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電話號碼 Tel No. : 2509 4899

來函檔號 Your Ref. :

傳真號碼 Fax No. : 2543 0486

25 November 2005

Clerk to Panel
Legislative Council
8 Jackson Road
Central, Hong Kong
(Fax: 2121 0420)

Dear Sir,

**Supplementary Information on Concessionary Public
Transport Fares for People with Disabilities**

At the Legislative Council Panel on Transport meeting held on 4 November 2005, the Hon WONG Kwok-hing requested information on overseas practices in the offer of concessionary fares on public transport to People with Disabilities (PwDs).

I attach at Annexes information on the provision of concessionary fares to PwDs in some overseas countries –

- (i) Annex 1 – Information includes practices and related legal provisions; and
- (ii) Annex 2 – Information on practices only.

on – I wish to point out that the information provided is based

- (i) Our literature research on internet;
- (ii) Information provided by consulates; and
- (iii) Information provided by our Overseas Economic and Trade Offices.

Yours faithfully,

(Mrs Mary MA)
for Secretary for Health, Welfare and Food

Encl

cc Secretary for Environment, Transport and Works
(Attn: Miss Jacko TSANG) - Fax: 2104 7274

Provision of Concessionary Fare for People with Disabilities (PwDs) in Overseas Countries
(Information including practices and legal provisions on the offer of concessionary fare for PwDs)

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
United States of America	- Under the Urbanized Area Formula Grant Program (Section 5307 of the Federal Transit Laws), public transport operators receiving grants must allow elderly persons (age 65+), persons with disabilities, and Medicare cardholders to ride fixed route services during the off-peak period for a fare that is not more than half the base fare charged on other persons during the peak period.	- All public transportation services (bus, subway, light rail, commuter rail etc) are publicly funded.	- Under the Americans with Disabilities Act (ADA), an individual with a disability is a person who: <ul style="list-style-type: none"> ■ has a physical or mental impairment that substantially limits one or more major life activities; ■ has a record of such an impairment; and ■ is regarded as having such impairment. 	The disability definition in use under the half-fare program (as permitted by the Federal Transit Laws) differs from the definitions of disability under ADA and other Federal disability laws and regulations.

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
United Kingdom	- Transport Act 2000 provides a statutory minimum 50% discount on local bus services for elderly and disabled people in England and Wales.	- Public transport services are commercially run but receive reimbursements from government on the revenue forgone as a result of the scheme.	- Disabilities Discrimination Act (1995) (DDA) defines Disability as – <ul style="list-style-type: none"> ■ a physical or mental impairment which has a substantial and long-term (have last/likely to last for 12 months or longer) adverse effect on a person's ability to carry out normal day-to-day activities. 	DDA provides a definition of disability which has received some judicial attention since its passage. The 7 categories of disabled person listed in the Transport Act 2000 do not cover the full range of disabled people included within the DDA definition.

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
Canada	<p>Toronto</p> <ul style="list-style-type: none"> - No concession for PwDs. <p>Vancouver</p> <ul style="list-style-type: none"> - For residents with special needs, they can apply for a Handy Card. Eligibility is defined as a permanent physical or cognitive disability that is sufficiently severe that they are unable, without assistance, to use conventional transit and reside within the TransLink service region. 	<ul style="list-style-type: none"> - Government owned. - Translink operates to offer sky trains, buses and ferries and is publicly funded. 	<ul style="list-style-type: none"> - Canadian Human Rights Act 1977 - “Disability” means any previous or existing mental or physical disability and includes disfigurement and previous or existing dependence on alcohol or a drug 	<p>Provinces and Territories have similar laws forbidding discrimination in their jurisdictions.</p>

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
China	<ul style="list-style-type: none"> - In Article 44 [Preferential Treatment and Accommodations] of the Law on the Protection of Disabled Persons, agencies of public services shall provide preferential and auxiliary services for PwDs. - Blind persons may take local buses, trolleybuses, subways and ferries free of charge. - In general, local authorities follow the same line, but some are with more generous concessions to other groups. 	<ul style="list-style-type: none"> - Mainstream public transport is operated by the State. 	<ul style="list-style-type: none"> - No single legislation that enshrines the rights of PwDs. - PwDs are protected under different laws. 	Government is now in the process of amending the law to extend the treatment to other groups of PwDs.

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
Australia	<p>- Recipients of Disability Support Pension (DSP) or other pensions can travel at a concessionary price. The DSP is paid to people who are unable to work due to a disability or incapacity, and who <u>meet certain asset and income criteria</u>.</p>	<p>- Most bus, train, ferry and tram services within major cities are government-owned.</p>	<p>- Disability Discrimination Act (1992) defines Disability as –</p> <ul style="list-style-type: none"> ■ total or partial loss of the person's bodily or mental functions; ■ total or partial loss of a part of the body; ■ the presence in the body of organisms; causing disease or illness; ■ the presence in the body of organisms capable of causing disease or illness; ■ the malfunction, malformation or 	<p>The definition of disability in the DDA, according to the Australian Human Rights and Equal Opportunities Commission, “does not change the definition of disability regarding eligibility for benefits or services under other legislation, such as the Disability Services Act, the Social Security Act or workers' compensation legislation”.</p>

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
			<p>disfigurement of a part of the person's body;</p> <ul style="list-style-type: none"> ■ a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; and ■ a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behavior. 	

Country	Concessionary Fare to PwDs	Transport Operator Type	Disability Discrimination Related Legislation	Remarks
Singapore	<ul style="list-style-type: none"> - The government does not subsidize any form of concession fare, but transport subsidies are given to PwDs who are of low income to enable them to travel to work/school/ attend training. 	<ul style="list-style-type: none"> - Mainstream public transport services are provided by private companies. 		
New Zealand	<ul style="list-style-type: none"> - The Total Mobility Scheme offers taxi vouchers that provide a discount (50% in most regions) on the normal taxi fare with subsidy by government - The scheme is for people with serious mobility constraints. 	<ul style="list-style-type: none"> - Mostly privately owned 	<ul style="list-style-type: none"> - Human Rights Act 1993 	

**Provision of Concessionary Fare for People with Disabilities
in Overseas Countries (Information on Practices only)**

Country	Concessionary Fare to PwDs	Remarks
India	<ul style="list-style-type: none">- 75% of concession in First, Second, and Sleeper classes for train travel for orthopaedically handicapped (OH) * (* Defined as those who have a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.) - Eligibility: certification of OH by government doctor and that the person cannot travel without the assistance of an escort.	<ul style="list-style-type: none">- Concession funded by central government.
Denmark	<ul style="list-style-type: none">- Concession for train rides for blind/visually impaired persons, wheelchair users and physically handicapped persons using walking aids. - Concession for bus rides for blind passengers.	<ul style="list-style-type: none">- The State owns mainstream public transportation. Others either run by state/counties/municipalities or private operators.

Country	Concessionary Fare to PwDs	Remarks
Thailand	<ul style="list-style-type: none"> - Bangkok Mass Transit Authority (BMTA) offers half fare concessions for blind people. 	<ul style="list-style-type: none"> - Mainstream public transport services are provided by government enterprises.
Germany	<ul style="list-style-type: none"> - Seriously disabled persons, who are limited in their mobility in traffic or who are helpless or deaf can use local public transport free of charge. 	<ul style="list-style-type: none"> - Approximately one-third of the costs are paid from Federal budget, with remainder funded by federal states.
Austria	<ul style="list-style-type: none"> - PwDs are offered concessions depending on the type and gravity of disability. - Vienna Underground – <ul style="list-style-type: none"> ■ Deaf people – 50% reduction for a year ticket; ■ People with severely impaired vision – free year ticket (special passport for the blind required); ■ Blind people and one accompanying person and dog – free year tickets. 	<ul style="list-style-type: none"> - Mainstream public transport services (railway, subway, buses etc) are provided by the government.

Country	Concessionary Fare to PwDs	Remarks
	<ul style="list-style-type: none"> - Others – <ul style="list-style-type: none"> ■ People with 70% disability – half-price tickets for railways and compulsory concession for year ticket for bus services (disability passport required). ■ People with severely impaired vision and blind people – half-price tickets and free tickets for accompanying persons for rides on railway and buses. 	
Italy	<ul style="list-style-type: none"> - Eligible groups of PwDs and the amount of discounts are decided by individual local authorities. 	<ul style="list-style-type: none"> - Public transportation is the responsibility of local authorities and is operated through public or private companies. - Private companies receive subsidies from local authorities.

Country	Concessionary Fare to PwDs	Remarks
Belgium	<ul style="list-style-type: none"> - Transportation is free for the handicapped and the blind. - Attestation by government is required. 	<ul style="list-style-type: none"> - Railways operated by federal government and bus/tram/metro services operated by local authorities.
Greece	<ul style="list-style-type: none"> - 100% fare concession for passengers with disabilities. - In Athens, the Ministry of Health purchases a specific number of cards every year (with 25% discount) from the Athens Urban Transport Organization (AUTO) for issue to disabled passengers. 	<ul style="list-style-type: none"> - AUTO is a state funded organization and is responsible for all mainstream public transport services.
Japan	<ul style="list-style-type: none"> - In Tokyo, fare concession is available for PwDs on taxis, buses, subways, railways, airways and ferries. 	<ul style="list-style-type: none"> - Bus and railway services in Tokyo are owned and operated by the Tokyo Metropolitan Government while other transport services are provided by private operators.

Health, Welfare and Food Bureau
November 2005