

# POLICE GENERAL ORDERS

## CHAPTER 62

### QUARTERS AND HOUSING BENEFITS

01/06  
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#### 62-03 General Provisions

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Departmental quarters are allocated by the Commissioner, and at his discretion he can withdraw the allocation if he considers that the officer is no longer suitable to occupy the quarters. An officer shall not live in a quarters not allocated to him/her without the consent of the Commissioner. An officer shall not move from one quarters to another without the consent of the Commissioner.

2. No person other than the officer, his/her legal spouse, dependent children and domestic servants shall be permitted to live in a quarters without the prior consent of the Commissioner.

3. An officer shall report to the Commissioner (SP CS Q) the name and particulars of any domestic servant (including employment contract number) who is residing with the officer in a departmental quarters. Such details must be reported **within 14 days** of the commencement of employment and residence.

4. An officer allocated and/or residing in a quarters or in receipt of civil service housing benefit shall grant every facility and assistance to an officer or authorized person who requires access to that quarters or related accommodation for the purpose of carrying out an inspection/checking and maintenance works.

5. An officer including his/her spouse or any of his/her family members shall occupy at any one time one quarters only. When allocated a new quarters, an officer must comply with the following requirements:-

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- (a) when the new quarters is ready for occupation, as determined by PQD, he/she shall occupy it within a grace period of 7 calendar days ;
- (b) the officer and his/her family members shall vacate the former quarters (if any) within the same 7-day grace period as (a) ;
- (c) rent will continue to be charged for any period of overstay at the former quarters and consideration may be given to taking disciplinary action ; and
- (d) in the event that there are operational or compassionate grounds that an officer cannot comply with the requirements at (a) and/or (b) above, he/she should seek prior written approval from the Commissioner (SP CS Q), via his Formation Commander who comment on the merit of the application. Approved applicant will be granted an extended period during which the charging of rent of the former quarters will be waived.

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6. An officer who is allocated a quarters or in receipt of civil service housing benefit [except the Non-accountable Cash Allowance (NCA) under CSRs 2000-2099] is for the purpose of this order directed by the Commissioner to reside in it as required under CSR 809(7). He/She should occupy it at the earliest opportunity and personally live in the quarters or the related accommodation/property under the housing assistance as his/her full-time residence unless they have been exempted from doing so under the terms of the respective housing benefit schemes or they have obtained prior written approval for exemption from the respective authority of these schemes. Any failure to do so may result in disciplinary proceedings. Where an officer has failed to occupy a quarters allocated to him or left it to reside elsewhere, apart from any disciplinary aspect, the Commissioner may review the officer's continued eligibility for that quarters and as he thinks fit, may impose such restriction, including a possible ban for the officer to continue occupy the quarters and to apply for quarters in future.

11/18 **62-04 Letting, Subletting or Use of Quarters**

An officer shall not let or sublet a quarters, any part of a quarters and/or any parking space allocated including the acceptance of paying guests.

2. An officer shall not let, sublet or use a quarters for any purpose involving gain or profit or for any purpose other than for residence for himself/herself and his/her family.

11/05 **62-25 Prevention of Double Housing Benefits and Double Housing Related Benefits and Enforcement of Live-in Requirement**

The provision of civil service housing benefits is subject to the prevention of double housing benefits rules (DBR), unless otherwise stated, e.g. officers who are directed to live in post-tied departmental quarters, breaches of which may lead to disciplinary proceedings or criminal proceedings as appropriate. Rules and related policy guidelines can be found in:-

- (a) CSR 808 & 809 – contain the basic rules against double housing benefits;
- (b) The terms and conditions of individual housing schemes; and

- 19/10 (c) CSB Circular Memorandum No. 19/03, 25/2008, CSB Circulars No. 15/98, 10/99 and 11/2000 – All these documents set out conditions under which a pay package offered by the Government, a publicly funded organization or a private sector employer is considered to contain a housing element for the purpose of enforcing the prevention of double housing benefits rules.

2. A civil service housing benefit (other than the NCA) recipient who is remanded in custody *prior* to conviction of an offence is exempted from the live-in requirement under CSR 809(7)(a) for **up to three months**. If the remand period **exceeds three months**, consideration will be given by the respective approving authority as to the continuation of the housing and/or housing-related benefits and exemption from the live-in requirement for more than three months. However, no such exemption will be granted to an officer who is imprisoned/remanded in custody *following* conviction, his civil service housing benefits will be suspended as a matter of principle due to non-compliance with the live-in requirement and the officer will be subject to the consequences in CSR 808.

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3. For a conviction of offence relating to abuse of civil service housing and/or housing-related benefits, the housing and/or housing-relating benefits will be suspended from the date of conviction irrespective of whether the officer concerned is remanded in custody or imprisoned.

**Double Housing Benefits Rules**

4. An officer and his/her spouse shall not receive more than one housing benefit at any one time, irrespective of whether the benefit is provided by the Government, a publicly funded organization or a private sector employer.

5. An officer is not allowed to claim rental allowance [i.e. Private Tenancy Allowance, Accommodation Allowance, Rent Allowance or Home Financing Allowance (when used for renting accommodation)] in respect of any accommodation in which he or his relative(s) has a financial interest.

**Permanent Forfeiture Rules**

6. Once an officer or his/her spouse has received a civil service housing benefit as stated under CSR 809(6) e.g. Home Purchase Scheme (HPS), Home Financing Scheme (HFS), Rent Allowance Scheme (RAS), Housing Loan Scheme (HLS) etc. (except where he/she is entitled to continue receiving other civil service housing benefits under the terms and conditions of the schemes concerned), they shall forfeit their entitlement to all other forms of civil service housing benefits.

**Reduction or Limitation Rules**

7. An officer's entitlement to civil service housing benefits may be reduced or limited if he/she or his/her spouse has received any form of the below stated housing benefits in the course of his/her employment with the government or a publicly-funded organization:-

- (a) One which provides assistance for acquiring a property; or
- (b) One which provides assistance that may be used for either renting accommodation or acquiring a property; or
- (c) One which has a limited entitlement period; or
- (d) A cash allowance which includes a housing element or which is paid in lieu of housing benefits.

8. 'Publicly-funded organization' in the above context means an organization, other than a commercially-run corporation where Government is an investor, which uses recurrent subvention to finance a housing benefit scheme or to support any packages which contain a clearly identifiable housing benefit element e.g. Equal Opportunities Commission, Consumer Council etc. Examples of these publicly funded organizations, though not comprehensive and subject to prevalent circumstances at the time, can be found at CSR 809(9).

01/06 **62-26 Control of Parking in Departmental Quarters**

**General**

11/18 An officer issued with a parking permit for a particular vehicle shall not duplicate, alter or transfer the permit to any other person. Contravention of this Order will result in suspension of parking privileges and/or disciplinary action.

2. An officer shall not transfer or duplicate a parking permit or the access keys to the quarters' car park for any other person. Any unauthorized use, alteration, transfer or duplication of a parking permit or the access keys will result in disciplinary action being taken against the officers concerned.

11/18 **62-27 Responsibilities of Officers Applying for or Receiving Housing Benefits and Penalties for Contravention of Housing Benefits Rules and Regulations**

Officers applying for or receiving civil service housing and/or housing related benefits should acquaint themselves with all relevant rules and regulations. Officers shall report to the Commissioner under FPM 10-01 any change of family situation or marital status, and to the relevant authorities as required under the relevant CSRs regarding the change of family situation or any others that may affect their eligibility for civil service housing/housing related benefits in writing through their Formation Commanders, within one month from the effective day of such change.

2. Officers are to ensure strict compliance with the rules and regulations of the relevant various housing and/or housing related benefits schemes. Officers who fail to comply with these rules and regulations and/or housing related benefits may be subject to:-

- (a) Cessation of assistance from the respective housing and/or housing related benefit schemes;
- (b) Payment or refund to the Government of an appropriate sum. In the case of abuse of quarters regulations and/or breach of double housing benefits rules, rent at market value plus interest incurred over the breach period may be charged;
- (c) Disqualification from all forms of civil service housing and/or housing related benefits;
- (d) Depending on the gravity and circumstances of the case, officers concerned may also be liable to disciplinary or criminal proceedings; and
- (e) Details can be found in CSRs 808 and 809 in particular the reporting requirements.