

**Disability Discrimination Ordinance**

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**Resolution**

(Under section 87(2) of the Disability Discrimination Ordinance (Cap. 487))

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**Resolved** that the Disability Discrimination Ordinance (Amendment of Schedule 5) Notice 2012, made by the Chief Executive in Council on 8 May 2012, be approved.

**Disability Discrimination Ordinance (Amendment of Schedule 5) Notice 2012**

(Made by the Chief Executive in Council under section 37(2) of the Disability Discrimination Ordinance (Cap. 487) subject to the approval of the Legislative Council)

**1. Disability Discrimination Ordinance amended**

The Disability Discrimination Ordinance (Cap. 487) is amended as set out in section 2.

**2. Schedule 5 amended (further exceptions to this Ordinance)**

Schedule 5, item 4—

**Repeal everything in column 2**

**Substitute**

“Providing fare concessions to persons—

- (a) who—
  - (i) receive assistance under the Comprehensive Social Security Assistance Scheme administered by the Director of Social Welfare; and
  - (ii) are medically certified under the Scheme to be 100% disabled for the purposes of the Scheme; or
- (b) who receive an allowance described as Disability Allowance under the Social Security Allowance Scheme administered by the Director of Social Welfare,

in respect of—

- (c) a public transport service operated by the MTR Corporation Limited;

- (d) a public transport service operated by a company pursuant to a franchise granted under section 5 of the Public Bus Services Ordinance (Cap. 230); or
- (e) a public transport service operated by a company or person pursuant to a franchise or licence granted under section 6 or 28 of the Ferry Services Ordinance (Cap. 104).”.

Clerk to the Executive Council

COUNCIL CHAMBER

8 MAY 2012

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### **Explanatory Note**

This Notice amends item 4 of Schedule 5 to the Disability Discrimination Ordinance (Cap. 487) (*the Ordinance*).

2. The effect of the amendment is that other than provision of fare concessions to certain persons with a disability in respect of the public transport services operated by the MTR Corporation Limited, provision of fare concessions to those persons in respect of the public transport services operated by any one of the operators as set out in paragraph 3 is also a further exception to Parts IV and V of the Ordinance. Under section 60 of the Ordinance, the discrimination is not rendered unlawful by those Parts.
3. The operators referred to in paragraph 2 are—
  - (a) holders of a public bus service franchise;
  - (b) holders of a ferry service franchise; and
  - (c) holders of a ferry service licence.