THE HONG KONG HOUSING AUTHORITY

Memorandum for the Management and Operations Committee

Residence Rule for Applicants for Public Rental Housing

PURPOSE

To summarise for Members’ information the existing ‘Residence Rule’ for different categories of applicants for public rental housing (PRH).

BACKGROUND

2. By reference to Article 24(3) of the Basic Law, persons of Chinese nationality born outside Hong Kong of permanent residents will be included as permanent residents of the Hong Kong Special Administrative Region after 1 July 1997. In this regard, there is growing public concern on the Authority’s measure to cope with the increasing housing demand from this group of people, assuming that permanent residence status as fulfillment of qualification for public housing.

RESIDENCE QUALIFICATION

Waiting List (WL)

3. Apart from fulfilling other eligibility criteria, applicants for PRH through the WL must satisfy the residence rule at time of investigation. The residence rule applicable to applicants is as follows -
(a) Single Persons

- Applicants must have 7 years’ residence in Hong Kong (Paper No. MC 149/84).

(b) Two Person Households

- For non-elderly households, both members must have lived in Hong Kong for at least 7 years (Paper No. MC 117/84).

- For elderly couples aged over 60, only one member is required to satisfy the 7 years’ residence rule (Paper No. MOC 62/94).

(c) Households with 3 or More Persons

- The majority rule should apply (Paper No. HA 28/79); at least 51% of the family members including the applicant must have lived in Hong Kong for 7 years.

  All locally born children, regardless of age, are considered as having met the residence qualification provided at least one parent should have satisfied the 7 years’ residence rule.

**Compassionate Rehousing (CR)**

4. Applicants to be rehoused through the CR quota should also fulfil the 7 years’ residence rule. However, consideration on waiving such rule may be given to individual deserving cases upon recommendation of the Social Welfare Department (Paper No. MOC 31/94).

**Temporary Housing Clearance**

5. The 7 years’ residence rule in the allocation of PRH for occupants of Temporary Housing Areas and Cottage Areas has been waived since July 1993 (Paper No. MOC 72/93).

**Squatter Clearance**
6. Basically, squatter clearees have to satisfy the 7 years’ residence rule in addition to other major criteria prior to rehousing to PRH. However, if residence rule remains to be the only criterion not fulfilled, clearees will be offered refurbished flats in older estates (Paper No. MOC 48/94).

**HONG KONG RESIDENCY**

7. In applying for PRH, permanent resident status is not and has never been a criterion. Applicants who have the right to land in Hong Kong without any conditions of stay (except a limit of stay) and have lived in Hong Kong for seven years are eligible for PRH.

**INFORMATION**

8. This paper is issued for Members’ information.

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