

**Motion on “Equal Opportunities Commission’s Formal Investigation Report on Accessibility in Publicly Accessible Premises” moved by Hon CHEUNG Kwok-che at the Legislative Council Meeting on 26 January 2011**

**Progress Report**

**Background**

At the Legislative Council (LegCo) meeting of 26 January 2011, the following motion moved by Hon CHEUNG Kwok-che was carried -

“That, this Council notes the Equal Opportunities Commission (EOC)’s Formal Investigation Report on Accessibility in Publicly Accessible Premises and the Government’s response to and follow-up action on the 23 recommendations in the Report.”

2. This progress report sets out for Members’ information the follow-up actions taken by the Administration on the issues raised by Members at the motion debate.

**Retrofitting Programme**

3. In response to recommendations in the EOC’s Report, the Administration has undertaken to carry out a major retrofitting programme to upgrade the barrier-free facilities in existing government premises and facilities which have frequent public interface with the latest design standards as set out in the “Design Manual: Barrier-Free Access 2008” (DM 2008). The retrofitting programme covers about 3 700 government premises and facilities, amongst which 3 306 premises/facilities will be retrofitted by 30 June 2012 and the remaining 386 premises/facilities by 30 June 2014.

4. While the additional funding for the retrofitting works will only be in place in the 2011-12 financial year, the works departments including the Architectural Services Department (ArchSD), the Highways Department (HyD) and the Civil Engineering and Development Department, in collaboration with the managing departments of these premises and facilities, have proceeded with the preparation work for over 24% of the premises and facilities while retrofitting works on a few premises and facilities have already commenced as at end-March 2011.

5. In tandem, the Hong Kong Housing Authority (HA) has also devised a retrofitting programme to improve accessibility to the properties under its management. Most of the improvement works at 155 public rental housing estates, 23 commercial centres and 72 carparks will be completed by 30 June 2012. To strike a balance between the progress of improvement works and service interruption and nuisances to tenants, HA will schedule some of the improvement works for completion by 30 June 2014. To tie in with major improvement programmes in some HA's estates like lift modernisation programme and Estate Improvement Programme, a small proportion of the improvement works will be completed in 2016-17. As at end-March 2011, site survey and feasibility study for all premises/facilities have been completed, while works have commenced at 40 sites.

6. Going beyond the scope of the EOC's Report, HyD will also accelerate its retrofitting programme for the provision of barrier-free access (lift or ramp) at public footbridges, subways or elevated walkway structures without such access or alternative at-grade crossings, where technically feasible. Up to now, out of a total of 295 such facilities, HyD has completed investigation of 123 facilities, of which 67 are found feasible for lift/ramp retrofitting works. Amongst these 67 facilities, the retrofitting works for 22 have been completed so far and the retrofitting works for 12 are in progress or under active planning. As regards the remaining footbridges, subways or elevated walkway structures, HyD has already commenced planning and investigation for retrofitting works. To further shorten the project delivery time, retrofitting works for all remaining feasible items would be taken forward in phases with the majority of works scheduled for completion by around 2016-17 and the rest (e.g. those involving public objections or are technically complex) by around 2017-18. In this regard, the Administration will seek approval for funding of about \$280 million from LegCo in this financial year for the design of barrier-free facilities at 180 public pedestrian footbridges and subways, as well as the first phase of retrofitting works.

7. The Administration will continue to closely monitor the progress of the retrofitting programme to ensure that the upgrading works will be completed within the pledged timetable. In this regard, we provided the first quarterly progress report of the retrofitting programme showing position as at end-March 2011 to the EOC, the LegCo Panel on Welfare Services and the Rehabilitation Advisory Committee on 26 April 2011 and will continue to do so on a quarterly basis. The progress report was also uploaded to the Government website for public examination concurrently.

## **Provision of Hillside Escalator Links and Elevator Systems**

8. Provision of hillside escalator links and elevator systems primarily serves as facilities to improve pedestrian circulation.

9. As regards new proposals for the provision of hillside escalator links and elevator systems, the Government has put in place a set of comprehensive, objective, fair and transparent evaluation criteria for assessing the merits of proposals from different districts and their priorities for conducting feasibility studies. The Government will, in accordance with the resultant ranking of the assessed proposals, conduct feasibility studies to further examine whether they are technically feasible. Based on manpower and resource considerations, the Administration has started to take forward in stages technical feasibility studies for the top ten proposals under the assessment system. Among these ten proposals included in the first stage of feasibility studies, five projects are located in Kwai Tsing. For the two Kwai Tsing projects with the highest scores in the assessment (i.e. the Lift and Pedestrian Walkway System between Tsing Yi Road West and Tsing Yu Street, and the Lift and Pedestrian Walkway System between Kwai Shing Circuit and Hing Shing Road), HyD has already commenced the feasibility studies. Meanwhile, the Transport Department (TD) and HyD are conducting a pre-implementation review on a number of issues (including the scope of study, standards for facilities etc.) with regard to the remaining three proposed projects in Kwai Tsing, with a view to commencing the feasibility studies in a timely manner.

10. Regarding the proposal on a lift and pedestrian walkway system between Wo Tong Tsui Street and Kwai Hing Road, its ranking in the assessment is relatively low and therefore has not been included in the first stage feasibility studies. It will however be considered in the next round of assessment alongside waitlisted and new proposals.

## **Accessibility of Public Hospitals**

11. When designing and developing new facilities or conducting improvement works of existing facilities, the Hospital Authority has also made reference to the prevailing standards set out in the “Design Manual: Barrier Free Access” (DM) in provision of barrier free facilities. To provide more accessible services to the public, the Hospital Authority will continue to monitor service needs of its clients, and review from time to time the existing facilities and services for further improvement.

## **Accessibility of Properties of Link Management Ltd**

12. After the HA divested its 180 commercial and car-parking facilities through the listing of The Link Real Estate Investment Trust (The Link REIT) in November 2005, The Link REIT became a private organisation which is entirely independent of the Government and the HA. The daily operation and management of its properties is currently taken up by The Link Management Limited (LML). The Government and the HA have no involvement in its operation.

13. Just like any other private organisation, the LML must ensure that the operation of The Link REIT and its properties are in compliance with the statutory requirements under relevant ordinances, including the Disability Discrimination Ordinance and the Buildings Ordinance (BO). Any proposed new structures and proposed alterations or additions to the existing structures must comply with the prevailing requirements under the BO, its subsidiary legislation, and other codes of practice issued by the Building Authority pursuant to the BO, including the requirements for the provision of barrier-free access and facilities set out in the DM.

14. According to the LML, it will prioritize works schedule to upgrade the barrier-free access and facilities in the commercial properties of The Link REIT to the prevailing standards, where reasonable and as far as practicable, in the light of the circumstances of individual shopping centres, users' requirements, urgency and cost-effectiveness, etc.. The enhancement works will commence this year in three phases with an anticipated completion date for the whole exercise in 2016. Before and during the enhancement works, the LML will continue to keep in close contact with stakeholders and groups of persons with disabilities and listen to their views to ensure that the enhancement measures meet their needs.

15. The LML is now actively following up the recommendations on the eight shopping centres and car parks previously surveyed by the EOC. Of these, the majority of the enhancement works on barrier-free access and facilities at seven commercial and carparking facilities have been completed in March 2011, while the enhancing works of the remaining one which is currently undergoing overall asset enhancement will be completed in 2012.

16. As most of the commercial facilities under The Link REIT are located in public rental housing (PRH) estates, such facilities are mostly used by PRH tenants. In this connection, the Housing

Department (HD) will continue to convey tenants' views on The Link REIT's facilities, including their aspirations on the provision and use of barrier-free access and facilities, to the LML through regular working contacts. HD will also continue to encourage and urge the LML to fulfill its corporate social responsibility to provide barrier-free access in the commercial facilities of The Link REIT for the benefit of all users, including persons with disabilities and those in need, thereby facilitating the use of the facilities in a barrier-free manner.

### **Accessibility of Public Transport**

17. Regarding franchised buses, all franchised bus companies will procure wheelchair-accessible buses as far as possible when purchasing new buses. As at November 2010, there were more than 3,200 wheelchair-accessible buses, representing about 56% of all buses. All buses operated by The Kowloon Motor Bus Company (1933) Limited (about 3,830 buses) and Long Win Bus Company Limited (about 160 buses) have been provided with the Bus Stop Announcement System. As for Citybus Limited, more than 120 buses of its fleet were installed with the system by November 2010. The remaining 640 or so buses in its fleet operated under the Franchise for Hong Kong Island and Cross-harbour Routes are planned for installation of the system within 2011. If the system proves to work well, the fleet operated by the Citybus Limited under the Franchise for North Lantau and Chek Lap Kok Airport Routes (about 170 buses) and the fleet of the New World First Bus Services Limited (about 700 buses) will also be retrofitted with the system in phases.

18. On railway services, all MTR stations and Light Rail stops, except Racecourse Station of the East Rail Line, provide barrier-free access (with facilities such as stairlifts, lifts, ramps and wheelchair aids, etc.). In fact, since 1992, MTRCL has launched a station improvement project under which pre-1990 station facilities have been improved gradually. Up to now, MTRCL has spent over \$600 million on the project and has committed another \$200 million from 2011 to 2015 to further enhance barrier-free access. MTRCL has already planned to carry out the works at nine stations to retrofit lifts connecting to the ground level.

### **Subsidy to Private Property Owners for Retrofitting Barrier-Free Facilities**

19. The Housing Society and the Urban Renewal Authority have amalgamated the five financial assistance schemes for building

maintenance and repair into one single scheme – “Integrated Building Maintenance Assistance Scheme” since April 2011. This Scheme covers the subsidy for provision, enhancement and repair of barrier-free facilities. On the other hand, the two financial assistance schemes funded by the Government (i.e. the Comprehensive Building Safety Improvement Loan Scheme and the Building Maintenance Grant Scheme for Elderly Owners) will also accept application relating to the works on barrier-free facilities. Moreover, the Administration has suggested for LegCo’s consideration that works relating to barrier-free facilities be covered under the scope of “Operation Building Bright”.

### **Accessibility for Leisure and Cultural Programmes**

20. The Leisure and Cultural Services Department (LCSD) always gives consideration to and catered for the needs of persons with disabilities, making its leisure and cultural activities/services accessible to them. LCSD will continue to enhance its support to persons with disabilities through the following measures -

- (a) offering half-price concession for persons with disabilities and their minders to leisure facilities, community recreation and sports programmes as well as performing arts programmes;
- (b) provision of free recreation and sports programmes specially designed for persons with disabilities;
- (c) provision of outreaching programmes at rehabilitation and care centres operated by non-government organisations to encourage persons with disabilities to actively participate in sports and physical activities;
- (d) provision of suitable activities for participation by students of special schools;
- (e) provision of equipment and services such as induction loop hearing-aid system and simultaneous narration to enable persons with disabilities to enjoy cultural performances;
- (f) presentation of performances with disabled artists or arts groups of persons with disabilities;
- (g) arranging collaborative projects for the persons with

disabilities communities like providing library block loan services, setting up community libraries for persons with disabilities organisations;

- (h) continuing to improve its facilities and services to better suit the needs of persons with disabilities;
- (i) rendering appropriate assistance to persons with disabilities by frontline staff at all venues;
- (j) provision of more suitable training for staff members to raise their awareness on barrier free access and enhance the service level to the persons with disabilities; and
- (k) appointment of Access Coordinators and Access Officers within LCSD to take care of the needs of persons with disabilities and posting of their contact information on LCSD's webpage and at individual venues (for Access Officers) starting from April 2011.

21. Citing public library services as an example, apart from books in the libraries, collection of e-books and electronic databases can be accessed from a remote location through the Library's website, some installed with audio functions to facilitate listening in addition to reading and browsing. Internet workstations installed with special aiding devices, including screen magnification software, Cantonese and English voice synthesizer software, and Easy Dots (a Chinese input software customised for the visually impaired) are available in 31 public libraries to facilitate the visually impaired in Internet access and browsing of the Multimedia Information System at public libraries. Refreshable Braille display devices are available in the Hong Kong Central Library and 5 major libraries to enable text-reading on the Internet by touch. The new model Internet Express Terminals (IET) at all static libraries have been installed with screen magnification software and the height of the screen and keyboard of this new model is also designed with adjustable device to facilitate use by wheelchair users. Desktop Video Magnifiers are also available in 21 public libraries for the elderly and visually impaired to read printed materials such as newspapers, books or periodicals.

## **Accessibility in West Kowloon Cultural District**

22. Accessibility is also one of the Planning Design Principles adopted by the West Kowloon Cultural District Authority (WKCD) as the foundation for the development of the West Kowloon Cultural District (WKCD). WKCD has embarked on a three-stage public engagement (PE) exercise to prepare the Development Plan (DP) for the WKCD. During the PE exercise, views of persons with disabilities were collected on the planning of the WKCD and the facilities in the arts and cultural venues. The consultants of the WKCD will take into account these views in preparing the DP and the schedules of accommodation for the arts and cultural facilities within the WKCD. ArchSD also refers to the DM in the design and construction of the government buildings and adopts best practices on universal accessibility in their projects where practicable.

## **Accessibility for Polling Stations**

23. In the 2010 LegCo By-election, among the 516 polling stations, 443 were suitable for use by persons with disabilities, which accounted for 85% of the total polling stations. This is an improvement over the 2008 LegCo Election in which 434 or 82% of the 532 polling stations were accessible to persons with disabilities. In future elections, the Registration and Electoral Office will continue to identify more accessible venues for use as polling stations to facilitate persons with disabilities exercising their voting rights.

## **Appointment of Access Co-ordinator and Access Officer**

24. The Government has established an Access Co-ordinator and Access Officer Scheme to enhance the accessibility of government premises, facilities and services. With effect from 1 April 2011, individual government bureaux and departments have designated an Access Co-ordinator to co-ordinate accessibility issues within the bureau and department and serve as the departmental focal point of a government network to facilitate government-wide collaborated efforts in enhancing the accessibility of government premises and facilities. Moreover, individual bureaux and departments have also appointed an Access Officer for each venue under their management to serve as the first point of contact on and handle the day-to-day management of accessibility issues at the venue.

25. In collaboration with the EOC, the Government has provided training to the Access Co-ordinators and Access Officers. Two seminars for ACs organised by the EOC, Labour and Welfare Bureau (LWB) and Civil Service Training and Development Institute (CSTDI) were held on 18 and 25 January 2011. A total of over 290 ACs in government bureaux/departments attended the seminars. In tandem, a total of six pilot workshops for AOs were held in March 2011 to raise staff awareness and improve the day-to-day management on barrier-free access in government venues. A total of over 1,120 AOs in government bureaux/departments attended the workshops. Besides, a number of departments having frequent interface with the public in their service delivery (such as HD and Hongkong Post) have also organised, in collaboration with the EOC and CSTDI, tailored-made accessibility workshops for their frontline staff. Other similar workshops for staff of LCSD, Food and Environmental Hygiene Department and Department of Health are in the pipeline. An information pack for ACs and AOs containing useful reference materials on accessibility issues has also been uploaded onto the Central Cyber Government Office (CCGO 數碼政府合署) and Cyber Learning Centre Plus (CLC Plus 公務員易學網).

26. Apart from the above, LWB and CSTDI will in collaboration with the Hong Kong Council of Social Service organise a new series of sign language training workshops for frontline staff of government departments to enhance support to the hearing impaired in their access to government services. The first workshop will be rolled out in July/August 2011.

27. LWB will continue to keep in view the special needs of persons with disabilities and initiate relevant civil service training in collaboration with EOC and CSTDI as and when appropriate to further enhance the accessibility of government premises, facilities and services for persons with disabilities.

### **Enhanced Co-ordination and Consultation with Stakeholders**

28. To reinforce the Government's firm commitment to providing a barrier-free environment in government premises and facilities for persons with disabilities, a circular setting out the Government's overall policy and the role and responsibilities of government bureaux and departments in this regard was issued on 9 February 2011 for compliance by all government bureaux and departments. The circular also sets out the improved arrangement to

further enhance the co-ordination among departments on works for provision of barrier-free facilities, and the need to consult groups of persons with disabilities at the design stage of improvement works and to seek their feedback upon completion of the works.

### **Applicability of the Building (Planning) Regulations to the Government and HA**

29. While B(P)R is not applicable to buildings belonging to the Government and the HA, the Disability Discrimination Ordinance (Cap. 487) stipulates that notwithstanding any provision in any other Ordinance, a public authority which has the power to approve building works, which includes the Director of Lands, the Building Authority, HA and the Director of Architectural Services, shall not approve building plans, whether for a new building or for the alterations or additions to an existing building unless the public authority is satisfied that reasonable access will be provided for persons with disabilities.

30. It is the established policy of the Government and HA to comply with the prevailing requirements in B(P)R, and where practicable, achieve standards beyond the statutory requirements in the provision of barrier-free facilities. Hence, all new Government and HA buildings or alterations and additions to existing Government and HA buildings with construction commencing after 1 December 2008 will have to meet the statutory requirements in B(P)R and wherever practicable, achieve a standard beyond the statutory requirements. The ArchSD and HD, which are responsible for the design and construction of Government buildings and public housing respectively, have put in place internal administrative monitoring and vetting mechanism to ensure that all their newly constructed buildings or alterations and additions to existing buildings meet the statutory requirements.

### **Public Education**

31. Public awareness of the needs of persons with disabilities and advantages of universal design is also important in encouraging private property owners to join hands in upgrading the barrier-free facilities in existing buildings. In this regard, LWB has since 2009-10 substantially increased the relevant allocation for public education activities from about \$2 million in the past years to more than \$12 million, so as to enhance public understanding of the rights and needs of persons with disabilities. LWB has been making proactive efforts in mobilising

cross-sectoral collaboration in building an equal and inclusive society through organising territory-wide public education activities, including launching an Announcement in the Public Interest to raise general awareness of accessibility. LWB has also increased funding for subsidising 18 District Councils, non-governmental organisations and public organisations for organising district-based public education activities, such as seminars and roving exhibitions on universal design and accessibility check-walks, to bring across the message of barrier-free and inclusiveness to the community at large.

32. As an on-going public education initiative, LWB continues to earmark \$12.5 million in 2011-12 for organising territory-wide and local public education activities to promote a barrier-free and inclusive society. Meanwhile, the concepts of equality, non-discrimination, inclusiveness etc. have already been incorporated in the school curriculum.

**Labour and Welfare Bureau**

**Constitutional and Mainland Affairs Bureau**

**Development Bureau**

**Food and Health Bureau**

**Home Affairs Bureau**

**Transport and Housing Bureau**

**Architectural Services Department**

**Buildings Department**

**Highways Department**

**Housing Department**

**Leisure and Cultural Services Department**

**Transport Department**

**June 2011**