

CB2/BC/9/00
2869 9253
2509 9055
E-mail : cb2@legco.gov.hk

17 January 2002

Letter to the certified clubs
(See list attached)

Dear Sir,

Bills Committee on Karaoke Establishments Bill

Introduction

The Karaoke Establishments Bill was introduced into the Legislative Council on 7 February 2001. The object of the Bill is to establish a scheme for the regulatory control of karaoke establishments (KEs) for improving fire safety, building safety, public safety and health requirements. Under the Bill, it is proposed that all establishments providing karaoke facilities, whether attached to restaurants or other licensed premises (such as clubs, hotels or guesthouses), should be required to obtain a licence or permit for their operations, subject to exemption under clause 3 of the Bill.

Under the Bill, "KE" is defined (subject to section 3) as any place opened, kept or used for the purpose of karaoke by way of trade or business, whether or not the trade or business is carried on exclusively or in association or connection with any other trade or business activity and whether or not the place is a place to which the public have or are permitted to have access.

A Bills Committee has been formed to scrutinise the Bill in detail. A membership list of the Bills Committee is attached at **Appendix I** for your reference.

Concern of the Bills Committee

One major concern of the Bills Committee is that the proposed definition of "KE" is too wide. Members have expressed concern on the scope of control of the proposed licensing scheme on KEs in certified clubs. As some of the clubs provide karaoke activities only as an optional extra to the main activities of the clubs, members request the Administration to consider exempting these clubs from applying for a KE permit.

The Administration's proposal

After consideration, the Administration has proposed to exempt certain KEs in certified clubs from applying for a KE permit by inserting a new clause 3(1)(da) which will read as follows -

"(da) in premises in respect of which a certificate of compliance has been issued under the Clubs (Safety of Premises) Ordinance (Cap. 376) which are the subject of an order made under paragraph (e) that is for the time being in force."

The administrative guidelines to be adopted for granting exemption under this sub-clause will be -

- (a) that the karaoke activities are only an optional extra to the main activities of the club;
- (b) that the total karaoke rooms are not more than 3 rooms; and
- (c) that the total floor area of the karaoke rooms be not more than 30 square metres.

The Administration has explained that the above criteria are formulated on the understanding that clubs with 3 karaoke rooms do not constitute a long corridor situation and the total population accommodated in these rooms do not present an unacceptable risk in case of fire or emergency.

The Administration has also advised that the setting of the above proposed criteria will not prevent a club which does not meet any of the criteria from being considered for the grant of an exemption order made under clause 3(1)(e) by the licensing authority. The licensing authority will still be able to consider an application from any club not meeting the above exemption criteria and to exercise discretion in its favour on a case by case basis, having regard to the merits of each case.

In response to members' request for clarification about the factors to be taken into account in the consideration of granting an exemption order under clause 3(1)(e), the Administration has also proposed to amend clause 3(1)(e) as follows -

- "(e) exempted by the licensing authority, for reasons connected with situation, means of ingress or egress, design, construction, size or equipment, installations or facilities therein, by order in writing that is for the time being in force."

Consultation

The Bills Committee has decided to seek the views of private clubs which are reported to have ancillary karaoke activities on the Administration's proposal.

On behalf of the Bills Committee, I write to invite your views on the Administration's proposal. To facilitate your consideration, a copy of the Legislative Council Brief and the Bill is attached at **Appendix II**.

To facilitate the deliberation of the Bills Committee, I should be grateful if you could provide your written views, if any, to the Bills Committee **by 31 January 2002**. In line with our usual practice, the written views received by the Bills Committee will be made available to the media and the public unless you advise otherwise. You may wish to note that your written views are not covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382).

The Bills Committee may wish to receive an oral presentation from you at a later stage if considered necessary. I should be grateful if you could also indicate in your response as to whether you are prepared to appear before the Bills Committee if invited.

Yours sincerely,

(Mrs Percy MA)
Clerk to Bills Committee

Encl.

List of the certified clubs which are reported to have karaoke activities

Chinese Recreation Club Hong Kong
123 Tung Lo Wan Road
Tai Hang
Hong Kong

PCCW Recreation Club
108 Caroline Hill Road
Hong Kong

Laguna City Resident Club House
Laguna City Phase One
Cha Kwo Ling Road
Kwun Tong
Hong Kong

Hong Lok Yuen Country Club Ltd
No. 8 Hong Lok Yuen Town
Centre Crescent
Tai Po
New Territories

Sunshine City Resident Club House
Sunshine City Phase 4
Shatin
STTL307
New Territories

Kingswood Country Club
2 Tin Lung Road
Tin Shui Wai
New Territories

Granville Garden Residents Club
Blk T2 P & L4/F
Granville Garden
18 Pik Tin Street
Tai Wai
New Territories

Kingswood Club
Podium Locwood Court
1 Tin Wu Road
Tin Shui Wai
New Territories

Bayshore Club
Bayshare Towers
608 Sai Sa Wan Road
Ma On Shan
New Territories

Palm Spring's Resident Club (Club Oasis)
Club House
Palm Spring's Wo Sang Wai
Yuen Long
New Territories

Metro City Residents Club (Phase 1)
L3, Metro City (Phase One)
1 Wan Hang Road
Tseung Kwan O
New Territories

The Kowloon Club Limited
15/F & 18F
New World Office Building
E Wing
24 Salisbury Road
Tsim Sha Tsui
Kowloon

The Hong Kong Japanese Club Ltd
38/F Hennessy Centre
500 Hennessy Road
Causeway Bay
Hong Kong

Hong Kong Housing Society Staff Recreation Club
3/F Dragon Centre
23 Wun Sha Street
Tai Hang
Hong Kong

Grand Royal Club
Tower 2, Portion of Level 2, 5, 6
Metroplaza
223 Hing Fong Road
Kwai Fong
New Territories

Member's Club Bamboo Banquet
11/F Circle Plaza
499 Hennessy Road
Causeway Bay
Hong Kong

Indulge
3/F Universal House
Gloucester Road
Hong Kong

Aberdeen Marina Club Ltd
8 Shum Wan Road
Aberdeen
Hong Kong

The Dynasty Club
South West Tower
7/F-10/F Convention Plaza
1 Harbour Road
Wan Chai
Hong Kong

Hong Kong Parkview Club & Suites
Parkview
88 Tai Tam Reservoir Road
Southern
Hong Kong

Gold Coast Yacht & Country Club
Hong Kong Gold Coast (Site C3)
TMTL 238
1 Castle Peak Road
New Territories

Club U&I Limited
18-19 Shops
G/F, ALA Tower
Mno. 183 Electric Road
Hong Kong

Joy Luck Club
23/F Allways Centre
468 Jaffe Road
Hong Kong

Gold Coast Yacht & Country Club Ltd
Gold Coast Marina Club House
1 Castle Peak Road
Castle Peak Bay
Tuen Mun
New Territories