

Panel on Welfare Services

List of outstanding items for discussion
(position as at 5 June 2013)

Proposed timing for discussion

1. Reports issued by the Subcommittee on Guardianship and Custody of the Law Reform Commission ("LRC")

At the meeting on 8 February 2010, the Administration briefed the Panel on its position on the recommendations made by LRC in the Report on Guardianship of Children, the Report on International Parental Child Abduction, as well as the Report on Child Custody and Access. The Administration has since then completed the legislative amendments for implementing the recommendations in the Report on Guardianship of Children and is working on the amendments to the relevant legislation for implementing the recommendations of the Report on International Parental Child Abduction.

Third quarter of 2013

As for the Report on Custody and Access ("the Report") released on 7 March 2005, the Administration advised that it is studying the recommendations carefully. The Administration launched a four-month public consultation on 28 December 2011 on whether the "joint parental responsibility model" should be implemented in Hong Kong by legislative means. The Panel was briefed on the consultation paper at its meeting on 9 January 2012. A special meeting was held on 25 February 2012 to receive views from deputations on the consultation paper. According to the Administration, it would map out, in the light of comments received, whether and how to take forward the relevant recommendations of the Report.

The Administration will brief members on the results of the public consultation on Child Custody and Access: Whether to Implement the "Joint Parental Responsibility Model" by Legislative Means, and on the way forward.

Proposed timing for discussion

2. Infirmary care in non-hospital setting

The Administration consulted the Panel in December 2004 on a proposal to launch a trial scheme to provide infirmary care places for medically stable elders in a non-hospital setting. Various options are being explored, including upgrading some of the places in subvented residential care homes for the elderly to provide infirmary care. The Administration will report the progress in due course.

To be decided

3. Retirement protection

(a) Study on retirement protection in Hong Kong

At its meeting on 21 May 2013, the Panel agreed that it should discuss the subject matter when the Central Policy Unit ("CPU") provided the Panel with its five reports on retirement protection or when Professor Nelson CHOW Wing-sun was ready to brief members on his study on retirement protection. The Administration's response to the Panel's request for the CPU's reports was circulated to members vide LC Paper No. CB(2)1281/12-13(01).

To be decided

(b) Universal Retirement Protection

The Panel and its Subcommittee on Retirement Protection had studied the subject of universal retirement protection in the last legislative term. The Subcommittee submitted its report (LC Paper No. CB(2)1942/11-12) to the Panel on 14 May 2012 and made a number of recommendations for the Administration's consideration. The Subcommittee also recommended that the Panel should follow up with the Administration on the matter in the next legislative term.

The subject will be followed up by the subcommittee after it is activated

Hon Alice MAK and Hon TANG Ka-piu have jointly suggested that the Panel form a Subcommittee on Retirement Protection. The suggestion was agreed by the Panel at its meeting on 14 January 2013. The Subcommittee is in the first place on the waiting list.

4. Charitable fund-raising activities

The existing framework for the monitoring of charitable fund-raising activities was discussed at the meeting on 11 June 2007. Members agreed to further discuss the matter in the next session, especially the monitoring of the use of income generated from public charitable fund-raising activities.

To be decided

Following the release of the Consultation Paper on Charities by the Charities Sub-committee of LRC, the Panel held a special meeting on 24 August 2011 to receive public views on the subject. The LRC Charities Sub-committee has proceeded to work on concrete proposals for enhancing the monitoring measures for charitable fund-raising activities in light of the views collected from the public consultation which ended in October 2011.

5. Review of the system for processing applications for Disability Allowance ("DA") under the Social Security Allowance ("SSA") Scheme

Item proposed by Hon WONG Kwok-hing and Hon WONG Kwok-kin in the last legislative term. Members were concerned about the eligibility criteria for DA, the system for processing DA applications and the appeal mechanism.

July 2013

According to Hon WONG Kwok-hing, the Administration has completed the captioned review but the review report has not yet been released. He hopes that this item could be discussed by the Panel as soon as possible, so as to push for the Administration's release of the review results as soon as possible.

At the meeting of the Panel on Constitutional Affairs ("CA Panel") on 16 October 2012, Hon Paul TSE Wai-chun called for a review of the eligibility criteria for DA which in his view had

led to a situation that some disabled persons suffering certain kinds of disabilities (e.g. total loss of sight) were covered by DA, while others suffering different kinds of disabilities (e.g. loss of leg) were not fully covered.

The Panel met the Administration and deputations on the review of the system for processing applications for DA under the SSA Scheme at its regular meeting on 10 December 2012.

The Panel held a special meeting on 25 February 2013 to discuss with the Administration its response to the views and concerns expressed by members and deputations at the meeting on 10 December 2012 and the progress of the work of the inter-departmental Working Group set up by the Administration to study DA. The Panel passed a motion urging the Administration to complete the work of the Inter-departmental Working Group on Review of the DA and make recommendations within four months, and report to the Legislative Council by this summer, so as to overhaul and improve the eligibility criteria and system for applying for DA.

6. Review of the one-year-continuous-residence requirement under the Comprehensive Social Security Assistance ("CSSA") Scheme and SSA Scheme

At the meeting on 12 July 2010, Mr LEUNG Yiu-chung expressed concern about the High Court ruling on the judicial review of the one-year-continuous-residence requirement under the CSSA Scheme and proposed to follow up the matter as well as the residence requirement for Old Age Allowance ("OAA") applicants.

To be decided

In anticipation of the appeal proceedings, members agreed to revisit the need to discuss the matter in due course.

Pursuant to the Court of Appeal's ruling made in February 2012, the one-year-continuous-residence

Proposed timing for discussion

requirement was removed from the CSSA Scheme. Meanwhile, the Court of First Instance dismissed two cases of judicial review of the OAA one-year-continuous-residence requirement on 14 May and 17 September 2012 respectively, and ruled that the requirement was constitutional.

7. Visiting Pharmacist Scheme

Item proposed by the Administration in the 2011-2012 session.

To be decided

8. Review of rent allowance under the CSSA Scheme

At the joint meeting of the Panel and the Panel on Housing held on 13 April 2012, members expressed concern about the inadequacy of the rent allowance under the CSSA Scheme for street sleepers on CSSA to meet rental expenses of private housing and considered it necessary for the Panel to follow up on the review mechanism for the maximum rate of the rent allowance.

To be decided

9. Guangdong Scheme

At the meeting on 12 March 2012, the Panel was briefed on the Guangdong Scheme for the provision of OAA to Hong Kong elders who chose to move to live in Guangdong. Members were concerned about the implementation timetable and the plan to extend the Scheme to other provinces, e.g. Fujian. The Administration will brief members on the implementation plan of the Guangdong Scheme.

10 June 2013

10. Provision of barrier free access and facilities for persons with disabilities

The Panel and its Subcommittee on Improving Barrier Free Access and Facilities for Persons

To be decided

Proposed timing for discussion

with Disabilities had studied the subject of provision of barrier free access and facilities for persons with disabilities in the last legislative term. The Subcommittee submitted its report (LC Paper No. CB(2)2065/11-12) to the Panel on 29 May 2012 and made a number of recommendations for the Administration's consideration. The Subcommittee also recommended that the Panel should follow up with the Administration on the matter in the next legislative term. The Administration will continue to provide a quarterly report on the progress of the retrofitting programme for upgrading the barrier-free facilities in existing government premises and facilities and the Housing Authority properties to the Panel for information.

11. Progress report on the implementation of the recommendations of the Lump Sum Grant Independent Review Committee

Item proposed by the Administration.

To be decided

12. Pilot scheme on community care service voucher for the elderly

Item proposed by the Administration in the 2012-2013 session.

To be decided

13. Elderly care policy

Item proposed by the Deputy Chairman of the Panel.

To be decided

14. Social enterprise development policy

Item proposed by the Deputy Chairman of the Panel.

To be decided

Proposed timing for discussion

15. Review of the tendering mechanism for elderly services contracts

Item proposed by the Deputy Chairman of the Panel.

To be decided

16. Provision and enhancement of welfare service premises for the elderly

Item proposed by the Deputy Chairman of the Panel.

To be decided

17. Social welfare planning

The Deputy Chairman suggested that the Panel should discuss social welfare planning.

July 2013

The Panel discussed medium and long-term social welfare planning at its regular meeting on 19 February 2013 and special meeting on 26 March 2013. The Panel will discuss with the Administration progress of the subject matter at its regular meeting in July 2013. In this connection, the Chairman said that the discussion might include the subject of Child Development Fund which was discussed at the Panel meeting on 16 April 2013.

18. Work progress of the Family Council

Item proposed by the Deputy Chairman of the Panel.

To be decided

19. Proposal for formation of a subcommittee on issues relating to welfare of people with disabilities

Item proposed by the Panel Chairman.

To be decided

Proposed timing for discussion

20. Promoting Active Ageing

At the Panel meeting on 11 March 2013, the Panel discussed the initiatives relating to the promotion of active ageing and an age-friendly community. The Chairman said that the Panel could consider inviting the Elderly Commission to give views on the implementation of its projects on promoting active ageing.

To be decided

21. Policies on handling problems relating to domestic violence (including sexual violence)

The Panel met the Administration and deputations on the welfare services to support the victims of domestic violence and their families and "Policies on handling problems relating to domestic violence (including sexual violence)" at its meetings on 14 January and 19 February 2013 respectively.

The subject will be followed up by the subcommittee after it is activated

Dr Hon Fernando CHEUNG proposed that a Subcommittee on Strategy and Measures to Tackle Domestic Violence be formed under the Panel. His proposal was accepted by the Panel at its special meeting on 21 January 2013. The Subcommittee is now in the second place on the waiting list.

22. Provision of child care services

In its submission to the Panel (LC Paper No. CB(2)601/12-13(01)), Hong Kong Women Workers' Association requests the Panel to discuss, as soon as possible, improving the provision of child care services.

To be decided

23. Community Investment and Inclusion Fund ("CIIF")

To follow up on the Public Accounts Committee ("PAC")'s recommendation of putting in place effective assessment tools, the Labour and Welfare Bureau ("LWB") had commissioned independent

Proposed deletion by the Administration

consultants to conduct a second evaluation study for CIIF, including the design of a set of social capital outcome indicators and assessment tools for CIIF projects to evaluate the outcome of social capital development.

The findings of the study confirmed that CIIF could effectively enhance capacity building of individuals, and promote cross-generational care, mutual help across different social strata and ethnic harmony, resulting in an overall enhancement of community capacity. LWB had followed up with the CIIF Committee on the recommendations of the independent consultants and devised the way forward and scale of operation for the CIIF.

PAC has recommended that the issue be followed up by the Panel (LC Paper No. CB(2)732/12-13(01)).

The Administration has reported to the Panel the outcome of the second evaluation study of CIIF at its meeting on 10 December 2012. Results of the study have been uploaded onto CIIF's website. The Administration has taken follow-up actions to address all comments of PAC and reflected the latest position in the Government Minute in response to PAC Report No. 59 issued on 22 May 2013. The Administration has advised that the item be removed from the PAC progress report. It also suggests taking this out from the list of outstanding items.

24. Planning and inadequate provision of rehabilitation services for pre-school children

Item proposed by Dr Hon Fernando CHEUNG. He requests the Panel to discuss and receive public views on the item vide his letter dated 16 April 2013 (LC Paper No. CB(2)1005/12-13(01)).

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**Proposed timing for
discussion**

25. Support for street sleepers who are not on CSSA

Item referred by the Public Complaints Office for follow-up by the Panel on Home Affairs ("HA Panel") and the Panel on Welfare Services ("WS Panel") (LC Paper No. CB(2)1165/12-13(01)). The Chairman of HA Panel has suggested that the subject matter be discussed at a WS Panel meeting at which HA Panel members should be invited to attend.

10 June 2013

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