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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D. - B 9/96 .

**PROTECTION OF THE RIGHT OF PERSONS WITH
DISABILITIES ACT, No. 28 OF 1996**

REGULATIONS made by the Minister of Women Empowerment and Social Welfare under Section 25 read with Section 23 of the Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996, as amended by Act, No. 33 of 2003.

SUMEDHA G. JAYASENA,
Minister of Women Empowerment
and Social Welfare.

Colombo,
14th November, 2005.

Regulations

1. These regulations may be cited as the Access to common places and services by persons, with Disabilities Regulation No. 1 of 2005.

2. (1) These regulations shall apply in respect of access by the persons with disabilities to public buildings, public places and common services.
- (2) These regulations shall not apply to temporary buildings or sheds of contractors which are a part of any building, public place or common service.
3. (1) No person shall construct any public building or structure in any public place or reconstruct or renovate any public building or a structure in any public place unless any plan which relates to such building or structure is -
 - (a) in conformity with the specifications as set out in Schedule I hereto ; and
 - (b) in conformity with the designs as set out in Schedule II hereto.
- (2) No certificate of conformity shall be issued by any “relevant authority regarding any building, construction or reconstruction of a public building, unless the relevant authority is satisfied that the plan referred to in subsection (1) is -

(a) in conformity with the specifications as set out in Schedule I hereto ; and

(b) in conformity with the designs as set out in Schedule II hereto.

4. (1) No person shall use any vehicle for providing any public transportation unless such vehicle -

(a) is equipped with the specifications as set out in Schedule I hereto ; and

(b) is manufactured in accordance with the design plans as set out in Schedule II hereto.

(2) No licence for permit shall be issued by any relevant authority, in respect of any public vehicle to be used for providing transportation, unless the relevant authority is satisfied that the requirements set out in paragraph (1) are complied with.

5. A minimum of five per cent (5%) of the houses in all housing schemes with at least Twenty (20) units shall be constructed adopting the designs set out in Schedule II hereto.

6. The existing public buildings, structures in any places and common services shall be made accessible to persons with disabilities, by complying with the requirements specified in Regulations 3 and 4, within Seven (7) consecutive calendar years from the date of implementation of these regulations.

7. Where the accessibility of a person with any disability is to be temporarily disrupted due to any repairs, additions alternations, improvements or renovations and etc., of or in any public building, structure in any public place and common service, alternative accessibility arrangements shall be provided until such activity commences.

8. (1) Automatic indicator systems shall be provided for the benefit of the persons with impaired hearing.

(2) Audible traffic signals and other audible information systems, shall be provided for the benefit of the persons with impaired vision and the safety measures set out in Part A of Schedule II hereto shall also be provided.

9. (1) Adequate space shall be allocated for persons using mobility devices such as wheel chairs, crutches and walkers as set out in Part B of Schedule II hereto, in any public building, public place or common service.

(2) The following parts of any public building, public place or common service, shall be designed in accordance with the design plans, specified in Part C of Schedule II hereto in order to provide access to persons using mobility devices such as wheel chars, crutches and walkers and for the persons moving with the assistance of any other person :

(i) off-street and on street parking areas ;

(ii) pathways and corridors ;

(iii) ground and floor surface ;

(iv) pavements, public roads and pedestrian crossings ;

(v) hand rails and grab bars ;

(vi) steps and staircases ;

(vii) ramps ;

(viii) lifts and elevators ;

(ix) doorways and entrances to any public building ;

(x) public toilets ;

(xi) places of recreation such as zoological and botanical gardens and public parks ;

(xii) bus stops ;

(xiii) passenger buses ;

(xiv) railway stations ;

- (xv) passenger trains ;
- (xvi) other public transportation systems ;
- (xvii) public buildings.

10. In these regulations unless the context otherwise requires -

“access” means the ability of a person to enter into, approach, pass, to and from ,and have use of any building, public place or common service without assistance of any other person ;

“common services” means -

- (a) public transportation services and facilities connected to such public transportation services and shall include passenger buses, passenger trains, bus stops, depots and terminals, railway stations, air buses, airport terminal building and airports ; and
- (b) public communication services and facilities connected to such communication services and shall include post offices, communication centers and telephone booths ;

“impaired” means a temporary or permanent loss or abnormality of psychological, physiological or anatomical structure or functions and includes the existence or occurrence of an anomaly defect or loss of a limb, organ, tissue of the body including the system of mental functions ;

“person with disability” shall have the same meaning assigned to that expression under the Protection of the Rights of the Persons with Disabilities Act, No. 28 of 1996 ;

“public building” means a building used for -

- (i) residential purposes, including staff residences located within multiple dwellings and high rise residential units and tenements ;
- (ii) for commercial purposes including office buildings, hotels, motels, inns, guest houses, and other public lodgings, shopping centers, supper markets, restaurants, general, wholesale and retail stores and car parks ;
- (iii) industrial purposes including factories and work shops ;
- (iv) community, social and educational purposes including educational institutions, schools, hospitals, nursing homes, medical centers dispensaries, homes for elderly persons, temples, churches and mosques and other religious places, police stations, court houses, assembly halls, village halls, community centers, auditoriums, convention halls, libraries, museums, exhibition halls, public toilets, and such other buildings ; and
- (v) recreational purposes including cinema halls, theatres, concert halls, opera houses, art galleries, stadiums, sports complexes and other places of recreation ;

“public places” means purposes pedestrian crossings, walkways, pavements, roads, streets, off-street and on street parking spaces, out door staircases, steps, lifts, traffic signals and signs, parks, botanical gardens, zoological gardens and etc., ;

“relevant authority” means any local authority, or any officer, person or body of persons appointed under the Protection of the Persons with Disabilities Act, No. 28 of 1996 or under any other written law, for the purpose of granting approval for any construction, or reconstruction of any public building or for the purpose of issuing permits for public vehicles.

SCHEDULE I

Part A (1 Buildings)

<i>Type of Building</i>	<i>Performance Specifications</i>
staff housing, multiple dwelling and high-rise residential units and tenements	A minimum of 01 unit for every 25 plus 01 additional unit for every 100 units thereafter to be constructed with barrier-free features. Entrances and exits to be accessible.
Post offices, banks and financial services Institutions	A minimum of 01 lowered service counter on the premises.
Shop houses and single-story shops	Shopping are shall be accessible.
Hotels	At least one guest room in every 200 guestrooms or part thereof shall be accessible.
Food centres	A minimum if 01 table for every 10 tables to be attached to the floor without stools or seats. A minimum of 02 tables for the whole premises to be attached to the floor without stools or seats.
Community centres, villages halls, auditoriums, concert halls, assembly halls, cinemas, theatres and other places of public assembly.	Entrances, exists, aisles and main community or public gathering areas shall be accessible. Accessible toilet facilities shall be provided. Seating for persons with disabilities to be accessible from main entrances and lobbies. Seating and viewing choices to be provided for persons in wheelchairs throughout the main seating area. A minimum of 02 wheelcair spaces for seating capcacity from over 100 to 400 seats. A minimum of one percent of the total seating capacity exceeding 400 seats shall be reserved for wheelchair users. Easily removable seats shall be installed in wheelchair spaces. Audio loop system shall be provided.

(2) Parking Areas

<i>(1) Parking space</i>	<i>Requirements</i>
Total No. parking sapces in open car parks or car park buildings :	Designated parking spaces for diabled drivers and passengers shall be located as close as possible to main entrances to and exists from buildings. The minimum number of accessible spaces to be provided is as follows : Required minimum No. of accessible spaces :
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
Over 500	2 % of the total

PART 2 - Public Transport

<i>Type of Transport</i>	<i>Performance Specifications</i>
Road Transport	<ul style="list-style-type: none"> (i) New vehicles bought by public and private transport companies etc., shall comply with the designs set out in the Schedule II hereto. (ii) Existing vehicles shall be modified in compliance with the designs set out in the Schedule II hereto. (iii) A minimum of 02 seats in all buses shall be reserved at the entrance or exit doors for disabled persons. (iv) The bus halts shall be constructed in accordance with the specifications as set out in the Schedule II hereto.
Rail Transport	<ul style="list-style-type: none"> (i) One compartment per existing trains is required to be modified to in order to be accessible by disabled person. (ii) A minimum of four seats per compartment shall be reserved for persons with disabilities and shall be near entrance or exit doors. (iii) A minimum of one accessible toilet shall be available near the seats for disabled persons. (iv) All major railway stations shall be modified in accordance with the designs specified in Schedule II hereto.
Air Transport	<ul style="list-style-type: none"> (i) A minimum of two seats near the entrance or exit doors in all domestic passenger, aircraft shall be available for persons with disabilities. (ii) A minimum of one accessible toilet shall be made available for disabled persons.
Walkways, Roads and Highways	A comprehensive pedestrian system shall be provided to fulfill the needs of the persons with disabilities.

SCHEDULE II

PART 'A'

SAFETY MEASURES FOR THE PERSONS WITH IMPAIRED VISION

[regulations 8 (2).]

(i) Guiding Blocks :

1. dot-type blocks give a warning signal. They are used to screen off obstacles, drop-offs or other hazards to discourage movement in an incorrect direction, and to warn of a corner or junction. .
2. Line-type blocks indicate the correct route to follow.
3. Places to install guiding blocks :-
 - (a) in front of an area where traffic is present ;
 - (b) in front of an entrance or exit to and from a staircase or multi-level crossing facility ;
 - (c) Entrances or exits at public transport terminals or boarding areas ;
 - (d) sidewalk section of an approach road to a building ;
 - (e) guiding path from a public place to the nearest public transport station ;
 - (f) in rural area, stones of different sizes may be used to separate the road from the kerb, and to indicate the approach to public places.