

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1325/17-18

(These minutes have been  
seen by the Administration)

Ref : CB2/PL/WS

**Panel on Welfare Services**

**Minutes of meeting**  
**held on Monday, 12 March 2018, at 10:30 am**  
**in Conference Room 3 of the Legislative Council Complex**

**Members present** : Hon SHIU Ka-chun (Chairman)  
Hon KWONG Chun-yu (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon CHAN Chi-chuen  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon POON Siu-ping, BBS, MH  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
Hon Wilson OR Chong-shing, MH  
Dr Hon Pierre CHAN  
Hon LUK Chung-hung

**Members absent** : Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Dr Hon Helena WONG Pik-wan  
Dr Hon Junius HO Kwan-yiu, JP  
Hon YUNG Hoi-yan

**Members attending** : Dr Hon Elizabeth QUAT, BBS, JP  
Hon CHAN Chun-ying

**Public Officers attending** : Items III, IV & V

Dr LAW Chi-kwong, GBS, JP  
Secretary for Labour and Welfare  
Labour and Welfare Bureau

Item III

Miss Leonia TAI, JP  
Deputy Secretary for Labour and Welfare (Welfare) 1  
Labour and Welfare Bureau

Mr Kenneth CHENG  
Principal Assistant Secretary for Labour and Welfare  
(Welfare) 1  
Labour and Welfare Bureau

Ms Karyn CHAN Ching-yuen  
Principal Assistant Secretary (Civic Affairs) 2  
Home Affairs Bureau

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

Item IV

Ms Angelina KWAN Yuen-yee  
Head, Policy and Project Co-ordination Unit  
Chief Secretary for Administration's Private Office

Ms Reddy NG Wai-lan, JP  
Principal Economist (5)  
Economic Analysis and Business Facilitation Unit

Ms Iris LAW Chui-fung  
Assistant Commissioner (Social)  
Census and Statistics Department

Item V

Miss Stella CHANG  
Principal Assistant Secretary for Labour and Welfare  
(Welfare) 3  
Labour and Welfare Bureau

Ms PANG Kit-ling  
Assistant Director (Elderly)  
Social Welfare Department

Mr Kenneth WOO  
Chief Executive Officer (Subventions/Planning)  
Social Welfare Department

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

**Staff in attendance** : Ms Catherina YU  
Senior Council Secretary (2) 4

Miss Alison HUI  
Legislative Assistant (2) 4

---

Action

**I. Information paper(s) issued since the last meeting**  
[LC Paper Nos. CB(2)885/17-18(01) and CB(2)988/17-18(01)]

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

- (a) a joint letter dated 12 February 2018 from Mr Alvin YEUNG and Mr Jeremy TAM Man-ho requesting the Panel to hold a joint meeting with the Panel on Transport to review support measures for traffic accident victims (LC Paper No. CB(2)855/17-18(01)); and
- (b) the Administration's letter and a press release on the Fujian Scheme (LC Paper No. CB(2)988/17-18(01)).

## **II. Items for discussion at the next meeting**

[LC Paper Nos. CB(2)981/17-18(01) to (02)]

2. Members agreed to discuss at the next meeting scheduled for 9 April 2018 the following items:

- (a) The work of the Women's Commission and the Equal Opportunities Commission in the implementation of Convention on the Elimination of All Forms of Discrimination Against Women in the Hong Kong Special Administrative Region;
- (b) Providing extra allowance to recipients of social security, Low-income Working Family Allowance and Work Incentive Transport Subsidy; and one-off grant to students in need of support learning;
- (c) Policy to deal with domestic violence; and
- (d) Welfare support for the homeless (particularly those staying overnight in 24-hour fast food restaurants).

*(Post-meeting note: As advised by the Chairman, item (a) above would not be discussed at the Panel meeting on 9 April 2018. The timing for discussion on this item would be decided later.)*

3. Given that the Administration had provided a paper regarding its preparation to launch the Fujian Scheme and a subcommittee to follow up issues relating to the Unified Screening Mechanism for Non-refoulement Claims had commenced its work, the Chairman suggested that "Implementation arrangements for the Fujian Scheme" and "Issues relating to welfare of refugees, torture claimants and asylum seekers and proposed legislative amendments to the unified screening mechanism for non-refoulement claimants" should be removed from the Panel's list of outstanding items for discussion. Members agreed.

## **III. Follow-up on the Law Reform Commission Report on Child Custody and Access and related support measures**

[LC Paper Nos. CB(2)981/17-18(03) to (04)]

4. At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the way forward of the proposed legislation to follow up the recommendations of the Law Reform Commission Report

on Child Custody and Access ("the proposed legislation") and related support measures.

Protecting children's rights in judiciary procedures

5. Noting the Administration's proposals of not introducing the proposed legislation to the Legislative Council ("LegCo") at this stage and of strengthening co-parenting support services for divorced families, Dr Fernando CHEUNG said that many community groups which were concerned about domestic violence welcomed the proposals, as they worried that the introduction of the proposed legislation would cause more conflicts and litigation between divorced parents. To his understanding, the Hong Kong Bar Association ("HKBA") and the Law Society of Hong Kong ("the Law Society") considered that the existing child custody and access arrangements under the family law should be replaced by a "Children's Bill" which should premise on the best interests of children of divorced families. HKBA and the Law Society took the view that a minor should have legal and independent representation in the court and should be entitled to legal aid. There should be express provisions in the "Children's Bill" that children should be heard in the court. Although the proposed legislation would not be introduced to LegCo for the time being, he was of the view that these principles of safeguarding children's rights should be adopted. In this connection, he asked whether the Administration would discuss with the Judiciary how these principles should be implemented in the existing judiciary procedures involving divorced families (e.g. by including these principles in Practice Directions) for the well-being of the children.

6. SLW responded that the Administration shared the view of the legal profession that the proposed legislation should be introduced at an appropriate time. The Administration considered it important to stipulate clearly in the proposed legislation the co-parenting responsibility and the children-focused spirit. Both the Administration and the legal profession did not think that the implementation of the proposed legislation would bring about more confrontations between divorced parents. That said, the Administration hoped to ease the doubts by promoting the concept of parental responsibility through public education and publicity activities, explaining how cases involving child custody and access would be handled by the court under the Parental Responsibility Model, and strengthening support services for divorced families. As such, time should be given to society to understand that the proposed legislation was for the good of children. As regards adopting the principle of safeguarding children's rights in judiciary procedures, he said that protecting the best

interests of children was the paramount principle of the court in deciding custody arrangements for children, although some divorced parents might not be satisfied with the court's judgments.

Way forward for the proposed legislation

7. Mr POON Siu-ping enquired when the Administration would gauge stakeholders' views again on the proposed legislation and the steps the Administration would take if the introduction of the proposed legislation was still not supported by the majority of the stakeholders after the implementation of the enhanced support measures for divorced families. SLW responded that subject to the implementation of the enhanced support measures and the stakeholders' responses to these measures, the proposed legislation might be introduced to LegCo in 2020 the earliest if there were no major changes to the content of the proposed legislation.

Support services for divorced families

8. Mr POON Siu-ping enquired about the timetable for conducting the evaluation of the Pilot Project on Children Contact Service ("Pilot Project") and releasing the evaluation results. SLW responded that the Social Welfare Department ("SWD") was evaluating the effectiveness of the Pilot Project. Having regard to the views collected during the public consultation on the proposed legislation, it was announced in the 2018-2019 Budget that five new specialized co-parenting support centres ("support centres"), to be operated by the non-governmental organizations ("NGOs"), would be set up in 2018-2019. Moreover, additional manpower would be provided for SWD for strengthening services for separated/divorced/divorcing families. The Administration would evaluate the effectiveness of these enhanced supported measures in 2020 the earliest.

9. In response to the enquiry of Mr POON Siu-ping and Dr Elizabeth QUAT about the timing of setting up the support centres, SLW said that the Administration would arrange to set up these centres after the passage of the Appropriation Bill 2018 ("the Appropriation Bill"). It was hoped that these centres could commence service in the 2018-2019 financial year.

10. In response to Mr POON Siu-ping's enquiry about the deployment of the additional manpower for the enhanced support measures, SLW said that subject to the passage of the Appropriation Bill, it was estimated that additional manpower would be provided for the Family and Child Protective Services Units ("FCPSUs") and the Integrated Family Service

Centres ("IFSCs") of SWD in end-2018 the earliest.

11. Mr KWOK Wai-keung opined that in addition to providing visitation services, the support centres should provide counselling services having regard to the situation of the divorced parents concerned. SLW responded that besides the support centres, specialized services for separated/divorced/divorcing families should be provided by FCPSUs particularly for parents having custody disputes and emotional problems. IFSCs also provided services for separated/divorced parents.

12. In response to Dr Elizabeth QUAT's enquiry about whether divorced families would be provided with legal support and mediation services, Assistant Director (Family and Child Welfare) ("AD(Family & Child Welfare)") said that as mediation services should be provided by individuals who had received relevant professional mediation training, and it was not a requirement for the social workers of SWD or NGOs to have such professional qualification, it would be difficult to include such services in the support centres and for SWD to monitor the services. Principal Assistant Secretary (Civic Affairs)2 ("PAS(CA)2") said that while Home Affairs Bureau ("HAB") did not oversee mediation services, the Family Council had conducted a study on family mediation services. The findings of the study had been passed to relevant government bureaux/departments for their consideration and follow-up actions. As regards legal support, SLW said that SWD would refer divorced parents who required legal aid services to the Legal Aid Department ("LAD") as appropriate.

13. Dr Elizabeth QUAT opined that support services for divorced families were deficient if these families were not provided with mediation services. Given that many divorced families required mediation services, she called on the Administration to provide such services and study how such services should be provided. SLW responded that the scope of duties of the social workers of SWD or NGOs did not cover mediation. FCPSUs did not play the role of mediators. Case work was not mediation either. Nevertheless, some social workers of NGO-operated IFSCs were qualified mediators and would provide mediation services if necessary. The Administration could explore how referral of mediation services could be covered in the provision of social welfare services to divorced families.

14. Dr Fernando CHEUNG said that in the light of the diversified service needs of divorced families, the mode of providing services for these families should be examined and the service needs of children from these families should be dealt with independently. Collaboration among

IFSCs, FCPSUs and the support centres in case handling was also required. SLW responded that the Administration would discuss with stakeholders the mode of operation of the support centres, and the interface among IFSCs, FCPSUs and support centres in providing services for divorced families. Members' views in this regard were welcomed.

#### Improving the system of maintenance

15. Mr KWOK Wai-keung said that as many divorced parents who had disputes over maintenance were unwilling to meet and discuss their children's matters, the Administration should put more efforts in improving the system of maintenance. PAS(CA)2 responded that HAB would commission a study through the Family Council to examine various divorce-related issues including matters related to maintenance ("the Study"). HAB invited quotations from relevant tertiary institutions in late 2017 and were reviewing the proposals received. The Study was expected to commence in the first half of 2018 and be completed in about 18 months. While the Study was underway, HAB would continue to review and implement suitable enhancement measures to facilitate the enforcement of maintenance orders. Taking into account the views of the welfare sector and the legal profession, HAB was conducting a review of the Director of Legal Aid ("DLA")'s First Charge, which covered the amount of monthly maintenance to be exempted from the DLA's First Charge. HAB planned to brief the Panel on Administration of Justice and Legal Services in the second quarter of 2018 on the outcome of the review and the proposed way forward. To speed up the processing of legal aid applications, LAD and SWD were exploring how the existing procedures of referring recipients of Comprehensive Social Security Assistance ("CSSA") to LAD for recovery of maintenance could be streamlined. Seminars would be conducted by LAD for SWD's frontline staff to help them understand more about the processing of legal aid applications in respect of maintenance recovery.

16. PAS(CA)2 further said that the Hong Kong Council of Social Service ("HKCSS") and Hong Kong Baptist University had jointly conducted a study on divorced single-parent families in poverty. One of the recommendations made in the study report was enhancement of public education on matters relating to maintenance. In this connection, HAB had launched the Community Involvement Project on Maintenance since 2000 and had sponsored over 70 community participation projects in relation to maintenance so far. HAB would continue with the publicity and public education work.



17. Dr Elizabeth QUAT opined that the Administration should consider setting up a maintenance board to help divorced parents, single-mothers in particular, collect maintenance payment. SLW responded that while the setting up of maintenance board was under the purview of HAB, the Labour and Welfare Bureau would keep in view the development and collaborate with HAB if necessary. Recognizing that the provision of support services was important for the development of children from divorced families, particularly those from families with a history of domestic violence or disputes over maintenance payment, the 2018-2019 Budget had proposed additional annual recurrent provision for strengthening support for divorced families.

18. In response to Dr Elizabeth QUAT's enquiry about whether deputations would be invited to give views on maintenance-related issues at a Panel meeting, the Chairman said that the Panel held a special meeting on 4 October 2017 to receive deputations' views on the proposed legislation and relevant support measures which included those taken to address maintenance-related issues. As the issues in relation to setting up of a maintenance board fell within the purview of the Panel on Home Affairs ("HA Panel"), it would be more suitable for the HA Panel to receive deputations' views thereon.

#### Provision of adequate resources for co-parenting support centres

19. The Chairman said that to his understanding, the annual operating cost of the parent-child contact centre operated by the Hong Kong Family Welfare Society ("HKFWS") under the Pilot Project ("PCCC") was around \$4 million. He wondered whether the Administration would make reference to the operating cost of PCCC in allocating the additional annual recurrent provision of around \$56 million for implementing the enhanced support measures for divorced families ("the additional funds"). In this connection, he enquired about the distribution of the additional funds for setting up the support centres and strengthening the manpower of IFSCs and FCPSUs. He also asked about the details of the posts of the additional supervisory manpower to be provided for IFSCs operated by SWD, how parents' capability to cope with separation/divorce could be enhanced with the additional manpower and the collaboration among SWD-operated IFSCs, NGO-operated IFSCs, FCPSUs and the support centres in future.

20. AD(Family & Child Welfare) responded that the Administration would first discuss with stakeholders and the NGOs concerned the mode of cooperation after the passage of the Appropriation Bill, and then consider the distribution of the additional funds. Having considered the

views that for supporting divorced families, it was difficult for PCCC to provide visitation service only, the support centres would provide co-parenting services apart from visitation service. As regards collaboration among IFSCs, FCPSUs and the support centres, the Administration planned to discuss the arrangements in detail with HKCSS in April 2018. SLW supplemented that all FCPSUs were currently operated by SWD and the ratio of SWD-operated IFSCs to NGO-operated IFSCs was 2:1. The support centres would be operated by NGOs. The allocation of the additional funds to SWD and the NGOs concerned would generally take into account the aforesaid service distribution. Dr Fernando CHEUNG said that HKFWS advocated that one-stop support service centres should be set up. However, the resources provided by SWD were insufficient for PCCC to provide one-stop services for divorced families. Expressing concern that the support centres would not be provided with sufficient resources, he requested the Administration to provide information on the distribution of the additional funds.

Admin

21. The Chairman and Mr KWOK Wai-keung opined that it would be difficult for NGOs to operate the support centres if they had to pay expensive rent for the centres. Mr KWOK Wai-keung asked whether the Administration would consider setting up the support centres in government premises. AD(Family & Child Welfare) responded that drawing on the experience of the Pilot Project, the Administration's preliminary thinking was to request NGOs to propose the premises for setting up the support centres. The Administration would consider providing rent subsidy for NGOs operating these centres.

#### Adopting safety design for co-parenting support centres

22. Dr Fernando CHEUNG said that since violence cases had happened in parent-child contact centres both in Hong Kong and some overseas places, the Administration should ensure the safety of service users of the support centres by providing adequate resources for NGOs to set up support centres with safety design (e.g. more than one entrance/exit should be provided, there should be several waiting rooms to provide a buffer zone, etc.). The Chairman said that sufficient funds for the fitting-out works of the support centres should be provided for the NGOs concerned to take forward the safety design. He said that according to the social work sector, the size of a support centre should be around 4 000 square feet. SLW responded that the Administration appreciated the importance of the safety of service users of support centres and would endeavor to set up the support centres in suitable premises. However, it was difficult in finding suitable premises for providing certain welfare services.

Dr Fernando CHEUNG said that given that some divorced parents were in poor relationship, violence cases might happen when they met in support centres. He hoped that the Administration would not take the safety issues of support centres lightly.

Admin 23. In response to Dr Elizabeth QUAT's enquiry about the basis for deciding the locations of the support centres, SLW said that safety was one of the major considerations. Other consideration factors included whether the design and environment of the premises was suitable for providing services for divorced families. Regarding Dr Elizabeth QUAT's enquiry about the target number of service users of support centres and FCPSUs in a year, AD(Family & Child Welfare) responded that PCCC, which provided services for the entire territory, was expected to handle 135 cases a year and 100 cases had been handled as at 28 February 2018. The Administration would discuss with the NGOs concerned the service capacity of the support centres. At Dr Elizabeth QUAT's request, AD(Family & Child Welfare) undertook to provide information on the total target number of service users of the support centres and FCPSUs in a year.

#### **IV. Review of Poverty Line**

[LC Paper Nos. CB(2)981/17-18(05) to (06)]

24. At the invitation of the Chairman, SLW briefed members on the analytical framework of the poverty line, its effectiveness and application, as well as the analysis of the poverty situation in 2016.

##### Basis for measuring poverty

25. Mr POON Siu-ping considered that the implementation of the Government's poverty alleviation measures had not improved the poverty situation significantly. He suggested that the Administration should consider setting a target size of the poor population and strive to meet the target. He also asked about the actions the Administration would take to deal with the impact of uneven income distribution on the poverty line thresholds. Dr Elizabeth QUAT said that given the limitation that the poverty line measured only household income without considering assets, the poverty rate of the elderly would continue to increase statistically with the growth in the elderly population. She enquired about how the Administration would tackle this problem.

26. SLW responded that the size of the poor population in 2016 was 1 352 500 persons before policy intervention (i.e. before taxation and social welfare transfer) and 995 800 persons after recurrent cash policy intervention. As the poverty line only took into account income but not assets and most elderly persons were retirees with no stable income, some "asset-rich, income-poor" elderly persons might be statistically defined as poor. Being constrained by this methodology, there would be an upward pressure on the poverty figures before policy intervention amid an ageing population. As such, an important strategy was to convert the assets of these elderly persons into steady income. To this end, both the Reverse Mortgage Programme launched by the Hong Kong Mortgage Corporation Limited ("HKMCL") and the Life Annuity Scheme to be launched by HKMCL served such a purpose, as participants of the Programme and the Scheme would be provided with steady monthly payouts. To encourage the development of the deferred annuity market, thereby offering more investment options to people in making financial planning for retirement, it was announced in the 2018-2019 Budget that tax concessions would be provided for eligible deferred annuity products in the market that met the relevant guidelines to be issued by the Insurance Authority. The Administration would keep in view the development of these programmes/products and their impacts on future poverty figures. Coupled with other poverty alleviation measures such as enhancements to the Low-income Working Family Allowance ("LIFA") Scheme (to be renamed as the "Working Family Allowance ("WFA") Scheme" on 1 April 2018) and the introduction of the Higher Old Age Living Allowance ("Higher OALA") in June 2018, the Administration hoped that the poverty statistics might improve.

#### Setting other poverty lines

27. Mr LUK Chung-hung said that compared with 2015, the size of the poor population in 2016 went upwards by 24 400 persons after recurrent cash policy intervention. In his view, the Administration should at least reduce the size of the poor population even though the Government's policy intervention could not eliminate poverty under the concept of "relative poverty". The Administration should have the determination to reduce the size of the poor population and formulate concrete policies to improve the poverty situation. He said that many families having only one or two breadwinners would be below the poverty line if the breadwinners were paid statutory minimum wage ("SMW"). This reflected that the current SMW rate was a lagged rate. The Administration should therefore review the SMW rate. Apart from the current poverty line, the Administration should consider setting another poverty line based

on the concept of "absolute poverty" or drawing up a subsistence living protection line corresponding to an income level that maintained subsistence living. Given that investment income and capital gains might account for a large portion of the income of the middle-class or the high income group, such income and gains should be taken into account in measuring poverty so as to more truly reflect the poverty situation. To reduce the poverty rate, employment support policies should be formulated to assist family carers in joining the workforce.

28. SLW responded that the international poverty line of US\$1.25 per day (in 2005 prices) and the Mainland's national poverty line of RMB2,300 per capita annual income (in 2010 prices) were too low and did not have much reference value for Hong Kong. Hong Kong was a developed economy; adopting the concept of "relative poverty" in setting the poverty line would be more appropriate. There was a view that a basket of goods should be used to set the subsistence level but it was also a relative concept as it depended on how society defined basic needs. Concerning whether the poverty situation would be analyzed from the expenditure side, the Census and Statistics Department ("C&SD") conducted the Household Expenditure Survey every five years, and the data were also used for relevant poverty analysis from expenditure angle. Such analysis provided useful reference for understanding the poverty situation. Statistics for analyzing the 2016 poverty situation were mainly sourced from the General Household Survey of C&SD which collected, inter alia, information on all income (including investment income). Given that investment income varied depending on profits earned by the investment products and such income tended to be understated by survey respondents, it was difficult to obtain accurate information on such income. In the light of the time lag of the data collected, the poverty situation report published in the current year could only provide poverty statistics of the previous year. As such, the effectiveness of the Reverse Mortgage Programme, the Life Annuity Scheme and the Higher OALA would be reflected in subsequent poverty situation analyses. As regards SMW, its rates of increase in the past were generally higher than that of inflation and there was an increase of around 5% to 7% in the earnings of employees in the lowest 30% income group in the past few years.

29. Mr LEUNG Yiu-chung said that the objective of the poverty line should be reflecting the poverty situation for the Administration to implement measures to improve the situation. Taking the view that the poverty line did not serve the objective, he called on the Administration to review the poverty line and set a target size of the poor population. Since the poverty line took household income as the sole indicator for measuring

poverty without considering household expenses, an indicator for living quality level should also be set. SLW responded that the key functions of the poverty line were to quantify the poverty situation, guide policy directions, and quantitatively assess policy effectiveness. Many welfare assistance schemes were not only targeted at those below but also above the poverty line, and their eligible income thresholds for such assistance were generally more lenient than the poverty line thresholds. Setting a target for poverty alleviation would direct the Administration's resources to focus on those below the poverty line which was set at 50% of the median monthly household income ("MMHI") before government policy intervention, rendering some in need of such welfare assistance no longer eligible. This might result in lower poverty statistics but it had never been the Administration's objective. According to the 2016 statistics, around 337 000 elderly persons were below the poverty line after policy intervention and, only around 42 000 of them (excluding those on CSSA) had indicated that they had financial needs, and around 57% of them received OALA. All these data helped the Administration to review and enhance the relevant measures.

30. Dr KWOK Ka-ki said that given that the poverty statistics did not reflect the latest situation, the Administration should implement measures to help the needy between two rounds of poverty analysis. Many grass-root families, who were not living in public rental housing nor on CSSA, were paying expensive rent which might account for about 40% to 50% of their income. These families were in financial hardship although their incomes were higher than the poverty line thresholds. The Administration should consider setting a poverty line which took account of the rental expenses of these households and providing them with a basic living allowance.

31. SLW responded that about half of the elderly population was covered by CSSA and OALA. CSSA provided a safety net to meet the basic needs of those who were unable to support themselves financially. Different standard rates were applicable to recipients depending on their household sizes and personal conditions (such as age and health). In order to further relieve the rental burden of the CSSA households living in rented private housing, the Community Care Fund relaunched the "Subsidy for CSSA Recipients Living in Rented Private Housing" in November 2017 for two years, and adjusted the arrangements so that the actual rent paid by eligible CSSA households was taken into account in calculating the amount of subsidy. The monthly subsidy would be either 50% of the portion of the rental amount exceeding the applicable maximum rent allowance ("MRA") under the CSSA Scheme or 15% of

the applicable MRA, whichever was the less. The Administration would review how the subsidy might serve as the basis for a possible model for regularizing the programme in future. Dr Fernando CHEUNG said that the Administration had set a standard in 1996 that the rent allowance should cover the actual rent paid by 90% of CSSA households but such a standard was subsequently removed after the Administration's review of the CSSA Scheme in 1996. He took the view that the rental burden of many CSSA households would be greatly relieved if the Administration reinstated such a standard.

32. Dr Fernando CHEUNG further said that according to the Administration's analysis of the poverty situation in 2016, one-fifth of the population was poor. The situation was alarming and it was also unacceptable that the size of the poor population and the poverty rate in 2016 went up both before and after policy intervention when compared with 2015. It was an indication that LIFA and OALA were ineffective in improving the poverty situation and policy intervention had failed to alleviate poverty. Expressing concern about the rise in the poverty rate even after the implementation of various measures, Dr KWOK Ka-ki urged the Administration to address the problem.

33. SLW responded that the implementation of LIFA and OALA had reduced the poverty rate by around 0.3 and 1.5 percentage points respectively in 2016, although the improvements to the poverty rates were below the Administration's expectation. The Administration therefore introduced enhancements to LIFA and the Higher OALA with a view to further reducing the poverty rate. As explained earlier, the effectiveness of these initiatives could not be reflected statistically in the short-term.

34. The Deputy Chairman said that as the number of poor elderly persons had increased by some 29 000 persons and the size of the poor population in 2016 had increased after policy intervention, the Administration should admit that its poverty alleviation measures were ineffective. Given that many people with income just above the poverty line were unable to make ends meet, the poverty line was unable to reflect the real life situation. The Administration should take steps to help these people even though they were not classified as poor people in accordance with the poverty line.

35. SLW responded that the Administration's poverty analysis had a particular focus on the poverty situation of the elderly persons and the working poor, so that additional support could be provided for them. Having reviewed the effectiveness of LIFA and OALA, the

Administration would implement the WFA Scheme on 1 April 2018 and the Higher OALA in June 2018 to strengthen the support for working families and elderly persons with financial needs. It was hoped that the WFA Scheme would benefit, on average, about 100 000 working families per year (vis-à-vis around 30 000 beneficiaries for the LIFA Scheme). It was also estimated that around 400 000 elderly persons would benefit from the Higher OALA.

36. SLW further said that the poverty line in 2016 for three-person households was \$15,000 (versus \$9,900 for the same household size in 2009) and that for six-person-and-above households was \$20,000 (versus \$13,000 for the same household size in 2009). The growth in employment earnings had resulted in the increase in the poverty line thresholds. As such, people with no income, particularly retired elderly persons, had a higher risk of falling below the poverty line. The increase in the size of the poor population was attributable not only to the growth of elderly population, but also to the rate of increase in the poverty line thresholds which was generally higher than inflation. The Deputy Chairman said that the poverty line was impractical and called on the Administration to consider setting a subsistence living protection line.

37. Taking the view that the poverty line thresholds were too stringent, the Chairman wondered whether the Administration sought to improve these thresholds in considering poverty alleviating measures. Pointing out that the poverty line had not been reviewed comprehensively since it was set in September 2013, he called on the Administration to review the poverty line. He suggested that the poverty line should be set at a certain percentage of household expenses by household size and households with expenses below the poverty line should be classified as poor. A subsistence living protection line should also be drawn up. He said that the Commission on Poverty Summit 2018 to be held on 24 March 2018 would be attended by representatives from various sectors but not poor people. Some poor people would be invited to give views on poverty alleviation in the poverty summit on 25 March 2018 organized by some community groups. He hoped that the Administration considered it important to engage the poor on poverty-related matters.

38. Dr Elizabeth QUAT opined that the Administration should improve the presentation of the poverty situation analysis by providing more specific figures to avoid the impression that the poverty situation in Hong Kong was severe. SLW responded that information covered in the poverty situation analysis was comprehensive, which included poverty situations before and after policy intervention, and the changes brought



about by policy intervention. The Administration had provided extensive figures in the poverty situation reports. It would not be helpful if members and the general public only focused on the poverty figures before policy intervention and criticized the Administration of not making any efforts. He hoped that members and the general public would read the poverty analysis in a comprehensive and objective manner and give views on how the Administration could do better to alleviate poverty.

#### Poverty situation report of persons with disabilities

39. Dr Fernando CHEUNG said that given that the last report on the poverty situation of persons with disabilities was published in 2014, he had written to the Chief Secretary for Administration requesting the Administration to prepare an updated report on the poverty situation of persons with disabilities. However, the Administration had replied that the relevant analysis would only be conducted in 2020. He wondered why the Administration needed to wait for several years to prepare the report. Assistant Commissioner for Census and Statistics (Social) responded that in the light of the sensitivity of data collection involving persons with disabilities, particularly persons with intellectual disabilities, mental illness or emotional problems, additional enumerators were required and sufficient training should be provided for them to conduct the dedicated survey on persons with disabilities. As it would take a considerably long time to plan for the survey, C&SD's latest plan was to conduct the survey in around 2019 to 2020.

#### Reverse Mortgage Programme and Life Annuity Scheme of the Hong Kong Mortgage Corporation Limited

40. Dr KWOK Ka-ki said that since many young people could not afford to purchase a property, many elderly persons would rather keep their properties for their children than take out reverse mortgage loan. He therefore took the view that the Reverse Mortgage Programme could not help improve the poverty situation of the elderly persons. SLW responded that the Reverse Mortgage Programme and the Life Annuity Scheme provided elderly persons with an option of making financial arrangements for their retirement and the receptiveness of the concept of reverse mortgage had increased. The stable cash income provided under the Programme and the Scheme would enable elderly persons to better plan for retirement.

41. Taking the view that the Programme and the Scheme would enable elderly persons to improve their quality of life, Dr Elizabeth QUAT

suggested that the Administration should step up the promotion of the Programme and provide more quota under the Scheme. SLW responded that televised Announcement in the Public Interest had been launched to promote the Programme and the Scheme. Information on the Scheme would be provided for elderly persons through district elderly community centres and neighbourhood elderly community centres nearer its implementation to enable elderly persons to understand more about the Scheme. According to HKMCL, the amount offered for subscription of the Scheme would be subject to a quota, tentatively up to \$10 billion for the first batch and the quota might be increased subject to the response to the Scheme.

**V. Setting up two new contract residential care homes for the elderly and two new day care centres for the elderly at the land sale site at Site 1F1 of Kai Tak Development, Kowloon**  
[LC Paper No. CB(2)981/17-18(07)]

42. At the invitation of the Chairman, SLW briefed members on the Administration's proposal to construct two contract residential care homes for the elderly ("contract RCHEs") and two day care centres for the elderly ("DEs") at Site 1F1 of Kai Tak Development, Kowloon ("the subject site"), with the construction cost to be met by the Lotteries Fund ("LF"). He said that as announced in the 2018-2019 Budget, funds would be allocated to strengthen elderly services including providing more residential care service places ("RCS") for the elderly.

Service commencement time of contract residential care homes for the elderly

43. Noting that the contract RCHEs were expected to commence operation in 2024 and there were 38 222 elderly persons waiting for subsidized RCS places, Mr POON Siu-ping asked whether the Administration could shorten the service commencement lead time for the contract RCHEs. SLW responded that to expedite the delivery of RCS places, the developer concerned was required under the land sale conditions to construct the contract RCHEs in tandem with its own buildings. When compared with the construction lead time of the RCHEs on government land which ranged from eight to 10 odd years, the construction lead time for the contract RCHEs had been shortened.

44. In response to Mr POON Siu-ping's enquiry about when the new RCHEs, contract RCHEs with day care units for the elderly and DEs

Admin listed on Annex 2 to the Administration's paper (LC Paper No. CB(2)981/17-18(07)) would commence service, Assistant Director (Elderly) ("AD(Elderly)") said that these RCHEs/DEs would be completed at different time starting from the financial year of 2017-2018. At the request of the Chairman and Mr POON Siu-ping, AD(Elderly) undertook to provide on the list the estimated year of service commencement of each of these RCHEs/DEs.

Provision of welfare facilities in land development projects and land sale projects

Admin 45. Dr Fernando CHEUNG said that requiring developers to construct welfare facilities according to the specifications drawn up by the Government should be a standing land sale condition rather than an ad hoc arrangement. Taking the view that the Government should implement such a requirement systematically, he requested the Administration to provide a paper on the policies regarding the planning for provision of welfare facilities in land development projects and land sale projects for private developers.

46. Dr Fernando CHEUNG further said that RCHEs and DEs provided under private development projects were often set up at inconspicuous locations. The elevators of some of these facilities were located in shopping centres and were also used for goods delivery. He was concerned that similar approach would be adopted for the contract RCHEs in terms of their locations and designs. He also said that one car park was insufficient for the contract RCHEs which had a total of 400 places. Given that the construction cost of the contract RCHEs would be met by LF, the Administration should play a leading role in determining their locations and designs.

47. SLW responded that a multi-pronged approach was adopted to increase the supply of RCS places for the elderly and the Administration was working on reinstating the population-based planning ratio for various types of elderly services in the Hong Kong Planning Standards and Guidelines. This would enable forward planning in reserving sites and premises to meet the projected demand for elderly services. SWD would give views on the locations and designs of RCHEs to developers. Since ambulance services were frequently used by RCHE residents, some developers would try to minimize the disturbance caused by the noise of ambulances to local residents in considering the locations of RCHEs.

48. The Chairman said that he welcomed the inclusion of welfare facilities in land sale conditions as disputes over the provision of such facilities could be avoided if potential buyers of the private properties under the same project knew in advance of such provision. It would also reduce the risk of discrimination against users of these facilities. Given that some RCHEs in private development projects were very difficult to locate, this would give an impression that the developers intended to marginalize welfare facilities. He hoped that the Administration would impress upon developers to set up welfare facilities in better locations.

#### Provision of home-like residential care homes for the elderly

49. Dr Fernando CHEUNG further said that while larger RCHEs would provide more RCS places, they could not provide elderly persons with a homely environment. Although he had repeatedly requested the Administration to build small RCHEs, the scale of the contract RCHEs was still large. Furthermore, notwithstanding that members had urged the Administration to increase the ratio of subsidized to non-subsidized places ("the ratio") so that more places could be allocated to elderly persons who could not afford non-subsidized places, the ratio for the contract RCHEs remained at 6:4. He called on the Administration to adopt homely design for these contract RCHEs and improve the ratio in RCHEs.

50. SLW responded that given the large area of the subject site, the Administration hoped to optimize the site by providing more RCS places for the elderly. Due to operational efficiency, it was difficult for the design of large RCHEs to foster a homely environment. According to results of some overseas studies, home-like RCHEs had their merits as they enhanced the satisfaction levels of elderly persons and their carers. Although the operating costs of home-like RCHEs would be higher, the Administration would study the provision of such RCHEs. One of the directions for the future design of RCHEs might be setting up several smaller and home-like RCHEs in a large RCHE. Given that provision of home-like RCHEs involved changes in the design, staff establishment, schedule of accommodation, etc. and such process could be lengthy, it would take considerable time to take forward the initiative.

51. In response to the Chairman's invitation of views, members present supported the Administration's proposal to construct two contract RCHEs and two DEs at the subject site.

**VI. Any other business**

Special meeting on 19 March 2018

52. The Chairman reminded members that a special meeting would be held on 19 March 2018 at 9:30 am to receive public views on review of the CSSA Scheme.

Visit to non-governmental organizations serving On Tat Estate and On Tai Estate

53. The Chairman suggested that a visit should be conducted to NGOs serving On Tat Estate and On Tai Estate to better understand their services to residents of new public rental housing estates ("PRH") before the Panel's discussion on "Planning of social welfare services in new PRH and deprived communities" at a future meeting. Members agreed.

54. There being no other business, the meeting ended at 12:52 pm.

Council Business Division 2  
Legislative Council Secretariat  
2 May 2018