normal DA will switch to OALA. Assuming that the same proportion of the population will receive OALA in future, the estimated total expenditure of OALA up to 2041 is as follows:

Year	Aged between 65 and 69		Aged 70 or above		Aged 65 or above in total*	
	No. of recipients	Estimated allowance expenditure	No. of recipients	Estimated allowance expenditure	No. of recipients	Estimated total allowance expenditure
2013	0.09 million	\$2.4 billion	0.39 million	\$10.3 billion	0.49 million	\$12.9 billion
2014	0.11 million	\$2.9 billion	0.40 million	\$10.6 billion	0.51 million	\$13.5 billion
2015	0.12 million	\$3.2 billion	0.41 million	\$10.8 billion	0.54 million	\$14.3 billion
2016	0.13 million	\$3.4 billion	0.42 million	\$11.1 billion	0.56 million	\$14.8 billion
2017	0.13 million	\$3.4 billion	0.43 million	\$11.4 billion	0.59 million	\$15.6 billion
2018	0.14 million	\$3.7 billion	0.45 million	\$11.9 billion	0.62 million	\$16.4 billion
2019	0.15 million	\$4.0 billion	0.48 million	\$12.7 billion	0.64 million	\$16.9 billion
2020	0.15 million	\$4.0 billion	0.50 million	\$13.2 billion	0.67 million	\$17.7 billion
2021	0.16 million	\$4.2 billion	0.52 million	\$13.7 billion	0.70 million	\$18.5 billion
2022	0.17 million	\$4.5 billion	0.55 million	\$14.5 billion	0.74 million	\$19.5 billion
2023	0.18 million	\$4.8 billion	0.57 million	\$15.0 billion	0.77 million	\$20.3 billion
2024	0.18 million	\$4.8 billion	0.60 million	\$15.8 billion	0.81 million	\$21.4 billion
2025	0.19 million	\$5.0 billion	0.63 million	\$16.6 billion	0.84 million	\$22.2 billion
2026	0.19 million	\$5.0 billion	0.66 million	\$17.4 billion	0.88 million	\$23.2 billion
2027	0.19 million	\$5.0 billion	0.70 million	\$18.5 billion	0.91 million	\$24.0 billion
2028	0.20 million	\$5.3 billion	0.73 million	\$19.3 billion	0.95 million	\$25.1 billion
2029	0.20 million	\$5.3 billion	0.77 million	\$20.3 billion	0.99 million	\$26.1 billion
2030	0.20 million	\$5.3 billion	0.80 million	\$21.1 billion	1.02 million	\$26.9 billion
2031	0.20 million	\$5.3 billion	0.84 million	\$22.2 billion	1.05 million	\$27.7 billion
2032	0.19 million	\$5.0 billion	0.87 million	\$23.0 billion	1.07 million	\$28.2 billion
2033	0.19 million	\$5.0 billion	0.91 million	\$24.0 billion	1.10 million	\$29.0 billion
2034	0.18 million	\$4.8 billion	0.95 million	\$25.1 billion	1.12 million	\$29.6 billion
2035	0.18 million	\$4.8 billion	0.98 million	\$25.9 billion	1.14 million	\$30.1 billion
2036	0.18 million	\$4.8 billion	1.00 million	\$26.4 billion	1.16 million	\$30.6 billion
2037	0.18 million	\$4.8 billion	1.02 million	\$26.9 billion	1.18 million	\$31.2 billion
2038	0.18 million	\$4.8 billion	1.04 million	\$27.5 billion	1.20 million	\$31.7 billion
2039	0.18 million	\$4.8 billion	1.06 million	\$28.0 billion	1.22 million	\$32.2 billion
2040	0.18 million	\$4.8 billion	1.08 million	\$28.5 billion	1.23 million	\$32.5 billion
2041	0.17 million	\$4.5 billion	1.10 million	\$29.0 billion	1.24 million	\$32.7 billion

* The figures under individual age groups are projected separately according to the data of the respective groups, and therefore may not add up to total.

29. SWD has not projected the future number of and expenditure on CSSA old age cases because the projection will involve a number of variable socio-economic factors (including the economic performance of HK, wage trends, and their impact on the income and assets of CSSA families, etc.).

30. As regards new applications, SWD estimates that there will be more than 40 000 new applications for OALA in 2013-14 by making reference to the number of new applications for Normal OAA in recent years and assuming that about 80% of the Higher OAA applicants will be eligible for OALA.

“Universal old age pension” *[In response to items 27-31 of the letter]*

31. The retirement protection system in HK comprises mainly three pillars: the Mandatory Provident Fund (MPF) system, voluntary private savings and the non-contributory social security system (comprising CSSA, OAA and DA at present). This model was adopted in the 1990’s after lengthy discussion by different sectors of the community.

32. The Central Policy Unit (CPU) is conducting studies on the sustainability of the existing three-pillar system, and had completed five relevant studies between 2007 and 2010. A summary of these studies was appended to the Administration’s paper submitted to the meeting of the Subcommittee on Retirement Protection on 19 July 2011 in the previous term of the LegCo. Some of the study findings have been released in different forms. For example, two study reports on filial piety in HK have been uploaded onto CPU’s website. As regards the studies on the concepts of filial piety, elderly care, and intergenerational support within and savings of families, some findings were presented at the conference on “Strengthening HK’s Families: Obligation and Care Across the Generations” in June 2010. The relevant powerpoint slides were also uploaded onto CPU’s website.

33. As the socio-economic environment in HK has undergone many changes after the financial tsunami and there have been adjustments to relevant policies, CPU has commenced a new round of territory-wide household survey to update the relevant data, and explore the financial situation of elders and their retirement planning as well as the sustainability of the three-pillar system. The initial findings are expected to be available by the end of this year at the earliest.

34. To make a more accurate assessment of the impact of the welfare measures introduced in the past few years and of adjustments to the MPF system on the financial situation of elders, CPU will, apart from conducting a household survey to update the data, invite experts to carry out a systematic analysis and project the changes in income and expenditure of each pillar under HK’s

retirement protection system in the coming 30 years by using the findings from the household survey. This will provide an evidence basis for formulating policy measures to enhance the retirement protection system in HK.

35. The Administration will make reference to CPU's study findings in assessing the financial sustainability of the existing three-pillar system, and explore the future direction. As mentioned in paragraph 4 above, the Chief Secretary for Administration will chair a task force under the CoP to study matters on social security and retirement protection, including ways to enhance the existing system.

Labour and Welfare Bureau
Social Welfare Department
November 2012

財務委員會主席
張宇人議員

張主席：

就財務委員會審批「長者生活津貼」事宜

就財務委員會於 11 月 9 日審批有關「長者生活津貼」撥款，議員有以下提問，期望閣下能轉交當局，要求當局就以下問題提供書面答覆：

如何計算申請人的入息和資產

1. 購買年金：每月收取的款額是否計算為入息(現時每月退休金當作入息計算)？年金的價值是否計算為資產？如不視作資產，是否表示以大約 150 萬元購買 20 年期年金，每月收取款額不超過 6,660 元，即符合資格申請特惠生果金？
2. 社聯行政總裁方敏生表示，「特惠生果金」的金額只是雙倍「生果金」，沒有任何科學根據；而社聯早前研究指出，一名長者每月至少需要 3,000 元才可滿足基本的生活需要。對於活在貧窮的長者而言，2,200 元根本不足讓他們生活。請政府告知本會如何訂立 2,200 元這個金額水平；是否知悉行政長官提出這金額的理據。
3. 按政府提供的文件指出，政府擬在財委會批准撥款後，社會福利署便會最快於 2013 年 3 月正式推出有關津貼及接受申請。請政府告知本會在撥款得到批准後至公開接受申請期間，政府到底有何程序及步驟處理有關津貼，請詳細列明政府所指「籌備落實申請程序」的內容。

4. 請政府告知本會因何要求已受惠於一次性特別安排(即在該計劃首年豁免連續居港一年規定)參加廣東計劃的人士，必須在參加廣東計劃領取高齡津貼滿一年之後，才可以轉為領取長者生活津貼，否則仍須符合連續居港一年規定；政府會否考慮讓合資格及已在廣東省居住的長者，在申請之時便能受惠於雙倍生果金，而毋須空等待一年以合乎申請資格。

申請特惠生果金、入息及資產申報等

5. 文件第 15(a)段：在進行自動轉換前，社署會…向所有自動轉換安排準受惠人發出標準通知書…提醒他們…如入息…或資產已超過訂明限額…便應即時向社署…申報。請政府告知本會「應即時申報」是否一項法律責任？準受惠人如明知超過入息或資產上限但沒有主動向社署申報，會否視為不正確申報？如否的話，會否對誠實申報的準受惠人不公平？
6. 在發出的通知書中，社署會否同時提醒準受惠人，除非主動申報超過入息或資產上限，否則一律會被視為合資格領取長者生活津貼(即文件第 14(a)段)？如會的話，會否令長者感到訊息混亂，無所適從？
7. 政府堅持不提高長者生活津貼資產限額 (\$186,000)的政策理據為何？是基於計算所牽涉的(調整)技術考慮，或是基於對政府財政負擔的考慮，或是其他因素考慮，如有，請闡明內容。
8. 請列出有關津貼的入息和資產申報範圍包括及不包括甚麼項目；政府有否考慮一些長者收入已過入息上限，但是其支出高於收入的個案如何處理。

9. 即使現行高齡津貼無需資產審查，亦只有約六成 70 歲或以上的長者申請。
政府可否告知本會為何再計算免資產審查所需的開支時，卻假設所有長者均會申請及會否因而錯誤高估有關開支。
10. 請政府告知本會訂定長者生活津貼定額為每月 2,200 元的政策理據為何：是否基於政府對長者生活的經濟開支而作出推算，或基於對政府財政負擔的考慮，或隨機所定出這一數額。
11. 按文件第 15(b)段：如「自動轉換個案」受惠人，沒有在寬限期屆滿前重新申報入息和資產(郵遞覆核)，其領取特惠生果金的資格會否被取消？(如會的話)如受惠人因忘記申報，但本身是符合資格，政府會否在受惠人補辦手續後補發少付的特惠生果金？
12. 如 70 歲以上的「自動轉換個案」受惠人，沒有在寬限期屆滿前重新申報入息和資產，其高額高齡津貼會否受到影響？有何措施協助「自動轉換個案」受惠人，在寬限期屆滿前重新申報入息和資產？如邀請非政府組織協助，如何避免長者的個人資料被濫用，例如在選舉期間拉票？
13. 按文件第 14(c)段所述，政府有否估計 2013 年有多少宗「新申請」個案。
14. 按文件第 17 段所述，政府有何措施協助合資格長者在 2013 年年底前提出申請(包括「郵遞提交申請」和「新申請」)，以受惠於追溯期的安排？如邀請非政府組織協助，如何避免長者的個人資料被濫用，例如在選舉期間拉票？

15. 參考文件第 15(d)段所述「自新津貼實施的第三年起，長者生活津貼受惠人須接受覆核」，政府請告知本會「覆核」的詳情，及與申報、審查、覆核的分別為何？
16. 寬限期屆滿後，一旦受惠人的入息或資產有變，以致不再符合領取資格，受惠人是否有責任主動申報？政府會否追收多發放的金額？
17. 如申請人將資產轉移至親友，但仍然實質擁有該筆資產，會否構成不正確申報？會否因此負上刑事責任？如申請人不正確申報須負上刑事責任，政府有否評估會否影響長者的申請意欲？

標籤效應

18. 政府現時稱方案為「扶貧措施」，惟按政府估計符合資格長者達四十八萬人；請政府告知本會當局是否認為該批長者屬於貧窮社群。
19. 根據樂施會 2010 年公布的調查，全港有十六萬多長者有資格領取綜援，由於不願接受經濟審查而放棄申領綜援，反映審查制度做成強烈的標籤效應，使有需要但不願接受審查的長者得不到援助。請問政府當局有何方法以消除「特惠生果金」的標籤效應。
20. 有評論指長者生活津貼定位不明確，目前已有綜援協助貧窮人士，但同時稱長者生活津貼為扶貧措施，倘若當局要改善扶貧效果，請政府告知本會為何不取消「衰仔紙」及以家庭為單位的申領制度，以及放寬綜援的入息及資產限額，幫助更多的長者。

21. 有外國研究指出，說明金額大幅增加下，帶有審查的福利制度會減低長者晚年的儲蓄的意欲；政府如何避免中低收入長者寧願盡花費其積蓄，直至合乎資格申請長者生活津貼。
22. 按社署資料顯示，現時正在領取高齡津貼的長者合為何；他們的年齡分佈為何；請詳細列明各年齡類別的受惠人數 (65-69 歲，70-74 歲及 75 歲或以上)，如表一。

表一：高齡津貼(現時每月 1090 元)

年份	65-69 歲)		70-74 歲		75 歲或以上	
	受惠人數	開支	受惠人數	開支	受惠人數	開支
2013						
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23. 政府如何估計或推算即將有達 40 萬長者受惠於「長者生活津貼」；其年齡分佈為何；請詳細列明各年齡類別的受惠人數 (65-69 歲，70-74 歲及 75 歲或以上)，如表二。

表二：長者生活津貼 (現建議 2200 元)

年份	65-69 歲		70-74 歲		75 歲或以上	
	受惠人數	開支	受惠人數	開支	受惠人數	開支
2013						
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2022						
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24. 統計處早前公布 2012-2041 年香港人口推算，並預測人口老化會增加政府的社會開支，政府可否告知本會推算下列未來每年開支及受惠人數詳情為何，如表三；如否，原因為何。

表三：長者綜援金

年份	60-64 歲		65-69 歲		70 歲或以上	
	受惠人數	開支	受惠人數	開支	受惠人數	開支
2013						
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財政紀律

25. 政府以財政紀律為由，拒絕將特惠生果金的生效日期定為 2012 年 10 月 1 日；然而政府過去亦有將生效日期定在財委會通過撥款之前，除了每年的公務員薪酬調整外，2009 年 12 月 4 日財委會亦通過多個公務員職系薪級表加設薪點，並將生效日期推前至 2009 年 4 月 1 日(詳見 FCR(2009-10)42 號文件)。政府可否解釋，為何公務員薪級表加設薪點提前生效是審慎理財，生果金加設一級善待長者則違反財政紀律？

26. 行政長官以「成熟一項推一項」方式推行政策，令財政司長無法通盤考慮資源分配優次，這是否違反財政紀律？

全民養老金方案

27. 統計處在 6 月公布人口推算亦表示，人口老化必然會導致政府就長者的開支大增，所以問題核心並非是否持續，而是政府從沒交代人口老化下的長者福利開支等規劃。政府有沒有長遠的長者福利開支規劃？

28. 立法會於 2011 年 5 月至 2012 年 5 月期間，成立退休保障事宜小組，就香港設立全民退休保障進行研究，同時將香港現時的三根支柱模式與其他國家及地區進行比較，並提出具體建議。報告又指出過去中央政策組就退休保障三條支柱進行可持續研究，並早已完成；然而中策組及特區政府一直拒絕交代報告內容，在新任政府管治下，會否公開有關研究報告予公眾參考及討論；如否，原因為何。
29. 承上題，根據委員會報告具體建議，政府會否就香港設立全民退休保障制度成立專責委員會跟進，並在任內提交可行方案及進行公眾諮詢；如否，原因為何。
30. 民間團體在 2005 年提出「全民養老金」具體方案，經香港大學精算學系教授分析(並分別在 2009 及 2011 年更新數據)，確定方案在財政上可持續運作。政府在過去 7 年有否研究民間提出的「全民養老金」方案，特別是該方案的精算分析？如有的話，結論為何？是否同意該方案財政上可持續運作？如沒有研究的話，原因為何？
31. 民間團體早在上世紀九十年代已警告，不論有沒有資產審查，單靠每年稅收是無法應付人口老化帶來的開支，社會必須未雨綢繆，及早推行預先儲蓄式(pre-funded)退休保障制度，在人口老化前累積足夠儲備應付日後需要。政府捨「全民養老金」而取特惠生果金，是否認為單靠稅收支付退休保障，比預先儲蓄制度在財政上更加穩健？

補充建議

32. 據工黨意見，於 11 月 1 日致函行政長官建議政府為合資格長者發放一次過的「特惠補貼金」，以補貼長者的需要。當局堅持「長者生活津貼」不能追至本年 10 月 1 日，令一眾合資格的長者少得一個月津貼，此等安排將影響貧困長者的生活；因此，政府會否考慮有關建議；如否，原因為何。

建議金額及計算方式：

有關「特惠補貼金」的計算方法，我們建議政府以整月為單位發放\$1100 元津貼，發放期由本年 10 月至「長者生活津貼」生效的月份。

例子一：假設「長者生活津貼」的生效月份為 11 月，
則「特惠補貼金」的金額為 $\$1100 \times 1 \text{ 個月} = \1100 ；

例子二：倘若「長者生活津貼」的生效月份為 12 月，
則「特惠補貼金」的金額為 $\$1100 \times 2 \text{ 個月} = \2200 。
如此類推。

33. 承上題，如落實工黨上述建議，財委會於本年 11 月通過長者生活津貼的撥款及「特惠補貼金」撥款，請政府告知本會對整體公共財政的影響。

就上述提問，期望當局能提供書面答覆。

立法會議員

何俊仁	李卓人	涂謹申	梁耀忠
劉慧卿	馮檢基	李國麟	湯家驊
何秀蘭	張國柱	梁家傑	毛孟靜
胡志偉	范國威	莫乃光	陳家洛
梁繼昌	郭家麒	郭榮鏗	張超雄
	單仲偕	黃碧雲	葉建源

二零一二年十一月七日