

**立法會**  
**Legislative Council**

LC Paper No. CB(2)433/01-02  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/6/00

**Bills Committee on  
Gambling (Amendment) Bill 2000**

**Minutes of meeting  
held on Thursday, 1 November 2001 at 10:45 am  
in Conference Room A of the Legislative Council Building**

- Members Present** : Hon Andrew CHENG Kar-foo(Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon Cyd HO Sau-lan  
Hon James TO Kun-sun  
Hon SIN Chung-kai  
Hon Andrew WONG Wang-fat, JP  
Hon YEUNG Yiu-chung, BBS  
Hon CHOY So-yuk  
Hon Abraham SHEK Lai-him, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP
- Members Absent** : Hon CHAN Yuen-han, JP  
Hon Timothy FOK Tsun-ting, SBS, JP  
Hon TAM Yiu-chung, GBS, JP
- Public Officers Attending** : Mrs Betty FUNG  
Deputy Secretary for Home Affairs (2)
- Mr Stephen WONG  
Deputy Solicitor General  
Department of Justice

Mr J D SCOTT  
Senior Assistant Law Draftsman  
Department of Justice

Mr Francis LO  
Principal Assistant Secretary for Home Affairs (5)

Mr TSANG Wai-hung  
Chief Superintendent, Organized Crime and Triad Bureau  
Hong Kong Police Force

Mr Llewellyn MUI  
Senior Government Counsel  
Legal Policy Division, Department of Justice

Ms Mabel CHEUNG  
Government Counsel, Bilingual Drafting Unit,  
Law Drafting Division, Department of Justice

Mr Vic YAU  
Assistant Secretary for Home Affairs (5)2

**Clerk in Attendance** : Miss Flora TAI  
Chief Assistant Secretary (2)2

**Staff in Attendance** : Mr Stephen LAM  
Assistant Legal Adviser 4

Mr Stanley MA  
Senior Assistant Secretary (2)6

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**I. Matters arising from the previous meeting**  
[Paper No. CB(2)224/01-02(01)]

The Committee deliberated (Index of proceedings attached at **Annex A**).

2. The Bills Committee requested the Administration to respond to the following -

Clause 4 - Bookmaking

- (a) to re-consider drafting of the proposed new sections 7(1A)(b)(i) and 8(2)(b)(i) in the light of members' concerns, in particular whether separate provisions should be used for past and future acts in respect of soliciting, receiving, negotiating and settling of a bet;
- (b) to examine whether an offshore bookmaker offering casino chips at discounted value through a local office to attract Hong Kong people to travel abroad to bet would commit an offence under amended section 7; and
- (c) to elaborate on the policy intent on the scope of targeted illegal bookmaking activities under amended section 7.

**II. Clause-by-clause examination of the Bill**

[Paper Nos. CB(2)165/01-02(01) and CB(2)176/01-02(01)]

- 3. The Committee deliberated (Index of proceedings attached at **Annex A**).
- 4. The Bills Committee requested the Administration to respond to the following -

Clause 8 - Part added

*New section 16A - Operating places for promoting or facilitating betting on horse races, etc.*

- (a) to examine whether opening or holding an overseas bank account through a local branch of the bank or financial institution which was used for settling betting transactions with an offshore bookmaker would commit an offence under the section;
- (b) to improve the drafting of new section 16A to facilitate reading and interpretation;
- (c) to consider adding "and maintaining" after "opening of" in new section 16A(2)(b)(vi); and
- (d) to elaborate on the impact of adding the word "knowingly" to new section 16A(1), on prosecution of similar offences (e.g. operating vice establishments) under other ordinances.

*New section 16C - Responsibility of owners, tenants, etc. under this Part*

- (a) to consider whether the maximum term of imprisonment for an offence under new section 16C(1) (Responsibility of owners, tenants, etc.) should be adjusted downward given that the same maximum imprisonment was imposed for an offence under new section 16A.

**III. Any other business**

5. The Bills Committee would hold its next meeting on Monday, 26 November 2001 at 10:45 am to discuss the Administration's response and continue clause-by-clause examination of the Bill. The Bills Committee also agreed to schedule another meeting for Friday, 7 December 2001 at 10:45 am.

6. The meeting ended at 12:45 pm.

Legislative Council Secretariat

19 November 2001

## Annex A

### **Proceedings of the meeting of the Bills Committee on Gambling (Amendment) Bill 2000 on Thursday, 1 November 2001 at 10:45 am in Conference Room A of the Legislative Council Building**

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
0000 - 0110	Chairman	Chairman's introduction	
0111 - 1403	Admin	Briefing on the Administration's paper for the meeting	
1404 - 1621	Chairman	Scope of new section 16D	
1622 - 1825	Admin	Scope of new section 16D	
1826 - 1948	Ms Audrey EU	Interpretation and drafting of proposed section 7(1A)(a) and (b)	
1949 - 2020	Admin	ditto	
2021 - 2128	Ms Audrey EU	ditto	
2129 - 2206	Chairman	ditto	
2207 - 2303	Ms Audrey EU	ditto	
2304 - 2325	Admin	ditto	
2326 - 2341	Chairman	ditto	
2342 - 2349	Ms Audrey EU	ditto	
2350 - 2417	Chairman	ditto	
2418 - 2615	Admin	ditto	
2618 - 2746	Ms Audrey EU	ditto	
2747 - 2935	Admin	ditto	
2936 - 3022	Chairman	ditto	
3023 - 3024	Admin	ditto	
3025 - 3054	Chairman	ditto	
3055 - 3108	Admin	ditto	
3109 - 3144	Chairman	ditto	
3145 - 3308	Miss Cyd HO	ditto	
3309 - 3315	Chairman	ditto	
3316 - 3539	Mr Tommy CHEUNG	ditto	
3540 - 3823	Mr James TO	ditto	
3824 - 4141	Admin	ditto	
4142 - 4199	Chairman	ditto	
4200 - 4518	Ms Audrey EU	ditto	

4519 - 4522	Chairman	Interpretation and drafting of proposed section 7(1A)(a) and (b)	
4523 - 4638	Miss Cyd HO	ditto	
4639 - 4802	Mr James TO	ditto	
4803 - 5204	Admin	ditto	
5205 - 5506	Chairman	ditto	✓
5507 - 5520	ALA4	ditto	
5521 - 5712	Chairman	Section 21 - Disconnexion of telephone service	
5713 - 5720	Admin	ditto	
5721 - 5725	Chairman	ditto	
5726 - 5926	Admin	ditto	
5927 - 5930	Chairman	ditto	
5931 - 5951	Miss Cyd HO	ditto	
5952 - 010021	Chairman	ditto	
01 0022 - 01 0045	Admin	ditto	
01 0046 - 01 0154	Chairman	Clause 8 - proposed section 16A	
01 0155 - 01 0726	Admin	ditto	
01 0727 - 01 1010	Chairman	ditto	
01 1011 - 01 1214	Mr James TO	ditto	
01 1215 - 01 1410	Admin	ditto	
01 1411 - 01 1512	Mr James TO	ditto	✓
01 1513 - 01 1517	Chairman	ditto	
01 1518 - 01 1647	Miss Cyd HO	ditto	
01 1648 - 01 1727	Admin	ditto	
01 1728 - 01 1732	Miss Cyd HO	ditto	
01 1733 - 01 1737	Chairman	ditto	
01 1738 - 01 1847	Admin	ditto	
01 1848 - 01 2018	Chairman	ditto	
01 2019 - 01 2030	Admin	ditto	
01 2031 - 01 2038	Chairman	ditto	
01 2039 - 01 2140	Admin	ditto	
01 2141 - 01 2144	Chairman	ditto	
01 2145 - 01 2200	ALA4	ditto	
01 2201 - 01 2203	Chairman	ditto	
01 2204 - 01 2229	Ms Audrey EU	ditto	
01 2230 - 01 2236	Admin	ditto	✓
01 2237 - 01 2412	Mr James TO	ditto	
01 2413 - 01 2414	Chairman	ditto	
01 2415 - 01 2439	Admin	ditto	✓

01 2440 - 01 2607	Ms Audrey EU	Clause 8 - proposed section 16A	
01 2608 - 01 2637	Chairman	ditto	
01 2638 - 01 2658	Ms Audrey EU	ditto	
01 2659 - 01 2702	Chairman	ditto	
01 2703 - 01 2730	Admin	ditto	✓
01 2731 - 01 2754	Chairman	Clause 8 - proposed section 16C	
01 2755 - 01 2841	Admin	ditto	
01 2842 - 01 2843	Chairman	ditto	
01 2844 - 01 2855	Ms Audrey EU	ditto	
01 2856 - 01 2934	Admin	ditto	
01 2935 - 01 2957	Ms Audrey EU	ditto	
01 2958 - 01 3099	Admin	ditto	
01 3100 - 01 3137	Chairman	ditto	
01 3138 - 01 3144	Ms Audrey EU	ditto	
01 3145 - 01 3150	Chairman	ditto	
01 3151 - 01 3229	Admin	ditto	
01 3230 - 01 3301	Ms Audrey EU	ditto	
01 3302 - 01 3350	Chairman	ditto	
01 3351 - 01 3401	Admin	ditto	✓
01 3402 - 01 3447	Chairman	Clause 8 - proposed section 16D	
01 3448 - 01 3638	Admin	ditto	
01 3639 - 01 3916	Chairman	ditto	
01 3917 - 01 4007	Ms Audrey EU	ditto	
01 4008 - 01 4213	Admin	ditto	
01 4214 - 01 4218	Chairman	ditto	
01 4219 - 01 4255	Ms Audrey EU	ditto	
01 4256 - 01 4349	Admin	ditto	
01 4350 - 01 4448	Mr Tommy CHEUNG	ditto	
01 4449 - 01 4455	Chairman	ditto	
01 4456 - 01 5338	Chairman	Any other business - date of meeting	

**Note : The audio records of the above proceedings are kept at the LegCo Library**

Legislative Council Secretariat

19 November 2001