

LegCo Bills Committee on Karaoke Establishments Bill

A summary of written submissions on the Bill

Person/body Reference	Comments
<p>The Karaoke Requirements Concern Group (LC Paper No. CB(2)988/00-01(01))</p>	<ul style="list-style-type: none"> • The existing karaoke establishments should be exempt from the licensing requirements under the Bill. • Permission to operate karaoke establishments located in licensed premises should be granted in the form of a permit attached to the licence issued in respect of the premises in order to simplify procedures and reduce costs. • The licensing procedure should be open and transparent, allowing the applicants and other parties to make representations. • The transitional period should be further extended to allow operators sufficient time to meet the prescribed safety requirements. <p>(The submission also contains specific comments on individual clauses of the Bill).</p>
<p>California Red Ltd. (LC Paper No. CB(2)1140/00-01(01))</p>	<ul style="list-style-type: none"> • Harsh statutory regulatory controls as proposed in the Bill will put the trade in jeopardy and keep away future investors because of the resultant increased costs to karaoke operators. • Over the years, fire safety awareness of karaoke operators, employees and the public alike has been enhanced. The issuing of licenses for the operation of establishments such as restaurants means that the safety measures are up to standard. After all, the tragic fire which happened a few years ago in a karaoke box was a rare arson case. • The meaning of karaoke operation should be clearly defined, and the detailed views of the trade on the regulations should be sought.

<p>Advance Group Hong Kong Ltd.</p> <p>(LC Paper No. CB(2) 1140/00-01(02A) and (02B))</p>	<ul style="list-style-type: none">• Most karaoke chains operate their business with valid licences/certificates of compliance. A separate licensing mechanism for karaoke establishments will impose unnecessary costs to operators.• The overall licensing system should be simplified.• The Administration may issue a new category of "Karaoke Restaurant Licence" to which the tightened safety requirements will apply. Licences can be issued to both individuals and companies.• Some vague terms and phrases used in the Bill, e.g. "public interest", "the views of persons in the immediate vicinity" etc should be clarified.• "Karaoke establishment" should be specified as a new type of property use.
<p>Energy International Entertainment Enterprise Ltd.</p> <p>(LC Paper No. CB(2) 1140/00-01(03))</p>	<ul style="list-style-type: none">• The proposed licensing scheme for karaoke establishments will result in increased administrative and operating costs and duplicating procedures for the licensing authorities. The process can be simplified by way of issuing an endorsement attached to an existing licence/certificate of compliance.• The prescribed safety requirements are too harsh, which will stifle the trade and deprive the public of a proper kind of entertainment activity. In fact, most existing karaoke establishments have already undertaken satisfactory fire safety measures. <p>(The submission also raises specific queries on individual clauses of the Bill).</p>
<p>International Federation of the Phonographic Industry (Hong Kong Group) Ltd.</p> <p>(LC Paper No. CB(2) 1140/00-01(04))</p>	<ul style="list-style-type: none">• The objective that karaoke establishments should comply with necessary safety requirements is supported.• However, the proposed new licensing conditions would seem to be unfair to existing karaoke establishments operating with valid licences issued under relevant ordinances. A realistic approach to minimize the financial impact on the trade should be adopted.

	<ul style="list-style-type: none">• There should be a clearer definition to clarify the nature of business of karaoke establishments to exclude, e.g. recording studios, rehearsal halls, film dubbing rooms, production house for movies and record companies, etc.
<p>Employees of Karaoke establishments including -</p> <p>"Big Echo Club"</p> <p>(LC Paper No. CB(2) 1140/00-01(05) to (75))</p> <p>and "Golden Harvest Restaurant"</p> <p>(LC Paper No. CB(2)1140/00-01(76) to (85))</p>	<ul style="list-style-type: none">• The Bill has not provided details of the licensing conditions and the requisite safety and health requirements.• The licensing scheme under the Bill appears to be different from that proposed in 1997 and contrary to the trade's expectation. The Administration when consulting the trade on the former Bill in 1997 has explained that the licence/permit for the operation of karaoke establishments would take the form of a simple endorsement attached to a liquor licence. The stand of the former Urban Council and Regional Council, on the other hand, was that there should be simplified procedures for the licensing system, and that karaoke establishments operating in existing licensed premises should be exempt from the proposed licensing requirements. The licensing scheme proposed under the Bill, if implemented, will lead to duplication of efforts of the regulatory authorities and additional costs to karaoke operators.• The need to undertake the necessary upgrading works in order to meet the prescribed safety requirements may lead to suspension of operation of existing karaoke establishments for a lengthy period, and hence loss or reduced income of the employees. There is also uncertainty as to whether a licence or permit under the Bill will be granted by the licensing authority to enable the establishments to continue operation. Hence, the livelihood of employees will be threatened and the interests of investors will be jeopardized.• The enactment of the Bill will not necessarily avoid any recurrence of tragedies like the Top One Karaoke incident. Protection of human lives can only be achieved through effective practical safety measures such as installation of automatic sprinkler systems and alarm bells etc.

<p>Individual employees of karaoke establishments</p> <p>(LC Paper No. CB(2) 1140/00-01(86) to (142))</p>	<ul style="list-style-type: none">• The imposition of additional licensing requirements on karaoke establishments will deal a serious blow to restaurants which are already facing many regulatory restrictions, fierce competition as well as high costs of operation. This will result in more closures and redundancies, thereby increasing unemployment. Furthermore, a lot of the employees are middle-aged people who will find great difficulties in getting new jobs.• Karaoke establishments have already undertaken adequate precautionary measures to ensure fire safety. Awareness and supervision of fire safety has also improved. It is not necessary to prescribe safety requirements in new legislation in addition to the existing regulatory controls.
<p>Submissions from individual persons</p> <p>(LC Paper No. CB(2) 1140/00-01(143) to (154))</p>	<ul style="list-style-type: none">• The licensing requirements imposed under the Bill will lead to waste of time and resources and increased operating costs, thereby deterring future investment and consumer spending. In the end, the economy will suffer.• Existing regulatory controls are sufficient to ensure health and fire safety. For permission to operate a karaoke establishment, instead of having to go through separate application procedures, an endorsement attached to a food or liquor licence should suffice.• The provisions of the Bill relating to supervision of karaoke establishments provide excessive powers to the authorities, which may lead to intrusion of private rights and interference with lawful commercial activities. The harsh penalty prescribed under the Bill is also not justified.

Legislative Council Secretariat

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