立法會 Legislative Council

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(These minutes have been seen by

the Administration)

Panel on Constitutional Affairs

Minutes of meeting held on Monday, 18 June 2012, at 2:30 pm in Conference Room 2 of the Legislative Council Complex

Members: Hon TAM Yiu-chung, GBS, JP (Chairman)

present Hon Albert HO Chun-yan

Dr Hon Margaret NG

Dr Hon Philip WONG Yu-hong, GBS

Hon WONG Yung-kan, SBS, JP

Hon LAU Kong-wah, JP

Hon LAU Wong-fat, GBM, GBS, JP Hon Abraham SHEK Lai-him, SBS, JP Hon Audrey EU Yuet-mee, SC, JP

Hon WONG Kwok-hing, MH

Hon LEE Wing-tat

Hon Jeffrey LAM Kin-fung, GBS, JP Hon CHEUNG Hok-ming, GBS, JP Hon WONG Ting-kwong, BBS, JP Hon Ronny TONG Ka-wah, SC

Hon CHIM Pui-chung

Dr Hon LAM Tai-fai, BBS, JP

Hon CHAN Kin-por, JP

Dr Hon Priscilla LEUNG Mei-fun, JP

Hon WONG Kwok-kin, BBS Hon IP Kwok-him, GBS, JP

Hon Mrs Regina IP LAU Suk-yee, GBS, JP

Hon Paul TSE Wai-chun, JP Dr Hon Samson TAM Wai-ho, JP Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung

Members: Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP (Deputy Chairman)

absent Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP

Hon CHEUNG Man-kwong Hon Miriam LAU Kin-yee, GBS, JP Hon Emily LAU Wai-hing, JP Hon Timothy FOK Tsun-ting, GBS, JP Hon Cyd HO Sau-lan Hon WONG Yuk-man

Public Officers: <u>Item II</u> attending

Mr Matthew CHEUNG Kin-chung Secretary for Labour and Welfare

Ms Doris CHEUNG
Deputy Secretary for Labour and Welfare (Welfare) 1

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

Mr CHEUNG Doi-ching
Principal Assistant Secretary (Constitutional and Mainland
Affairs) 5

Ms Angela LEE Principal Assistant Secretary for Food and Health (Health) 2

Mr LAM Ka-tai

Assistant Director (Rehabilitation and Medical Social Services) Social Welfare Department

Mr Godfrey KAN Acting Senior Assistant Solicitor General Department of Justice

Miss Hera CHUM Chui-chi Principal Education Officer (School Administration and Support) Education Bureau

Ms LAM Sau-ching Senior Labour Officer (Selective Placement) Labour Department

Ms Kate TAM Senior Labour Officer (Statutory Minimum Wage) Labour Department Mr Herman HUI

Chairman

Rehabilitation Advisory Committee

Mr Allen CHAN

Chairman

Rehabilitation Advisory Committee Subcommittee on Access

Attendance by invitation

Item II

Mr MAK Ip-sing

Member of Yuen Long District Council

Hong Kong Joint Council for People with Disabilities /

Hong Kong Council of Social Service

Mr Eddie SUEN

Secretary General / Chief Officer (Rehabilitation)

Chosen Parents' Network

Ms Edith AU

Chairperson

Rehabilitation Alliance Hong Kong

Mr TSUI Kai-ming

Executive Committee Member

Association of Women with Disabilities Hong Kong

Ms YUEN Woon-chun

Chairperson

Ms CHAN Yuen-shan

Executive Secretary

Mr CHAN Tsun-kit

Ms Emily FUNG Wai-ying

Assistant

Hong Kong Human Rights Monitor

Mr KWOK Hiu-chung

Officer

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Alliance of Ex-mentally Ill of Hong Kong

Mr KWONG Chi-fai Chairman

Hong Kong Community Development Network

Mr James LUNG Wai-man Chief Executive

Center of China Concern

Mr HO Chun-keung Vice Chairman

Miss Jennifer LAU Suet-kan

Chosen Power (People First Hong Kong)

Mr CHOW Tak-hung Chairperson

Ms WONG Suk-chun Assistant

Mr CHAN Chung-yau

Concord Mutual-Aid Club Alliance

Mr LI Chi-on Vice Chairman

Miss Sophie CHEUNG Hing-yee

Mr CHENG Shun-shing

Mr LEUNG Kim-pong

Grand Alliance of Parents for the Rights of Persons with Special Educational Needs

Mr Richard LEE Pak-ying Executive Committee Member

Amity Mutual-Support Society

Mr TANG Chung-keung Social Worker

1st Step Association

Mr YIP Kin-keung Organizer

HK Redevelopment Concern Group

Mr NG Yin-keung Chairman

Hong Kong Red Cross John F Kennedy Centre Alumni Association

Mr TAM Chi-ho Deputy Chairman

Society for the Welfare of the Autistic Persons

Ms NG Chong-fai Chairperson

New People's Party Youth Committee

Mr Hubert HO Member

The Parents' Association of Pre-school Handicapped Children

Ms Jeanles NG Vice Chairperson

Mr LAM Yiu-kwok

Mr LO Siu-fung

Hong Kong Human Rights Commission

Mr Richard TSOI Yiu-cheong Member

Society for Community Organization

Ms Crystal YUEN Shuk-yan Community Organizer

Mental Health Rights Concern Group

Miss PANG Ching-lam Member **Clerk in** : Miss Flora TAI

attendance Chief Council Secretary (2)3

Staff in : Mr Kelvin LEE

attendance Senior Assistant Legal Adviser 2 (Acting)

Miss Cindy HO

Senior Council Secretary (2)3

Mrs Fonny TSANG

Legislative Assistant (2)3

Action

I. Information papers issued since the last meeting

[LC Paper Nos. CB(2)2238/11-12(01) to (02), CB(2)2357/11-12 and CB(2)2358/11-12(01)]

Members noted that the following papers had been issued since the last meeting –

- (a) Third Report of the Hong Kong Special Administrative Region ("HKSAR") of the People's Republic of China ("PRC") under the United Nations ("UN") Convention on the Elimination of All Forms of Discrimination against Women;
- (b) Second Report of HKSAR of PRC under the UN Convention on the Rights of the Child;
- (c) Hon Cyd HO's letter dated 25 May 2012 on "Verification measures for voter registration" [LC Paper No. CB(2)2238/11-12(01)];
- (d) Administration's response on the measures taken by the Registration and Electoral Office in 2012 to verify the registered residential addresses of electors [LC Paper No. CB(2)2238/11-12(02)];
- (e) Electoral Affairs Commission Report on the 2012 Chief Executive ("CE") Election [LC Paper No. CB(2)2357/11-12]; and

- (f) Administration's paper on "Electoral Affairs Commission Report on the 2012 CE Election" [LC Paper No. CB(2)2358/11-12(01)].
- II. Initial Report of the HKSAR of the People's Republic of China under the United Nations Convention on the Rights of Persons with Disabilities

[LC Paper Nos. CB(2)2378/11-12(01), CB(2)2371/11-12(01) - (07), CB(2)2378/11-12(01) - (05), and CB(2)2393/11-12(01) - (12)]

2. <u>Members</u> noted that the UN Convention on the Rights of Persons with Disabilities ("UNCRPD") had entered into force for PRC, including HKSAR, since 31 August 2008, and the HKSAR's Initial Report was submitted to UN in August 2010 which set out in detail the administrative, legal and other measures that it had taken to implement UNCRPD and the resulting progress achieved. <u>Members</u> also noted the background brief prepared by the Legislative Council ("LegCo") Secretariat on the subject matter [LC Paper No. CB(2)2371/11-12(01)].

Presentation of views by deputations/individuals

- 3. Mr MAK Ip-sing presented views as detailed in his submission [LC Paper No. CB(2)2371/11-12(02)].
- 4. <u>Mr Eddie SUEN</u> presented the views of Hong Kong Joint Council for People with Disabilities / Hong Kong Council of Social Service as detailed in its submission [LC Paper No. CB(2)2393/11-12(01)].
- 5. <u>Ms Edith AU</u> presented the views of Chosen Parents' Network as detailed in its submission [LC Paper No. CB(2)2393/11-12(02)].
- 6. <u>Mr TSUI Kai-ming</u> presented the views of Rehabilitation Alliance Hong Kong as set out in two submissions [LC Paper Nos. CB(2)2371/11-12(04) and CB(2)2393/11-12(03)].
- 7. <u>Ms YUEN Woon-chun</u> presented the views of Association of Women with Disabilities Hong Kong as detailed in its submission [LC Paper No. CB(2)2371/11-12(03)].
- 8. <u>Mr CHAN Tsun-kit</u> presented views as detailed in his submission [LC Paper No. CB(2)2393/11-12(05)].

- Mr KWOK Hiu-chung of Hong Kong Human Rights Monitor gave the 9. following views: (a) it was suggested that implementation of UNCRPD should be regarded as a human rights issue to be taken up by the Constitutional and Mainland Affairs Bureau ("CMAB") instead of a welfare issue under the policy remit of the Labour and Welfare Bureau ("LWB") in order to have a more consistent approach in the implementation of human rights treaties in Hong Kong; (b) there was doubt as to whether the Commissioner for Rehabilitation under the administrative structure of LWB would have sufficient power to co-ordinate efforts of the relevant government departments to improve rehabilitation and mental health services which were relevant to many areas of Government activities; (c) the rights of persons with disabilities ("PWDs") under UNCRPD extended far beyond the scope of physical impairments and the Administration should have regard to hindrance to the full and effective participation of PWDs in society on an equal basis; and (d) it was necessary to set up an independent body to monitor how human rights were implemented in Hong Kong, bearing in mind that the remit of the Opportunities Commission ("EOC") was confined solely to anti-discrimination issues.
- 10. Mr KWONG Chi-fai of the Alliance of Ex-mentally Ill of Hong Kong proposed the following measures: (a) ex-mental patients who were required to seek regular treatment and medication should be offered clinic service beyond normal office hours in order not to disrupt their work given their difficulties in securing employment; (b) the duration of medical consultation for ex-mental patients should be extended to 15 minutes for a more thorough examination; and (c) follow-up medical appointment should be assigned to the same doctor for appropriate case management.
- 11. <u>Mr James LUNG Wai-man</u> presented the views of Hong Kong Community Development Network as detailed in its submission [LC Paper No. CB(2)2371/11-12(05)].
- 12. <u>Mr HO Chun-keung</u> presented the views of the Center of China Concern as detailed in its submission [LC Paper No. CB(2)2371/11-12(06)].
- 13. <u>Miss Jennifer LAU Suet-kan</u> presented the views as detailed in her submission [LC Paper No. CB(2)2393/11-12(04)].
- 14. Mr CHOW Tak-hung presented the views of Chosen Power (People First Hong Kong) as detailed in its submission [LC Paper No. CB(2)2393/11-12(06)].

- 15. Mr CHAN Chung-yau expressed concerns that some PWDs had been asked by their employers to have their working hours reduced after the introduction of Minimum Wage Ordinance (Cap. 608) ("MWO"). He suggested that the Administration should put in more resources to help disadvantaged persons in relation to employment and housing matters.
- 16. Mr LI Chi-on presented the views of the Concord Mutual-Aid Club Alliance as detailed in its submission [LC Paper No. CB(2)2393/11-12(07)].
- 17. <u>Miss Sophie CHEUNG Hing-yee</u> presented the views as detailed in her submission [LC Paper No. CB(2)2393/11-12(08)].
- 18. Mr CHENG Shun-shing presented the views as detailed in his submission [LC Paper No. CB(2)2393/11-12(09)].
- 19. Mr LEUNG Kim-pong presented the views as detailed in his submission [LC Paper No. CB(2)2393/11-12(10)].
- 20. <u>Mr Richard LEE Pak-ying</u> presented the views of the Grand Alliance of Parents for the Rights of Persons with Special Educational Needs as detailed in its submission [LC Paper No. CB(2)2378/11-12(02)].
- 21. <u>Mr TANG Chung-keung</u> presented the views of the Amity Mutual-Support Society as detailed in its submission [LC Paper No. CB(2)2371/11-12(07)].
- 22. Mr YIP Kin-keung of the 1st Step Association expressed concerns on the followings: (a) the eligibility criteria for comprehensive social security assistance (the financial assessment of which was based on family's resources, i.e. household income) had in effect forced some PWDs to live alone in order to be qualified for the assistance, which was inconsistent with Article 19 of the UNCRPD which guaranted the right of living independently and being included in the community; and (b) the eligibility criteria for Special Care Subsidy for the Severely Disabled was outdated and should be based on the needs of the individual due to the extent of his disability.
- 23. <u>Mr NG Yin-keung</u> presented the views of the HK Redevelopment Concern Group as detailed in its submission [LC Paper No. CB(2)2393/11-12(11)].

- 24. <u>Mr TAM Chi-ho</u> presented the views of the Hong Kong Red Cross John F Kennedy Centre Alumni Association as detailed in its submission [LC Paper No. CB(2)2378/11-12(03)].
- 25. Ms NG Chong-fai of the Society for the Welfare of the Autistic Persons urged that assistance should be provided to autistic children while studying in ordinary schools to ensure that they would receive appropriate care and support during their development. She said that the Administration should step up its service by increasing pre-school places for disabled children in order to meet the great demand.
- Mr Hubert HO of the New People's Party Youth Committee made a 26. number of suggestions for the Administration to consider whilst drawing up its policies related to PWDs: (a) government bureaux and departments had adopted different definitions of 'disability' under their respective policy purview which demonstrated that there was a lack of holistic approach to address fully the needs of PWDs; (b) the criteria for granting the Higher Disability Allowance under the social security assistance was based on practitioners subjective assessment of medical which inconsistencies in assessment; (c) employment opportunities for women with disabilities should be enhanced; (d) there was insufficient pre-school places and support service to disabled children; (e) there was a lack of support service to family carers; and (f) there was a need to strengthen the regulation of privately-run residential care facilities for PWDs.
- 27. <u>Ms Jeanles NG</u> of The Parents' Association of Pre-school Handicapped Children gave the following views: (a) the setting up of rehabilitation facilities often met with opposition of residents in the neighbourhood during the public consultation period; (b) self-help organisations should be given a reasonable level of financial subsidy and should be offered professional advice and support as and when required; and (c) the Administration should collate the relevant statistics on PWDs to formulate and implement policies to give effect to the UNCRPD.
- 28. Mr LAM Yiu-kwok elaborated on the following difficulties which were not conducive to facilitate social inclusion of PWDs: (a) long waiting time for subsidised residential care places for persons with severe disabilities; (b) the pilot scheme on Home Care Service for Persons with Severe Disabilities launched in March 2011 was limited to persons awaiting residential care services but not equally available to other PWDs; (c) the setting up of 16 District Support Centres for PWDs Persons with Disabilities had failed to

meet public expectation in a number of areas, including location and insufficient staff members to provide the requisite service etc.

- 29. Mr LO Siu-fung presented views as detailed in his submission [LC Paper No. CB(2)2393/11-12(12)].
- 30. Mr Richard TSOI Yiu-cheong of Hong Kong Human Rights Commission, Ms Crystal YUEN Shuk-yan of Society for Community Organization and Miss PANG Ching-lam of Mental Health Rights Concern Group presented their respective views as detailed in their joint submission [LC Paper No. CB(2)2378/11-12(04)].
- 31. <u>Members</u> also noted the written submission from Ms Emily LAU of Democratic Party which was tabled at the meeting [LC Paper No. CB(2)2378/11-12(05)].

Discussion with deputations

Article 27 – Work and Employment

- 32. <u>Dr LAM Tai-fai</u> shared the concerns raised by Mr NG Yin-keung about the difficulties of PWDs in seeking employment. He was particularly concerned about the possible adverse impact of the introduction of MWO on the employment prospects of PWDs with impaired productivity and he invited Mr NG and other deputations/individuals to give further views on the issue.
- In response, Mr NG Yin-keung said that PWDs were at a disadvantaged position as a prospective employer had to offer the same level of wage to a PWD who might not be able to perform the full duties of the job and employers would incline to recruit able-bodied persons instead. further suggested that the productivity assessment should be arranged by the employers despite the fact that the right to invoke such an assessment was vested in the employees with disabilities. Mr LI Chi-on was of the view that the productivity assessment was tantamount to excluding PWDs from the protection afforded under MWO as PWDs with impaired productivity had to be remunerated at a level below the statutory minimum Mr TSUI Kai-ming said that productivity assessment in relation to MWO should be abolished and all PWDs should be remunerated at the statutory minimum wage level. He proposed that the Administration might consider offering incentives to employers who recruited a certain number of disabled employees, for instance, subsidy for provision of facilities to disabled employees, tax exemption etc.

Article 19 - Living independently and being included in the community

34. Mr Ronny TONG shared the deputations' concerns on a number of long-standing issues, for instance, the definition of "disability" was too broad and the approach of the Administration had failed to address fully the needs of PWDs. He enquired about the long term policies of the Administration to improve the support services and facilities for PWDs so as to fully realise their due status, including home care service or any other new initiatives as appropriate. Dr LAM Tai-fai urged that the Administration in the short term should provide early assistance to severely disabled persons living in the community, the dilemma faced by Mr LO Siu-fung as set out in his submission [LC Paper No. CB(2)2393/11-12(12)], who was forced to choose a way of living against his wish, might possibly reflect that there was not sufficient protection to his right of living independently and being included in the community as guaranteed under Article 19 of the UNCRPD.

Administration's response to major issues raised

- 35. Secretary for Labour and Welfare ("SLW") said that the rehabilitation policy was one of the foci of LWB. In terms of resources commitment, its budget was increased from \$16.6 billion in 2007-2008 to \$23.2 billion in 2011-2012, representing a 40% increase. It had all along been the policy objective of the Government and the development directions set out in the Hong Kong Rehabilitation Programme Plan to help PWDs develop their potential as well as to build a barrier-free living environment with a view to enabling PWDs to participate in full and enjoy equal opportunities both in terms of their social life and personal growth. The Government would continue to collaborate with the Rehabilitation Advisory Committee, groups of PWDs, parents groups, the rehabilitation sector and other sectors in the community to promote the spirit and core values enshrined in UNCRPD and step up its efforts in fulfillment of the requirements under UNCRPD. recognised that there was always room for improvement in its policy and he called on the collaborated efforts of the Administration and participation of the community towards such goal.
- 36. \underline{SLW} thanked the deputations for their views and responded as follows
 - (a) on residential care services, the number of subsidised residential care places for various rehabilitation services was increased by 1

409 places, representing a 13% increase to the total provision of 11 000 places; and 627 additional places would be provided in 2012-2013, and premises were reserved for providing another 746 residential care places for PWDs in the upcoming four years for setting up new residential care homes for PWDs and rehabilitation facilities. He noted the concerns on the long average waiting time for subsidised residential care places for various rehabilitation services, in particular for persons with severe intellectual disabilities and persons with moderate intellectual disabilities and would strive to make improvement in this respect;

- regarding home care service, the Administration was mindful of (b) the special care needs of PWDs and the immense pressure faced by their family carers. The pilot scheme on Home Care Service for Persons with Severe Disabilities was launched in March 2011 to facilitate home living of these PWDs while waiting for residential care services, and to help relieve the stress of their family carers. The pilot scheme had been tried out in Tuen Mun and Kwun Tong which had the largest numbers of persons with severe disabilities waiting for residential care services, and extended to Kwai Tsing and Wong Tai Sin in September 2011. The Community Care Fund had also introduced the Assistance Programme of Special Care Subsidy for the Severely Disabled with a view to providing additional assistance to severely disabled persons living in the community. Each eligible person would receive a monthly special care subsidy of \$2 000 for a period of not more than 12 months;
- (c) on the provision of mental health community support service, the new district-based and one-stop service delivery mode of the Integrated Community Centres for Mental Wellness ("ICCMW") came on stream across the whole territory. The Administration aimed to provide one-stop, accessible and integrated community mental health support services ranging from prevention to crisis management to discharged patients, persons with suspected mental health problems and their families living in the district. This integrated service model was extended to all the 18 districts;
- (d) in recognition of the special educational needs of PWDs in their early childhood, the Community Care Fund had also introduced the Assistance Programme of 'Training Subsidy for Children who

are on the Waiting List of Subvented Pre-school Rehabilitation Services' in 2011-2012, with a view to providing training subsidy for pre-school children from low-income families and in need of rehabilitation services for not more than 12 months, so as to enable them to receive necessary services as soon as possible to facilitate their learning and development. Eligible children could receive a subsidy for services for a maximum period of 12 months and the maximum monthly subsidy a child could obtain was \$2,500 for receiving not less than four sessions of pre-school training and parent support services. Consideration would be given to regularising the service subject to its continued needs;

- (e) the Administration had stepped up its publicity efforts on UNCRPD through increasing public expenditure and in this respect. The relevant expenditure spent on public education was increased from \$2 million in 2003 to \$13 million in 2011-2012; and
- (f) on enhancing barrier-free access, funds were committed for carrying out retrofitting programme for upgrading the barrier-free facilities in existing Government and Housing Authority premises/facilities in response to the EOC's Formal Investigation Report on Accessibility in Publicly Accessible Premises released on 7 June 2010. The major retrofitting programme covered about 3 500 Government premises and facilities, amongst which nearly 90% would be retrofitted by 30 June 2012 and the remaining by 30 June 2014. Highways Department had also implemented in full swing its retrofitting programme for the provision of barrier-free access (lift or ramp) at public footbridges, subways or elevated walkway structures without such access.
- 37. In response to the concern raised by Ms PANG Ching-lam, <u>SLW</u> said that some 2 700 civil servants or 2% of the civil service were PWDs, and Secretary for the Civil Service would continue to encourage the employment of such persons. Incentives were also provided to encourage employers in the private sector to employ more PWDs. For instance, under the Enhancing Employment of People with Disabilities through Small Enterprise Project operated by the Social Welfare Department, a funding ceiling of \$2 million would be available for a business if half of its employees were disabled persons. Under Labour Department's Work Orientation and Placement Scheme, the ceiling of financial incentive an eligible employer could receive had been increased from \$3 000 to \$4 000 per month, and the payment period

had been extended from three months to a maximum of six months. An allocation of \$8 million was made available so that an employer could receive a maximum subsidy of \$20 000 for each employee with disabilities to provide special equipment, or made alterations to the work place to facilitate a disabled employee to adapt to the work environment.

- In response to the concerns about the voluntary productivity assessment under MWO, SLW said that the mechanism was introduced in response to public concern over the possible impact of the implementation of MWO on PWDs' employment so as to strike a reasonable balance between providing wage protection to PWDs and safeguarding their employment opportunities. This special arrangement for employees with disabilities had been formulated after detailed discussions between the Administration stakeholders. Under MWO, employees with disabilities, not their employers, had the right to choose to be remunerated at no less than the statutory minimum wage rate or to have their productivity assessed and be remunerated at a rate commensurate with their productivity. For employees with disabilities who were already in employment and had opted for the assessment before the implementation of MWO, they would be paid no less than their original contractual rates prior to undergoing the assessment. SLW said that for the 200-odd workers who had so far undergone assessments, their wage levels after the assessment were in general higher than those before the Nevertheless, the Administration had already implementation of MWO. undertaken to review the situation two years after the implementation of MWO and would commence the review in May 2013.
- 39. Noting that only some 200 persons with disabilities had undergone productivity assessment under MWO, Mrs Regina IP expressed dissatisfaction that SLW had grossly over-estimated that figure; and she urged that the mechanism should be removed as it failed to help enhance the employment prospects of disabled employees with impaired productivity. She said that in accordance with the findings of the Hong Kong Council of Social Service, the job opportunities for PWDs had dropped after the implementation of MWO. In response, SLW said that the small number of PWDs undergoing productivity assessment might reflect the fact that the need for PWDs, including those PWDs already in employment before the implementation of MWO, to invoke the assessment because of employment difficulties was not prevalent at present; and some newly employed PWDs were remunerated at or above the statutory minimum wage rate and therefore did not need to undergo <u>SLW</u> undertook to review the situation after two years of the the assessment. implementation of MWO.

- 40. On the need to introduce local legislation to implement UNCRPD, <u>SLW</u> said that the Administration had carefully examined its current policies and practices to ensure that they comply with the spirit and legal obligations of UNCRPD as well as effectively fulfill the policy goal of protecting the rights of PWDs. He said that the rights recognized in the UNCRPD could be implemented by legislative, administrative and other measures. The Administration considered that it was unnecessary to incorporate the provisions of the Convention into domestic law.
- 41. In response to Mr TSOI Yiu-cheong regarding the application of Optional Protocol which would enable individuals to take their claims of violations by PRC of the provision of UNCRPD, <u>SLW</u> explained that the Optional Protocol did not apply to HKSAR as the PRC was not a State party to the Optional Protocol.
- 42. At the request of Dr LAM Tai-fai, <u>SLW</u> undertook to look into the case of Mr LO Siu-fung and provide him with the necessary assistance. He also said that support measures under the Community Care Fund would also allow sufficient flexibility to cater for individual circumstances. <u>SLW</u> also undertook to consider the views of deputations thoroughly after the meeting.

III. Any other business

43. There being no other business, the meeting ended at 4:40 pm.

Council Business Division 2
Legislative Council Secretariat
27 September 2012