

Code of Practice on the Provision of Telecommunications Services for the Elderly and People with a Disability

Preamble

The following constitutes a Code of Practice ("the Code") which governs the responsibilities of –

- (a) all fixed operators in the provision of voice telephony services in relation to public payphone services, private payphone services, directory information, special telephones and special billing services for the elderly and people with a disability;
- (b) all payphone service providers (PSPs) in the provision of voice telephony services in relation to private payphones services;
- (c) all mobile telephone operators in the provision of mobile telephone services in relation to special telephones and special billing services for the elderly and people with a disability;
- (d) all paging operators in the provision of public radio paging services in relation to special pagers and special billing services for the elderly and people with a disability; and
- (e) all internet service providers in the provision of internet services in relation to special billing services for the elderly and people with a disability.

2. For the avoidance of doubt, nothing in this Code absolves any fixed operators, PSPs, mobile telephone operators, paging operators or internet service providers from operating in accordance with the terms of its licence and legislation currently in force in Hong Kong. Of particular relevance are Sections 25, 26 and 27 of the Disability Discrimination Ordinance (CAP. 487). In particular, "services relating to telecommunications" is given in Section 27(h) as one of the examples of the services and facilities referred to in Section 26.

Interpretation

3. In the Code,

"elderly" means those persons who are aged 60 or above;

“fixed operator” means the holders of fixed telecommunications network service licence, fixed carrier licence, unified carrier licence, and Class 1 services-based operator licence who are authorized to provide fixed services;

"payphone" means a fixed telephone that is connected to the public switched telephone network operated by an fixed operator and that cannot be used to make a telephone call (other than a free call or a call made through an operator assisted or automated caller identity verification system) unless the user, immediately prior to using the telephone, makes, or arranges to make, a payment for that particular individual call;

"payphone service provider" means a person who, by leasing an access line from an fixed operator and using the person's own payphone equipment, provides private payphone services under a licence issued under the Telecommunications Ordinance (CAP. 106);

"payphones in significant public locations" means -

(a) public payphones under the registers kept by the Office of the Telecommunications Authority;

(b) payphones located within facilities maintained by the Leisure and Cultural Services Department and Food and Environmental Hygiene Department. These include -

- Outdoor recreation centres;
- Indoor games halls;
- Playground, sports ground and stadium;
- Swimming pools and beaches;
- Parks and gardens;
- City and town halls;
- Community halls;
- Markets and complexes;
- Museums, cultural centres and coliseum;

(c) payphones located within Government offices. These include -

- Courts and magistracies;
- District offices;
- Immigration Department;
- Inland Revenue Department;
- Police stations;
- Post offices;
- Prisons, correction centres and refugees centres;
- Trade and Industry Department;
- Transport Department;
- Other Government offices with public access; or

(d) payphones located within other public facilities. These include -

- Hospitals (including both public and private hospitals);
- Public clinics;
- Centres of the Family Planning Association;
- Universities and technical education institutes;
- Public housing estates with the sanction of the Housing Authority;
- The Hong Kong International Airport, Airport Railway Stations, Bus Terminuses, Ferry Pier, Light Rail Transit Stations, MTR Stations, Airport Express Stations;
- Hong Kong Convention and Exhibition Centre;
- Other public facilities determined from time to time by the Telecommunications Authority (TA).

(a), (b), (c) and (d) are not mutually exclusive and may be amended from time to time by the TA as the needs arise;

"people with a disability" means people who on account of injury, disease, or congenital deformity, are impaired in vision, hearing or locomotion;

"public payphone" is defined as payphone that is located on or over unleased land as defined in section 2, Part I of the Land (Miscellaneous Provisions) Ordinance (CAP.28) and to which members of the public have access;

"private payphone" is defined as payphone that is located on or over privately owned land or leased land as defined in section 2, Part I of the Land (Miscellaneous Provisions) Ordinance (CAP.28) and to which members of the

public have access; and

"wheelchair users" are those persons who, except when using mechanized transport, depend on a wheelchair for mobility.

Application, Exemption and Enforcement

4. The requirements set out in this Code are classified into two categories -

- (a) Obligatory requirements - all requirements falling within this category should be complied with, unless an fixed operator, PSP, mobile telephone operator, paging operator or internet service provider is able to prove that any of them, individually or jointly, will impose unjustifiable hardship on the fixed operator, PSP, mobile telephone operator, paging operator or internet service provider; and
- (b) Recommended requirements - these requirements are included for reference of fixed operators, PSPs, mobile telephone operators, paging operators and internet service providers who intend to provide enhanced facilities in addition to the obligatory requirements for the use by the elderly and people with a disability.

5. This Code of Practice enters into force on 4 October 2010.

6. Unless otherwise specified, fixed operators, PSPs, mobile telephone operators, paging operators, and internet service operators should meet all obligatory requirements described in this Code by the date on which this Code enters into force.

7. The obligatory requirements apply to all fixed operators, PSPs providing private payphone services, mobile telephone operators, paging operators and internet service providers. The operators have the responsibility to provide good customer service to the elderly and people with a disability to the satisfaction of the TA.

8. Where appropriate, the obligatory requirements in respect of public

and private payphone services would be incorporated into the relevant HKTA performance specification.

Public Payphone Services and Private Payphone Services

Obligatory Requirements

9. Fixed operators providing public payphone services and private payphone services as well as PSPs providing private payphone services should meet the following obligatory requirements -

(a) to ensure that a reasonable proportion of all their payphones in significant public locations are designed for access by the physically handicapped and the elderly, including but not limited to wheelchair users. The approach to such payphones should be free of obstacles. The design of such payphones should include, but not be limited to, the following -

- the payphone should not be placed on a stepped base unless a ramp with a gentle slope is provided;
- the cord length should not be less than 740 mm;
- to facilitate wheelchair users, the highest operable parts that are essential to the basic operation of the payphone should not be higher than 1,300 mm above the floor and there should be enough space under the payphone for the footstool of a wheelchair;
- clear floor ground space at each public payphone booth should be at least 760 mm by 1,220 mm and should allow either a forward or parallel approach by a wheelchair user. Approach to the required clear space should not be restricted by bases, enclosures or fixed seats;
- a door which opens outwards in an enclosed booth. The door should have a clear width of not less than 750 mm between the open door and opposite jamb or the other leaf. For telephone

booths with no doors or with folding doors, the entrance to the booths should not be less than 750 mm wide;

- (b) to ensure that a reasonable proportion of all their payphones in significant public locations are designed for access by the visually impaired. Such payphones should provide mechanical keypads with the digit 5 indicator;
- (c) to ensure that all their payphones with mechanical keypads are provided with the digit 5 indicator;
- (d) to ensure that all their payphones are provided with amplifying handset or receiver with inductive coupler; and
- (e) hard copies of telephone directories, if provided, should be at a height of 750 mm above the floor for use by wheelchair users.

10. Fixed operators and PSPs would not be in breach of the Code where poor access to the payphone is due to factors within the responsibility of landowners, planning authorities or others over whom the fixed operators and PSPs have no control.

Recommended Requirements

11. Fixed operators providing public payphone services and private payphone services as well as PSPs providing private payphone services should meet the following recommended requirements as far as practicable -

- (a) handles should be installed on each side of the public payphone booth to enable those on crutches or with canes to maintain balance while using the public payphone. Otherwise, there should be enough space in the phone booth for people with a disability and the elderly to enter with their crutches and canes;
- (b) phone cards for payphones should bear "notch" on the left bottom of the phone cards to aid orientation of the visually impaired;
- (c) a motion detection system should be installed to activate a recorded sound message, giving explanations on the operational procedures to the users as they enter the booth; and

- (d) capable of handling fax messages for use by people with hearing impairment.

Directory Information

Recommended Requirements

12. Fixed operators providing directory information services to residential customers and public payphones should also provide such services free and in an appropriate format for customers with speech and/or hearing impairment as they are unable to make use of the operator-assisted directory enquiry service.

Special Telephones/Pagers and Fault Repairs

Obligatory Requirements

13. Fixed operator(s) with Universal Service Obligation should keep adequate inventories of special telephones which possess more than one of the following features for rental or sale to customers with a disability or elderly customers –

- (a) big buttons;
- (b) lamp signalling;
- (c) amplifying handset;
- (d) inductive coupler;
- (e) speakerphone; and
- (f) digit 5 indicator.

14. Fixed operators providing the above special telephones should make special provision to ensure that customers with a disability or the elderly who are reliant on the special telephones are given priority for the repair of faulty

apparatus. Fixed operators should not charge extra to such customers for the provision of a priority service.

Recommended Requirements

15. Mobile telephone operator(s) should make available mobile telephones which possess one or more of the following features for sale to customers with a disability or elderly customers –

- (a) Adjustable ring signals pitch and volume (supports hearing impaired);
- (b) Vibrating alert (supports hearing impaired);
- (c) 5-key tactile marking (supports visually impaired);
- (d) Large digits when dialling (supports visually impaired);
- (e) Font size setting (supports visually impaired);
- (f) Voice control (supports visually and motor impaired);
- (g) Short number dialling (cognitive/memory aid and shortcut dialling);
- (h) Barring/Fixed Dialling (cognitive aid);
- (i) Short message services (supports deaf and hearing impaired);
- (j) Chatboard (supports deaf, hearing, cognitive, and motor impaired);
and
- (k) Portable hands-free headsets (supports motor-impaired).

16. Paging operators should keep inventories of pagers equipped with vibration function for sale to visually impaired customers.

17. Subject to a pre-registration and a validation process in order to avoid abuse, mobile telephone operators and paging operators should make special provision to ensure that customers with a disability or the elderly who are reliant on mobile phones and pagers are given priority for the repair of faulty apparatus. Mobile telephone operators and paging operators should not charge extra to such customers for the provision of a priority service.

Special Billing Services

Obligatory Requirements

18. Fixed operators, mobile telephone operators, paging operators and

internet service providers should ensure that billing and other important information issued in hard copies is made available in large prints or Braille for the visually impaired customers. Consideration should also be given to the alternative of providing information in computer diskettes or other alternative means (such as the Internet). A special enquiry number should be provided with the billing information so that the visually impaired may make enquiries when necessary.

19. Operators concerned should not charge customers with a disability or the elderly for these services. Operators may implement a registration and pre-validation process in order to avoid any possible abuse of the use of these services.

Consultation and Co-operation

Obligatory Requirements

20. Fixed operators, PSPs, mobile telephone operators, paging operators and internet service providers should consult and co-operate with the TA to ensure that the needs and interests of the elderly and people with a disability are fully taken into account in the development and provision of telecommunications services and apparatus specified in the Code.

Publicity

Obligatory Requirements

21. Fixed operators, PSPs, mobile telephone operators, paging operators and internet service providers should ensure that the measures which they take in order to comply with the obligatory requirements of this Code are widely publicized, taking into consideration the need to disseminate information in appropriate formats and through appropriate channels for the elderly and people with a disability.

Change to the Code

22. This Code supersedes the Code entitled "Provision of Telephony Services for the Elderly and People with a Disability" issued by the TA 29 March 2001.

23. The TA reserves the right to amend and approve modifications to the Code as and when necessary.

Office of the Telecommunications Authority

4 October 2010