

## **Legislative Council Panel on Home Affairs**

### **Second Information Paper on**

### **“Financial Support to Disabled and Non-disabled Athletes”**

#### **Purpose**

This paper aims to provide the views of the Equal Opportunities Commission (EOC) on the proposed financial support arrangement to disabled and non-disabled athletes as set out in the LC Paper No. CB(2)1493/06-07(01) entitled ‘Sports Development in Hong Kong’, which was presented for discussion at the last meeting of Legislative Council Panel on Home Affairs (Panel Meeting) held on 11 May 2007.

#### **Background**

2. At the last Panel Meeting, the Equal Opportunities Commission (EOC) was invited to provide initial analysis on whether the proposed financial support to disabled and non-disabled athletes as set out in the aforementioned paper would comply with the Disability Discrimination Ordinance (DDO). EOC noted the comments and response made by various deputations at the Panel Meeting and the supplementary information provided by the Administration vide LC Paper No. CB(2)1939/06-07(01) entitled ‘Response to Views/Submissions from Deputations on Sports Development at the Meeting of the Legislative Council Panel on Home Affairs held on 11 May 2007’ (the Paper).

#### **EOC’s Views**

3. It is noted from Annex of the Paper that the Administration is of the view that the schemes provided for disabled and non-disabled athletes are materially different for both historical and practical reasons. According to the Administration, financial support for non-disabled athletes is to assist them to achieve excellence in sports and compete in major games, whereas financial support and other rehabilitation and social welfare services for disabled athletes are to encourage their participation in sports training. That is to say, the objectives of sporting activities and training programmes for disabled and non-disabled athletes are fundamentally different, and hence their training needs may also be different. The EOC considers that the stakeholders (say, the disabled and non-disabled athletes) and experts in the field are best suited to comment on whether such assertion is valid or not.

4. Even if there is disparity in the amount of financial support between the different schemes for disabled and non-disabled athletes, it may not be necessarily taken as conclusive evidence of discrimination, given the argument that there is material difference in circumstances such as the objectives of participation, training needs, intensity and scope of training programmes, availability of other sources of support etc.

5. It is also noted from the Annex of the Paper that the Administration proposes to top-up financial support for disabled elite athletes on a case-by-case basis if situation warrants. We are given to understand that the Hong Kong Paralympic Committee and Sports Association for the Physically Disabled, and the Hong Kong Sports Association for the Mentally Handicapped are satisfied with the proposal.

6. To date, there is no information about whether the current level of financial support for disabled athletes is adequate or not, nor is there any complaint about discriminatory treatment in this respect lodged with the EOC. However, if there is a complaint alleging differential treatment between disabled and non-disabled athletes on the ground of their disabilities, the EOC has a statutory duty to investigate and assess merits of the complaint on a case by case basis.

7. While the stakeholders and relevant experts can continue to discuss whether or not the schemes provided for disabled and non-disabled athletes are materially different and hence inappropriate for direct comparison, the EOC appreciates that the Administration commits to considering the individual needs of disabled athletes and enhancing support (both financially and improvements to venues and facilities) for them to pursue sports excellence should circumstances justify regardless of whether there is any complaint of unlawful discrimination.

**Equal Opportunities Commission**  
**July 2007**