

立法會
Legislative Council

LC Paper No. CB(2)1469/06-07
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 12 March 2007, at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon CHAN Yuen-han, JP (Chairman)
Dr Hon Fernando CHEUNG Chiu-hung (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Bernard CHAN, GBS, JP
Dr Hon YEUNG Sum
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki

Members absent : Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Alan LEONG Kah-kit, SC

Public Officers attending : Item IV
Mr D C CHEUNG
Principal Assistant Secretary for Health, Welfare and Food
(Elderly Services and Social Security) 2

Miss Nancy LAW, JP
Deputy Director of Social Welfare (Administration)

Mr WU Kin-sing
Chief Social Security Officer (Social Security) 1
Social Welfare Department

Mr NG Wai-kuen
Chief Social Security Officer (Social Security) 2
Social Welfare Department

Item V

Mrs Mary MA
Commissioner for Rehabilitation
Health, Welfare and Food Bureau

Mr MO Kim-ming
Assistant Director/New Buildings 1
Buildings Department

Mr Alex CHOW
Chief Building Surveyor/Kowloon
Buildings Department

**Deputations
by invitation** : Item V

Hong Kong Occupational Therapy Association

Miss Sanne FONG
External Representative

The Parents' Association of Pre-school Handicapped
Children

Ms CHEUNG Kwok-chun
Parent Representative

Ms YU Tung-mui
Parent Representative

Retina Hong Kong

Mr TSANG Kin-ping
President

The Hong Kong Council of Social Service

Mr Philip YUEN
Rehabilitation Chief Officer

The Hong Kong Institute of Architects

Mr Clement CHU
Member, Buildings Committee

Mr Rembert LAI
Member, Buildings Committee

The Hong Kong Institute of Surveyors

Mr Vincent HO Kui-yip
Member

The Chinese University of Hong Kong

Professor Bernard LIM Wan-fung
Department of Architecture

Disable & Concern Group

Mr SO Chiu-kwong
Volunteer

Mr SIU Tung-choi
Member of Wheelchair Club

Hong Kong Blind Union

Mr CHENG Tak-wah
Director

Mr NG Kwok-bun
Member

Rehabilitation Alliance Hong Kong

Mr CHEUNG Kin-fai
Chairperson

Ms LAM Fong-ting
General Secretary

1st Step Association

Mr LEUNG Choy-yan
Chairman

Ms NG Yan-yee
Senior Organizer

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 4

Staff in attendance : Mr Chris LAI
Senior Council Secretary (2) 7

Miss Maggie CHIU
Legislative Assistant (2) 4

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As Miss CHAN Yuen-han, Chairman, did not feel well and would not chair the meeting, the meeting was chaired by Dr Fernando CHEUNG, Deputy Chairman.

I. Confirmation of minutes

[LC Paper No. CB(2)1189/06-07]

2. The minutes of the meeting held on 12 February 2007 were confirmed.

II. Information paper(s) issued since the last meeting

3. Members noted that no information paper had been issued since the last meeting.

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III. Items for discussion at the next meeting

[LC Paper Nos. CB(2)1190/06-07(01) and (02)]

4. Members agreed to discuss the following items at the next regular meeting scheduled for 12 April 2007 at 2:30 pm –

- (a) Comprehensive Child Development Service; and
- (b) Proposed establishment of the Family Commission.

(Post-meeting note : At the request of the Administration, discussion on item (b) would be deferred to a future meeting. A new item on "Research report on child protection in selected overseas places" was added to the agenda for the meeting.)

IV. Review of the system for processing applications for Disability Allowance under the Social Security Allowance Scheme

[LC Paper Nos. CB(2)1190/06-07(03) and (04)]

5. Principal Assistant Secretary for Health, Welfare and Food (Elderly Services and Social Security) (PAS/HWF(ES&SS)) briefed members on the Administration's responses to the views and concern raised at the Panel meeting on 11 December 2006 regarding the system for processing applications for Disability Allowance (DA) under the Social Security Allowance (SSA) Scheme, which were detailed in the Administration's paper.

Appeal mechanism

6. Ms LI Fung-ying expressed concern that despite the arrangement for more private medical doctors being invited to sit on the Medical Assessment Board (MAB) and meetings were held more frequently to expedite the appeal process, the latest processing time for an average appeal case on the ground of disabilities was 5.6 months. Ms LI enquired about the concrete measures and timetable for further expediting the appeal process.

7. Deputy Director of Social Welfare (DDSW) explained that it would take some time for MAB to process the appeal cases in hand on account of the large number of appeal cases on the waiting list and the limited number of cases which could be considered by each MAB meeting. With more private medical doctors sitting on MAB, and the scheduling of meetings more frequently, the processing time for an average case had already been shortened to 5.6 months. DDSW advised that in 2006, a total of nine MAB meetings were held with each meeting handling about 30 cases.

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8. Chief Social Security Officer (Social Security) 2 supplemented that MAB meetings were arranged by the Hospital Authority (HA). The frequency of meetings would depend on the number of medical doctors sitting on MAB and their availability. To expedite the processing of appeal cases, the number of medical doctors sitting on MAB had been increased from 13 in 2005-2006 to 17 in 2006-2007.

9. Mr LEE Cheuk-yan considered that the number of medical doctors sitting on MAB was far from adequate to handle the number of appeal cases in hand. The Administration should seek additional resources in this respect and invite more private medical doctors to sit on MAB.

10. PAS/HWF(ES&SS) stressed that the Administration had reviewed regularly the appeal arrangement having regard to the views and suggestions made by members. He envisaged that as more private medical doctors had been invited to sit on MAB, more MAB meetings could be held and the processing time for appeal cases would eventually be shortened after the backlog was cleared.

11. Ms LI Fung-ying considered that the appellant should be given an opportunity to present his/her case personally to the Social Security Appeal Board (SSAB). She was unconvinced of the Administration's justifications provided in its paper that there was no need for the appellants to appear when SSAB dealt with their appeals.

12. DDSW explained that in respect of appeal cases on the ground of disabilities, SSAB would arrange for the appellants to undergo medical assessment by an independent MAB. As SSAB would reach a decision on the basis of the medical assessment result of MAB, there was no need for the appellant to appear when SSAB considered the appeal. In addition, the processing time would be prolonged unduly if arrangements were to be made for the appellant to appear before SSAB.

13. Mr Albert HO cast doubt on the role played by SSAB in reviewing appeal cases on the ground of disabilities, given that SSAB members did not have medical expertise and would reach a decision based on the medical assessment result of MAB. Moreover, the appellants were not provided with the explanations if their appeals were unsuccessful. To enhance the transparency and equity of the appeal mechanism, Mr HO held a strong view that an appellant should have the opportunity to put forward his/her case personally to SSAB. The appellants should also be provided with written explanations of MAB's conclusion if their appeals were unsuccessful.

14. Expressing similar concern, Mr LEE Cheuk-yan said that apart from providing the appellants with the opportunity to present their cases directly to

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SSAB, they should be allowed to seek second opinion from other medical doctors on MAB's medical assessment results before SSAB made a decision.

15. DDSW responded that SSAB was responsible for handling all appeals against the decision of the Social Welfare Department (SWD) relating to the eligibility and payment of social security benefits. However, in respect of appeal cases on the ground of disabilities, SSAB would reach a decision on the basis of the medical assessment results of MAB. DDSW said that if a DA applicant was not satisfied with SWD's decision on his/her DA application, SSAB would arrange with HA for the applicant to undergo a medical assessment by an independent MAB. The appellant, in attending the medical assessment, would have the opportunity to put forward his/her case personally to MAB. This ensured that the rights of the DA applicants were adequately safeguarded. DDSW added that the Administration was consulting HA on the suggestion of providing written explanations of the MAB's conclusion to the appellants.

16. Referring to his past experience in serving as a member of MAB, Dr KWOK Ka-ki said that on account of the large number of appeal cases and the complexity of the cases involved, medical doctors sitting on MAB would occasionally find it difficult to determine the applicants' degree of disability, particularly when the duty medical doctors did not have the expertise on the types of disability being assessed by MAB. Dr KWOK pointed out that in some overseas countries, medical assessments on the degree of disability were conducted by specialists. To improve the operation of the appeal mechanism, Dr KWOK held the view that additional resources should be provided for HA to strengthen professional training and support for medical doctors sitting on MAB. Appeal cases involving similar types of disability should be grouped for each MAB meeting, and specialists from the relevant disciplines should be invited to sit on MAB where necessary to enhance the conduct of medical assessments.

17. Dr KWOK Ka-ki further said that the Administration should conduct a review of the requirement of "100% loss of earning ability" as the overriding eligibility criteria for DA. He pointed out that although some DA applicants did not satisfy the eligibility criteria for DA, they could not seek employment due to their disabilities. This had caused undue hardship on the disabled.

18. DDSW responded that given that SWD's frontline staff did not possess medical expertise for assessing the eligibility of DA applicants and processing appeal cases on the ground of disabilities, they had to rely on the medical assessment results of MAB. Nevertheless, the Administration would convey Dr KWOK Ka-ki's suggestions to HA for consideration. PAS/HWF(ES&SS) supplemented that to his knowledge, medical doctors from different disciplines would sit on MAB.

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19. Mr Albert HO asked whether SSAB had ever reached a decision which was contrary to the medical assessment results of MAB, or whether SSAB would only rubber-stamp the medical assessment results of MAB. Mr HO enquired about the number of successful appeal cases on the ground of disabilities in the past year, with a breakdown by reasons.

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20. DDSW responded that when considering appeals on the ground of disabilities, SSAB would consider whether there were any inconsistencies in the medical assessments of MAB conducted at the time of application and appeal. While SSAB would usually accept the medical assessment results of MAB, there were occasions on which SSAB requested MAB to conduct a re-assessment. DDSW undertook to provide the information requested by Mr HO after the meeting. PAS/HWF(ES&SS) added that as the assessment made by MAB was considered reliable and professional, it was understandable that SSAB seldom disagreed with the medical assessment results of MAB.

Boarding at subvented special schools or public hospitals

21. Mr LEE Cheuk-yan was of the view that the monthly payment of Higher DA (HDA) recipients should not be reduced to Normal DA (NDA) when the recipients were admitted to public hospitals as they had to pay for hospital charges and their family members had to incur additional expenses such as transport fares to hospitals during the period of hospitalisation. Similarly, the Administration should not deduct the HDA payment from recipients boarding at subvented special schools.

22. PAS/HWF(ES&SS) responded that the tuition fees of subvented special schools and charges of public hospitals had been subsidized heavily by the Government. The policy of providing NDA only to recipients receiving care in government or subvented residential institutions was meant to prevent double benefit.

23. Mr LEE Cheuk-yan considered the Administration's policy unjustified. He pointed out that DA recipients living in heavily subsidized public housing units could continue to receive HDA and were exempted from the double benefit policy.

24. Echoing similar views, the Chairman pointed out that same as DA, Old Age Allowance (OAA) was non-contributory and non-means-tested. The monthly payment to OAA recipients was not reduced if they were hospitalized at public hospitals. Moreover, OAA recipients were provided with a wide range of Government subsidized elderly services such as home help services. He could not see the rationale for providing NDA to recipients boarding at special schools or receiving care in public hospitals.

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25. PAS/HWF(ES&SS) stressed that DA was a non-contributory and non-means-tested scheme. The policy of requiring DA recipients boarding at subvented special schools or being hospitalized at public hospitals to receive NDA only was meant to prevent double benefit. This should not be confused with the policy of providing different rates of OAA for the elderly at different age. The financial assistance provided through HDA was not related to the actual amount of expenditure incurred by recipients whilst staying at home. PAS/HWF(ES&SS) said that non-CSSA disabled persons with financial difficulties could apply to HA for medical fee waiver. In addition, a wide range of community support and rehabilitation services were available to meet their special needs.

26. DDSW added that the purpose of DA was to provide some form of financial assistance for the severely disabled to meet their special needs arising from disability. For disabled people who faced financial hardship, they could apply for assistance under the Comprehensive Social Security Assistance (CSSA) Scheme, which provided a safety net of last resort. DDSW further said that while elders aged 70 or above were not subject to the means test under the OAA Scheme, applicants aged between 65 and 69 were required to have an income and assets below the prescribed limits.

27. Dr YEUNG Sum said that the policy of providing NDA only to DA recipients boarding at subvented special schools or being hospitalized at public hospitals was outdated and contrary to the provision of equal opportunities for people with disabilities (PWDs). To keep pace with the changing circumstances and growing expectation of the community for safeguarding the rights of PWDs, the Administration should conduct a comprehensive review of the eligibility and payments of DA.

28. PAS/HWF(ES&SS) pointed out that DA was purpose-specific and should not be confused with the rehabilitation policy which aimed to help facilitate the integration of PWDs into the community. PAS/HWF(ES&SS) said that under the rehabilitation programme, a wide range of services were provided for PWDs to meet their specific needs and to facilitate them to integrate into the community. The Administration considered that there was no need to change the existing policy of DA.

29. Dr KWOK Ka-ki said that DA recipients and their family members faced great pressure and financial difficulties in their daily lives. Some of their family members could only take up part-time jobs because they had to take care of the DA recipients. A reduction of the DA allowance from HDA to NDA would further worsen their financial situation.

30. PAS/HWF(ES&SS) reiterated that other than DA, PWDs facing financial hardship could apply for assistance under the CSSA Scheme. In fact, a number

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of CSSA recipients were 100% disabled/required constant attendance. Unlike most overseas countries, the CSSA Scheme in Hong Kong was non-contributory and funded entirely by the Government's General Revenue. The Chairman and Dr YEUNG Sum expressed disagreement and said that non-contributory social security schemes were not uncommon in overseas countries.

31. The Chairman said that the Administration had not fully addressed areas of concern raised by members, such as enhancing the operation of the appeal mechanism, strengthening professional training and support for medical doctors sitting on MAB, providing written explanations of MAB's conclusion to the appellants, and granting HDA to recipients boarding at subvented special schools or being hospitalized at public hospitals. The Chairman considered that the Panel should follow up the above issues at a future meeting. Members agreed. To facilitate members' future discussion, the Chairman requested the Administration to provide information on the number of appeal cases processed by MAB in the past year, the number of successful appeals, the number of cases referred by SSAB to MAB for re-assessment, the number of cases on which the decision of SSAB was contrary to the medical re-assessment results of MAB, and the number of appeals which had yet to be dealt with by MAB.

32. Mr LEE Cheuk-yan added that the Panel should follow up with the Administration on the proposal for setting a performance pledge on the maximum processing time for appeals lodged with SSAB.

33. PAS/HWF(ES&SS) said that the Administration would need some time to collate the requested information as the relevant statistics were kept manually. Miss CHAN Yuen-han said that as the subject of DA had been discussed by the Panel on a number of occasions and the requested information should be readily available, the Administration should revert to the Panel no later than May 2007. PAS/HWF(ES&SS) agreed that the Administration would revert to the Panel in May 2007.

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V. Review of barrier free access design manual 1997
[LC Paper Nos. CB(2)1190/06-07(05) to (12)]

34. The Chairman recapitulated members that at the meeting on 13 November 2006, the Panel passed a motion urging the Administration to include further improvement measures in the final draft of the revised Design Manual: Barrier Free Access 1997. The Administration would provide its responses to the motion at the meeting.

Views of deputations

35. The Chairman welcomed representatives of deputations to the meeting.

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The views of deputations are summarized as follows.

The Parents' Association of Pre-school Handicapped Children
[LC Paper No. CB(2)1190/06-07(09)]

36. Ms CHEUNG Kwok-chun introduced the submission of the Parents' Association of Pre-school Handicapped Children. Ms CHEUNG said that toilets for PWDs in some shopping arcades were not easily accessible especially PWDs on wheelchairs. The Design Manual should make clear that toilets for PWDs should be easily accessible. In addition, automatic doors should be installed at the main entrances accessible to PWDs and the lifts available for PWDs must be a passenger lift. To enhance the integration of PWDs into the community, Ms CHEUNG suggested that the Administration should take the lead to make improvements to the access and facilities of all Government buildings.

Retina Hong Kong
[LC Paper No. CB(2)1190/06-07(08)]

37. Mr TSANG Kin-ping presented the views of the Retina Hong Kong as detailed in its submission. Mr TSANG noted that the Administration proposed that a minimum illumination level of 85 lux would be provided for corridors, accessible paths and staircases during the period of normal use or occupation. He pointed out that such conditions were unclear and would create problems in the implementation of the design requirements. Mr TSANG considered the Administration's explanation for not providing tactile guide paths leading to escalators unacceptable, as this would deprive the rights of visually impaired persons to use the escalators. Mr TSANG added that a mandatory standard on luminous contrast should be included in the revised Design Manual.

The Hong Kong Council of Social Service
[LC Paper No. CB(2)1190/06-07(10)]

38. Mr Philip YUEN introduced the submission of the Hong Kong Council of Social Service (HKCSS). Mr YUEN echoed the views of the Retina Hong Kong on the provision of tactile guide paths leading to escalators in all shopping complexes and the minimum illumination level of 85 lux for corridors, accessible paths and staircases. Mr YUEN considered that the existing design requirements on the luminous contrast and slip-resistance should be retained in the revised Design Manual, and the level difference of dropped kerb should not be increased from 10mm to 15mm. He suggested that the emergency call bell in toilets for disabled should be repositioned as the proposed location was inconvenient to the users. Mr YUEN added that consideration should also be given to providing grants for property owners of pre-1997 buildings to improve the access and facilities of the buildings to the standards required by the revised Design Manual.

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The Hong Kong Institute of Architects

39. Mr Clement CHU said that the installation of automatic doors at the main entrances of buildings would facilitate the access of PWDs. However, such installation might not be feasible in small office buildings where the main entrance also served as the emergency exit. As such, automatic doors which could be operated manually in the event of a fire should be allowed to be installed at the main entrance of small office buildings from the fire safety perspective. Mr CHU considered it inappropriate to provide tactile guide paths leading to escalators in shopping arcades. He explained that the design of escalators in shopping arcades was usually in pairs going in different directions with heavy pedestrian flow. It was difficult for visually impaired persons to make out whether the escalators were "going-up" or "going-down" simply with the aid of audio signals produced simultaneously by a pair of escalators. Therefore, the installation of audio devices for escalators should not be made obligatory in the Design Manual.

The Hong Kong Institute of Surveyors

40. Mr HO Kui-yip welcomed the use of automatic or manual switching devices to meet the required illumination level where necessary, as this would balance the needs of PWDs and the need for energy conservation. Mr HO said that in the light of the potential risks to PWDs involved in the use of escalators, careful consideration should be given to making the provision of tactile guide paths leading to escalators an obligatory design requirement. The introduction of mandatory standards on luminous contrast and slip resistance should also be deferred until there were common standards in the industry. Mr HO added that the Hong Kong Institute of Surveyors supported enhancement of the provision of barrier-free access and facilities for PWDs, although due regard should be given to the practicability of design requirements and technical constraints in small and old buildings.

Professor Bernard LIM, The Chinese University of Hong Kong

41. Professor Bernard LIM said that when revising the Design Manual, there was a need to balance the needs of PWDs and the interests of parties concerned. As shopping complexes in Hong Kong were mainly located at multi-storey buildings with heavy customer flow, the use of escalators in shopping complexes would pose risks to visually impaired persons, and hence the provision of tactile guide paths leading to escalators should not be made mandatory. Instead, lifts accessible to all floors of a shopping complex should be available for use by PWDs. Professor LIM agreed that consideration should be given to specifying the mandatory standards on luminous contrast and slip-resistance in the next review of the Design Manual. He added that the Administration should step up

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public education on the provision of a barrier-free environment for PWDs.

Disable & Concern Group

42. Mr SIU Tung-choi said that sufficient and unobstructed space should be provided between double smoke lobby doors to facilitate disabled on wheelchairs to gain access where necessary. Door closing devices should be installed in lifts to ensure that the doors would be reopened with forces.

43. Mr SO Chiu-kwong pointed out that ramps leading to shops were sometimes far away from the main entrance and obstructed with sundry items; this created difficulties for wheelchair users to gain access to the shops. Mr SO said that the Design Manual should specify that ramps leading to shops should be located near the main entrances where possible and be obstacle-free during business hours. Moreover, clear signage leading to ramps and entrances accessible to PWDs should also be installed.

Hong Kong Blind Union

44. Mr NG Kwok-bun disagreed that the provision of tactile guide paths leading to escalators would pose risks to visually impaired persons. Mr NG considered that visually impaired persons should be allowed to use escalators at their own choice. While the Hong Kong Blind Union supported the need for energy conservation, it considered that the needs of visually impaired persons should be taken into account when setting the minimum illumination level for corridors, accessible paths and staircases in the Design Manual.

Rehabilitation Alliance Hong Kong
[LC Paper No. CB(2)1190/06-07(07)]

45. Mr CHEUNG Kin-fai presented the views of the Rehabilitation Alliance Hong Kong as detailed in its submission. Mr CHEUNG expressed concern about the Administration's proposal of deferring the introduction of a mandatory standard on luminous contrast and slip-resistance and considered it unacceptable for not making the provision of tactile guide paths leading to escalators mandatory in the Design Manual. Mr CHEUNG considered the minimum illumination level of 85 lux for corridors, accessible paths and staircases acceptable. Mr CHEUNG suggested that the emergency call bell in toilets for PWDs should be installed next to the grab rail rather than the folding rail. He added that the revised Design Manual should be implemented without further delay.

1st Step Association

46. With the aid of a video presentation, Ms NG Yan-ye said that a clear

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space of 1 500mm x 1 500mm in toilets for PWDs was barely enough for a disabled on wheelchair to move inside the toilet. Given that some electric wheelchairs were larger in size, Ms NG said that the clear space in toilets for PWDs should not less than 1 800mm x 1 800mm.

47. Mr LEUNG Choy-yan said that toilets for PWDs in some shopping arcades were located behind the smoke lobby doors. To enable wheelchair users to gain access to toilets without difficulties, the double smoke lobby doors should have a clear width of not be less than 1 300mm.

Hong Kong Association for Parents of Persons with Physical Disabilities and Hong Kong Catering Industry Association

48. Members noted that the Hong Kong Association for Parents of Persons with Physical Disabilities and the Hong Kong Catering Industry Association had provided written submissions (LC Paper Nos. CB(2)1190/06-07(11) and (12) respectively) but had not sent representatives to the meeting.

Discussion

49. Responding to the deputations' views, Assistant Director (New Buildings)1 of Buildings Department (AD(NB)1) said that –

- (a) while the installation of smoke lobby doors might create a certain degree of inconvenience for wheelchair users, it was a mandatory requirement under the Buildings Ordinance to safeguard fire and building safety. The revised Design Manual would specify that the distance between double smoke lobby doors should not be less than 1 200mm, which would be wide enough for wheelchair users;
- (b) consideration would be given to revising the design requirements on the installation of automatic main entrance doors having regard to the fire safety concern raised by the Hong Kong Institute of Architects. As such, the use of automatically operated doors which could be operated manually would be allowed in the main entrance of small office buildings;
- (c) the revised Design Manual would specify that the lifts available for PWDs should be a passenger lift;
- (d) the purpose of setting out the minimum level of illumination for corridors, accessible paths and staircases was to strike a balance between the needs of PWDs and the need for energy conservation;

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- (e) due to a lack of common standards on luminous contrast and slip resistance and the implementation difficulties, consideration would be given to specifying the mandatory requirements in the next review. The existing recommended design requirements on luminous contrast and slip resistance would be retained in the revised Design Manual;
- (f) the proposed increase in the level difference of dropped kerb from not more than 10mm to 15mm was in line with the latest guidelines issued by the Transport Department;
- (g) the emergency call bell in toilets for PWDs would be repositioned in the light of the deputations' suggestion;
- (h) the provision of tactile guide paths leading to escalators would involve a certain degree of risks for visually impaired persons. The information provided by the Mass Transit Railway (MTR) Corporation showed that escalator-related accidents accounted for more than half of the accidents in the MTR system. In fact, there were practical difficulties in providing audible devices for a pair of escalators going in different directions, because it was difficult for visually impaired persons to distinguish between the different signals produced simultaneously by a pair of escalators. Continuous signals produced by audible devices would also cause nuisance to occupiers and shops near the escalators. In the light of the above, the Administration did not propose to make the provision of tactile guide paths mandatory. Visually impaired persons could use the lifts to gain access to different floors in a shopping arcade or use the escalators if they so wished; and
- (i) flexibility would be allowed for the provision of ramps in small shops having regard to the physical constraints therein.

50. Dr YEUNG Sum welcomed the Administration's positive responses to the views and suggestions made by the Panel. Dr YEUNG said that automatic doors should be installed at the main entrances of all buildings where technically feasible. As regards the provision of tactile guide paths leading to escalators in shopping complexes, Dr YEUNG was of the view that it would be for individual visually impaired persons to choose whether to make use of the escalators having regard to the principle of equal opportunities for the disabled. Instead of discouraging them from using the escalators, measures should be taken to improve the safety of escalators. Dr YEUNG agreed that the use of automatic or manual switching devices to meet the required illumination level would strike a balance between the needs of PWDs and the need for energy conservation.

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He added that the existing design recommendations on luminous contrast and slip resistance should be retained in the revised Design Manual.

51. Mr Tommy CHEUNG said that the catering industry expressed full support for the provision of barrier-free access and facilities for PWDs. Nevertheless, due regard should be given to the physical constraints in individual food premises when implementing the Design Manual. For example, the installation of ramps leading to a higher floor level was difficult, if not impossible, in small restaurants because of the limited floor area. Mr CHEUNG considered that flexibility should be provided for the catering industry when implementing the Design Manual, and more consultation should be conducted with the parties concerned when reviewing the Design Manual.

52. AD(NB)1 said that the Administration was aware of the different views expressed by PWDs and the catering industry in respect of the provision of barrier-free access and facilities for PWDs. While food premises should comply with the design requirements specified in the Design Manual, exemption would be considered on a case-by-case basis. He stressed that the Administration needed to strike a balance between the needs of PWDs and the interest of parties concerned.

53. Mr Albert HO held the view that barrier-free access and facilities should be provided for PWDs. Noting that the proposed width of double smoke lobby doors should not be less than 1 200mm and the provision of tactile guide paths leading to escalators would not be made mandatory, Mr HO sought the deputations' views on these two features of the revised Design Manual.

54. Ms NG Yan-ye of 1st Step Association said that the width of double smoke lobby doors should not be less than 1 300 mm to facilitate easy access by wheelchair users.

55. Mr Philip YUEN of HKCSS said that visually-impaired persons would use escalators irrespective of whether tactile guide paths leading to escalators had been provided. As such, the provision of tactile guide paths leading to escalators in all shopping complexes should be made mandatory.

56. To provide a barrier-free environment for PWDs and to set a good example for property developers, the Chairman said that the Government should ensure that the access and facilities of all new Government buildings should meet the standards stipulated in the Best Practice Section of the revised Design Manual. The Administration should also expedite the improvement programmes on the access and facilities of pre-1997 Government buildings. Expressing concern about the slow progress of the introduction of the revised Design Manual, the Chairman urged the Administration to provide a concrete legislative timetable.

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57. AD(NB)1 said that the Chairman's suggestion for improving the access and facilities of Government buildings would be conveyed to the relevant bureaux and departments. Commissioner for Rehabilitation (C for R) added that the Administration would consider whether further revisions to the revised Design Manual were necessary having regard to the suggestions and views made by members and deputations at the meeting. Depending on the progress of drafting the legislative amendments, the Administration planned to introduce the legislative proposal to the Legislative Council (LegCo) by the end of 2007 or early 2008.

58. Dr YEUNG Sum considered this timetable unacceptable. Dr YEUNG said that to allow sufficient time for scrutiny, the proposal should be introduced to LegCo no later than October 2007.

59. The Chairman concurred with Dr YEUNG and said that the review of the Design Manual had already taken more than five years; the revised Design Manual should be implemented without further delay. The Chairman said that further briefing sessions on the finalized revised Design Manual should be held to explain the proposed requirements to PWD groups and parties concerned. Dr YEUNG Sum added that the Administration should keep the Panel informed of the developments on the drafting of the finalized revised Design Manual and the legislative proposal.

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60. C for R assured members that the Administration would provide the finalized version of the revised Design Manual to the Panel for information and introduce the legislative proposal to LegCo as early as practicable.

VI. Any other business

61. There being no other business, the meeting ended at 1:05 pm.

Council Business Division 2
Legislative Council Secretariat
10 April 2007