

**The Meeting of LegCo Panel on Welfare Services
held on 12 June 2006 on the Consultancy Study for the Review of the
*Design Manual: Barrier Free Access 1997***

**The Administration's Written Responses to the Follow Up Actions
Raised at the Meeting**

**(1) Prosecution actions taken by the Buildings Department against
non-compliance cases regarding the access and facilities
provided for persons with a disability**

To ensure that the facilities provided for people with disabilities in accordance with statutory requirements will remain available after the completion of private buildings, the Buildings Department (BD) has adopted a two-pronged approach in this respect. On the one hand, BD has selected target shopping arcades and commercial buildings for focused inspections and follow-up actions. On the other hand, BD has actively followed up cases of irregularities found in complaints lodged by the public.

(i) Inspection actions

Since 1997, BD has been taking the initiative to select a number of large-scale private shopping arcades and commercial buildings for focused inspection each year. The inspections aim to ascertain whether the access and facilities for people with disabilities provided in these places in accordance with statutory requirements have been removed, or illegally altered, or obstructed by other additional works. In case of any irregularities, BD will take enforcement actions under the Buildings Ordinance (BO). Since 2004, BD has increased the number of buildings/shopping arcades targeted for such inspection from 5 to 15 per year.

In selecting shopping arcades and commercial buildings for focused inspection, BD will take into account the flow of visitors and the irregularities found in these places, having regard to the suggestions or investigation reports provided by various non-governmental organisations (including the Rehabilitation Alliance Hong Kong and the Joint Council for the Physically and Mentally Disabled Hong Kong). These organisations will normally conduct investigations to ascertain the existence of irregularities in the shopping arcades or commercial buildings concerned before putting forward their suggestions to BD. Through this arrangement, those shopping arcades and commercial buildings with more serious problems can be identified for follow-up action.

In the past ten years, BD has inspected 66 large-scale shopping arcades and commercial buildings and found irregularities in some of the cases regarding facilities for people with disabilities in these premises. As a result, BD has issued 66 advisory letters.

Of the 66 cases with advisory letters issued, most owners or management companies have rectified their situation according to BD's advice. For those who did not respond positively, BD has served orders under the BO requiring the owners to carry out rectification works. Of the 26 cases that orders have been issued, rectification works required have been completed in 18 cases. Of the remaining 8 cases, rectification works have been commenced in 4 cases, while further actions will be taken against these owners depending on circumstances for the other 4 cases.

Our past experience shows that focused inspection is an effective and efficient way to address the issue concerned. BD will continue its efforts in this area through focused inspection.

(ii) Follow up complaints

Meanwhile, BD has also conducted investigations in response to complaints received. BD has classified the illegal removal of or alteration to access or facilities for people with disabilities as unauthorised building works (UBWs) for immediate enforcement action. Upon receipt of a complaint from the public, BD will complete investigation within 50 days as pledged. If the case is found substantiated, an order will be issued by BD requiring the owner to carry out rectification works. BD will take legal action, including prosecutions, against the owners concerned who fail to comply with the orders.

BD has no statistics on the number of complaints against unauthorised removal or alterations of access or facilities for people with disabilities before 2003. According to BD's records, 6 complaints relating to this matter have been received since 2003. Among these 6 cases, there is one case in which the owner has responded positively by arranging for the necessary rectification works upon receipt of an advisory letter from BD. BD will keep the case in view. As for 2 other cases, BD's investigations have revealed no irregularities. For the remaining 3 cases, BD has issued 4 orders under the BO after investigations, requiring the owners to carry out rectification works. Of these orders, required works have been completed to comply with 3 orders, while the owner of the remaining order has also arranged to carry out rectification works. BD will continue its follow-up action.

In order to step up efforts to combat non-compliance cases with orders issued by BD against UBWs, amendments were made to the BO in 2004 to increase the penalty for such cases. The maximum fine has been increased from \$50,000 to \$200,000, and the fine for each day during which contraventions continue has been raised from \$5,000 to \$20,000. The offender is also liable to one year's imprisonment.

- (2) The proposed adoption of sensor-operated lighting system to conserve energy and to provide higher illumination level for people with disabilities**

There is no doubt that sensor-operated lighting will save electricity energy. As to whether it should be specified in the Design Manual and whether a higher illumination level should be specified for public areas in buildings, the Administration is still examining the practicability and implications. We will report the outcome to the LegCo when a conclusion is made.

- (3) The latest progress of the modification project for government buildings to facilitate the access by people with disabilities**

The Administration and the Sub-committee on Access (the Sub-committee) of the Rehabilitation Advisory Committee have collaborated on a project to make improvement to the access and facilities of prioritized government buildings frequently visited by people with disabilities. Since the *Design Manual 84* came into effect, the Sub-committee recommended a total of 33 government buildings for improvement of access and facilities in accordance with the standards of the *Design Manual 84* under the project. The modification works of these government buildings were completed in 2000, and the total cost amounted to \$14 million.

Since 2000, the project has aimed at meeting the standards of the *Design Manual 97*. In the years between 2000 and 2005, the Administration approved about \$51.14 million for modifying 76 government buildings recommended by the Sub-committee under the project. As at end of June 2006, the modification works for 71 of them have been completed. The modification works for four (including the Cheung Chau Market, North Kwai Chung Market, Tai Kiu Market and Tsing Yi Market) of the five remaining government buildings will be completed by August and November 2006

respectively. The modification works for the remaining one (the Home Affairs Department's Ma On Shan Sub-office) is still pending because it is located in a private building and we have yet to secure the consent of the property owner. A latest progress report for this project is at Annex 1.

(4) Details of the public clinics, hospitals and public transport interchanges with main entrances/exits not accessible to people with disabilities

For the 102 public clinics, the main entrances/exits of three of them are located on the ground beams of the buildings. To provide ramps at the entrances/exits will require cutting off parts of the ground beams, which would affect the building structures. As such ramps cannot be provided at the entrances/exits of the clinics. There are another 14 amongst these 102 public clinics which cannot be provided with a lift because spaces were not reserved for lift facilities when the buildings were constructed. It will require demolishing substantial parts of the buildings for the installation of lifts in these buildings. There are another 6 public clinics because of the above reasons cannot be provided with ramps at main entrances/exits and lifts. The names and locations of these 23 public clinics are detailed at Annex 2.

In the 43 hospitals and medical institutions under the purview of the Hospital Authority, only the multi-function building of the Ruttonjee & Tang Shiu Kin Hospitals and the service buildings A, B and C of the Kowloon Hospital can not provide a lift to reach all services floors because of the above reason.

Details of the 14 Public Transport Interchanges (PTI) not fully accessible to people with disabilities are at Annex 3.

(5) The current standard of kerb-height of walkway

Some deputations pointed out at the meeting that the kerb-height of walkway has become lower and lower and nearly flushed with the road, this makes the difference in heights between bus floor and walkway larger, and in turn the gradient of bus ramp steeper, causing danger to wheelchair users when alighting buses. The current guidelines on the normal kerb-height of footpath is 125 mm. These guidelines are made taking into account the various needs of different types of road users. The road kerb demarcates the road pavement and the footpath, and channels the surface runoff to the roadside drainage system. Reasons such as adjustment of road pavement/ footpath level for drainage purpose, road pavement overlaying works, etc. may result in variation of kerb height. The Highways Department will carry out routine road inspections to identify non-standard kerb height and carry out rectification work.

Some deputations pointed out at the meeting the kerb height of the bus stop located at the Kwun Tong Road near the entrance of St. Joseph Primary School is below standard. Road inspection revealed that the non-standardized kerb-height was due to the overlay of low noise surfacing material on the specified section of road. Rectification works to the kerb at the bus stop will be carried out in July/August 2006 by the concerned departments.

(6) Entrances/exits of Lam Tin and Yau Tong MTR Stations

Lam Tin MTR Station : owing to site and structural constraints, it is technically not feasible to install lifts to connect the concourse with the A entrance/exit. Besides, MTRCL has submitted a proposal of narrowing the ramp at entrance/exit C located at Lei Yu Mun Road to the Highways Department's Station and Transport Integration Committee, with a view to providing direct access from the entrance/exit C to the nearby special schools and rehabilitation

institution.

Yau Tong MTR Station : the entrance/exit B2 is accessible to wheelchair users. To improve the accessibility of the entrance/exit A1, the Housing Authority has installed a stair lift to connect the entrance/exit to Yau Tong Estate.

(7) Access and facility improvement works for visually impaired persons conducted by the Housing Department (HD) in public rental housing estates

The improvement works require three years to complete because:

- the access and facilities involved in the improvement works, including tactile guide paths, voice synthesizer inside lifts, tactile marking and Braille on call button inside lift cars and Braille letters on door phone panel and combination lock panel, will be provided in a large number of estates and blocks (148 public housing estates and 1,100 blocks); and
- HD staff will need to consult the Estate Management Advisory Committee of each estate and the disability groups for the visually impaired on the routing of the tactile guide paths.

(8) Others

Narrow footpath at Hip Wo Street

The Highways Department will consider removing the lampposts to suitable locations to improve the spacing of the footpath.

No drop kerb at waiting platform at Yuet Wah Street PTI

The Transport Department is working out an improvement plan.

No footpath provided in the course of roadworks at Wylie Road

The road is being occupied by the Civil Engineering and Development Department (CEDD) as works areas for carrying out slope works which is scheduled for completion in October 2006. CEDD will provide a temporary footpath in the form of platform along the remaining footpath adjacent to the works site to allow people with disabilities to pass through. The work would commence shortly.

No footpath from Luen Wan Street to Mongkok KCR Station

Technical difficulty is encountered as there is no space to construct a pedestrian walkway along the access road from Luen Wan Street to the podium level of the PTI. For the existing walkway, we had conducted a study and could not find a suitable connection point on Luen Wan Street for installing a lift to the podium level after a study.

As an alternative route, people with disabilities can use the lift located at the junction of Sai Yee Street/Bute Street (next to the Hong Kong and Kowloon Chiu Chow School) to access Mongkok Government Offices. There is a map type sign being placed outside the escalator at the junction of Argyle Street/Luen Wan Street to inform the people with disabilities of the location and route to the lift.

Bollards in Kai Yip Estate create access barrier to wheelchair users

A site visit revealed that the bollards are located outside Kai Yip Estate and within the boundary of Kai Tai Court. HD has requested Incorporated Owners of the Kai Tai Court to consider increasing the spacing of the bollards so as to allow the passage of wheelchair users.

MTRCL improvement plans for MTR stations in the next five years

MTRCL will provide details of the improvement plan to the LegCo directly.

**Modification Project for Existing Government Offices to Facilitate Access
of People with Disabilities
(Progress Report as at June 2006)**

(A) Modification Projects in Compliance with DM1984

(i) Years: Before 1999

Number of Location: 33

Total Cost Incurred: \$14 million

Department	Government Premises	Progress
1. GPA	Harbour Building	Modification works completed
2. GPA	Queensway Government Offices Building (High Block)	ditto
3. Judiciary	High Court	ditto
4. HAD	Wan Chai District Office	ditto
5. GPA	Immigration Tower	ditto
6. GPA	Revenue Tower	ditto
7. Imm.	Birth & Deaths General Register Office – Wu Chung House	ditto
8. HAD	Kowloon City District Office	ditto
9. GPA	Ho Man Tin Government Offices Building	ditto
10. GPA	Kowloon East Government Offices Building	ditto
11. HAD	Kwun Tong District Branch Office	ditto
12. GPA	Mong Kok Government Offices Building	ditto
13. GPA	Ngau Tau Kok Government Offices Building	ditto
14. GPA	Pui Ching Road Government Offices Building	ditto
15. GPA	Trade Department Tower	ditto
16. GPA	Sai Kung Government Offices Building	ditto
17. GPA	Ma Tau Kok Road Government Offices Building	ditto
18. GPA	Yau Ma Tei Carpark Building	ditto
19. Judiciary	Kwun Tong Magistracy	ditto
20. Judiciary	South Kowloon Magistracy (New Block)	ditto
21. HAD	Tsuen Wan District Office Building 1 & 2/F	ditto
22. GPA	Kwai Hing MTR Station Government Offices Building	ditto

Department	Government Premises	Progress
23. GPA	Tsuen Wan Government Offices Building	Modification works completed
24. Judiciary	Sha Tin Magistracy	ditto
25. Judiciary	Tsuen Wan Magistracy	ditto
26. GPA	Fanling Government Offices Building	ditto
27. GPA	North District Government Offices Building	ditto
28. GPA	Tai Hing Government Offices Building	ditto
29. GPA	Tai Po Government Offices Building	ditto
30. GPA	Tuen Mun Government Offices Building	ditto
31. HAD	Yuen Long District Office Building	ditto
32. GPA	Yuen Long Government Offices Building	ditto
33. Judiciary	Tuen Mun Law Courts	ditto

(B) Modification Projects in Compliance with DM1997

(i) Years: 2000 to 2002

Number of Locations: 35

Total Cost Incurred: \$35.5 million

Department	Government Premises	Progress
1. HAD	Lek Yuen Community Hall	Modification works completed
2. HAD	Western District Community Centre	ditto
3. HAD	Lam Tin (East) Estate Community Centre	ditto
4. Imm.	Kowloon Births Registry	ditto
5. Imm.	West Kowloon Office M/F, Yaumatei Carpark Bldg	ditto
6. Imm.	Shatin Marriage Registry	ditto
7. Imm.	Yuen Long Immigration Office	ditto
8. Imm.	Lok Ma Chau Control Point	ditto
9. Imm.	Man Kam To Control Point	ditto
10. HAD	Kwun Tong District Office	ditto
11. HAD	Kwun Tong District Office/Yau Tong Sub-Office	ditto
12. HAD	Kwun Tong District Office/Tseung Kwan O Sub-Office	ditto
13. HAD	Pak Tin Community Hall	ditto
14. Judiciary	North Kowloon Magistracy	ditto
15. Judiciary	Tsuen Wan Magistracy	ditto

Department	Government Premises	Progress
16. Judiciary	South Kowloon Magistracy	Modification works completed
17. Imm.	Macau Ferry Terminal Office	ditto
18. Imm.	China Ferry Terminal Office	ditto
19. Imm.	Sha Tau Kok Control Point	ditto
20. HAD	Kwun Tong Community Centre	ditto
21. HAD	Tai Hang Tung Community Centre	ditto
22. HAD	Wong Tai Sin Community Centre	ditto
23. HAD	Kwai Shing Community Centre	ditto
24. HAD	Wah Kwai Community Hall	ditto
25. HAD	Hing Wah Community Hall	ditto
26. HAD	Shek Kip Mei Community Hall	ditto
27. HAD	Nam Cheong District Community Centre	ditto
28. HAD	Sun Tin Wai Community Hall	ditto
29. HAD	Tai Po Community Centre	ditto
30. HAD	Long Ping Community Hall	ditto
31. HAD	Yue Wan Community Hall	ditto
32. HAD	Causeway Bay Community Centre	ditto
33. Judiciary	Fanling Magistracy	ditto
34. Imm.	Immigration Tower	ditto
35. Judiciary	Lands Tribunal	ditto

(ii) **Year: 2003****Number of Locations: 17****Total Cost Incurred: \$10.45 million**

Department	Government Premises	Progress
1. SWD	To Kwa Wan Family Services Centre	Modification works completed
2. SWD	Kowloon City Family Support Networking Team	ditto
3. SWD	Yuen Long (East) Family Services Centre	ditto
4. SWD	Yuen Long (East) Field Unit	ditto
5. SWD	Yuen Long (West) Field Unit	ditto
6. SWD	Shatin Integrated Family Service Centre	ditto
7. SWD	Chai Wan Field Unit	ditto
8. SWD	Cheung Sha Wan Integrated Family Service Centre	ditto
9. GPA	Sham Shui Po Government Offices	ditto
10. GPA	To Kwa Wan Market and Government Offices	ditto

Department	Government Premises	Progress
11. GPA	Eastern Law Courts and Gov't Offices	Modification works completed
12. GPA	Kwai Hing Government Offices	ditto
13. GPA	Yuen Long Government Offices	ditto
14. GPA	Tusen Wan Government Offices	ditto
15. GPA	Tai Po Government Offices	ditto
16. GPA	Tsuen Wan Multi-storey Carpark Building	ditto
17. Judiciary	Sha Tin Magistracy	ditto

(iii) Financial Year: 2004

Number of Locations: 18

Total Cost Incurred: \$3.43 million

Department	Government Premises	Progress
1. HAD	Cheung Sha Wan Community Centre	Modification works completed
2. HAD	Lai Kok Community Hall	ditto
3. HAD	Sha Kok Community Hall	ditto
4. HAD	Pok Hong Community Hall	ditto
5. HAD	Kwong Yuen Community Hall	ditto
6. HAD	Ma On Shan Sub-office	Modification works is still pending because it is located in a private building and we have yet to secure the consent of the property owner.
7. HAD	Wo Che Community Hall	Modification works completed
8. HAD	Chun Shek Community Hall	ditto
9. HAD	Lung Hang Community Hall	ditto
10. HAD	Hin Keng Neighbourhood Community Centre	ditto
11. HAD	Shek Wai Kok Community Hall	ditto
12. HAD	Airport Core Programme Exhibition Centre	ditto
13. HAD	Cheung Wah Community Hall	ditto
14. HAD	North District Office	ditto
15. HAD	Ap Lei Chau Community Hall	ditto
16. HAD	Lei Tung Community Hall	ditto
17. HAD	South Horizons Neighbourhood Community Centre	ditto
18. HAD	Aberdeen Sub-office	ditto

(iv) Year: 2005

Number of Locations: 6

Total Cost Incurred: \$1.76 million

Department	Government Premises	Progress
1. FEHD	Cheung Chau Market	Modification works to be completed by August 2006
2. FEHD	North Kwai Chung Market	Modification works to be completed by August 2006
3. FEHD	Tai Kiu Market	Modification works to be completed by November 2006
4. FEHD	Tsing Yi Market	Modification works to be completed by November 2006
5. FEHD	Tai Po Complex	ditto
6. FEHD	Shek Wu Hui Market	ditto

List of public clinics as assessed by the Architectural Services Department not technically feasible for installation of ramp and / or lift
經建築署評定為因技術的困難未能加裝斜道和/或升降機的公共診所

	Name of clinics 診所名稱	Ramp at main entrance 出入口斜道	Lift 升降機
1.	Homantin Methadone Clinic 何文田美沙酮診所	Technically not feasible for installation 因技術上的困難未能加裝	NA* 不適用
2.	Kowloon Public Mortuary 九龍公眾殮房	Technically not feasible for installation 因技術上的困難未能加裝	NA* 不適用
3.	Argyle Street Government Dental Clinic 亞皆老街政府牙科診所	Technically not feasible for installation 因技術上的困難未能加裝	NA* 不適用
4.	Anne Black Health Centre 柏立基夫人健康院	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
5.	Chai Wan Health Centre 柴灣健康院	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
6.	Kennedy Town Jockey Club Clinic 堅尼地城賽馬會診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
7.	Robert Black Health Centre 柏立基健康院	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
8.	Wang Tau Hom Jockey Club Clinic 橫頭磡賽馬會診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
9.	Shatin Clinic 沙田診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
10.	Tai O Jockey Club Clinic 大澳賽馬會診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
11.	Tai Po Wong Siu Ching Clinic 大埔王少清診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
12.	Lady Trench Polyclinic 戴麟趾夫人分科診療所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
13.	North Kwai Chung Clinic 北葵涌診療所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝

	Name of clinics 診所名稱	Ramp at main entrance 出入口斜道	Lift 升降機
14.	South Kwai Chung Jockey Club Clinic and South Kwai Chung Chest Clinic 南葵涌賽馬會分科診療所及南葵涌胸肺科診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
15.	Wanchai Polyclinic 灣仔分科診所	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
16.	Li Po Chun Health Centre 李寶椿健康院	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
17.	Kwun Tong Jockey Club Health Centre 官塘賽馬會健康院	Provided 有提供	Technically not feasible for installation 因技術上的困難未能加裝
18.	Eastern Street Methadone Clinic 東邊街美沙酮診所	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝
19.	Aberdeen Jockey Club Clinic 香港仔賽馬會診所	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝
20.	Tuen Mun Clinic 屯門診所	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝
21.	Shek Kip Mei Health Centre 石硤尾健康院	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝
22.	Hung Hom Clinic 紅磡診所	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝
23.	Lions Club Health Centre 獅子會健康院	Technically not feasible for installation 因技術上的困難未能加裝	Technically not feasible for installation 因技術上的困難未能加裝

* Note:

NA = Single Storey or Public Services provided in G/F only
不適用 = 單層建築物或只在一樓提供服務

Details of the 14 Public Transport Interchanges (PTIs) not fully accessible to people with disabilities, including their locations/names, the technical problems, and the kinds of access and facilities that cannot be provided

1. Central (Exchange Square) Bus Terminus: The structures of the Central (Exchange Square) PTI is part of the Exchange Square complex. The existing structural walls and columns have created significant constraints to a full extent of disable facilities (e.g. tactile guide path). The Transport Department will try to explore some feasible alternative improvement measures.
2. The Peak PTI: Accessible facilities cannot be provided due to site constraint.
3. Macau Ferry Pier Bus Terminus: subject to redevelopment and accessible facilities cannot be provided at the moment.
4. North Point Ferry Pier Bus Terminus: subject to redevelopment and accessible facilities cannot be provided at the moment.
5. Chai Wan (East) PTI Bus Terminus: subject to redevelopment and accessible facilities cannot be considered at the moment.
6. Yuet Wah Street PTI: The Transport Department is preparing proposal to improve the facilities.
7. Mei Foo (Under Mei Foo Bridge): some modification works at Mei Foo PTI due to the construction of footbridge by private developer. The work is expected to commence in 2007.
8. Olympic Station (Site A) PTI: The existing structural walls and columns have created significant constraints to a full extent of disable facilities.

9. Sheung Shui KCR Station GMB Terminus: The design for provision of accessible facilities had once been circulated and the Transport Department had to re-visit the design due to adverse comments/various constraint. The Transport Department had re-designed the plan which is now being re-circulated for comments/agreement.
10. Sha Tin KCR Station (Pai Tau Street GMB Terminus): At this stage, there is no plan for disabled facilities at the Pai Tau Street GMB Terminus due to the possible infrastructure development in the vicinity in the near future.
11. Tai Po KCR Station GMB Terminus: beside of dropped kerb at crossing, tactile guide path cannot be implemented because of existing narrow platform.
12. Kin Sang Bus Terminus: access ramp at boarding platform is not feasible. However, a common pick up point will be arranged.
13. Sai Lau Kok Public Light Bus Terminus: guide path and ramp to each passenger island will be provided. However, lift connecting the evaluated walkway level to PTI cannot be provided.
14. Kwai Fong MTR Station PTI: access ramp at each boarding platform is not feasible due to site constraint. Design for an alighting point and a boarding point had being circulated for comment.