

立法會
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Panel on Welfare Services

**Subcommittee on Improving Barrier Free Access
and Facilities for Persons with Disabilities**

**Minutes of the first meeting
held on Tuesday, 21 June 2011, at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon WONG Sing-chi (Chairman)
Hon LEUNG Yiu-chung
Hon CHEUNG Kwok-che
Hon Alan LEONG Kah-kit, SC

Member absent : Hon TAM Yiu-chung, GBS, JP
Hon LEUNG Kwok-hung

Member attending : Hon Emily LAU Wai-hing, JP

Public Officers attending : Item II

Mr Stephen SUI Wai-keung
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mr FONG Siu-wai
Assistant Director (Property Services)
Architectural Services Department

Mr Allan WONG
Chief Manager/M(KC)
Housing Department

Mr Danny CHENG
Sr Maintenance Surveyor/RD
Housing Department

Mr Roger P K LEE
Ch Highway Engr/Bridges & Structures
Highways Department

Mr LEUNG Kim-cheong
Sr Engr/Special Duties
Highways Department

Mr LEE Man-ho
Ch Transp Offr/Planning/Disabled Transport & Projects
Transport Department

Mr Stephen LEE Yun-choi
Chief Structural Engineer/C
Buildings Department

Ms Karen CHEUNG Yuk-ching
Sr Bldg Surveyor/Kowloon 2
Buildings Department

Mr Venice JUE Kim-kwong
SEO/Building Safety Loan Scheme
Buildings Department

Equal Opportunities Commission

Mr Joseph LI
Director (Operations)

Dr Ferrick CHU
Head, Policy & Research

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

Staff in attendance : Miss Karen LAI
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Election of Chairman

Mr LEUNG Yiu-chung, the member who had the highest precedence among those who joined the Subcommittee, presided at the election of Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr WONG Sing-chi was elected Chairman of the Subcommittee. Members also agreed that election of a deputy chairman was not necessary.

II. The Government's follow-up action on the Equal Opportunities Commission's Formal Investigation Report on Accessibility in Publicly Accessible Premises

[LC Paper Nos. CB(2)488/10-11(03), CB(2)1618/10-11(01) and CB(2)2120/10-11(02)]

3. The Subcommittee deliberated (index of proceedings attached at **Annex**).

4. Members noted the progress of the Administration's follow-up action as at 31 March 2011 on the Equal Opportunities Commission's Formal Investigation Report on Accessibility in Publicly Accessible Premises ("EOC Report") as detailed in its paper [LC Paper No. CB(2)1618/10-11(01)]. According to the Administration, upon the release of the EOC Report in June 2010, it had undertaken to implement a major retrofitting programme covering about 3 700 Government premises and facilities and targeting to complete works in around 90% of these premises and facilities by June 2012 (Class A) and the remainder by June 2014 (Class B). While the additional funding for these works projects would only be available in April 2011, the Government had already proceeded with the preparation for over 24% of the retrofitting works in Government premises in order to speed up the progress, and taken forward the retrofitting works

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for a few projects. The Government had also appointed some 80 Access Co-ordinators in individual bureaux/departments to coordinate accessibility issues and more than 3 700 Access Officers for individual venues to effectively follow up the needs of persons with disabilities on barrier-free facilities. In tandem, the Housing Authority had also devised a retrofitting programme to improve the accessibility of the properties under its management. Most of the improvement works would be completed by June 2012. This apart, the Highways Department would also accelerate its retrofitting programme for 295 barrier-free access facilities (lift or ramp) at public footbridges, subways or elevated walkway structures without such access or alternative at-grade crossings, where technically feasible.

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5. To facilitate monitoring of the progress of the improvement works, members requested and the Administration agreed to provide members with a brief description on the improvement works and the expected completion dates of individual premises/facilities covered by the retrofitting programme where available in the next quarterly progress report as at 30 June 2011. Members noted that information on the scope of improvement works and expected completion dates of individual venues could only be available upon completion of the feasibility study and site preparation respectively.

6. Members agreed that the Subcommittee should consider the need for receiving views from 18 District Councils in early 2012 on the scope of the Administration's retrofitting works in premises and facilities within their respective districts.

EOC

7. Members expressed grave concern about the provision of barrier-free access in premises/facilities under the management of The Link Management Limited ("The Link"), the MTR Corporation ("MTRC") and the Hospital Authority. Members were given to understand that under the Disability Discrimination Ordinance (Cap. 487), which applied both to existing and new buildings, it was unlawful to discriminate against persons with disabilities in relation to the provision of means of access to any premises that the public was entitled to enter or use. EOC would follow up on complaints regarding provision of reasonable barrier-free access for persons with disabilities in existing premises, including premise/facilities under management of the above organisations. At the request of members, representatives of EOC would provide further information on complaints relating to the provision of barrier-free access facilities in MTR stations.

8. The Administration advised that issues relating to the provision of barrier-free access and facilities in premises and facilities under the management of The Link and public transport operators including MTRC

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were discussed from time to time by the Rehabilitation Advisory Committee ("RAC") and the Working Group on Access to Public Transport by People with Disabilities. The Administration further advised that it had been the established policy for the Government and public organisations to comply with the prevailing design requirements under the Building (Planning) Regulations and the Design Manual issued by the Buildings Department.

Admin

9. The Administration was requested to provide -

- (a) a summary of improvement works to be carried out in the premises/facilities covered by the retrofitting programme;
- (b) brief description on the improvement works and the expected completion dates of individual premises/facilities covered by the retrofitting programme where available in the next quarterly progress report as at 30 June 2011;
- (c) the relevant discussions of RAC in respect of barrier-free access and facilities in premises and facilities under the management of The Link;
- (d) the progress for upgrading the barrier-free facilities in premises and facilities under the management of The Link, and the connectivity of such facilities in commercial areas under the management of The Link and those in public rental housing estates under the management of the Housing Department;
- (e) the relevant discussions of the Working Group on Access to Public Transport by People with Disabilities on the provision of barrier-free access and facilities by MTRC, together with the latter's plan, if any, to improve the accessibility of the properties under its management;
- (f) the results of the feasibility study and timetable for taking forward the escalator/elevator/lift system improvement works in 19 hillside slopes, as undertaken by the Transport and Housing Bureau;
- (g) the retrofitting programme for upgrading the barrier-free facilities in the Peng Chau Clinic; and
- (h) the number of applications for various loan schemes for works relating to building maintenance and improvement of

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barrier-free access and facilities.

III. Any other business

Discussion item of the next meeting

10. Members agreed that the next meeting would be held on 20 July 2011 to discuss the provision of barrier-free access in premises and facilities under the management of/owned by The Link, MTRC and the Hospital Authority, and representatives from these organisations would be invited to attend the meeting. While noting that the second quarterly progress report as at 30 June 2011 on the Government's follow-up action on the EOC Report to the Subcommittee would not be ready before the next meeting, members agreed that it should be provided as early as practicable for discussion at subsequent meeting.

11. There being no other business, the meeting ended at 10:35 am.

Council Business Division 2
Legislative Council Secretariat
25 August 2011

**Proceedings of the first meeting of the
Subcommittee on Improving Barrier Free Access
and Facilities for Persons with Disabilities
on Tuesday, 21 June 2011, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Election of Chairman</i>			
000000 - 000754	Mr LEUNG Yiu-chung Mr CHEUNG Kwok-che Mr WONG Sing-chi	Election of Chairman	
<i>Agenda item II – The Government's follow-up action on the Equal Opportunities Commission's Formal Investigation Report on Accessibility in Publicly Accessible Premises ("EOC Report")</i>			
000755 - 002008	Chairman Administration Equal Opportunities Commission ("EOC")	Briefings by the Administration on the progress on the follow-up action as at 31 March 2011 on the EOC Report [LC Paper No. CB(2)1618/10-11(01)] EOC's remarks that it welcomed the Government's response to and follow-up action on the EOC Report	
002009 - 002931	Mr CHEUNG Kwok-che Chairman Administration	Views of Mr CHEUNG Kwok-che that more publicity should be launched to raise the public awareness on the role of the Access Co-ordinators and Access Officers. Mr CHEUNG's suggestion of the Administration to gauge views of the 18 District Councils ("DCs") in respect of the project scope of retrofitting works in premises and facilities within their respective districts. Response of the Administration that a breakdown of all the premises and facilities to be retrofitted by districts had been uploaded to the Labour and Welfare Bureau's website. The Rehabilitation Advisory Committee ("RAC") had visited all 18 DCs to explain and solicit their support for realization of a barrier-free society and the retrofitting works, and planned to conduct another round of visits in the next DC term. Funding had been allocated to DCs to launch promotional activities in this respect.	
002932 - 004546	Mr LEUNG Yiu-chung Chairman Administration	Views of Mr LEUNG Yiu-chung that – (a) in addition to provision of barrier-free access facilities within the premises, accessibility to the premises should also be improved; (b) disappointment at the Administration's slow	

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		<p>progress in enhancing the accessibility to the Peng Chau Clinic and the Princess Margaret Hospital, and the exclusion of the lift installation programme at the Kwai Chung Estate from the retrofitting programme; and</p> <p>(c) a lack of coordination among departments/bureaux in enhancing the barrier-free access and facilities in publicly accessible premises such as hospitals and hillside slopes.</p> <p>The Administration's advice that –</p> <p>(a) the scope of the EOC Report was to conduct access audits on 60 publicly accessible premises owned or managed by the Hong Kong Housing Society, The Link Management Limited ("The Link"), the Housing Authority and eight Government departments only. Provision of lift, escalator and elevator system at hillside slopes and the provision of barrier-free access and facilities in hospitals under the management of the Hospital Authority were beyond the scope of the EOC Report</p> <p>(b) the provision and connectivity of accessible facilities and barrier-free facilities at public roads was under the purview of the Transport Department ("TD") and Highways Department ("HyD") whereas the provision of lift, escalator and elevator system within public housing estates would be taken care of by HD;</p> <p>(c) it would revert to the Subcommittee on the accessibility issues surrounding the Peng Chau Clinic;</p> <p>(d) a general circular had been issued by the Labour and Welfare Bureau to all bureaux/departments concerning the responsibility of and coordination among individual bureaux/departments in enhancing the accessibility of premises and facilities under their management; and</p> <p>(e) the role of the Access Co-ordinators and Access Officers was set out in the circular issued to all bureaux/departments on the subject.</p>	<p>Admin to follow up</p>
004547 - 010642	Ms Emily LAU Administration Chairman Equal Opportunities	<p>Views of Ms Emily LAU that –</p> <p>(a) the Subcommittee should invite views from 18 DCs in January/February 2012 and move a</p>	

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	Commission	<p>motion on the Subcommittee's report at a Council meeting in June 2012; and</p> <p>(b) barrier-free access facilities such as lifts or ramps at public footbridges, tactile guide paths and toilets for the disabled were not adequate, and these retrofitting works were lagged behind the schedule.</p> <p>The Administration's response that –</p> <p>(a) issues relating to the provision of tactile guide paths were discussed by the Working Group on Access to Public Transport by People with Disabilities. Priority was accorded to the provision of 61 tactile guide paths after balancing the views of organisations of persons with disabilities ("PWDs") and other road users, and 14 were in the pipeline;</p> <p>(b) on the financial assistance for provision, improvement and maintenance of barrier-free access in common areas, the Hong Kong Housing Society and Urban Renewal Authority had consolidated five schemes on building maintenance and rolled out a new Integrated Building Maintenance Assistance Scheme. Two schemes, namely the Comprehensive Building Safety Improvement Loan Scheme and the Building Maintenance Grant Scheme for Elderly Owner, were funded by the Government for similar purposes. Improvement works in respect of barrier-free access facilities at common areas of target buildings were also included in the scope of works of the Operation Building Bright.</p> <p>The Chairman's enquiry on the number of applications for the above mentioned loan schemes for barrier-free access facilities</p> <p>Views of Ms Emily LAU that the Government should provide more subsidy to the private property owners for the improvement works in their premises relating to barrier-free facilities</p> <p>The Administration's response that under the Operation Building Bright, each household received a maximum grant of \$16,000 or 80% of the maintenance cost, whichever was the lower. However, a breakdown of the costs for specific works relating to maintenance and improvement of barrier-free access and facilities might not be available. The Administration would provide the number of applications for various loan schemes for</p>	<p>Admin to provide</p>

Time marker	Speaker(s)	Subject(s)	Action required
		<p>works relating to maintenance and improvement of barrier-free facilities.</p> <p>Ms Emily LAU's concern about the applicability of the latest barrier-free design standards to buildings constructed before the implementation of the Design Manual ("DM") and the relevant provisions in the Disability Discrimination Ordinance (Cap. 487) ("DDO") concerning the provision of means of access to any premises</p> <p>The EOC's response that –</p> <p>(a) under DDO, which applied both to existing and new buildings, it was unlawful to discriminate against PWDs in relation to the provision of means of access to any premise that the public was entitled to enter or use. EOC would follow up on complaints regarding provision of reasonable barrier-free access for PWDs in existing premises, including private properties; and</p> <p>(b) EOC had in December 2010 set up a working group to monitor the progress made on the realisation of a barrier-free environment for PWDs and to collaborate with the Government and the property owners to improve the barrier-free access and facilities in common areas.</p>	
010643 - 012312	<p>Chairman Administration Ms Emily LAU Equal Opportunities Commission</p>	<p>The Chairman's enquiry on the roles of the Government and RAC as well as the relevant discussions of RAC in respect of barrier-free access and facilities in premises/facilities owned by The Link, the Mass Transit Railway Corporation ("MTRC") and the Hospital Authority</p> <p>The Administration's response that –</p> <p>(a) The Link had committed a budget of \$300 million to upgrade the barrier-free facilities in its premises under its management in the next two to three years. The Housing Department ("HD") had been working closely with The Link in enhancing and upgrading the barrier-free facilities in premises under the management of The Link and the connectivity of such facilities and those in public rental housing estates under the management of HD. Relevant information would be provided to the Subcommittee after the meeting</p> <p>(b) MTRC had since 1992 invested over \$600 million for the installation and maintenance of</p>	<p>Admin to provide</p>

Time marker	Speaker(s)	Subject(s)	Action required
		<p>barrier-free access facilities and an additional \$200 million would be allotted for the purpose in the coming two years. Issues relating to the provision of barrier-free access facilities by MTRC were discussed at meetings of the Working Group on Access to Public Transport by People with Disabilities under TD. Relevant discussions of the Working Group would be provided to the Subcommittee after the meeting; and</p> <p>(c) EOC maintained frequent communication with the Hospital Authority on the provision of barrier-free access facilities in public hospitals. The Food and Health Bureau also offered advice and assistance on measures to enhance the use of public health services/facilities by PWDs.</p> <p>Views of Ms Emily LAU that little progress was made in respect of provision of barrier-free access facilities in MTR stations.</p> <p>EOC's advice that most complaints about MTRC were relating to accessibility from platforms to the main exit of MTR stations, the weight capacity of stair-lifts in carrying heavy wheelchairs, etc.</p> <p>The Chairman's request for EOC to provide further information on complaints relating to the provision of barrier-free access facilities in MTR stations</p>	<p>Admin to provide</p> <p>EOC to provide</p>
012313 - 013810	Mr LEUNG Yiu-chung Chairman Equal Opportunities Commission Administration Ms Emily LAU	<p>Enquiries raised by Mr LEUNG Yiu-chung –</p> <p>(a) the views of EOC on the response of MTRC in dealing with complaints on the lack of barrier-free access facilities in MTR stations, and the follow-up actions taken by EOC in this respect;</p> <p>(b) scope of the retrofitting programme for the provision of barrier-free access as undertaken by HyD detailed in paragraph 7 of LC Paper No. CB(2)1618/10-11(01); and</p> <p>(c) the timetable for taking forward the escalator/elevator/lift system improvement works in 19 hillside slopes, as undertaken by the Transport and Housing Bureau ("THB").</p> <p>The EOC's advice that in accordance with DDO, EOC would act on complaints regarding the provision of barrier-free access for PWDs, including accessibility to MTR stations. MTRC's response to certain complaints relating to</p>	

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		<p>accessibility to MTR stations was considered not very satisfactory.</p> <p>The Administration's advice that THB and TD had all along been in collaboration with MTRC on the improvement of the accessibility to MTR stations.</p> <p>The Administration's elaboration on the scope and implementation of the retrofitting projects as undertaken by HyD.</p> <p>Views of Ms Emily LAU that the Government as the largest shareholder of MTRC should take the lead to urge MTRC to expedite its improvement works on barrier-free access facilities.</p> <p>The Chairman requested the Administration to provide MTRC's plan, if any, on improving the accessibility of properties under its management and THB's timetable for taking forward the escalator/elevator/lift system improvement works in the 19 hillside slopes.</p>	<p>Admin to provide</p>
013811 - 010151	Administration Chairman Ms Emily LAU Administration	<p>Briefings by the Administration on the progress of follow-up actions on all the premises and facilities to be retrofitted by types and departments.</p> <p>The Chairman's request for including the expected completion date for each work item in the Administration's progress report on the EOC Report.</p> <p>Ms Emily LAU requested the Administration to provide brief description on the improvement works to be carried out in all the premises/facilities covered by the retrofitting programme, together with information concerning the provision of barrier-free facilities in premises under the management of The Link, MTRC and the Hospital Authority.</p> <p>The Administration's response that</p> <p>(a) the second quarterly report as at 30 June 2011 would be provided to the Subcommittee by July 2011 as early as practicable;</p> <p>(b) information on the scope of improvement works and the completion dates of individual venues would be available upon completion of the feasibility study and site preparation respectively; and</p> <p>(c) the Architectural Services Department had completed site survey of about half of the</p>	<p>Admin to provide</p>

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		buildings/premises under Class A in mid June 2011, of which the feasibility study of more than 500 buildings/premises had been completed. The feasibility study for all items under Class A would be completed in the next two months.	
<i>Agenda item III – Any other business</i>			
020152 - 020635	Chairman Ms Emily LAU Administration	Date and discussion item of the next meeting	

Council Business Division 2
Legislative Council Secretariat
25 August 2011