

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 9 November 2011

**Amendments to motion on
“Comprehensively reviewing the Disability Allowance scheme”**

Further to LC Paper No. CB(3) 80/11-12 issued on 27 October 2011, four Members (Hon WONG Sing-chi, Hon TAM Yiu-chung, Dr Hon PAN Pey-chyou, and Hon Ronny TONG) have respectively given notices of their intention to move separate amendments to Hon WONG Kwok-hing’s motion on “Comprehensively reviewing the Disability Allowance scheme” scheduled for the Council meeting of 9 November 2011. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon WONG Kwok-hing to speak and move his motion;
- (b) the President proposes the question on Hon WONG Kwok-hing’s motion;
- (c) the President calls upon the four Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon WONG Sing-chi;
 - (ii) Hon TAM Yiu-chung;

- (iii) Dr Hon PAN Pey-chyou; and
- (iv) Hon Ronny TONG;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon WONG Kwok-hing to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the four Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon WONG Sing-chi to move his amendment to the motion, and forthwith proposes and puts to vote the question on Hon WONG Sing-chi's amendment;
- (i) after Hon WONG Sing-chi's amendment has been voted upon, the President deals with the other three amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon WONG Kwok-hing to reply. Thereafter, the President puts to vote the question on Hon WONG Kwok-hing's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Comprehensively reviewing the Disability Allowance scheme”
to be held at the Council meeting of 9 November 2011**

1. Hon WONG Kwok-hing’s original motion

That Hong Kong’s existing Disability Allowance (‘DA’) scheme was formulated in 1973 and, after some 30 years of operation, the protection provided by the scheme has become outdated; some people with disabilities (‘PWDs’) (such as people with loss of one limb) are even not entitled to the allowance and not issued with the Registration Card for People with Disabilities because the scheme was inflexible, thus rendering them unable to enjoy MTR half-fare concessions for PWDs; in this connection, this Council urges the Administration to comprehensively review the DA scheme, so as to meet the needs of society today; the relevant review should include:

- (a) to review the criteria for the granting of DA, including granting an allowance proportionate to the degree of disability of the applicant;
- (b) to consider including professional social workers’ ‘whole-person assessment’ as one of the criteria in the vetting and approval process, rather than relying solely on medical practitioners for determining applicant’s eligibility or otherwise based on the degree of disability of the applicant;
- (c) to review the Medical Assessment Form and the checklist used for assessing a DA applicant’s degree of disability, and clearly specify the definition of and criteria on ‘visceral diseases’;
- (d) to comprehensively review the definition of ‘severely disabled’ under the existing DA scheme, and relax the criteria in the First Schedule to the Employees’ Compensation Ordinance (Cap. 282 of the Laws of Hong Kong), i.e. a degree of disability broadly equivalent to a 100% loss of earning capacity, so as to strengthen the protection of PWDs; and

- (e) to comprehensively review the applicability of the various public transport concessions available at present to PWDs and the payment arrangements.

2. Motion as amended by Hon WONG Sing-chi

That, *given that* Hong Kong's existing Disability Allowance ('DA') scheme was formulated in 1973 and, after some 30 years of operation, the protection provided by the scheme has become outdated; some people with disabilities ('PWDs') (such as people with loss of one limb) are even not entitled to the allowance and not issued with the Registration Card for People with Disabilities because the scheme was inflexible, thus rendering them unable to enjoy MTR half-fare concessions for PWDs; ~~in this connection~~, this Council urges the Administration to comprehensively review the DA scheme, so as to meet the needs of society today; the relevant review should include:

- (a) to review the criteria for the granting of DA, including granting an allowance proportionate to the degree of disability of the applicant;
- (b) to consider including professional social workers' 'whole-person assessment' as one of the criteria in the vetting and approval process, rather than relying solely on medical practitioners for determining applicant's eligibility or otherwise based on the degree of disability of the applicant;
- (c) to review the Medical Assessment Form and the checklist used for assessing a DA applicant's degree of disability, and clearly specify the definition of and criteria on 'visceral diseases';
- (d) to comprehensively review the definition of 'severely disabled' under the existing DA scheme, and relax the criteria in the First Schedule to the Employees' Compensation Ordinance (Cap. 282 of the Laws of Hong Kong), i.e. a degree of disability broadly equivalent to a 100% loss of earning capacity, so as to strengthen the protection of PWDs; ~~and~~
- (e) to comprehensively review the applicability of the various public transport concessions available at present to PWDs and the payment arrangements; *and*
- (f) *to apply the concept of Portable Comprehensive Social Security Assistance Scheme to DA and remove the permissible limit of absence*

from Hong Kong, so that eligible PWDs residing in Guangdong and Fujian can also receive DA.

Note: Hon WONG Sing-chi's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon TAM Yiu-chung

That *the Disability Allowance ('DA') under the Social Security Allowance Scheme is a monthly cash allowance granted to severely disabled Hong Kong residents for coping with the special needs arising from severe disabilities;* Hong Kong's existing ~~Disability Allowance ('DA')~~ *DA* scheme was formulated in 1973 and, after some 30 years of operation, the protection provided by the scheme has become outdated; some people with disabilities ('PWDs') (such as people with loss of one limb) are even not entitled to the allowance and not issued with the Registration Card for People with Disabilities because the scheme was inflexible, thus rendering them unable to enjoy MTR half-fare concessions for PWDs; in this connection, this Council urges the Administration to comprehensively review the DA scheme, so as to meet the needs of society today; the relevant review should include:

- (a) to review the criteria for the granting of DA, including granting an allowance proportionate to the degree of disability of the applicant;
- (b) to consider including professional social workers' 'whole-person assessment' as one of the criteria in the vetting and approval process, rather than relying solely on medical practitioners for determining applicant's eligibility or otherwise based on the degree of disability of the applicant;
- (c) to review the Medical Assessment Form and the checklist used for assessing a DA applicant's degree of disability, and clearly specify the definition of and criteria on 'visceral diseases';
- (d) to comprehensively review the definition of 'severely disabled' under the existing DA scheme, and relax the criteria in the First Schedule to the Employees' Compensation Ordinance (Cap. 282 of the Laws of Hong Kong), i.e. a degree of disability broadly equivalent to a 100% loss of earning capacity, so as to strengthen the protection of PWDs; ~~and~~

- (e) to comprehensively review the applicability of the various public transport concessions available at present to PWDs and the payment arrangements; *and*
- (f) *to allow elderly recipients of DA to receive the Old Age Allowance at the same time.*

Note: Hon TAM Yiu-chung's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Dr Hon PAN Pey-chyou

That, *given that* Hong Kong's existing Disability Allowance ('DA') scheme was formulated in 1973 and, after some 30 years of operation, the protection provided by the scheme has become outdated; some people with disabilities ('PWDs') (such as people with loss of one limb) are even not entitled to the allowance and not issued with the Registration Card for People with Disabilities because the scheme was inflexible, thus rendering them unable to enjoy MTR half-fare concessions for PWDs; ~~in this connection~~, this Council urges the Administration to comprehensively review the DA scheme, so as to meet the needs of society today; the relevant review should include:

- (a) to review the criteria for the granting of DA, including granting an allowance proportionate to the degree of disability of the applicant;
- (b) to consider including professional social workers' 'whole-person assessment' as one of the criteria in the vetting and approval process, rather than relying solely on medical practitioners for determining applicant's eligibility or otherwise based on the degree of disability of the applicant;
- (c) to review the Medical Assessment Form and the checklist used for assessing a DA applicant's degree of disability, and clearly specify the definition of and criteria on 'visceral diseases';
- (d) to comprehensively review the definition of 'severely disabled' under the existing DA scheme, and relax the criteria in the First Schedule to the Employees' Compensation Ordinance (Cap. 282 of the Laws of Hong Kong), i.e. a degree of disability broadly equivalent to a 100% loss of earning capacity, so as to strengthen the protection of PWDs; ~~and~~

- (e) to comprehensively review the applicability of the various public transport concessions available at present to PWDs and the payment arrangements; *and*
- (f) *to abolish the existing requirement that DA recipients cannot receive the Old Age Allowance at the same time.*

Note: Dr Hon PAN Pey-chyou's amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Hon Ronny TONG

That, *given that people with disabilities ('PWDs') are a special group in society that needs to be looked after, and* Hong Kong's existing Disability Allowance ('DA') scheme was formulated in 1973 and, after some 30 years of operation, the protection provided by the scheme has become outdated; ~~some people with disabilities ('PWDs')~~ *PWDs* (such as people with loss of one limb) are even not entitled to the allowance and not issued with the Registration Card for People with Disabilities because the scheme was inflexible, thus rendering them unable to enjoy MTR half-fare concessions for PWDs; ~~in this connection,~~ *and their disabilities are not recognized as an eligibility criterion for compassionate rehousing,* this Council urges the Administration to comprehensively review the DA scheme, so as to meet the needs of society today; the relevant review should include:

- (a) to review the criteria for the granting of DA, including granting an allowance proportionate to the degree of disability of the applicant;
- (b) to consider including professional social workers' 'whole-person assessment' as one of the criteria in the vetting and approval process, rather than relying solely on medical practitioners for determining applicant's eligibility or otherwise based on the degree of disability of the applicant;
- (c) to review the Medical Assessment Form and the checklist used for assessing a DA applicant's degree of disability, and clearly specify the definition of and criteria on 'visceral diseases';
- (d) to comprehensively review the definition of 'severely disabled' under the existing DA scheme, and relax the criteria in the First Schedule to the Employees' Compensation Ordinance (Cap. 282 of the Laws of

Hong Kong), i.e. a degree of disability broadly equivalent to a 100% loss of earning capacity, so as to strengthen the protection of PWDs; and

- (e) to comprehensively review the applicability of the various public transport concessions available at present to PWDs and the payment arrangements, *and to strive for the progressive installation of facilities by various public transport operators for the convenience of PWDs, such as low floors and announcement displays, as a condition of license renewal; and*
- (f) *to include proof of disabilities as an eligibility criterion for approving compassionate rehousing to public rental housing ('PRH'), so that PWDs can be rehoused to PRH units as early as possible and resolve their housing difficulties.*

Note: Hon Ronny TONG's amendment is marked in *bold and italic type* or with deletion line.