立法會 Legislative Council

LC Paper No. CB(2)2711/11-12 (These minutes have been seen by the Administration)

Ref: CB2/PL/WS

Panel on Welfare Services

Minutes of special meeting held on Tuesday, 29 May 2012, at 2:30 pm in Conference Room 3 of the Legislative Council Complex

Members : Hon CHEUNG Kwok-che (Chairman)
present Hon WONG Sing-chi (Deputy Chairman)

Hon LEE Cheuk-yan

Hon CHAN Kam-lam, SBS, JP

Hon LEUNG Yiu-chung Hon LI Fung-ying, SBS, JP Hon Ronny TONG Ka-wah, SC Hon Paul CHAN Mo-po, MH, JP Hon WONG Kwok-kin, BBS

Dr Hon PAN Pey-chyou Dr Hon Samson TAM Wai-ho. JP

Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung

Members : Hon Albert HO Chun-yan

absent Hon TAM Yiu-chung, GBS, JP

Hon Frederick FUNG Kin-kee, SBS, JP

Dr Hon LEUNG Ka-lau Hon IP Wai-ming, MH

Public Officers: Item II

attending

Ms Doris CHEUNG, JP

Deputy Secretary for Labour and Welfare (Welfare) 1

Labour and Welfare Bureau

Mr Stephen SUI Commissioner for Rehabilitation Labour and Welfare Bureau

Ms Jane LEE

Principal Assistant Secretary for Labour and Welfare (Poverty)

Labour and Welfare Bureau

Mr Jose YAM

Principal Assistant Secretary for Transport and Housing (Transport) 4

Transport and Housing Bureau

Mr Albert SU

Assistant Commissioner (Management & Paratransit)
Transport Department

Attendance by : <u>Item II</u> invitation

Hong Kong Tramways Limited

Mr TSANG Wing-hang Deputy Managing Director

Mr MAK Ip-sing, Yuen Long District Council Member

New People's Party Youth Committee

Mr Hubert HO

Member

Mr NG Kam-hung, Sha Tin District Council Member

The Against Elderly Abuse of Hong Kong

Mr CHIU Kit-man Board Member Social Policy Committee of the Hong Kong Federation of Trade Unions

Ms Alice MAK Deputy Director

Democratic Alliance for the Betterment and Progress of Hong Kong

Mr William MA Yik-yeung Deputy Spokesperson of Welfare Services

Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (New Territories)

Mr Augustine YU Siu-po Program Officer

North District Employment Concern Group

Ms Venny KWOK Convenor

Smart and Beauty House

Ms LAW Lai-ping Group Member

New Territories Evangelical Embassy

Mr CHOW King Group Member

Hong Kong Association for Parents of Persons with Physical Disabilities

Ms HO Bo-ching Deputy Chairman

Public Transport Research Team

Mr Leo KUNG Chun-kit Secretary Mr LI Wai-hung, Member's Assistant, Office of TSANG Wen-tien, Member of Tsuen Wan District Council

Chih Ai Parents Association, Hong Kong Christian Service

Ms Sophia YAO Shu-hong Chairperson

Rehabilitation Alliance Hong Kong

Mr CHEUNG Kin-fai Chairperson

Mr MOK Yuen-kwan General Secretary

Alliance of Fare Concessions in Public Transport for People with Disabilities

Mr CHONG Chan-yau Convenor

People of Fortitude Int'l Mutual-Aid Assn. for the Disabled

Mr TSANG Kai Barrier-free Ambassador

Public Services Monitoring Group

Mr CHAN Chi-hang Secretary

Hong Kong Federation of Handicapped Youth

Mr Allen CHAN

Clerk in attendance

: Miss Betty MA

Chief Council Secretary (2) 4

Staff in : Miss Karen LAI

attendance Council Secretary (2) 4

Miss Maggie CHIU Legislative Assistant (2) 4

Action

I. Report of the Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities

[LC Paper No. CB(2)2065/11-12]

Members noted that the Subcommittee on Improving Barrier Free Access and Facilities for Persons with Disabilities ("the Subcommittee") had completed its work and submitted its report to the Panel. Members endorsed the Subcommittee's recommendations made in the report. The Chairman advised that the Panel would seek the approval of the House Committee at its meeting on 8 June 2012 for the priority allocation of a debate slot to the Chairman of the Subcommittee under Rule 14A(h) of the House Rules for moving a motion to take note of the Subcommittee report at the Council meeting of 4 July 2012.

II. Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities

[LC Paper Nos. CB(2)1904/11-12(01), CB(2)1912/11-12(03), CB(2)1935/11-12(01), CB(2)2008/11-12(01), CB(2)2062/11-12(01) to (05), CB(2)2159/11-12(01) to (04), CB(2)2174/11-12(01) to (02) and CB(2)2203/11-12(01) to (03)]

- 2. At the invitation of the Chairman, <u>Deputy Secretary for Labour and Welfare (Welfare)1 ("DS(W)1")</u> briefed members on the implementation timetable of the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("the Scheme"). Subject to securing funding approval of the Finance Committee at its meeting scheduled for 8 June 2012 and the technical readiness of individual public transport operators, the concessionary fare of \$2 per trip would be launched by the Mass Transit Railway ("MTR") Corporation Limited in end June 2012, the franchised buses in around September 2012 and the New Lantao Bus Company (1973) Limited and operators running the franchised and major licensed ferry services in around the first quarter of 2013.
- 3. The Chairman recapitulated members that at the last meeting on 14

May 2012, the Panel passed a motion requesting the Administration to extend the Scheme to children with disabilities below the age of 12. The Chairman also drew members' attention to rule 83A of the Rules of Procedure regarding personal pecuniary interest to be disclosed.

4. <u>The Chairman</u> then invited deputations to express their views on the Scheme. The summary of deputations' views is in the **Appendix**.

Discussion

- 5. <u>DS(W)1</u> provided a consolidated response to the views and concerns raised by deputations as follows -
 - (a) by covering the major modes of transport, viz. MTR, franchised buses and ferries, the scope of the Scheme accounted for about 72% of the daily public transport patronage in 2011. The Administration's priority was to launch the Scheme on these three major modes of public transport. The Administration would review whether the Scheme should be extended to cover other modes of transport such as minibuses and tram service after it had been up and running smoothly. The Administration would also conduct a comprehensive evaluation of the Scheme three years after it had been fully implemented to assess the long-term financial, transport and welfare implications;
 - (b) the Scheme would be implemented in phases having regard to the timing of technical readiness of the respective public transport operators concerned. Apart from upgrading the relevant fare collection systems to implement the Scheme, the franchised bus operators and ferry operators would also need to upgrade their system hardware and software to recognize the Personalized Octopus Card with "Persons with Disabilities Status", so as to enable eligible persons with disabilities to enjoy the \$2 concessionary fare. The Administration had also been working with the operators concerned on the development of a centralised settlement platform to provide an efficient means to accurately calculate the public transport operators' revenue forgone and the reimbursement amount;
 - (c) the aim of the Scheme was help build a caring and inclusive society by encouraging the elderly and eligible persons with

disabilities to participate more in community activities. Non-franchised bus services including residents' services which served only specific target group(s) were not covered by the Scheme;

- (d) in identifying the target group of persons with disabilities most needed to benefit from the Scheme, consideration had been given to the past deliberations and recommendations of the Legislative Council Subcommittee to Study the Transport Needs and Provision of Concessionary Public Transport Fares for Persons with Disabilities, i.e. concessionary public transport fares would be provided to recipients under the Comprehensive Social Security Assistance Scheme aged between 12 and 64 with 100% disabilities and recipients of Disability Allowance ("DA") in the same age group;
- (e) the Administration noted the request of extending the Scheme to children with disabilities aged below 12. It would actively consider the request in the review to be conducted after the Scheme had been up and running smoothly; and
- (f) upon the implementation of the Scheme, public transport operators would continue to absorb the cost of existing fare concessions voluntarily offered by them to the elderly and The Government would eligible persons with disabilities. provide additional resources on an accountable reimbursement basis to cover the fare differential between the nominal fare and \$2 concessionary fare. As announced in the 2011-2012 Policy Address, elderly people aged 65 or above and eligible persons with disabilities would be able to travel on the major transport modes at any time at a concessionary fare of \$2 per trip. The Administration had no plan to provide free rides.
- 6. On the target group of persons with disabilities as beneficiaries under the Scheme, Commissioner for Rehabilitation ("C for R") said that in view of the broad definition of disability under the Disability Discrimination Ordinance ("DDO") (Cap. 487), it was considered unrealistic to provide public transport fare concessions to all persons with disabilities protected by DDO as this would amount to a general fare reduction for almost everyone. C for R further said that the purpose of the Registration Card for People with Disabilities ("RC") was to enable the holders to produce,

when necessary, as a documentary proof of their disability status to facilitate provision of prompt and appropriate assistance to them. Application for RC was voluntary and was not associated with provision of any welfare benefits. As the criteria for issuing a RC was much more relaxed than those of DA, the potential number of persons eligible for a RC would be considerable. The Administration considered that the beneficiaries of the Scheme should be those persons with more severe disabilities.

- 7. In response to some deputations' request for including carers of eligible elders and persons with disabilities under the Scheme, <u>C for R</u> said that the term "carers" covered a broad range of persons, for example, family members, friends and health care staff who took care of the elderly or person with disabilities on different occasions. Apart from the difficulty in defining "carers", <u>C for R</u> cautioned that if the target beneficiaries under the Scheme were extended to their carers, the number of beneficiaries of the Scheme would be increased by at least two folds amounting to over 2.2 million people. As the Scheme would be non-means-tested and would incur a significant amount of recurrent public resources, the Administration would need to consider the implications of the proposal with due care.
- 8. <u>Assistant Commissioner (Management & Paratransit)</u> said that the residents' bus service in Ma Wan was non-franchised bus service operated by the estate management. It would not be covered under the Scheme.
- 9. Mr Ronny TONG remained concerned about the arrangement to roll out the Scheme in a phased approach. As those target beneficiaries living in the remote areas would most benefit from the Scheme, the implementation timeline for travelling on franchised buses and ferry services should be advanced. Mr TONG commented that the criteria for eligible persons with disabilities under the Scheme was too stringent. Mr TONG asked about the financial implications if the eligibility of the Scheme was relaxed to cover persons with less than 100% disabilities and children with disabilities aged below 12 as well as the scope of the Scheme was extended to provide free rides on tram.
- 10. <u>DS(W)1</u> advised that if the Scheme was to be extended to cover children with 100% disabilities aged below 12, it was estimated that around 8 000 children would be benefited and the recurrent expenditure was about \$2 million. She however stressed that this group of children were already eligible for half-fare children concessions offered by public transport

operators and those in need might also receive subsidy from the Student Travel Subsidy Scheme ("STSS") if they were eligible. That said, the Administration noted the request and would review the scope of the Scheme after it had been up and running smoothly.

- 11. <u>Dr PAN Pey-chyou</u> noted with concern that the majority of deputations had raised grave concern about the exclusion of persons with less than 100% disabilities from the Scheme. In his view, the production of medical certification by persons with disabilities on "the loss of ability to earn a living" should be eligible for the Scheme.
- 12. <u>DS(W)1</u> said that the Administration noted Dr PAN's concern and reiterated that the Scheme aimed to assist the group of persons with disabilities who had greater needs for assistance and encouragement to participate in community activities. It would conduct an evaluation of the Scheme three years after it had been fully implemented, and did not rule out the possibility of extending the Scheme to cover other beneficiaries.
- 13. Mr LEUNG Yiu-chung pointed out that the implementation details of the Scheme were worked out premised on the existing voluntary fare concessions offered by the public transport operators, instead of responding to the community call and changing service needs. Since the announcement of the Scheme, there had been considerable discussion in the community and requests for early implementation, extension of the coverage of transport modes and relaxation of eligibility criteria to cover persons with less than 100% disabilities and children with disabilities aged below 12. He called on the Administration to take note of the strong requests and immediately conduct a review of the scope and coverage of the Scheme. Mr LEUNG also held the view that the cost of offering the fare concessions should be borne entirely by the transport operators concerned and the Scheme should be further enhanced to provide free rides to eligible beneficiaries.
- 14. On the request for extending the Scheme to children with 100% disabilities aged below 12, <u>DS(W)1</u> said that the Administration would need to take into consideration the existing half-fare children concessions offered by public transport operators and STSS as well as the technical issues involved on the part of public transport operators concerned.
- 15. <u>Mr LEUNG Kwok-hung</u> asked about the Administration's concrete plan to cover persons with less than 100% disabilities and children with disabilities aged below 12 under the Scheme.

- 16. <u>DS(W)1</u> reiterated that the Administration would review the scope of the Scheme to consider whether it should be extended to cover other modes of public transport such as minibuses and tram service after it had been up and running smoothly. As it would need time to collect relevant statistics, the Administration would conduct a comprehensive evaluation of the Scheme three years after it had been fully implemented to assess the long-term financial, transport and welfare implications.
- 17. Mr LEE Cheuk-yan considered that the Scheme was providing direct subsidy to the public transport operators concerned. Given that the provision of a concessionary fare of \$2 per trip would attract more patronage and thereby increasing the revenue of the operators concerned, the fare revenue forgone should be absorbed by the public transport operators instead. He did not see the need for the Administration to reimburse the fare differential between the nominal fare and \$2 concessionary fare. Mr LEE strongly urged the Administration to draw up a concrete timetable for covering children with disabilities aged below 12 under the Scheme and extending the scope of the Scheme to tram services by providing free rides.
- 18. As regard to the request for extending the Scheme to children with disabilities aged below 12, <u>DS(W)1</u> advised that the Administration would need to consider whether and how this would impact on other current schemes like STSS and to liaise with the transport operators on the technical modifications required. As for offering free rides on tram, <u>DS(W)1</u> said that the Administration would need to consider the suggestion with due care as this would not be consistent with the principle of the Scheme offering \$2 concessionary fare.
- 19. The Chairman called on the Administration to take note of the views of members and deputations in respect of the eligibility and scope of the Scheme when conducting the review. The Chairman also cautioned that the provision of \$2 concessionary fare to children with disabilities aged below 12 should tie in with the commencement of the school year in September. To facilitate the preparation of the comprehensive evaluation of the Scheme in three years' time, the Chairman said that the Administration should compute the reimbursable amount to individual transport operators concerned according to the target groups of beneficiaries.

Action

III. Any other business

20. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 2 <u>Legislative Council Secretariat</u> 27 August 2012

Panel on Welfare Services

Special meeting on Tuesday, 29 May 2012 at 2:30 pm

Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation/individual	Major views and concerns
1.	Hong Kong Tramways Limited [LC Paper No. CB(2)1935/11-12(01)]	 in support of the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("the Scheme") on social inclusion and cohesion grounds, but was disappointed that tram services, which carried more than 11 million elderly and persons with disabilities passengers annually, were excluded from the Scheme it was not appropriate to exclude tram services from the Scheme simply because the elderly tram fare was lower than the concessionary fare of \$2. The Government could extend the Scheme, perhaps in a different form, to cover tram services. As the Octopus system for tram services was not complicated due to the simple fare scales being charged, the inclusion of tram services in the Scheme would not cause delay to its implementation in the long run, the Administration should consider extending the Scheme to cover all public transport operators
2.	Mr MAK Ip-sing, Yuen Long District Council Member	 while welcoming the Scheme, target beneficiaries under the Scheme should be extended to elders aged 60 to 64 and persons with less than 100% disabilities the Scheme should be implemented as soon as practicable, especially advancing the implementation timeline for ferry services as this was the major transport mode of elders residing at the outlying islands. The Scheme should also extend to other modes of public transport such as tram and minibuses

No.	Name of deputation/individual	Major views and concerns
3.	New People's Party Youth Committee	 while welcoming the Scheme, target beneficiaries under the Scheme should cover children with disabilities aged below 12 and persons with less than 100% disabilities the Administration should give priority to explore the feasibility of extending the Scheme to green minibuses. The Administration should discuss with operators of red minibus about the technical viability of installation of the Octopus system with a view to implementing the Scheme consideration should be given to offering concessionary fare to target beneficiaries under the Scheme during non-peak hours of weekdays only so as not to overload the public transport system
4.	Mr NG Kam-hung, Sha Tin District Council Member	 the Scheme should be extended to cover persons with disabilities below the age of 18 attending schools and persons with less than 100% disabilities the scope of the Scheme should be extended to cover green minibuses to cater for the transport needs of elders and persons with disabilities who resided in housing estates away from the railway system
5.	The Against Elderly Abuse of Hong Kong [LC Paper No. CB(2)2203/11-12(01)]	 to avoid the confusion to service users, the Scheme should be launched in one go in June 2012 called upon the Administration to expedite the full implementation of the Scheme within the current term of the Government
6.	Social Policy Committee of the Hong Kong Federation of Trade Unions	 in support of the Scheme and urged the early implementation of the Scheme, especially ferry services to cater for the needs of elders residing at the outlying islands the Scheme should cover persons with less than 100% disabilities
7.	Democratic Alliance for the Betterment and Progress of Hong Kong	 welcomed the Scheme to safeguard the rights of elders and persons with disabilities in accordance with the United Nations Convention on the Rights of Persons with Disabilities the Scheme marked a positive response of the Government to recognise the transportation needs of elders and persons with disabilities. The Administration should extend the Scheme to include minibuses and tram service

No.	Name of deputation/individual	Major views and concerns
		 in anticipation of an increase in patronage after the implementation of the Scheme, the public transport operators should improve the barrier-free facilities to cater for the needs of elders and persons with disabilities in accessing the service the Administration should liaise with the public transport operators to continue with the existing fare concessions that they were voluntarily offering to the elders and persons with disabilities
8.	Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (New Territories)	• to reimburse the public transport operators with the fare revenue forgone would mean providing direct subsidy to the operators, therefore the Administration should ask the operators to absorb the revenue forgone in the long run in a bid to demonstrate their corporate social responsibilities
9.	North District Employment Concern Group	• the Scheme should be extended to low-income workers to relieve their transport cost in going to work. In recognition of past contributions of the elderly to the society, free rides should be offered to the elderly
10.	Smart and Beauty House	• the eligibility of the Scheme should be relaxed to cover to persons with less than 100% disabilities and holders of the Registration Card for People with Disabilities as well as the carers accompanying persons with disabilities to participate in community activities and receive medical treatments
11.	New Territories Evangelical Embassy	• public transport operators should bear a larger portion of the cost of concessions under the Scheme
		• the Administration should make reference to the fare concession arrangement on the Mainland and provide free rides to the elderly under the Scheme
12.	Hong Kong Association for Parents of Persons with Physical Disabilities [LC Paper No. CB(2)2174/11-12(01)]	while welcoming the Scheme, the cost of fare concessions under the Scheme should be shared among the Government and public transport operators concerned in order to use public money prudently
		• even though children aged below 12 were offered half-fare children concession by public transport operators, the nominal fare would usually be higher than \$2. Moreover, children with disabilities aged below 12 were not entitled to enjoy the \$225 monthly transport supplement offered to recipients of Disability Allowance. In view of the above, the Scheme

No.	Name of deputation/individual	Major views and concerns
		should be extended to cover children with disabilities under the age of 12
13.	Public Transport Research Team [LC Paper No. CB(2)2062/11-12(04)]	 supported the launch of the Scheme given elders were currently enjoy half-fare concessions offered by public transport operators, the proposed concessionary fare of \$2 would benefit elders only if the actual fare was higher than \$4 per trip. Instead of providing unnecessary subsidy to public transport operators, the Administration should consider offering 25% fare discount across the board for all journeys under the Scheme as most elders and persons with disabilities needed to be escorted by a carer to attend community activities, concessionary fares should also be offered to their carers
14.	Mr LI Wai-hung, Member's Assistant, Office of TSANG Wen-tien, Member of Tsuen Wan District Council [LC Paper No. CB(2)2062/11-12(01)]	 in support of the Scheme and urged for its full implementation as soon as possible the Administration should consider extending the Scheme to cover the residents' bus services running on Ma Wan as this was almost the only transportation means for most of the residents living therein, especially the elderly
15.	Chih Ai Parents Association, Hong Kong Christian Service [LC Paper No. CB(2)2159/11-12(01)]	 recipients on CSSA and Disability Allowance ("DA") aged from 3 to 11 with 100% disabilities should be entitled for the \$2 fare concession under the Scheme for meeting the travelling expenses incurred for attending medical appointments, training and other community activities, thereby enhancing their integration into the society as early as possible even though children aged under 12 were offered half-fare children concession by public transport operators, the nominal fare would usually be higher than \$2. In addition, persons with disabilities aged below 12 were not entitled to receive the \$225 monthly transport supplement payable toDA recipients aged 12 to 64 of the same level of disabilities. The
16.	Alliance of Fare Concessions in Public Transport for People with Disabilities [LC Paper No. CB(2)2174/11-12(02)]	 Scheme should therefore be extended to cover children with disabilities aged below 12 welcomed the Scheme but held the view that the eligibility criterion of 100% disabilities was too stringent. It was high time to review the definition of disability under the DA Scheme the complexities in regard to technical readiness of transport operators concerned should be resolved at an earlier stage for the full implementation of the Scheme as soon as possible

No.	Name of deputation/individual	Major views and concerns
		 the Administration should extend the Scheme to cover children with disabilities aged below 12 immediately the public transport operators concerned should also absorb part of the cost of offering fare concessions under the Scheme from the perspective of corporate social responsibility
17.	People of Fortitude Int'l Mutual-Aid Assn. for the Disabled	 welcomed the Scheme but urged for early implementation target beneficiaries under the Scheme should be extended to cover persons with less than 100% disabilities and holders of the Registration Cards for People with Disabilities the concessionary fare of \$2 per trip should be applicable at any time in a day
18.	Public Services Monitoring Group [LC Paper No. CB(2)2203/11-12(02)]	 welcomed the implementation of the Scheme for the benefit of elders and persons with disabilities the Administration should review the definition of disability under the DA Scheme the Administration should immediately consider extending the Scheme to cover persons with less than 100% disabilities and include other transport modes such as tram and minibuses
19.	Rehabilitation Alliance Hong Kong [LC Paper No. CB(2)2159/11-12(02)]	 welcomed the launch of the Scheme and called upon the Administration to expedite full implementation of the Scheme target beneficiaries under the Scheme should cover children with disabilities aged below 12 in considering the need to extend the scope and coverage of the Scheme, the Administration should in a broader perspective review the definition of "disability" under the DA Scheme and the outdated eligibility and approval mechanism of DA
20.	Hong Kong Federation of Handicapped Youth [LC Paper No. CB(2)2062/11-12(05)]	 in support of the Scheme to encourage persons with disabilities to participate more in community activities, thereby enhancing their integration into society urged for full implementation of the Scheme as soon as practicable. Upon implementation of

No.	Name of deputation/individual	Major views and concerns
		the Scheme, the Administration should immediately review the scope of the Scheme to consider whether it should be extended to cover persons with less than 100% disabilities and children with disabilities aged below 12 as well as other transport modes
		• public transport operators concerned should bear a larger portion of the cost of offering the concessionary fare of \$2 per trip so as to ease the financial burden of the Government and enhance the sustainability of the Scheme in the long run

Council Business Division 2
<u>Legislative Council Secretariat</u>
27 August 2012