

LCQ20: Eligibility for public benefits of residents permanently departed from Hong Kong

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (May 11):

Question:

Over the past two years, there has been a net outflow of over 120 000 Hong Kong residents, whilst the number of withdrawal claims of Mandatory Provident Fund (MPF) benefits on ground of permanent departure from Hong Kong in the fourth quarter of last year was 8 700. It is learnt that some of such persons, after withdrawing their MPF benefits, are still eligible for public benefits, including receiving Social Security Allowance (SSA) payments and health care vouchers (HCVs), as well as residing in public rental housing (PRH) units. In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on the number of persons who, after withdrawing their MPF benefits in the past three years on ground of permanent departure from Hong Kong, has continued to (i) receive SSA payments, (ii) receive HCVs and (iii) reside in PRH units; and

(2) whether it has plans to amend the relevant legislation or requirements to stipulate that, except for the recipients covered by the Guangdong Scheme and the Fujian Scheme under the SSA Scheme, any persons withdrawing their MPF benefits on ground of permanent departure from Hong Kong will, from the date of such withdrawals, lose their eligibility for the aforesaid public benefits?

Reply:

President,

Having consulted the relevant bureau and departments, my consolidated response to the Member's question is as follows:

(1) Given that the Mandatory Provident Fund (MPF) Scheme, Social Security Allowance (SSA) Scheme, Elderly Health Care Voucher Scheme (EHVS) and allocation of public rental housing (PRH) each has its own policy objectives, eligibility criteria and operating parameters, and that the personal data privacy of service recipients is subject to protection, the relevant bureau and departments do not have information on the number of persons who continue to receive SSA, health care vouchers or live in PRH flats after they have withdrawn their MPF benefits on the grounds of permanent departure from Hong Kong.

(2) In relation to the SSA Scheme, recipients who have resided in Hong Kong

for not less than 60 days in a payment year are entitled to a full-year allowance. Those who have resided in Hong Kong for less than 60 days in a payment year are only entitled to allowance for the periods during which they have resided in Hong Kong. Recipients need to declare to the Social Welfare Department (SWD) in case of any changes in circumstances, including absences from Hong Kong exceeding the permissible limit. The SWD will also conduct data matching with the Immigration Department on a monthly basis to ascertain recipients' compliance with the residence requirements. The SWD will recover overpayments from recipients whose absences from Hong Kong exceed the permissible limit. Notwithstanding, in view of the pandemic, The SWD has implemented a special arrangement since January 2020 to give consideration to disregard absences from Hong Kong of applicants or recipients of various social security schemes (including the SSA Scheme).

Under the EHVS, eligible elderly persons should receive the healthcare services provided by the enrolled healthcare service providers (including ten types of healthcare professionals who are registered in Hong Kong, District Health Centres and District Health Centre Expresses, as well as designated Outpatient Medical Centres and Medical Service Departments of the University of Hong Kong-Shenzhen Hospital) in person before they can use their vouchers to settle the relevant service fees. Vouchers must be used on the elderly person himself/herself and cannot be transferred to or shared with another person. Moreover, vouchers cannot be issued in advance or redeemed for cash.

With respect to PRH, according to the Tenancy Agreement (TA) signed between the Hong Kong Housing Authority (HA) and PRH tenants, tenant and family members listed in the TA should take up tenancy within one month after commencement of the tenancy and retain regular and continuous residence in the leased premises. Tenants should notify the HA immediately of any changes in the family condition for tenancy record updating. The HA will check the occupancy position of PRH households during biennial inspections and act on complaints for detecting irregularities. Should irregularities be detected, the HA will contact the households concerned to verify the position and, depending on the situation, take necessary enforcement actions.

The relevant bureau and departments have no plan to revise the arrangements above.