

HPLB(B) 68/05/02 Pt 2

Tel. No.: 2848 6288

Fax No.: 2899 2916

10 June 2003

[Fax : 2869 6794]

Clerk to Panel  
(Attn: Ms Sarah Yuen)  
LegCo Panel on Planning, Lands and Works  
Legislative Council Building  
8 Jackson Road, Central  
Hong Kong

Dear Ms Yuen,

**Panel on Planning, Lands and Works**

**Issues raised at LegCo Members' meeting with  
Central & Western District Council members on 28 November 2002**

Thank you for your letter of 27 May 2003 conveying the views of the Central & Western District Council members in relation to the application of the "barrier-free" concept. Our comments on the issues raised are set out below.

Provision of a "barrier-free" built environment is already a statutory requirement in Hong Kong. The Disability Discrimination Ordinance (DDO) prohibits, among other things, discrimination against persons with a disability by failing to provide means of access to any premises that the public or a section of the public is entitled or allowed to enter or use, or by refusing to provide appropriate facilities. Section 84 of the DDO requires the relevant public authority, in approving new buildings or alterations or additions to existing buildings, to ensure that access to the buildings will be provided to persons with a disability. The "relevant public authority" includes the Director of Lands, the Building

Authority, the Housing Authority and the Director of Architectural Services. In addition, regulation 72 of the Building (Planning) Regulations requires that certain categories of buildings should be planned for use by persons with a disability.

The Buildings Department has also issued the “Design Manual – Barrier Free Access 1997” (the Design Manual) which sets out design requirements for providing proper access to and appropriate facilities in a building for persons with a disability. A building shall be deemed to be planned for use by persons with a disability if the obligatory design requirements laid down in the Design Manual are complied with. These requirements stipulate, inter alia, that buildings should have a barrier-free entrance with such access free from any form of barrier impeding the passage of wheelchairs and be provided with toilet facilities that wheelchair users can use without assistance from others.

The “barrier-free” design concept will be applied to new Government buildings and facilities. Furthermore, the Architectural Services Department has launched a phased programme since 1999 to carry out improvement works to upgrade existing Government buildings and facilities to comply with the requirements of the Design Manual where technically feasible.

Yours sincerely,

(Parrish Ng)  
for Secretary for Housing, Planning and Lands

c.c. DB	(Attn : Mr K M Mo)	[Fax : 2840 0451]
D of Arch S	(Attn : Mrs P Tam)	[Fax : 2877 0594]
DLCS	(Attn : Mr W H Ho)	[Fax : 2602 1480]