

立法會
Legislative Council

LC Paper No. CB(2)782/15-16
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Subcommittee to Study Issues Relating to Mainland-HKSAR Families

Minutes of the third meeting
held on Wednesday, 23 December 2015, at 10:45 am
in Conference Room 1 of the Legislative Council Complex

- Members present** : Hon IP Kwok-him, GBS, JP (Chairman)
Hon LEE Cheuk-yan
Hon Emily LAU Wai-hing, JP
Hon WONG Kwok-hing, BBS, MH
Dr Hon LAM Tai-fai, SBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon YIU Si-wing, BBS
Dr Hon Kenneth CHAN Ka-lok
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
- Members absent** : Hon LEUNG Yiu-chung
Hon Cyd HO Sau-lan, JP
Hon CHEUNG Kwok-che
Hon LEUNG Kwok-hung
Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Public Officers attending** : Item I
Mr LEE Kam-kwong
Principal Education Officer (New Territories)
Education Bureau

Mr Albert LEUNG Kwok-yan
Senior Education Officer (Placement & Support)
Education Bureau

Miss Linda LEUNG Ka-ying
Principal Assistant Secretary (Health)
Food and Health Bureau

Miss Winnie CHUI Hiu-lo
Principal Assistant Secretary (Security)
Security Bureau

Mr Allan AU Chi-lun
Assistant Secretary (Security)
Security Bureau

Mr CHENG Kwan-yam
Chief Executive Officer
Home Affairs Department

Ms Magdalene CHAN Siu-man
Senior Manager (Operation & Cluster Service)
Hospital Authority

Mr LAW Chun-nam
Assistant Director (Visa & Policies)
Immigration Department

Miss Rita LAU Choi-ha
Chief Social Security Officer
Social Welfare Department

Ms Micy LUI Siu-ying
Chief Social Work Officer (Family & Child Welfare)
Social Welfare Department

Attendance by invitation : Item I

Mission To New Arrivals

Rev LEUNG Yau-tung
Chief Executive

居留權委員會

Father Franco Mella
Member

New Arrival Women League

Mr WONG Kai-hing
Community Organiser

Justice & Peace Commission of The Hong Kong
Catholic Diocese

Ms Jackie HUNG
Project Officer

Christian Action

Ms Carol LEE
Manager, Social Services Department

Society for Community Organization

Miss SZE Lai-shan
Community Organizer

Concern Group on the Split Single Parent Families

Ms Sandy LAU
Representative

Labour Party

Miss WU Sui-shan
Representative

爭取子女居港權家長協會

Mr YIK Kwok-wa
副會長

居留權大學

Ms LAM Fung-ying

陳少枝女士

蔡錐女士

黃碧瑜女士

Young DAB

Mr NGAN Man-yu
Chairman

New People's Party

Mr David NG
Community Development Officer

新移民互助會

Ms HUANG Wen-jie
Community Organiser

準移民關注組

Ms LU Dong-ling
Representative

The Lion Rock Institute

Miss Fiona Whui Lyne POH
Research Assistant

The Coalition for Mainland-Hong Kong Families
Rights

Mr TSANG Koon-wing
Convenor

Mainland-Hong Kong Families Rights Association -
Single Mother Concern Group

Ms ZHANG Liang-ying
Member

Tsuen Wan - Our New Net

Mr CHAN Wai-hung
Organizer

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Miss Connie AU
Council Secretary (2) 3

Miss Meisy KWOK
Legislative Assistant (2) 6

Action

- I. Policies and measures adopted by the Administration regarding the following subjects relating to Mainland-HKSAR families**
- (a) population policy
 - (b) subsidized obstetric services
 - (c) immigration arrangements (including One Way Permit system, overage children and Mainland single mothers)
 - (d) support and social welfare services for new arrivals from the Mainland
 - (e) cross-boundary students

[LC Paper Nos. CB(2)292/15-16(02), CB(2)493/15-16(01), CB(2)493/15-16(02) and CB(2)508/15-16(01)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Action

Admin

2. The Subcommittee requested the Administration to provide information on –

- (a) cases for which One Way Permits were granted to divorced Mainland single mothers; and
- (b) how the Government would follow-up those cases seeking assistance for settlement in Hong Kong owing to special family difficulties.

II. Any other business

3. Members noted that the next meeting was scheduled for Monday, 15 February 2016 at 4:30 pm.

(Post-meeting note: Having checked with the Administration on the availability of its representatives and with the concurrence of the Chairman, the next meeting has been rescheduled to Wednesday, 17 February 2016, at 8:45 am.)

4. There being no other business, the meeting ended at 12:38 pm.

Council Business Division 2
Legislative Council Secretariat
1 February 2016

**Proceedings of the third meeting of the
Subcommittee to Study Issues Relating to Mainland-HKSAR Families
on Wednesday, 23 December 2015, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Policies and measures adopted by the Administration regarding the following subjects relating to Mainland-HKSAR families</i>			
<i>(a) population policy</i>			
<i>(b) subsidized obstetric services</i>			
<i>(c) immigration arrangements (including One Way Permit system, overage children and Mainland single mothers)</i>			
<i>(d) support and social welfare services for new arrivals from the Mainland</i>			
<i>(e) cross-boundary students</i>			
000222-000812	Chairman	Opening remarks	
000813-001137	Mission To New Arrivals	Presentation of views	
001138-001444	居留權委員會	Presentation of views [LC Paper No. CB(2)517/15-16(03)]	
001445-001800	New Arrival Women League	Presentation of views	
001801-002121	Justice & Peace Commission of The Hong Kong Catholic Diocese	Presentation of views	
002122-002428	Christian Action	Presentation of views	
002429-002736	Society for Community Organization	Presentation of views [LC Paper No. CB(2)517/15-16(01)]	
002737-003052	Concern Group on the Split Single Parent Families	Presentation of views [LC Paper Nos. CB(2)517/15-16(01) and (02)]	
003053-003411	Labour Party	Presentation of views [LC Paper No. CB(2)545/15-16(01)]	
003412-003718	爭取子女居港權家長協會	Presentation of views [LC Paper No. CB(2)517/15-16(03)]	
003719-003944	居留權大學	Presentation of views [LC Paper No. CB(2)517/15-16(03)]	
003945-004254	陳少枝女士	Presentation of views	
004255-004647	蔡錐女士	Presentation of views	

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004648-005010	黃碧瑜女士	Presentation of views	
005011-005209	Young DAB	Presentation of views	
005210-005445	New People's Party	Presentation of views	
005446-005757	新移民互助會	Presentation of views	
005758-010114	準移民關注組	Presentation of views [LC Paper Nos. CB(2)507/15-16(01) and CB(2)517/15-16(01)]	
010115-010449	The Coalition for Mainland-Hong Kong Families Rights	Presentation of views [LC Paper No. CB(2)517/15-16(04)]	
010450-010802	Mainland-Hong Kong Families Rights Association - Single Mother Concern Group	Presentation of views [LC Paper No. CB(2)507/15-16(02)]	
010803-011115	Tsuen Wan - Our New Net	Presentation of views	
011116-011302	The Lion Rock Institute	Presentation of views	
011303-011432	Chairman Admin	In response to the Chairman's invitation, the Administration said that they would give a consolidated response to the views and concerns of Subcommittee members and deputations later.	
011433-012000	Mr WONG Kwok-hing Admin	<p>Mr WONG Kwok-hing expressed concern about the lack of a Government policy to assist and prepare prospective migrants from the Mainland to facilitate their work and study upon settlement in Hong Kong. He suggested that induction programmes should be offered to prospective migrants to enable their early integration into the community. He also noted with concern that holders of Two Way Permit ("TWP") were restricted from participating in the volunteer work and activities organized by welfare organizations in Hong Kong.</p> <p>The Administration responded that –</p> <p>(a) welfare services were provided for those in need regardless of their nationality, race and years of residence in Hong Kong. The 65 Integrated Family Service Centres and the two Integrated Service Centres, operated by the Social Welfare Department and</p>	

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		<p>non-governmental organizations, provided a spectrum of preventive, supportive and remedial welfare services to individuals and their family members in need, including Hong Kong residents' family members who were holding TWPs. TWP holders' failure to enroll in activities organized by those Centres was not due to their residence status in Hong Kong. It could be due to reasons such as over-subscription of the activity concerned; and</p> <p>(b) induction programmes were available to new arrivals from the Mainland while their availability to prospective migrants would be subject to individual circumstances.</p>	
012001-012528	Ms Emily LAU Admin	<p>Ms Emily LAU supported the views of The Coalition for Mainland-Hong Kong Families Rights that separate meetings should be arranged for different subjects to facilitate a focused discussion.</p> <p>She also enquired –</p> <p>(a) the estimated number of applications by eligible "overage children" remaining to be processed under the One Way Permit ("OWP") Scheme; and</p> <p>(b) what measures the Government had implemented to facilitate the early reunion of Mainland-HKSAR families.</p> <p>The Administration replied that –</p> <p>(a) the estimated number of eligible "overage children" to be processed under the OWP Scheme was not available from the Government or the Mainland authorities;</p> <p>(b) the Government had relayed to the Mainland authorities time and again the expectations of Mainland-HKSAR families for early family reunion. Both the HKSAR Government and the Mainland authorities had continued to review possible room for expediting the processing of OWP applications by Mainland "overage children". Quoting the next round (phase six) of applications for OWP by Mainland "overage children" as an example, the range of date on which the applicants' natural fathers or mothers obtained their first Hong Kong identity cards was extended to five</p>	

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		<p>years (i.e. on or before 31 December 1986 – on or before 31 December 1991) against three years in the previous phase (i.e. on or before 31 December 1983 – on or before 31 December 1986); and</p> <p>(c) as at the end of October 2015, the HKSAR Government had completed the verification of about 51 000 applications for OWP by Mainland "overage children"; of which, some 47 000 applicants had been issued OWPs with around 41 000 already settled in Hong Kong.</p>	
012529-013035	Mr YIU Si-wing Admin	<p>Mr YIU Si-wing expressed concern about some 7 000 cases of Mainland single mothers mentioned by the Concern Group on the Split Single Parent Families. He commented that, judging from the figures, the problem sounded more prevalent than previously envisaged and had to be addressed with care. He enquired if the Administration –</p> <p>(a) had information on the total number of Mainland single mothers; and</p> <p>(b) would consider liaising with the Mainland authorities to accord priority to OWP applicants with special family circumstances which warranted their earlier arrival.</p> <p>The Administration responded that –</p> <p>(a) it had no information on the number of Mainland single mothers but those with special family difficulties could approach the Government so that assistance could be rendered on a case by case basis; and</p> <p>(b) the Government would reflect individual cases with special family difficulties to the Mainland authorities having regard to the requests of the applicants and circumstances of the cases.</p> <p>Mr YIU clarified that for part (b) of his question, he was referring to all OWP applications and not just cases concerning Mainland single mothers.</p>	
013036-013552	Mr LEE Cheuk-yan Admin	<p>Mr LEE Cheuk-yan asked –</p> <p>(a) if the Mainland authorities would consider accepting applications from all remaining eligible "overage children" in one go and whether the Government had information on</p>	

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		<p>the estimated number of applications by eligible "overage children" remaining to be processed; and</p> <p>(b) whether the Government would consider the granting of OWPs to Mainland single mothers from the perspective of preventing family violence. It was noted that some Mainland women would choose to tolerate their husbands' battering in fear of losing their eligibility for OWPs.</p> <p>The Administration reiterated that they did not have information on the number of "overage children" eligible for OWP applications. They further advised that –</p> <p>(a) the Mainland authorities were prudent in granting discretionary approval to applications for OWP by divorced Mainland single mothers. Consideration must be given to the possible undesirable effects brought by the opening of a channel for those Mainland single mothers; and</p> <p>(b) victims of domestic violence were strongly advised to report to the Government regardless of their residence status in Hong Kong. The Immigration Department ("ImmD") would reflect all pertinent information to the Mainland authorities and it was believed that the Mainland authorities would give due regard to the circumstances in considering their applications for OWP.</p> <p>Mr LEE further asked if the Administration could provide information on past cases for which OWPs were granted to divorced Mainland single mothers. The Administration undertook to provide the information afterwards.</p>	<p>Admin (paragraph 2(a) of the minutes)</p>
013553-014122	<p>Dr Kenneth CHAN Mainland-Hong Kong Families Rights Association - Single Mother Concern Group Admin</p>	<p>At the invitation of Dr Kenneth CHAN, representative of the Mainland-Hong Kong Families Rights Association – Single Mother Concern Group presented their suggested mechanism for vetting and approving OWP applications by Mainland single mothers, details were provided in their written submission [LC Paper No. CB(2)507/15-16 (02)].</p> <p>Dr CHAN requested the Administration to consider the deputation's proposal in order to make the approval mechanism more transparent and systematic.</p>	

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		<p>The Administration responded that currently all information and documents supplied by the applicant would be forwarded to the Mainland authorities together with information compiled by ImmD. ImmD would also assist in conducting further verification work upon the request of the Mainland authorities to facilitate their consideration of the cases concerned.</p>	
014123-014415	Chairman Admin	<p>The Chairman asked the Administration whether it would consider relaxing the restriction on the use of subsidized obstetric services by Mainland women whose spouses were Hong Kong residents.</p> <p>The Administration stressed that as its public healthcare services were heavily subsidized by the Administration, it was necessary to ensure that its public healthcare services including obstetric services could meet local demand. The estimated number of delivery at public hospitals in 2015 was around 41 000, representing 5.4% increase over that of 2014. There remained no spare capacity in public hospitals to provide obstetric services to non-local pregnant women. The Administration had no plan at this stage to alter the existing arrangement.</p> <p>The Chairman opined that the existing policy on the use of subsidized obstetric services by Mainland women whose spouses were Hong Kong residents should be reviewed.</p>	
014416-014611	Ms Emily LAU Admin	<p>Ms Emily LAU shared the Chairman's views with regard to the use of subsidized obstetric services.</p> <p>Ms LAU said that family reunion was conducive to increasing the labour supply in Hong Kong and opined that the Administration should consider the subject from this angle as well. She also requested that representatives from the Labour and Welfare Bureau/Labour Department be invited to attend future meetings at which relevant issues were discussed.</p> <p>The Administration undertook to relay her comment to the relevant Bureau/Department.</p>	
014612-014952	Mr LEE Cheuk-yan Admin	<p>Mr LEE Cheuk-yan was of the view that the Hospital Authority Board as well as the Food and Health Bureau should expediently review the policy on the use of subsidized obstetric</p>	

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		<p>services. He further asked if the Administration had conducted any tracking survey on those "overage children" who had already settled in Hong Kong, for example, whether they had joined the local work force or stayed at home to take care of their family members etc.</p> <p>The Administration responded that the average age of those "overage children" was 42, roughly comparable to that of our local population. However, no survey had been conducted on their socio-economic status in Hong Kong.</p>	
014953-015331	Dr Kenneth CHAN Admin	<p>Dr Kenneth CHAN requested the Administration to explain how it would follow-up those cases seeking assistance for settlement in Hong Kong owing to special family difficulties.</p> <p>The Administration responded that it would reflect to and liaise with the Mainland authorities on such cases. Any new/supplementary information supplied by the applicant would also be forwarded to the Mainland authorities for consideration. For cases which had not been granted with OWPs but one-year multiple exit endorsements for visiting relatives in Hong Kong, follow-up work would be carried out. At the request of Dr CHAN, the Administration undertook to provide more details in writing.</p>	Admin (paragraph 2(b) of the minutes)
<i>Agenda item II – Any other business</i>			
015332-015403	Chairman	<p>Arrangement for next meeting.</p> <p>Closing remarks</p>	