



香港賽馬會
The Hong Kong Jockey Club

非法及離岸賭博活動對香港構成威脅

現行賭博條例修訂：

立場書

Illegal and Offshore Gambling: The Threat to Hong Kong

**Amendment of the Gambling Ordinance:
A Position Paper**

27 April 2001

非法及離岸賭博活動，無論在財政上（慈善及稅務款項的流失）或社會上（社會問題甚至犯罪活動），均對香港構成日趨嚴重的威脅。

非法及離岸賭博機構正利用現行賭博條例的漏洞。目前，香港的賭博條例實存在不清晰的地方，既不足以支持警方的執法行動，亦未能有效地阻嚇非法和離岸賭博活動。

我們必須及早修訂現行的賭博條例，堵塞漏洞，否則香港社會將會泛濫著無限制、無監管、無控制的賭博活動。顯而易見，這並非政府和廣大市民的意願。

Illegal and offshore gambling poses an increasing threat to Hong Kong, both financially, in terms of lost charity support and tax, and socially, in terms of social problems and even criminal activities.

Illegal and offshore gambling operations exploit a loophole in the existing Gambling Ordinance. The Ordinance as it stands is not sufficiently clear, does not support the necessary police actions and is not an effective deterrent against this increasing threat.

Amendment of the law is urgently needed since failure to act now will open the Hong Kong community to **unlimited, unregulated and uncontrolled gambling**: in other words, a gambling 'free-for-all.' This, clearly, is not what the government or the people of Hong Kong want.

非法及離岸賭博

非法及離岸莊家在香港收受的投注額，相等於香港賽馬會所有合法賽事的投注金額。據保守估計，於上一個馬季，非法及離岸的投注金額，包括賽馬和足球，至少達八百億港元。

其中一個例子，是本港廉政公署與澳門執法機構去年六月合力拘捕二十八人，他們涉嫌經營收取香港賽馬賭注的非法賭博組織，單這一非法莊家在一個賽馬日中所收取的投注額便高達一億港元(每個馬季共有 78 個賽馬日)，而這個非法組織的活動顯然只是冰山一角。

在這幾年間，非法及離岸賭博不單止投注額與日俱增，其種類亦以驚人速度不斷增長，從本地及海外賽馬以至足球、賽狗、籃球和哥爾夫球、六合彩以至外國的彩票和各種賭場式賭博，當中一些賭博活動的增長潛力，更足以媲美過去幾年賭波的發展。

許多離岸賭博組織尤其明目張膽，公開地在香港招攬賭注，它們故意針對香港市民，而且活動形式多樣化，其中包括：

- 刊登廣告及推廣賭博活動，包括透過本地傳媒、記者招待會、巴士車身的廣告、及在體育場地的廣告；
- 在本地傳媒提供賠率資料；
- 在港九各地設立投注服務中心，提供戶口結算及存款服務；
- 利用餐廳及酒吧設立衛星投注服務，並利用酒保及家庭主婦等，代其進行招攬賭注；
- 透過香港銀行及在港發行的信用咭進行結算活動。

非法及離岸賭博活動主要透過電話進行投注，但透過互聯網進行投注的情況亦日趨普遍。目前共有超過 1400 個網站提供網上賭博服務，範圍包括體育

賭博、賭場式賭博及彩票等，當中約有 140 個網站提供中文服務。此外，部份網站更以折扣和特惠獎金作招徠，吸納香港賽馬及六合彩的投注。

財政損失

香港賽馬會繳納的稅款，相等於香港特區政府總稅收的百分之十一，該金額去年為 120 億港元，而過去十年合計更達 1040 億港元（香港的博彩稅為全球主要賽馬國家中的第二高）。作為本港最大的單一稅款繳納者，香港賽馬會積極支持本港經濟，並直接令到香港得以維持低稅制的競爭力。

非法及離岸莊家不單止對香港的稅收毫無貢獻，它們把香港的投注金額吸到地下或海外去，結果正嚴重地損害到香港特區政府一個重要及穩定的收入來源。

香港賽馬會是一個非牟利機構，把其從賽馬和博彩中所得的盈餘捐贈予慈善和社會服務機構。香港賽馬會目前是僅次於香港特區政府之後，全港最大的慈善款項來源。在過去五年，全港大約共有 230 家慈善和社會服務機構因而受惠。香港賽馬會於過去十年所捐贈的慈善款項，合共高達港幣 110 億；單以去年來說，亦達港幣 11 億。香港賽馬會的龐大善款，均悉數用作幫助社會各方面的人士，其中尤以青少年、老人、病患者和殘疾人士為主要對象。

非法和離岸莊家並沒有資助香港的慈善和社會服務需要；反之，它正損害合法賭博活動的正常收益，使到本港慈善服務賴以生存的善款來源受到嚴重的威脅。

社會代價

香港的賭博政策，一向反映著整體社會在不鼓勵賭博活動之餘，容許受管制的合法賭博服務存在的意願。因此，賭博事業與一般商業活動並不相同，必須在市民對賭博的需求和其可能帶來的社會代價之間謹慎求取一個平衡。香港賽馬會運作所受的監管和控制，便是以提供有限度的博彩服務，而取得上述的平衡。

非法和離岸賭博活動，不受香港的監管和監控，不單破壞這個平衡，更剝奪了香港市民和特區政府在這方面的決定權。非法和離岸賭博活動，也經常跟下列的嚴重社會問題甚至刑事罪行掛九：

- 信貸賭博、負債、高利貸
- 貪污、造馬、打假波
- 洗黑錢
- 黑社會及有組織犯罪活動

世界上其他國家，已高度關注由不受控制、24 小時開放及以信貸為基礎的網上賭博所帶來的不良影響，其中包括由信貸賭博所帶來的嚴重負債、未成年賭博、病態賭博、和賭博舞弊等。

其他國家的情況

世界上不少國家過去和現在均面對類似的問題，雖然大家普遍認同要長遠解決問題，必須尋求一個全球性的共識方案。然而，要達致這個目標，可能需時經年。因此，不少國家，特別是那些成為離岸莊家主要目標的國家，已經採取了對策，其中包括：

- 在美國，為了應付急劇惡化的非法賭博問題，美國政府借用現有的法例作為阻嚇，並成功檢控離岸網上賭博活動經營者。美國多個州份亦已通過了新的法例，而眾議院也正在審議一項專設的反網上賭注流轉法案。
- 在澳洲，有關方面繼較早前嘗試實行法律監管，並反映到政府和公眾杆心賭博大幅增長和其引致的重大社會代價，最近進一步宣佈暫時停止所有新設的網上賭博網站。
- 在英國，與離岸莊家進行業務往來，以商討投注事宜、接受或傳遞注項，或宣傳有關服務，均屬犯法行為。此外，為了消除投注人士使用非法和

離岸莊家的引誘以及增加英國本土投注機構的國際競爭力，英國政府正計劃取消博彩稅，並以利得稅取代。

- 而在法國也有立法禁止離岸莊家刊登廣告及接受投注。

目前已有充份證據顯示，清晰的法律是有助阻嚇和控制非法和離岸賭博活動的經營。為了避免觸犯有關國家的法律：

- 離岸投注機構不在英國刊登廣告
- 部份離岸投注機構不接受美國公民的投注
- 眾多網上賭博網站均備有警告字眼，提醒要小心查核當地的有關法律
- 一些銀行已禁止使用其簽發的信用卡作網上賭博
- 一些信用卡公司已向其美國客戶發出警告，要求他們不要使用其簽發的信用卡作網上賭博。

因為這些國家已採取了有效的行動，離岸莊家將會轉移進一步針對其他擁有高投注額但沒有保護措施的地區。香港所面臨的威脅，將會不斷增加。

香港的法律

香港的賭博條例早於 1970 年代訂立。到了今天，已不足以支持必需的執法行動，以有效打擊大幅增長的非法和離岸賭博活動。一言以蔽之，本港目前的法律規定，除獲得授權外，一切賭博和收受賭注活動，包括招攬、收取、商議和結算賭注，均屬非法。但在實際執行方面，那些從未獲准在港經營的海外莊家，不斷利用法律的漏洞在本港提供服務，只把他們部份運作設在離岸。在這基礎上，非法賭博機構公然大賣廣告，推廣賭博服務，並且收受香港市民的賭注。這些行為，毫無疑問是違反了法律的精神以及香港特區政府長久以來的賭博政策。這些行為最終並不會為香港社會帶來任何益處。

目前，香港的賭博條例確實存在不清晰的地方，既不足以支持警方的執法行動，亦未能有效地阻嚇非法和離岸賭博活動。我們極需要盡快修訂有關法

律，堵塞漏洞，否則香港社會將會泛濫著無限制、無監管、無控制的賭博活動。顯而易見，這並非政府和廣大市民的意願。因此，我們必須及早修訂現行的賭博條例，堵塞漏洞，解除非法和離岸賭博活動的威脅，以及遏止它們對香港的財政和社會穩定所可能造成的破壞。

附件

本文件附帶有關非法和離岸博經營的剪報和推廣資料，以供參考。

附件

Attachments

甲. 香港賽馬會的稅務及慈善貢獻

A. The Jockey Club's tax and charity contributions.

乙. 有關非法及離岸賭博機構針對香港的新聞摘要

B. Extracts from news articles on illegal and offshore gambling operations targeting Hong Kong.

丙. 離岸莊家在香港傳媒及網站刊登廣告

C. Offshore bookmakers advertising in Hong Kong media/on Web sites.

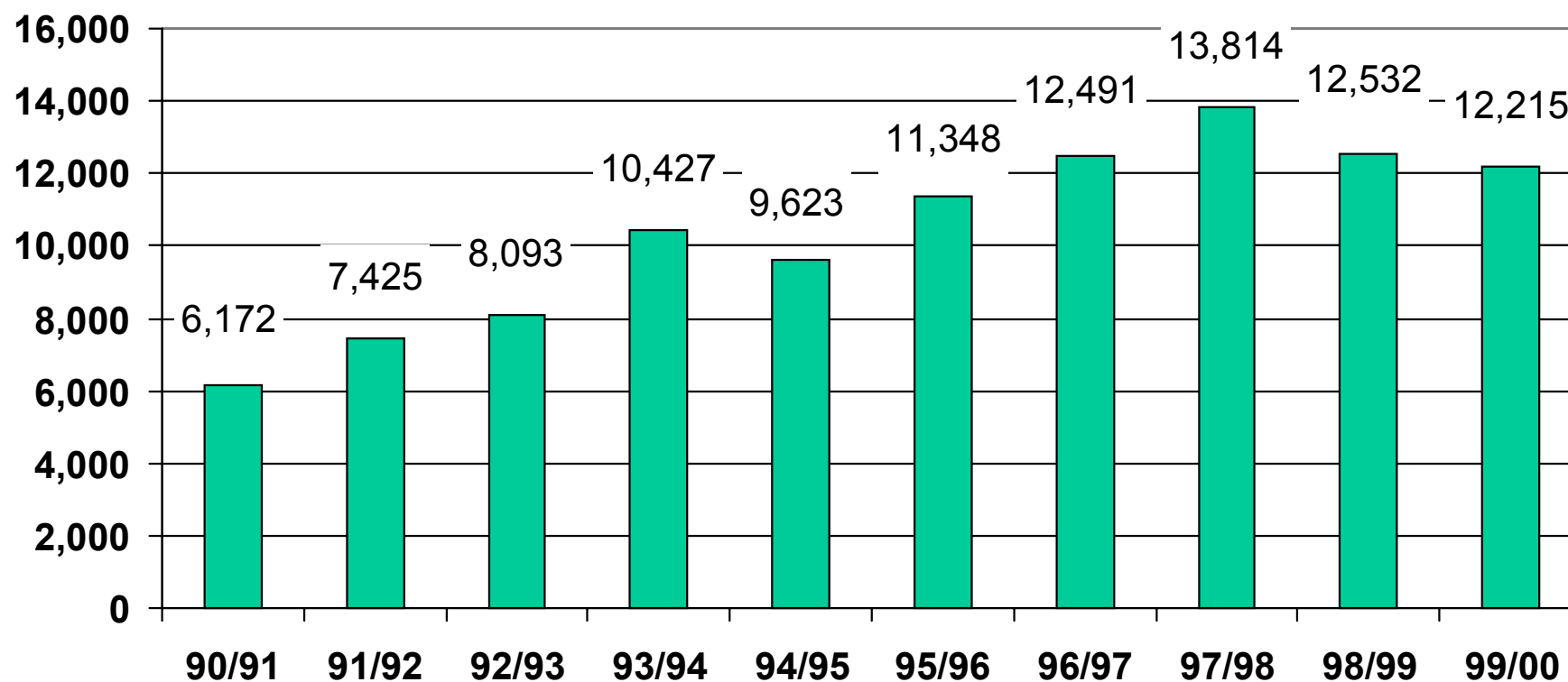
甲. 香港賽馬會稅務及慈善貢獻

A. The Jockey Club's tax and charity contributions.

香港賽馬會繳納的稅款 **HKJC Tax Payments**

繳納的稅款(一九九〇/九一年至一九九九/二〇〇〇年)
Tax Payments (1990/91-1999/2000)

百萬元 HK\$m



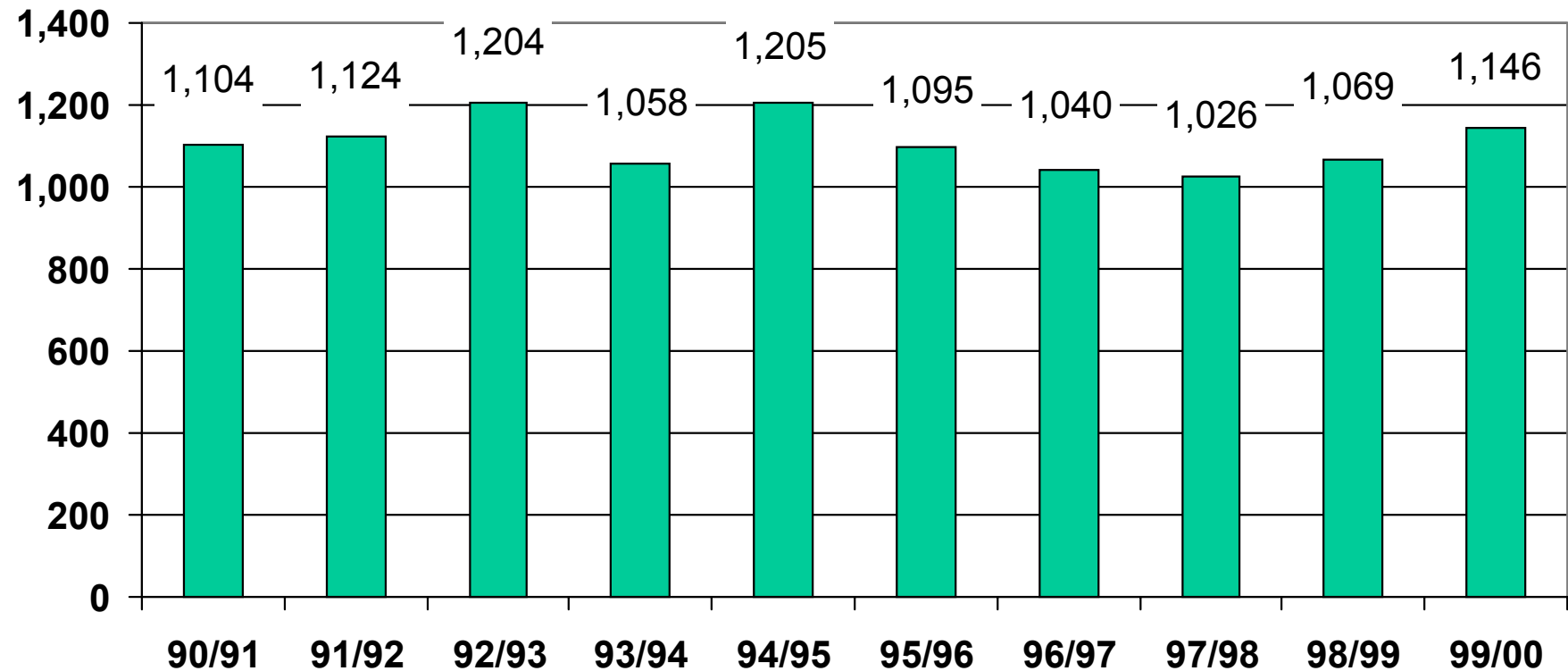
* 繳納稅款包括博彩稅、獎券博彩稅、盈利稅及娛樂稅

*Tax payments included betting duty, lottery duty, profits tax and entertainment tax

香港賽馬會慈善捐款 HKJC Charity Donations

慈善及社區捐款（一九九〇／九一年至一九九九／二〇〇〇年）
Charitable and Community Donations (1990/91-1999/2000)

百萬元 HK\$m



乙. 有關非法及離岸賭博機構針對香港的新聞摘要

B. Extracts from news articles on illegal and offshore gambling operations targeting Hong Kong.

Raids smash gambling rackets

Horseowners, senior police and television actress among 28 held in two-city strike

“Six syndicates were smashed and 28 people arrested in operation ‘Spotted Leopard’, which was launched simultaneously in Hong Kong and Macau on Wednesday night.”

“Betting slips valued at at least \$51 million were seized.”

Hong Kong iMail, 23 June, 2000

Raid nets racing staff

“Police raided six Macau Jockey Club centres last night, arresting 22 people and seizing more than \$2.8 million in cash.”

“The raids took place in Central, Shau Kei Wan, Mongkok, Kwun Tong and Tsuen Wan.”

South China Morning Post, 10 March, 1999

師奶爭做賭波艇仔

「相反賭波卻一枝獨秀，投注額持續上升，知情人士估計今個球季，投注額更會破紀錄上升逾一成五，一些過去沒有人垂青的「字花」盤，投注額升幅更驚人。賭波事業興旺，亦吸引不少人入行兼職做「艇仔」。」

太陽報，一九九九年十月十九日

HK catches Euro 2000 betting fever

“Hong Kong followers of Euro 2000 have emerged as the biggest punters in the football competition, according to overseas bookmakers...Several thousand punters in Hong Kong have opened up betting accounts with British bookmakers in the past six months..”

South China Morning Post, 18 June 2000

賭波廣告

「一間位於直布羅陀的賭波公司近日在城巴車身上刊登廣告，廣告雖沒有賭博的字眼，但民政事務局接到傳媒查詢後，已把個案轉交警方處理，而城巴亦立即收回有關的廣告。」

新報，二零零零年三月三十一日

UK bookie takes bets online for Mark Six

“One of the world’s leading bookmakers (William Hill) is offering Internet punters the chance to bet on Mark Six, in an apparent breach of Hong Kong gambling laws.”

South China Morning Post, 11 February 2001

All bets on Asia

“ Easybet’s claims about 10,000 users in Hong Kong alone.”

Hong Kong iMail, 27 February 2001

丙. 離岸莊家在香港傳媒及網站刊登廣告

C. Offshore bookmakers advertising in Hong Kong
Media/on Websites.

www.easybets.com

易勝博三種玩法

上週四六合彩結果：12、16、24、27、41、46、特別號碼：4

玩法一：買一至四個號碼，中一個 1賠 6.5，中齊四個 1賠 4,200

玩法二：買特別號碼大於二十五或少於二十三. 賠率都是 1賠 1.85，開出二十四則通殺

玩法三：買特別號碼由 1至9, 10至19, 20至29, 30至39或是40至47,賠率由 1賠4.2至5.3 不等

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-Advertisement, Apple Daily, 26 December 2000

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Advertisement, Apple Daily, 26 December 2000

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Advertisement, Apple Daily, 30 December 2000

1996/2000 HKJC Charity Donation Recipients

Aberdeen Technical School	Duchess of Kent Children's Hospital, The	Hong Kong Dance Alliance
Action Committee Against Narcotics	Ebenezer School and Home for the Visually Impaired	Hong Kong Down Syndrome Association
Action on Smoking or Health Limited	Eduyoung Educational Organisation Limited	Hong Kong Evangelical Church Social Service Ltd
Adventure Ship Ltd	Evangelical Lutheran Church Social Service - Hong Kong	Hong Kong Family Welfare Society
AFS Intercultural Exchanges Ltd	Family Planning Association of Hong Kong, The	Hong Kong Federation of Handicapped Youth
Against Child Abuse Ltd	Finnish Evangelical Lutheran Mission, The	Hong Kong Federation of Women's Centres
Agency for Volunteer Service	French International School	Hong Kong Federation of Youth Groups, The
Arts with the Disabled Association Hong Kong	Friends of Scouting, The	Hong Kong Festival Fringe Ltd
Association for Engineering & Medical Volunteer Services	Friends of the Earth (Charity) Limited	Hong Kong Girl Guides Association, The
Association for the Advancement of Feminism	Fu Hong Society	Hong Kong Heart Foundation Ltd, The
Australian International School Foundation Limited	Hans Andersen Club Ltd	Hong Kong Institute of Education, The
Birthright Society Ltd, The	Harmony House Ltd	Hong Kong Institute of Vocational Education (Haking Wong)
Boys' & Girls' Clubs Association of Hong Kong, The	Haven of Hope Christian Service	Hong Kong Liver Foundation Ltd, The
Bradbury Hospice	Haven of Hope Hospital	Hong Kong Lutheran Social Service, LC-HKS
Caritas - Hong Kong	Healthwise, The Community Medical Library	Hong Kong Management Association, The
Caritas Medical Centre	Heep Hong Society	Hong Kong Marrow Match Foundation
Carmelite Monastery	Helping Hand	Hong Kong New Generation Cultural Association Limited
Chain of Charity Movement	HKCWC Fung Yiu King Memorial Secondary School, The	Hong Kong Playground Association
Chatteris Educational Foundation, The	Holy Carpenter Church Community Centre	Hong Kong Polytechnic University, The
Cheung Sha Wan Jockey Club Clinic	Hong Chi Association	Hong Kong Red Cross
Chi Lin Nunnery	Hong Kong Academy for Performing Arts, The	Hong Kong Red Cross Blood Transfusion Service
China Coast Community Ltd	Hong Kong Adventure Corps	Hong Kong Rehabilitation Power Ltd
Chinese Rhenish Church - Hong Kong Synod, The	Hong Kong Anti-Cancer Society, The	Hong Kong Renal Centre Ltd
Chinese University of Hong Kong, The	Hong Kong Arts Centre	Hong Kong Retinitis Pigmentosa Society
Chinese Y M C A of Hong Kong	Hong Kong Arts Festival Society Ltd	Hong Kong School for the Deaf
Christian Action	Hong Kong Assn for the Survivors of Women Abuse (Kwan Fook)	Hong Kong Sea Cadet Corps
Christian Family Service Centre	Hong Kong Award for Young People, The	Hong Kong Sea School, The
Chung Sing Benevolent Society	Hong Kong Baptist University	Hong Kong Single Parents Association
City Contemporary Dance Company	Hong Kong Bayanihan Trust, The	Hong Kong Society for Rehabilitation, The
City University of Hong Kong	Hong Kong Buddhist Hospital	Hong Kong Society for the Aged, The
Comfort Care Concern Group, The	Hong Kong Catholic Marriage Advisory Council, The	Hong Kong Society for the Blind
Community Advice Bureau	Hong Kong Catholic Youth Companion	Hong Kong Society for the Deaf, The
Community Chest of Hong Kong, The	Hong Kong Cheshire Home Foundation	Hong Kong Society for the Protection of Children
Community Project	Hong Kong Children & Youth Services	Hong Kong Sports Association for the Physically Disabled
Community Sports	Hong Kong Christian Service	Hong Kong Sports Development Board
Direction Association for the Handicapped	Hong Kong Committee on Children's Rights, The	Hong Kong Squash
Don Bosco Boys' Club - Salesian School	Hong Kong Council of Early Childhood Education & Services Ltd	Hong Kong St John Ambulance
Don Bosco Youth Centre (Our Lady's College)	Hong Kong Council of Social Service, The	Hong Kong Stoma Association Ltd
Don Bosco Youth Club - St Louis School	Hong Kong Council of the Church of Christ in China, The	Hong Kong Student Aid Society
Dragon Foundation, The	Hong Kong Cricket Association	Hong Kong Teachers' Centre
Hong Kong Tourism Board	Matilda Child Development Centre, The	Sisters of the Good Shepherd
Hong Kong Tree Planting Day Committee	Mental Health Association of Hong Kong	Siu Lam Hospital

1996/2000 HKJC Charity Donation Recipients

Hong Kong University of Science and Technology, The	Methodist Centre	Society for the Aid & Rehabilitation of Drug Abusers, The
Hong Kong Waste Management Association	Ming Pao Newspapers Limited	Society for the Prevention of Cruelty to Animals (Hong Kong)
Hong Kong Women Workers' Association	Mong Kok District Cultural, Recreational & Sports Association Ltd	Society for the Rehabilitation of Offenders, Hong Kong, The
Hong Kong Workers' Health Centre Ltd	Mother's Choice	Society of Boys' Centres
Hong Kong Young Women's Christian Association	Nam Long Hospital	Society of Horticulture, Hong Kong
Hong Kong Youth Arts Festival Association Ltd	Neighbourhood Advice-Action Council, The	Spastics Association of Hong Kong, The
Hong Kong Youth Hostels Association	New Life Psychiatric Rehabilitation Association	Springboard School Ltd
Hong Kong, China Rowing Association	Ninth National Scientific Invention & Creation Contest & Science Symposium for Chinese Young People	St Christopher's Home
Hospital Authority	Ocean Park Corporation	St James' Settlement
International Social Service Hong Kong Branch	Open University of Hong Kong, The	St John Hospital
Jockey Club Cheung Chau Don Bosco Youth Centre	Organising Committee of the China Synergy Programme for Outstanding Youth	St Rose of Lima's College
Jockey Club Sarah Roe School	Outward Bound Hong Kong	Street Sleepers' Shelter Society Trustees Incorporated
Jockey Club Ti-I College	Parents' Association of Pre-School Handicapped Children	Suicide Prevention Services
Joint Council for the Physically and Mentally Disabled HK	Playright Children's Playground Association Ltd	Summer Youth Programme Committee
Jordan Valley Kaifong Welfare Association	Pneumoconiosis Mutual Aid Association	Summerbridge Hong Kong
Kam Tsin Village Village Affairs Committee	Po Leung Kuk	TREATS
Kau Sai Village - Hung Shing Temple Restoration Committee	Pok Oi Hospital	Tung Wah Group of Hospitals
KELY Support Group Limited	Prince of Wales Hospital	UK/HK Scholarship Scheme
Kwai Chung Hospital	Princess Margaret Hospital	United Christian Nethersole Community Health Service
Kwong Wah Hospital	Prospects Theatre Company Limited	United World Colleges (UWC) Scholarships
La Salle Foundation Ltd	Queen Mary Hospital	University Grants Committee
Lai Chi Kok Hospital	Raleigh International (Hong Kong) Limited, The	University of Hong Kong, The
Lam Tin Kai Fong Welfare Association	Rehabaid Centre	Vocational Training Council
Lantau International School	Rehabilitation Alliance Hong Kong	Wai Ji Christian Service
Leapfrog Playgroup	Resource The Counselling Centre	Warehouse Teenage Club Ltd, The
Legal Education Trust Fund, The	Riding for the Disabled Association Limited	Watchdog Ltd
Life Education Activity Programme Ltd	Ruttonjee & Tang Shiu Kin Hospitals	Welfare Handicrafts Ltd
Lions Club Lam Tsuen Youth Centre	Salvation Army, The	Windsurfing Association of Hong Kong Ltd
Little Sisters of the Poor	Samaritan Befrienders Hong Kong, The	Women's Welfare Club Western District, Hong Kong
Lok Sin Tong Benevolent Society, Kowloon, The	Samaritan Fund - Hospital Authority	World Wide Fund for Nature Hong Kong
Lutheran School for the Deaf	Scout Association of Hong Kong	Yan Chai Hospital
Ma On Shan Mutual Aid Committee	Senior Citizen Home Safety Association	Yan Oi Polyclinic
MacLehose Medical Rehabilitation Centre	SER Foundation for Humanitarian Aid	Yan Oi Tong Ltd
Mary Rose School	Sheng Kung Hui Diocesan Welfare Council	Youth Outreach
Maryknoll	Sheng Kung Hui St Benedict's School	