



The Hong Kong Association of Banks
Guideline on Banking Services for Persons with Intellectual Disabilities
December 2020

Introduction

1. The *Code of Banking Practice* is jointly issued by the Hong Kong Association of Banks (the “**Association**”) and the DTC Association and endorsed by the Hong Kong Monetary Authority with a view to promoting good banking practices, and section 10 thereof encourages the member banks to provide customers with disabilities with assistance and the appropriate means to access banking services.
2. In order to enhance the accessibility to banking services by persons with intellectual disabilities (“**PWIDs**”), to promote good banking operating practices and to establish a channel of communication between the banks and PWIDs and their caregivers, the Association has formulated this Guideline on Banking Services for Persons with Intellectual Disabilities (this “**Guideline**”) setting forth the principles and good practices recommended by the Association for reference by its member banks.

Applicability and Implementation

3. This Guideline shall apply to all banks providing retail banking services, and the contents hereof are principle-based. Member banks shall on their own formulate the details of implementation following the publication of this Guideline, and implement within twelve months the recommendations contained in this Guideline. The Association will, from time to time, review and amend this Guideline in light of the actual circumstances.

Basic Principles

4. Like the regular customers of the banks, PWIDs also need to access banking services for meeting their daily living needs. If a PWID, when applying for banking services, is able to perceive and understand, or is able to perceive and understand with the assistance of persons accompanying them, the terms and conditions of the banking services, the banks shall provide them with the relevant banking services.
5. The banks shall recommend to PWIDs, and provide PWIDs with, the banking services appropriate to them after considering their individual circumstances, such as their ability to communicate and understand, and their needs for banking services. When the banks provide services to PWIDs, they shall comply with the relevant requirements of the *Code of Banking Practice*, provide appropriate services, and clearly explain the relevant terms and conditions, the associated risks, charges and the liability of customers, etc.

To Whom This Guideline May Apply

6. This Guideline shall apply to the following persons:
 - (a) any PWID holding a valid Registration Card for People with Disabilities issued by the Labour and Welfare Bureau of the Government of the Hong Kong Special Administrative Region;
 - (b) any person who declares that he or she is a PWID; and

- (c) the family members and guardians of PWIDs and other persons accompanying PWIDs to apply for banking services as mentioned in paragraph (8) below.
7. The banks shall keep appropriate records of the proof or statement submitted by the aforesaid persons, and provide the relevant PWIDs with the appropriate services.

Persons Accompanying PWIDs Applying for Banking Services

8. PWIDs applying for banking services may be accompanied by their family members (spouses, parents, siblings or children attaining the age of 18 years), guardians, registered social workers (“**Social Workers**”) or employees of the relevant social welfare institutions. Accompanying persons shall not be PWIDs and shall present the following items for verifying their identity and evidencing their relationship with the PWIDs:
- (a) an identity document, such as an identity card;
 - (b) a birth certificate (in the case of a family member);
 - (c) a guardianship order issued by the Guardianship Board (in the case of a guardian);
 - (d) a registration card for social workers issued by the Social Workers Registration Board (in the case of a Social Worker);
 - (e) a letter issued by the relevant social welfare institution (in the case of an employee of the relevant social welfare institution), among others, which is required to set out:
 - i. the name and identity card number of the PWID intending to apply for banking services;
 - ii. the name and identity card number of the employee of the social welfare institution; and
 - iii. the stated purpose of accompanying the PWID which is to assist such PWID in handling the relevant matters in respect of opening a bank account; and/or
 - (f) other relevant identification documents.

If an accompanying person refuses to meet the aforesaid requirements, a bank may handle such account opening application in light of the circumstances.

9. The accompanying persons shall mainly assist PWIDs in their perceiving and understanding of the terms and conditions of banking services. They are not witnesses and are not required to sign any legal document. Where necessary, and if the consent of an accompanying person has been obtained and the Personal Data (Privacy) Ordinance and relevant laws, rules, regulations, codes and guidelines are being complied with by the banks, the banks may make a copy of the items mentioned in paragraph (8) above and keep the same for record.

Banking Services Provided to PWIDs

Types of Account

10. Depending on the actual needs of a PWID, the banks may provide the PWID with the following bank account services:
- (a) basic personal or joint savings account; or
 - (b) guardianship account (in accordance with the existing procedures, in the case of an intended application for the opening of a guardianship account, a guardianship order issued by the Guardianship Board must be presented as proof).

11. The banks shall clearly state and explain to PWIDs and their accompanying persons (if applicable) the relevant terms and conditions, the associated risks, charges and the liability of customers, etc. in respect of different types of bank accounts.

Account Services

12. The banks may provide PWIDs with ATM cards or debit cards equipped with payment functions (if the banks provide such service), to facilitate their daily needs for basic banking services such as deposits, withdrawals, bill payments, payments and transfers.
13. The banks may provide PWIDs with online banking services with basic functions, including services such as online enquiries of transaction details, balances and monthly statements, the use of the Faster Payment System (FPS) and transfers.
14. The banks shall clearly state and explain to PWIDs and their accompanying persons (if applicable) the relevant terms and conditions, the associated risks, charges and the liability of customers, etc. in respect of the relevant services.

Operation of Accounts and Service Charges

15. The banks shall allow PWIDs to use traditional written or seal signatures.
16. If the banks provide a printed version of the monthly statements or passbooks, they shall make such type of services available for selection by PWIDs.
17. The banks shall flexibly handle applications by PWIDs for waiver of service charges for minimum deposit balance, counter service charge, annual fee for ATM card or debit card, fee for a printed version of the monthly statement or other various banking service charges.

Measures for Protection of PWIDs

18. To minimize the risks to PWIDs in their use of banking services, the banks shall take appropriate measures to protect PWIDs, including:
 - (a) The banks shall allow PWIDs to change the limit for the amount of daily withdrawal, transfer or payment. The relevant application for such change shall be carried out at a branch of the banks. If a relevant application may only be submitted through online banking services, the banks shall, prior to their execution of the relevant instructions, confirm the identity and instructions of the account holder to ensure that the transactions are safe.
 - (b) If a PWID withdraws a large amount of cash at counter and a bank staff member suspects that the PWID may be deceived, the bank may remind the PWID to contact the family members, guardians, or Social Workers of the PWID.
 - (c) The banks **shall avoid** encouraging PWIDs to apply for other banking services through online or other electronic channels, including applications for credit card, loans or investment services.
 - (d) The banks **shall avoid** marketing any investment, insurance, Mandatory Provident Fund, credit card and credit facilities product to PWIDs.

Training of Bank Staff

19. In order to enhance bank staff's knowledge and understanding of PWIDs, and to improve the skills of bank staff in communicating with PWIDs, the banks shall provide their staff with appropriate training, including the understanding of the Disability Discrimination Ordinance, to facilitate their recommendations of the suitable banking products and services to PWIDs.

20. The banks may share, through their cooperation with the relevant social welfare institutions, such as the Hong Kong Council of Social Service, with PWIDs and their accompanying persons or caregivers information on the relevant services and products of the banks to increase their understanding of the relevant services of the banks.