

# LCQ1: Elderly recipients of Disability Allowance retiring in Mainland

Following is a question by the Hon Stanley Li and a reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (March 26):

Question:

Under the existing policy, if elderly recipients of Disability Allowance (DA) retire in the Mainland, they are required to reside in Hong Kong for not less than 60 days in a payment year, otherwise the amount of their DA will be deducted. In this connection, will the Government inform this Council:

(1) of the number of elderly DA recipients who have received a notice in the past two years informing them that their period of absence from Hong Kong would soon exceed the permissible limit, and the number of those who have received such notices and had their DA deducted; whether the Government has gained an understanding of the reasons why these elderly people have been absent from Hong Kong for a period exceeding the permissible limit; if so, of the categories of such reasons;

(2) in order to assist elderly DA recipients in retiring in the Mainland, whether the authorities will consider exempting them from the permissible limit of absence from Hong Kong, so that they are not required to reside in Hong Kong for not less than 60 days in a payment year, or consider enhancing the existing Guangdong Scheme and Fujian Scheme to include elderly DA recipients in these schemes; if so, of the details; if not, the reasons for that; and

(3) as the Chief Executive has indicated in the 2024 Policy Address that elderly recipients of Comprehensive Social Security Assistance who opt to retire in Guangdong will be subsidised to reside in designated residential care homes for the elderly in the Province with a monthly subsidy of \$5,000, whether the authorities will consider allowing elderly DA recipients who opt to retire in Guangdong to receive the same level of subsidy; if so, of the details; if not, the reasons for that?

Reply:

President,

At present, the Government operates a social security system that provides cash assistance to persons with disabilities and other needy persons, including the Disability Allowance (DA) under the Social Security Allowance (SSA) Scheme and the Comprehensive Social Security Assistance (CSSA) Scheme. No contribution is required from the recipients, and the amount of assistance is determined based on their level of disability,

financial situation and personal or family circumstances.

DA is non-means-tested with no age restriction. It assists persons assessed to be severely disabled in meeting their special needs arising from disability. Eligibility for DA mainly depends on the results of the medical assessments conducted by medical practitioners of the Department of Health (DH) or the Hospital Authority (HA). In general, Normal DA is payable to persons assessed by medical practitioners of the DH or the HA as being severely disabled to the extent that he/she needs substantial help from others to cope with daily life whose disablement will last for not less than six months. In addition to being severely disabled, applicants for Higher DA must also be assessed by medical practitioners of the DH or the HA as being in need of constant attendance from others in daily life who are not receiving government-subsidised residential care services, care services in public hospitals and institutions under the HA, or boarding in special schools under the Education Bureau.

I reply to the three parts of the question raised by the Member as follows:

(1) and (2) To ensure reasonable allocation of limited public resources and the long-term sustainability of the social security system, DA applicants and recipients must comply with the relevant residence requirements and permissible limits of absence from Hong Kong before application and during receipt of payment. This is to ensure that they maintain a close connection with Hong Kong, preventing people who have been living in other places for an extended period of time from receiving the allowance immediately upon return to Hong Kong, or continuing to receive the allowance despite prolonged absence from Hong Kong. In addition, the medical assessments required for DA recipients must be conducted by the medical practitioners of the DH or the HA to ensure the quality and consistency of assessments. The majority of DA recipients receive social welfare and medical services in Hong Kong on a long-term basis.

During receipt of payment, DA recipients are entitled to a permissible limit of 305 days absence from Hong Kong in each payment year. In other words, a recipient is eligible for a full-year allowance if he/she has resided in Hong Kong for not less than 60 days in a payment year. If a recipient has resided in Hong Kong for less than 60 days in a payment year, he/she will only receive the allowance for the period of residence in Hong Kong. This arrangement provides considerable flexibility for recipients who need to travel frequently between Hong Kong and places outside Hong Kong (including the Mainland).

Based on the records provided by the Immigration Department, the Social Welfare Department (SWD) will issue a Notification of About to Exceed the Permissible Limit of Absence from Hong Kong (Notice) to SSA recipients who are about to exceed the permissible limit of absence from Hong Kong. The Notice serves to remind recipients of the relevant permissible limit of absence from Hong Kong and to avoid being overpaid arising from exceeding the permissible limit. The SWD does not have information on the number of Notices

issued to elderly DA recipients, the number of recipients whose allowance has been deducted, nor the reasons for their exceeding the permissible limit.

The Government has no plan to make DA a portable cash assistance or to abolish its permissible limit of absence from Hong Kong.

(3) The Government plans to launch the three-year Pilot Scheme for Elderly Recipients of Comprehensive Social Security Assistance to Reside in Residential Care Homes in Guangdong (Pilot Scheme) in the third or fourth quarter of 2025. The Pilot Scheme provides a subsidy to elderly CSSA recipients who choose to retire in Guangdong to stay in residential care homes for the elderly (RCHEs) under the Residential Care Services Scheme in Guangdong, with a view to providing an additional retirement option to improve their living environment and enhance their quality of life. The Government will provide a monthly subsidy of HK\$5,000 to each elderly recipient to help them meet the expenses of staying in a designated RCHE in Guangdong. The Pilot Scheme mainly targets relatively healthy elderly CSSA recipients who are capable of taking care of themselves. At present, the Government has no plan to provide the same level of subsidy to elderly DA recipients who choose to retire in Guangdong.