

LCQ10: Financial assistance for people affected by typhoons

Following is a question by the Hon Shiu Ka-chun and a written reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (January 16):

Question:

At present, the Home Affairs Department may allocate funds from the General Chinese Charities Fund for disbursement of emergency financial assistance to persons who have been affected by natural disasters or accidents and have financial needs. Besides, the Emergency Relief Fund established by the Government may provide financial assistance to persons in need of urgent relief as a result of natural disasters (including typhoons). Some members of the public, who had been affected by super typhoon Mangkhut in September last year, have relayed to me that while their applications made to the two Funds had been approved, they were told that they might choose only either one of the two Funds, which made them feel confused. In this connection, will the Government inform this Council:

(1) of the reasons why persons affected by typhoons may not receive assistance from both of the two aforesaid Funds at the same time;

(2) after the onslaught in Hong Kong of severe typhoon Hagupit and super typhoons Hato and Mangkhut in 2008, 2017 and last year respectively, of the respective numbers of applications received, approved and rejected by the Government for assistance made to the two Funds as a result of the typhoons;

(3) in respect of each of the two Funds:

(i) of the number of working days generally lapsed from receipt of applications to the grant of assistance;

(ii) of the criteria adopted for determining the eligibility for application and the amount of assistance to be granted;

(iii) whether the maximum amount of assistance was adjusted in the past decade; if so, of the details; and

(iv) whether persons whose accommodations have been found with irregularities may be granted assistance; and

(4) whether the Government, before and after the onslaught of Hato and Mangkhut in Hong Kong, briefed those residents in the vicinity of flooding blackspots the procedure and eligibility for applying for assistance from the two Funds?

Reply:

President,

Our reply (prepared in consultation with the Labour and Welfare Bureau and other relevant departments) to the Hon Shiu Ka-chun's question is as follows:

(1) General Chinese Charities Fund (GCCF)

The objective of the General Chinese Charities Fund (GCCF) is to provide emergency relief to Hong Kong residents who are affected by natural disasters or accidents and have financial needs. In processing an application under the GCCF, the District Office (DO) of the Home Affairs Department (HAD) will assess the financial hardship of the people affected, including the urgency of their need for assistance. If the applicant has obtained another source of aid, the application will not be approved.

Emergency Relief Fund (ERF)

The Emergency Relief Fund (ERF) Ordinance, Chapter 1103 of the Laws of Hong Kong, provides for the establishment and administration of a trust fund known as the ERF, which is vested in the Director of Social Welfare Incorporated as Trustee. The Fund aims to provide prompt assistance to persons who are in need of urgent relief as a result of fire, flooding, tempest, landslide, typhoon or other natural disasters. Grants from the Fund are intended for relief rather than compensation. The responsibility for approving grants and making payments is, in most cases, vested in the Agriculture, Fisheries and Conservation Department (AFCD), the Marine Department (MD), the Social Welfare Department (SWD) and the Lands Department (LandsD), while the HAD is responsible for overall co-ordination at the district level. There are five types of grants under the ERF:

	Type of grants	Operating department
A	Grants in respect of death or personal injury	SWD
B	Domestic re-accommodation, re-equipment, site formation and repair grants and grant for severe damage to home appliances	LandsD In the case of dwelling vessels, investigation and verification by MD and payment by LandsD
C	Grants to repair or replace vessels and fishing gear	MD for working boats and dwelling vessels AFCD for fishing boats and gear

D	Primary producer grants 1. Stock houses and farm buildings destroyed or severely damaged 2. Rehabilitation grants for loss of crops, livestock or cultured fish	LandsD AFCD
E	Special grants	Operating department(s) concerned

There is no express provision in the ERF Ordinance setting the restrictions on the granting of the ERF and other charitable funds, such as the GCCF. However, in principle, if the ERF or other charitable funds such as the GCCF has already served the purpose of providing urgent assistance and relief to a victim, based on the principle of avoidance of double benefit, if a victim has already been granted relief from another charitable fund, the ERF will not grant relief for the same type of assistance for the same natural disaster, so as to ensure proper use of public money.

(2) After the onslaught in Hong Kong of severe typhoon Hagupit and super typhoons Hato and Mangkhut, the number of applications received, approved and rejected under the two funds are tabulated as follows:

Name of fund	Type of grants	Operating Department	Hagupit in 2008			Hato in 2017			Mangkhut in 2018		
			Received	Approved	Rejected/Withdrawn	Received	Approved	Rejected/Withdrawn	Received	Approved	Rejected/Withdrawn
GCCF	-	HAD	143	142	1	267	267	0	1 042(1)	879	41(2)
ERF	A	SWD	0	0	0	0	0	0	0	0	0
	B	LandsD	610	610	0	418	382	36(3)	192	176	16(4)
		MD	0	0	0	0	0	0	0	0	0
	C	MD	0	0	0	0	0	0	0	0	0
		AFCD	40	28	12(5)	3	2	1(6)	257(7)	79(8)	145(8)(9)
	D	LandsD	0	0	0	0	0	0	0	0	0
		AFCD	11	7	4	1 703	1 651	52(10)	2 181	2 102	79(11)
E	Operating Departments of ERF	0	0	0	0	0	0	0	0	0	

Note

- (1) Include 122 cases under processing
- (2) Include 32 cases withdrawn by applicants
- (3) Include 19 cases withdrawn by applicants, 10 duplicated applications and 7 cases involving failure to submit the required documents for approval
- (4) Include five cases withdrawn by applicants, one duplicated application and 10 cases involving failure to submit the required documents for approval
- (5) Include three cases withdrawn by applicants
- (6) Case withdrawn by applicant
- (7) Include 33 cases under investigation/approval
- (8) As at January 8, 2019
- (9) Include 24 cases withdrawn by applicants
- (10) Include 10 cases withdrawn by applicants and one duplicated application
- (11) Include 14 cases withdrawn by applicants

(3) (i) GCCF

D0s has to process each and every GCCF application. As the nature and circumstances vary from case to case of individual application, there is no standard processing time.

ERF

The processing time for ERF applications is tabulated below:

Type of grants	Operating Departments	Number of days to process the application
A	SWD	Each eligible application will normally receive grants within 14 working days after completion of investigation and approval.
B	LandsD	Eligible applications will receive grants within 60 working days from the date of application submission.
	MD	Eligible applications will receive grants within seven working days after completion of approval and receipt of allocation from the ERF.
C	MD	Eligible applications will receive grants within seven working days after completion of approval and receipt of allocation from the ERF.
	AFCD	Eligible applicants will receive grants within 30 working days upon receipt of the necessary information for assessment.
D	LandsD	Eligible applications will receive grants within 60 working days from the date of application submission.
	AFCD	Eligible applications will receive grants within 30 working days upon receipt of the necessary information for assessment.

(ii) GCCF

D0s will assess the financial hardship of the applicants with a view to determining the level of relief grant. The ceiling of relief grant for each application is \$8,000.

ERF

The criteria for the assistance granted by the ERF are at Annex I.

(iii) GCCF

In the past ten years, the HAD had not made any adjustment to the ceiling of relief grant under the GCCF.

ERF

Each operating department adjusts annually the level of grants by the ERF. Details are as follows:

Type of grants	Operating Departments	Details of the adjustment of level of grant
A	SWD	The level of grant is revised with reference to the year-on-year change in the monthly Consumer Price Index (CPI) (A) and the movement of average monthly wages of manufacturing workers from September of the previous year to September of the current year.
B	LandsD	The level of grant is revised with reference to the year-on-year change in the monthly CPI (A) and the Domestic Removal Allowance annually approved by the Financial Services and the Treasury Bureau (FSTB).
	MD	The level of grant is revised according to the annual adjustment of the LandsD.
C	MD	The level of grant will be adjusted according to the average sales and purchase price of mechanised vessels for the past three years, and the average price of non-mechanised vessels from the survey of shipyards for the past three years provided by MD.
	AFCD	The level of grant for repair or replacement of fishing gears is revised annually based on an annual price survey on fishing gears.
D	LandsD	The level of grant is revised with reference to the year-on-year change in the monthly CPI (A) and the Domestic Removal Allowance annually approved by FSTB.
	AFCD	The level of grant is revised annually based on an annual survey on wages, prices and other expenditures.

The current maximum level of grants and the conditions of payment of grants are at Annex II.

(iv) GCCF

When processing GCCF applications, DOs mainly assess the financial hardship of the people affected, with no regard to the conditions of the applicant's place of residence.

ERF

The grant items under the Fund administered by the LandsD primarily target such structures as squatters and cottages vulnerable to natural

disasters across the territory. If irregularities are identified, Squatter Control Offices under the LandsD will take appropriate enforcement actions against those structures under the prevailing squatter control policy. Such enforcement actions, however, will not affect the disbursement of grants.

Regarding the types of the ERF grant under MD's responsibility, they are only applicable to those vessels with valid dwelling vessel licences that require the assistance for repairs or replacement of vessels due to the disaster. MD will not consider other applications.

(4) The Government is very concerned about the needs of people affected by typhoons. After the passage of typhoons, individual DOs had disseminated information about the ERF and/or the GCCF to people affected, including assisting residents on site in completing and submitting the GCCF application forms, posting notices and publicising the funds in collaboration with district organisations, etc. AFCD, LandsD, MD and SWD have also respectively provided to the affected persons related to their respective type(s) of grants relevant information on applications for the ERF as well as appropriate emergency assistance.