

立法會
Legislative Council

LC Paper No. CB(2)1545/18-19
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of special meeting
held on Monday, 28 January 2019, at 10:45 am
in Conference Room 3 of the Legislative Council Complex

Members present : Hon KWONG Chun-yu (Chairman)
Hon SHIU Ka-chun (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Michael TIEN Puk-sun, BBS, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
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, JP
Dr Hon CHENG Chung-tai

Member absent : Hon YUNG Hoi-yan

Members attending : Hon Charles Peter MOK, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon Elizabeth QUAT, BBS, JP
Hon HO Kai-ming
Hon Holden CHOW Ho-ding

Public Officers attending : Dr LAW Chi-kwong, GBS, JP
Secretary for Labour and Welfare
Labour and Welfare Bureau

Mr Johann WONG, JP
Deputy Secretary for Labour and Welfare (Welfare) 2
Labour and Welfare Bureau

Ms Michelle LAM
Assistant Director (Social Security)
Social Welfare Department

Mr Charles HUI, JP
Assistant Commissioner (Employment Services)
Labour Department

Clerk in attendance : Ms Wendy JAN
Chief Council Secretary (2) 4

Staff in attendance : Mr Roger CHUNG
Council Secretary (2) 4

Miss Alison HUI
Legislative Assistant (2) 4

Action

I. Raising the eligible age for elderly Comprehensive Social Security Assistance from 60 to 65

[LC Paper Nos. CB(2)701/18-19(01) to (02), CB(2)541/18-19(01), CB(2)579/18-19(01) to (02)]

At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the relevant arrangements and the support provided by the Administration for Comprehensive Social Security Assistance ("CSSA") able-bodied adult recipients aged between 60 and 64. He said that, after the implementation of the policy of raising the eligible age for elderly CSSA from 60 to 65 ("the new policy") on 1 February 2019, the Administration would continue to keep in view the various arrangements under the CSSA Scheme and introduce targeted measures to better address the needs of CSSA recipients. In this connection, the Administration had commenced the preparatory work for a review of supplements and special grants under the CSSA Scheme ("the Review") in

mid-2018 and aimed to complete it by end-2019.

2. SLW further said that under the Integrated Employment Assistance Programme for Self-reliance ("IEAPS"), CSSA recipients aged between 60 and 64 would be required to make two attempts to find jobs and meet with the caseworkers once every two months. SLW added that, having regard to public views, the Administration would suspend the deduction arrangement for CSSA recipients aged between 60 and 64, namely the deduction of \$200 per month from these recipients' CSSA payment if they failed to comply with the above requirements for three consecutive times ("the deduction arrangement"). SLW also stated that the Administration would consider whether to resume the deduction arrangement in the context of the Review having regard to, among others, the reception of IEAPS by able-bodied CSSA recipients aged between 60 and 64.

Policy of raising the eligible age for elderly Comprehensive Social Security Assistance

3. In view of the adverse impact of the new policy on CSSA recipients aged between 60 and 64 and strong opposing views of the public on the new policy, the Chairman, the Deputy Chairman, Mr LEUNG Yiu-chung, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr KWOK Wai-keung, Mr POON Siu-ping, Mr Wilson OR, Mr LUK Chung-hung, Dr CHENG Chung-tai, Dr Elizabeth QUAT and Mr Holden CHOW strongly urged the Administration to withdraw the new policy. Mr LEUNG Che-cheung was of the view that the new policy had led to grave dissatisfaction among the public towards the Administration.

4. Mr LUK Chung-hung, Ms Alice MAK and Dr Elizabeth QUAT suggested that the Administration should conduct a consultation exercise afresh with relevant stakeholders and Legislative Council Members on the new policy. Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr KWOK Wai-keung, Mr CHU Hoi-dick and Mr Wilson OR shared a similar view that most persons aged between 60 and 64 were willing to engage in employment and only a small number of them were in need of CSSA. In view of a huge fiscal surplus, they opined that there were no valid reasons for introducing the new policy. The Deputy Chairman and Mr KWOK Wai-keung further called on the Administration to conduct a comprehensive review of the CSSA Scheme. Mr HO Kai-ming stressed that the new policy should not be introduced in the absence of a comprehensive scheme to help elderly persons achieve self-reliance.

5. SLW advised that the Administration had no plan to withdraw the new policy. It should be noted that persons aged between 60 and 64 who

had already been receiving elderly CSSA before 1 February 2019 would be "grandfathered" and would not be affected. Since only a relatively small percentage of CSSA recipients aged between 60 and 64 were able-bodied, the Administration would help them engage in employment with a view to further unleashing the labour force.

6. Mr LEUNG Yiu-chung, Mr CHAN Chi-chuen, Dr Fernando CHEUNG, Mr Alvin YEUNG, Dr CHENG Chung-tai and Ms Alice MAK expressed great disappointment that the Administration had failed to accede to members' request for withdrawal of the new policy. Mr LEUNG Che-cheung, Mr Alvin YEUNG and Ms Alice MAK opined that the Administration should gain a better understanding of the difficulties of persons aged between 60 and 64 in securing employment before implementing the new policy.

7. Dr Fernando CHEUNG was concerned that the Administration had not conducted any study on the health condition and employment situation of persons aged between 60 and 64 to understand their suitability for employment prior to the implementation of the new policy. SLW advised that the Administration had used the case nature of CSSA recipients aged between 55 and 59 as the basis to project the number of CSSA recipients aged between 60 and 64 who would be able-bodied recipients under the redefinition.

8. The Deputy Chairman, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr Wilson OR and Ms Alice MAK expressed disappointment that the Administration had made frequent changes to the related measures since the announcement of the new policy. The Chairman, Mr POON Siu-ping, Mr CHU Hoi-dick, Mr Wilson OR and Ms Alice MAK were of the view that the Administration had conveyed confusing messages to the public regarding the implementation of the new policy and the related measures. SLW responded that there was considerable room for improvements with regard to the announcement arrangement and implementation of the new policy, and the Administration would endeavour to explain clearly to the public about the implementation of the new policy and the related measures.

Supplements and special grants under the Comprehensive Social Security Assistance Scheme

9. The Deputy Chairman, Mr CHAN Chi-chuen, Mr KWOK Wai-keung and Dr Elizabeth QUAT were concerned that persons aged between 60 and 64 were no longer eligible for supplements and special grants payable to elderly CSSA recipients, including Long-term Supplement and Community Living Supplement, after the implementation

of the new policy. The Deputy Chairman further enquired whether the Administration would implement measures to support CSSA recipients aged between 60 and 64 to stay in the community.

10. SLW reiterated that the Administration would conduct the Review which was expected to be completed by end-2019. He added that the Community Living Supplement under the CSSA Scheme was payable to recipients who were old, disabled or medically certified to be in ill-health and who were not living in institutions to better support their stay in the community. The Administration would take into account this objective in deciding whether to provide certain special grants and supplements to persons aged between 60 and 64 after the implementation of the new policy.

11. Mr Alvin YEUNG enquired about the justifications for providing able-bodied adult recipients aged between 60 and 64 with the Employment Support Supplement. The Deputy Chairman and Mr CHU Hoi-dick were of the view that the Administration should also provide unemployed CSSA recipients aged under 60 with the Employment Support Supplement.

12. SLW responded that the Administration had acceded to members' request to make adjustments to the new policy. As such, the Social Welfare Department ("SWD") would provide the Employment Support Supplement to able-bodied CSSA recipients aged between 60 and 64 to enhance employment support. SLW further responded that they would also benefit from the disregarded earnings ("DE") arrangement with the maximum monthly DE level of \$2,500 to encourage them to engage in employment.

Deduction arrangement under the Integrated Employment Assistance Programme for Self-reliance

13. Mr LEUNG Che-cheung, Dr KWOK Ka-ki, Mr KWOK Wai-keung, Mr Wilson OR and Mr LUK Chung-hung expressed concern that the Administration would resume the deduction arrangement for CSSA recipients aged between 60 and 64 in the future. SLW said that while the deduction arrangement had all along existed under IEAPS, the Administration would suspend the arrangement for CSSA recipients aged between 60 and 64 having regard to views of the public on the arrangement. The Administration would revisit the deduction arrangement after completing the Review by end-2019.

14. The Deputy Chairman said that SWD had requested service operators of IEAPS to reply by 25 January 2019 whether they agreed with the new arrangements for able-bodied CSSA recipients aged between 60

and 64 to participate in IEAPS. In view of frequent changes in the related measures of the new policy, he considered that SWD should not require service operators of IEAPS to give a reply on the matter. He also expressed dissatisfaction about the Administration's failure to reply to his letter on the above matter.

15. The Deputy Chairman, Mr LEUNG Che-cheung and Mr LUK Chung-hung asked whether CSSA recipients aged between 60 and 64 would be forced to participate in IEAPS during the suspension of the deduction arrangement. SLW responded that the Administration would invite able-bodied CSSA recipients aged between 60 and 64 to participate in IEAPS on a voluntary basis during the suspension period.

16. In response to Mr POON Siu-ping's enquiry about the justifications for setting the deduction amount at \$200 under IEAPS, Assistant Director (Social Security) advised that SWD would deduct \$200 per month from the CSSA payment of each single parent and child carer if they failed to comply with the requirements under IEAPS. The Administration had made reference to this arrangement in setting the deduction amount for CSSA recipients aged between 60 and 64.

Employment support for persons aged between 60 and 64

17. Mr KWOK Wai-keung, Mr POON Siu-ping, Mr LUK Chung-hung, Ms Alice MAK, Dr Elizabeth QUAT, Mr HO Kai-ming and Mr Holden CHOW held a similar view that as persons aged between 60 and 64 might have difficulty in securing employment, the Administration should introduce effective complementary measures to help them seek employment after the implementation of the new policy. Mr CHAN Chi-chuen considered that despite the improvement in life expectancy in Hong Kong, persons aged between 60 and 64 might not be suitable for working and only limited job vacancies were available to them. Mr HO Kai-ming opined that the Administration should introduce complementary measures, such as the provision of travelling allowance to persons aged between 60 and 64, after implementing the new policy.

18. SLW advised that the Administration introduced the new policy in view of the improved life expectancy in Hong Kong and the trend of extending the retirement age to 65. The Administration would provide employment support for CSSA recipients aged between 60 and 64. In addition, participants of IEAPS would be offered a Temporary Financial Aid up to \$2,000 within a period of two years to cover the costs of seeking employment, including transportation expenses.

19. Mr LEUNG Yiu-chung, Mr LEUNG Che-cheung, Mr LUK Chung-hung and Mr Holden CHOW expressed concern that CSSA recipients aged between 60 and 64 might be forced to take up employment after the implementation of the new policy. They shared a similar view that some elderly persons were in physical sub-health state and could not work long hours. However, these elderly persons were not eligible disabled CSSA recipients or recipients of Disability Allowance. They suggested that instead of requiring CSSA recipients aged between 60 and 64 to participate in IEAPS, the Administration should only encourage them to take up employment.

20. SLW advised that even though some elderly persons were not assessed to be in ill-health from the medical perspective, they might have difficulty in engaging in employment due to health issues. SWD would exercise discretion in such cases. In addition, CSSA recipients aged between 60 and 64 who had secured employment with no less than 60 working hours per month would not be required to participate in IEAPS. Given the difficulties faced by mature persons in seeking employment, the Administration was committed to providing appropriate employment support services for these persons through improved collaboration between SWD, LD, the Employees Retraining Board ("ERB"), and the IEAPS operators.

21. Mr LEUNG Yiu-chung was worried that as more persons aged between 60 and 64 would take up employment after the implementation of the new policy, the situation of employees' sudden deaths at work might be worsened. SLW advised that LD had commissioned a study focusing on death of employees at workplace caused by cardiovascular diseases or cerebrovascular diseases.

Employment Programme for the Elderly and Middle-aged

22. Mr POON Siu-ping enquired about the effectiveness of the Employment Programme for the Elderly and Middle-aged ("EPEM") in enhancing employment support for and improving the remuneration package of mature persons. Mr HO Kai-ming took the view that the on-the-job training allowance under EPEM was not effective in encouraging employers to employ persons aged between 60 and 64.

23. Assistant Commissioner (Employment Services) advised that since LD enhanced EPEM in September 2018, the Programme had recorded 168 placements eligible for joining EPEM involving employees aged 60 or above as at the end of December 2018. They were employed as care workers, cooks, salespersons, administrative assistants, clerks, etc. with

monthly salaries ranging from around \$10,000 to \$18,000.

24. Dr Fernando CHEUNG asked whether the Administration had estimated the number of beneficiaries under EPEM, and how CSSA recipients aged between 60 and 64 would benefit from EPEM. SLW responded that EPEM aimed to encourage employers to engage unemployed job seekers aged 40 or above in permanent full-time or part-time jobs and provide them with on-the-job training through the provision of on-the-job training allowance. LD had been proactively approaching employers who had placed job vacancies with LD and those who had hired middle-aged or elderly job seekers through LD's employment services to encourage them to participate in EPEM. The Administration planned to enhance the coordination among SWD, LD and ERB to better support the employment of able-bodied adult CSSA recipients.

Measures for extending retirement age

25. Dr Elizabeth QUAT pointed out that many overseas countries extended retirement age in a progressive manner, and issues relating to employment of persons aged between 60 and 64, such as labour insurance, needed to be addressed before encouraging CSSA recipients aged between 60 and 64 to engage in employment.

26. SLW responded that it was not the Government's policy to force those who were incapable of working, irrespective of their age, to take up employment. Hong Kong, like many other countries, had no statutory retirement age. In these countries, the age at which a person was eligible for elderly welfare assistance was usually regarded as the retirement age. SLW further pointed out that the age of employees was not a major determining factor of employees' compensation insurance premium. As such, it should not be a concern for employers when considering whether to hire elderly employees or not.

27. Mr LEUNG Yiu-chung, Dr KWOK Ka-ki, Mr KWOK Wai-keung and Mr POON Siu-ping raised concern that in the absence of statutory retirement age, persons aged between 60 and 64 might suffer from age discrimination in seeking employment. Mr KWOK Wai-keung opined that the Administration should encourage employers to open up more job opportunities for persons aged between 60 and 64. In addition, these elderly persons should be encouraged to take up voluntary work if they could not find employment.

28. Noting that retirement age of some serving civil servants was not set at 65, Mr LEUNG Che-cheung called on the Administration to take the lead in employing persons aged between 60 and 64. Mr HO Kai-ming suggested that the Administration should discuss with various organizations/companies extending the retirement age of their employees to 65. SLW advised that while the majority of organizations/companies usually did not set any retirement age for employees, the Administration had time and again encouraged employers to consider extending the retirement age of their employees.

Portable Comprehensive Social Security Assistance Scheme

29. Dr CHENG Chung-tai raised concern that the permissible limit of absence from Hong Kong for CSSA recipients aged between 60 and 64 would be reduced from 180 days to 60 days per year after the implementation of the new policy. He also enquired whether the eligible age for elderly CSSA under the Portable Comprehensive Social Security Assistance ("PCSSA") Scheme would be raised from 60 to 65.

30. SLW advised that persons aged between 60 and 64 who had received elderly CSSA under the PCSSA Scheme before 1 February 2019 would be "grandfathered" and would not be affected. With the implementation of the new policy, the eligible age for elderly CSSA under the PCSSA Scheme would also be raised from 60 to 65.

(At 12:43 pm, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)

Eligible age for Old Age Allowance

31. Given that the eligible age for elderly CSSA would be raised from 60 to 65, Mr Michael TIEN suggested that the Administration should lower the eligible age for Old Age Allowance ("OAA") from 70 to 65, with a view to standardizing the eligible age of various allowance schemes for elderly persons. Otherwise, he opined that the Administration should rename the OAA Scheme as "Very Old Age Allowance Scheme". He stressed that lowering the eligible age for OAA would help postpone elderly persons' need to receive the Old Age Living Allowance ("OALA") and lessen the labelling effect relating to CSSA.

32. SLW advised that since the means-tested OALA for persons aged 65 or above was launched in April 2013, SWD had ceased implementing the means-tested Normal OAA applicable to persons aged 65 to 69 while

continuing to provide non-means-tested OAA for persons aged 70 or above.

Admin 33. In response to the enquiry of Mr Michael TIEN, SLW advised that for elderly persons aged 70 or above, around 30% of them were receiving OAA and over 50% of them were receiving OALA or CSSA. At Mr TIEN's request, SLW undertook to provide information on the ratio of OAA recipients to the total number of persons aged 70 or above before/after the implementation of OALA, and the estimated additional expenditure involved if the eligible age for OAA was lowered from 70 to 65.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)901/18-19(01) on 28 February 2019.)

Motions

34. Mr LEUNG Che-cheung moved the following motion which was seconded by Mr Wilson OR:

"本會強烈要求政府以具鼓勵性的方式及尊重申領人士的體力及實際狀況下，支援 60 至 64 歲健全的綜援受助人就業，取代規定他們須參與'自力更生綜合就業援助計劃'，以避免出現強迫長者就業的觀感；同時，政府亦應擱置將長者綜援申領年齡由 60 歲上調至 65 歲，讓社會重新討論。"

(Translation)

"This Panel strongly requests the Government to, instead of requiring able-bodied Comprehensive Social Security Assistance ("CSSA") recipients aged between 60 and 64 to participate in the Integrated Employment Assistance Programme for Self-reliance, provide them with employment assistance by adopting an encouraging approach and showing respect to their physical and actual conditions, so as to avoid creating an impression that elderly persons are forced to take up employment; at the same time, the Government should also shelve the proposal of raising the eligible age for elderly CSSA from 60 to 65, so as to allow afresh discussions in the community on it."

35. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

36. Mr LUK Chung-hung moved the following motion:

"本會反對政府在未有足夠諮詢和支援及市場未有足夠職位空缺和就業保障下，貿然在 2019 年 2 月將領取長者綜援的合資格年齡由 60 歲提高至 65 歲；因此，本會強烈要求政府擱置計劃，重新諮詢，並盡快檢討現時 60 至 64 歲初老長者在生活、交通以至重新就業的支援及保障。"

(Translation)

"This Panel opposes the Government's proposal of raising the eligible age for elderly Comprehensive Social Security Assistance from 60 to 65 rashly in February 2019 with neither due consultation and support nor sufficient job vacancies available in the market and employment protection; in this connection, this Panel strongly requests the Government to shelve the proposal, conduct afresh a consultation, and expeditiously review the support and protection currently provided for young elderly aged between 60 and 64 in respect of their living, transport and even re-employment."

37. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

38. The Deputy Chairman moved the following motion:

"過去綜援計劃曾為長者綜援提供長期個案補助金及社區生活補助金，讓申領人可以有額外金額購買耐用品及支援他們在社區生活的額外需要。本會促請政府要有'補鑊計劃'，以滿足 60 至 64 歲的綜援人士購買耐用品的基本需要，以及他們留在社區生活的額外需要。"

(Translation)

"In the past, long-term supplement and community living supplement would be granted under the Comprehensive Social Security Assistance ("CSSA") Scheme to elderly CSSA recipients, so as to allow them to have extra money to purchase durable goods and support them to meet their additional needs of living in the community; this Panel urges the Government to put in place a 'remedial plan', so that the basic needs of purchasing durable goods by CSSA recipients aged between 60 and 64 and their additional needs arising from living in the community can be addressed."

39. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

40. The Deputy Chairman moved another motion as follows:

"政府公布的'補鑊方案'為 60 至 64 歲綜援受助人提供 1,060 元'就業支援補助金'，以彌補長者綜援與成人綜援標準金額的差額。但事實上，一般 60 歲以下失業綜援人士也需要就業支援，為何綜援計劃不向他們提供'就業支援補助金'？本會促請政府為所有失業綜援申領人發放'就業支援補助金'。"

(Translation)

"The 'remedial proposal' announced by the Government aims at providing the Employment Support Supplement at a rate of \$1,060 for Comprehensive Social Security Assistance ("CSSA") recipients aged between 60 and 64, so as to make up the difference between the CSSA standard rates applicable to elderly and adult recipients. But in fact, unemployed CSSA recipients aged under 60 are generally in need of employment support as well. Why are they not provided with the Employment Support Supplement under the CSSA Scheme? This Panel urges the Government to provide the Employment Support Supplement to all unemployed CSSA applicants."

41. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

42. Dr Fernando CHEUNG moved the following motion:

"本委員會曾多次通過議案，要求政府擱置收緊長者綜援年齡，可惜政府對此置若罔聞，特首還諉過於人，推說此措施已獲立法會批准。本委員會為此予以譴責。雖然政府一再調整此措施，包括為 60 至 64 歲長者綜援人士提供'就業支援津貼'，以及暫緩 200 元的罰款，但本委員會不會接受，並要求立即擱置此苛政！"

(Translation)

"While this Panel has passed several motions to request the Government to shelve the policy of raising the eligible age for elderly Comprehensive Social Security Assistance ("CSSA"), the Government has turned a deaf ear to them, and the Chief Executive

has even shifted the blame onto the Legislative Council ("LegCo"), claiming that the policy has been approved by LegCo. This Panel expresses condemnation in this regard. Despite the Government's further adjustments to the policy, including providing the Employment Support Supplement to elderly CSSA recipients aged between 60 and 64 and suspending the deduction of CSSA payments by \$200 for those not finding jobs, this Panel will not accept them and requests such a harsh policy be shelved immediately!"

43. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried.

II. Any other business

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

Council Business Division 2
Legislative Council Secretariat
27 May 2019