



立法會

LEGISLATIVE COUNCIL

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11 May 2007

Mr Rafael HUI Si-yan, GBS, JP
Chief Secretary for Administration
Government Secretariat
Central Government Offices
Lower Albert Road
Central, Hong Kong.

Dear Mr HUI,

Provision of Concessionary Public Transport Fares for Persons with Disabilities

I write on behalf of the Subcommittee to Study the Transport Needs of and Provision of Concessionary Public Transport Fares for Persons with Disabilities (the Subcommittee) to convey to you our disappointment at the Administration's apathetic attitude over the subject of concessionary public transport fares (CPTFs) for persons with disabilities (PwDs). The Subcommittee considers that the Government, as the majority shareholder of the Mass Transit Railway Corporation Limited (MTRCL) and the sole owner of the Kowloon-Canton Railway Corporation (KCRC), should take the lead in offering concessionary fares to PwDs so as to set a good example for other public transport operators (PTOs) in the discharge of corporate social responsibility.

As you are aware, the Subcommittee was formed in November 2005 under the House Committee of the Legislative Council tasked to study the provision of CPTFs for and the transport needs of PwDs. In the course of its study, the Subcommittee has met with PwD groups to understand their needs and aspirations, and met with the relevant Bureaux as well as PTOs to explore feasible concessionary arrangements for helping PwDs. You may wish to note that the Subcommittee takes the view that CPTFs should aim at covering all PwD groups as far as practicable. However, in order to speed up the process, there is consensus among PwD groups that CPTFs be offered to two groups of PwDs, namely recipients of Disability Allowance or Comprehensive Social Security Assistance with 100% loss of earning capacity in the first instance, to be followed by other groups of PwDs. The Subcommittee has also studied the Disability Discrimination Ordinance (DDO) (Cap. 487) on how far selective groups of PwDs could be helped without contravening the DDO. In this respect,

we understand that the Administration would soon introduce legislative amendments to DDO to put beyond doubt any proposal to offer CPTFs to specific groups of PwDs.

The most direct assistance to PwDs is to allow greater opportunity for them to travel to work and to take part in social activities so as to facilitate their integration into the society. According to the findings of a consultancy study (the Study) conducted by the Social Sciences Research Centre of the University of Hong Kong in 2006 on the general travelling characteristics of these two groups of PwDs, under the hypothetical 50% fare concession, existing PwD customers were stimulated to increase use of public transport, while other PwDs were stimulated to start using particular transport modes. The Study also confirms that provision of CPTFs for PwDs would bring additional revenue to PTOs.

Nevertheless, notwithstanding the findings of the Study which support the provision of CPTFs for PwDs, PTOs are unwilling to provide concessionary fares for PwDs under various pretexts. Members are also disappointed that the Administration's approach is only to encourage PTOs to offer CPTFs for PwDs. The Subcommittee considers such an approach highly ineffective. The Subcommittee passed a motion on 27 February 2007 to express regret at the Government's persistent failure to formulate a transport policy to facilitate the integration of PwDs into the community, and to urge the Government and PTOs to provide CPTFs for PwDs under the principle of shared responsibility. To assess the long term viability of CPTF schemes, the Subcommittee has also proposed that both the Government and PTOs should implement a trial scheme for PwDs with reference to the Study.

Regarding the role of the Government on the provision of CPTFs for PwDs, the Subcommittee endorses the Equal Opportunities Commission's views that the Administration has general public accountability and responsibility to deal with the issue. While it is a matter for the Administration to decide whether to adopt a policy of offering CPTFs for PwDs under the social policy framework thus including the costs in its social welfare budget, the Government, as the majority shareholder of the MTRCL and the sole owner of the KCRC, can exercise influence on the respective management boards of the two railway corporations in the offer of CPTFs for PwDs. We understand that the two railway corporations need to operate under prudent commercial principles, but this is not a reason for the corporations to ignore their social responsibility as PTOs. The Subcommittee is of the view that by taking the lead to offer CPTFs for PwDs through the MTRCL and the KCRC, the Government will set a good example on how a PTO's corporate social responsibility can be discharged. The Subcommittee is disappointed that the Administration has failed to respond positively to the Subcommittee's appeal to the two corporations to fulfill their social responsibility in offering CPTFs for PwDs. Members consider that the above shows an apparent role conflict on the part of the Administration that needs to be resolved.

Given that the provision of CPTFs for PwDs involves policies under the Health, Welfare and Food Bureau and the Environment, Transport and Works Bureau, the Subcommittee has invited the Secretaries of these two Bureaux to four meetings over the past 12 months but no progress has been achieved. The Subcommittee finds it necessary to draw your attention to the matter and hopes that you could look into the matter personally.

The Subcommittee has scheduled to meet again on 29 June 2007. We have requested the Administration to report on its position, including the decision and concrete plan for taking forward the matter under the principle of shared responsibility between the Government and PTOs and options on financing and operational arrangements. We look forward to hearing a favourable reply from you on the above issues. The Subcommittee fully supports the objective of promoting full integration of PwDs into the society. We believe that the Government has a vital role to play in promoting this integration and the duty to account for its decisions in this respect.

With best regards,

Yours sincerely,



(Hon LEE Cheuk-yan)

Chairman of the Subcommittee

c.c. Dr York Y N CHOW, SBS, JP, Secretary for Health, Welfare and Food
(Fax no: 2526 3753)

Dr Sarah LIAO Sau-tung, JP, Secretary for the Environment, Transport and
Works (Fax no: 3110 2700)