

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 21 November 2012

**Amendments to motion on
“Building an inclusive society for all”**

Further to LC Paper No. CB(3) 124/12-13 issued on 8 November 2012, six Members (Dr Hon Fernando CHEUNG, Hon WONG Kwok-hing, Hon CHAN Han-pan, Dr Hon KWOK Ka-ki, Hon Emily LAU and Hon Michael TIEN) have respectively given notices of their intention to move separate amendments to Hon LEUNG Yiu-chung’s motion on “Building an inclusive society for all” scheduled for the Council meeting of 21 November 2012. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon LEUNG Yiu-chung to speak and move his motion;
- (b) the President proposes the question on Hon LEUNG Yiu-chung’s motion;
- (c) the President calls upon the six Members who intend to move amendments to speak in the following order but no amendment is to be moved at this stage:
 - (i) Dr Hon Fernando CHEUNG;
 - (ii) Hon WONG Kwok-hing;

- (iii) Hon CHAN Han-pan;
 - (iv) Dr Hon KWOK Ka-ki;
 - (v) Hon Emily LAU; and
 - (vi) Hon Michael TIEN;
- (d) the President calls upon the designated public officer(s) to speak;
 - (e) the President invites other Members to speak;
 - (f) the President gives leave to Hon LEUNG Yiu-chung to speak for the second time on the amendments;
 - (g) the President calls upon the designated public officer(s) to speak again;
 - (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the six Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Dr Hon Fernando CHEUNG to move his amendment to the motion, and forthwith proposes and puts to vote the question on Dr Hon Fernando CHEUNG's amendment;
 - (i) after Dr Hon Fernando CHEUNG's amendment has been voted upon, the President deals with the other five amendments; and
 - (j) after all amendments have been dealt with, the President calls upon Hon LEUNG Yiu-chung to reply. Thereafter, the President puts to vote the question on Hon LEUNG Yiu-chung's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Building an inclusive society for all”
to be held at the Council meeting of 21 November 2012**

1. Hon LEUNG Yiu-chung’s original motion

That, as the United Nations Convention on the Rights of Persons with Disabilities (‘the Convention’) has been in force in Hong Kong since 31 August 2008, this Council urges the Government to expeditiously establish a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, and based on the World Health Organization’s international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12, so that they can equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities.

2. Motion as amended by Dr Hon Fernando CHEUNG

That, *Hong Kong as an international city is advanced in economic development but falls behind in social development, often neglecting the basic rights of persons with disabilities*; as the United Nations Convention on the Rights of Persons with Disabilities (‘the Convention’) has been in force in Hong Kong since 31 August 2008, this Council urges the Government to expeditiously establish a *an independent* dedicated committee to promote ~~and~~, give effect to *and monitor the SAR Government’s full implementation of* the relevant provisions of the Convention ~~that the SAR Government has not yet implemented~~, and based on the World Health Organization’s international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, ~~especially for~~ *review the definition of ‘severely disabled’ for Disability Allowance, and allow* persons with disabilities under the age of 12, ~~so that they can~~ *to* equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities.

Note: Dr Hon Fernando CHEUNG’s amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon WONG Kwok-hing

That, as the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') has been in force in Hong Kong since 31 August 2008, *and on 9 November 2011, this Council passed a motion on 'Comprehensively reviewing the Disability Allowance scheme', to which the authorities responded on the same day that they expected to complete the review of the Disability Allowance ('DA') scheme in early 2012 and report comprehensively to the Legislative Council Panel on Welfare Services ('the Panel');* *in this connection*, this Council urges the Government to expeditiously establish a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, and based on the World Health Organization's international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12 *and those who do not lose 100% of their work capacity*, so that they can equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities, *and to expeditiously report the outcome of the Government's review on the DA scheme to the Panel, so that this Council can conduct timely follow-up discussions in order to be accountable to all persons with disabilities in Hong Kong.*

Note: Hon WONG Kwok-hing's amendment is marked in *bold and italic type* or with deletion line.

4. Motion as amended by Hon CHAN Han-pan

That, as *while* the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') has been in force in Hong Kong since 31 August 2008, *there is still room for improvement for quite a number of policies and measures relating to persons with disabilities; in this connection*, this Council urges the Government to ~~expeditiously establish~~ *allocate additional resources for perfecting the various existing policies and measures relating to persons with disabilities, including:*

- (a) *to conduct studies on establishing* a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, and based on the World Health Organization's international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12, so that they can equally enjoy the rights conferred under the Public

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

- (b) *to conduct studies on extending the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities to maxicabs and trams, etc.;*
- (c) *to increase barrier-free transport services such as the numbers of buses under Rehabus services and Easy-Access Transport Services, etc., so as to provide more point-to-point services for persons with disabilities;*
- (d) *to expeditiously implement the ‘universal accessibility’ programme to provide barrier-free access, and actively respond to the suggestions put forward by members of the public from various districts on the construction of barrier-free access;*
- (e) *to proactively promote barrier-free community facilities, improve community facilities, and provide owners’ corporations of buildings with technical and funding support for improving the main entry and exit access of their buildings;*
- (f) *to formulate a five-year plan for community care, build additional residential care homes for persons with disabilities and increase the number of places, so as to shorten the waiting time for admission and access to services;*
- (g) *to put in place a ‘subsidy for carers of persons with disabilities’ to assist carers of persons with disabilities in alleviating their financial burdens and mitigate the impact on their livelihood due to their inability to go out to work;*
- (h) *to set up a quota system for employing persons with disabilities and provide tax concessions to encourage employers to employ more persons with disabilities; and*
- (i) *to proactively support rehabilitation organizations to establish social enterprises, so as to provide employment opportunities for persons with disabilities.*

Note: Hon CHAN Han-pan’s amendment is marked in *bold and italic type* or with deletion line.

5. Motion as amended by Dr Hon KWOK Ka-ki

That, *the protection for persons with disabilities in Hong Kong society is still not yet satisfactory*; as the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') has been in force in Hong Kong since 31 August 2008, this Council urges the Government to expeditiously establish a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, and based on the World Health Organization's international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12, so that they can equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities; *this Council also urges the Government to undertake to implement the following measures and draw up a timetable for complying with the requirements of the Convention:*

- (a) *in respect of enhancing public education, the Government must implement Article 8 of the Convention, raise the awareness of the community at large regarding persons with disabilities, and combat stereotypes, prejudices and harmful practices relating to persons with disabilities, so as to achieve the harmonious integration between persons with disabilities and able-bodied persons;*
- (b) *in respect of creating a barrier-free environment, the Government must implement Article 9 of the Convention and examine the existing barrier-free measures in connection with buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;*
- (c) *the Government must assist persons with disabilities in integrating into community life and implement Article 19 of the Convention, ensuring that public facilities and various types of community services are responsive to the needs of persons with disabilities; hence, the Government should extend the existing Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities to enable persons with disabilities under the age of 12 to enjoy the concessions, as do the elderly and eligible persons with disabilities; and*
- (d) *in respect of supporting school children with specific learning difficulties, the Government must implement Article 24 of the Convention, make reference to the special education policies of other countries and regions, and enact a 'special education law' to protect the learning needs of school children with specific learning*

difficulties; the Government should also strengthen teacher training, create a suitable learning environment, and ensure the integration of school children with specific learning difficulties into community life.

Note: Dr Hon KWOK Ka-ki's amendment is marked in *bold and italic type* or with deletion line.

6. Motion as amended by Hon Emily LAU

That, as the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') has been in force in Hong Kong since 31 August 2008, this Council urges the Government to expeditiously establish a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, *to implement the recommendations relating to Hong Kong made by the United Nations Committee on the Rights of Persons with Disabilities after it had examined the report submitted by China (including Hong Kong and Macao) on her implementation of the Convention during the session convened at Geneva in September this year*, and based on the World Health Organization's international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12, so that they can equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities.

Note: Hon Emily LAU's amendment is marked in *bold and italic type*.

7. Motion as amended by Hon Michael TIEN

That, as the United Nations Convention on the Rights of Persons with Disabilities ('the Convention') has been in force in Hong Kong since 31 August 2008, this Council urges the Government to expeditiously establish a dedicated committee to promote and give effect to the relevant provisions of the Convention that the SAR Government has not yet implemented, and based on the World Health Organization's international standards on the definition of disabilities, to extend the scope of protection for persons with disabilities, especially for persons with disabilities under the age of 12, so that they can equally enjoy the rights conferred under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities; *and at the same time, to expeditiously review the impact of the implementation of the minimum wage on the employment of persons with disabilities.*

Note: Hon Michael TIEN's amendment is marked in *bold and italic type*.