

立法會
Legislative Council

LC Paper No. CB(2)2675/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/BC/3/05

Bills Committee on Betting Duty (Amendment) Bill 2006

Minutes of meeting
held on Monday, 12 June 2006 at 10:45 am
in the Chamber of the Legislative Council Building

- Members present** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)
Hon CHAN Yuen-han, JP
Hon SIN Chung-kai, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon WONG Ting-kwong, BBS
Hon TAM Heung-man
- Members absent** : Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon Daniel LAM Wai-keung, BBS, JP
Hon LEUNG Kwok-hung
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP
Hon Albert Jinghan CHENG
- Public Officers attending** : Mr Stephen FISHER
Deputy Secretary for Home Affairs (1)
- Miss Jenny YIP
Principal Assistant Secretary for Home Affairs (1)

Miss Christine CHOW
Assistant Secretary for Home Affairs (1)1

Mr Lawrence PENG
Senior Assistant Law Draftsman

Mr SO Chau-chuen
Assistant Commissioner of Inland Revenue

Ms Mary WONG
Senior Assessor

Clerk in attendance : Miss Odelia LEUNG
Chief Council Secretary (2)6

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Stanley MA
Senior Council Secretary (2)6

Miss Carmen HO
Legislative Assistant (2)6

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I. Discussion on outstanding issues
[LC Paper Nos. CB(2)2343/05-06(01), CB(2)2373/05-06(01) – (03)]

The Bills Committee deliberated (Index of proceedings attached in **Annex**).

Committee Stage amendments

2. Mr Andrew CHENG briefed members on the draft Committee Stage amendments (CSAs) as detailed in his paper [LC Paper No. CB(2)2373/05-06(02)]. Mr CHENG intended to propose the following amendments to the Bill –

- (a) to add a new section 6GB(4)(g)(iii) to require that in conducting any advertising or promotional activities, an authorised horse race betting conductor should display or carry notices containing a warning of the seriousness of problems caused by excessive gambling and providing

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information on the services and facilities available to problem and pathological gamblers;

- (b) to add a new section 6GB(4)(h) to require that a formula or rule for determining the rebates payable be specified in the licence for the conduct of authorised horse race betting;
- (c) to add a new section 6GB(8) to empower the Legislative Council (LegCo) to amend, by resolution, the licensing conditions for horse race betting under section 6GB(4); and
- (d) to add a new section 6I(7) to empower LegCo to amend, by resolution, the licensing conditions for the conduct of authorised football betting.

Proposed new section 6GB(4)(g)(iii)

3. Miss CHAN Yuen-han expressed support for the proposed CSA to add a new section 6GB(4)(g)(iii). Mr WONG Ting-kwong considered that tackling gambling-related problems was an issue which was broader than the scope of the Bill, and display of warning notices against excessive gambling should not be imposed solely on HKJC. Mr Abraham SHEK said that he did not support the proposed CSA. Mr SHEK considered that HKJC should be advised and not legally required to display warning notices.

Proposed new section 6GB(4)(h)

4. Mr Tommy CHEUNG, Mr Jeffrey LAM and Mr Abraham SHEK said that they did not support the proposed CSA to add a new section 6GB(4)(h). They considered that providing rebates to high-value bettors would not encourage gambling, and HKJC should be given flexibility in determining high-value bets and the percentage of rebates to such bets, in order to compete with the illegal bookmakers.

Proposed new section 6GB(8)

5. Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Jeffrey LAM and Mr WONG Ting-kwong had indicated that they did not support the proposed CSAs to add a new section 6GB(8). These members were of the view that the proposed CSAs would create uncertainty for the licensee on the conduct of authorised betting. Mr WONG Ting-kwong added that the licensing authority for the conduct of authorised betting should be the Executive Authorities, and not the LegCo.

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Proposed new section 6I(7)

6. Assistant Legal Adviser gave a preliminary view that subject to the President's ruling, the proposed CSA to add a new section 6I(7) might be outside the scope of the Bill. He was requested to put his advice in writing for the Bills Committee's reference.

7. Members also noted the revised Chinese version of the CSAs proposed by the Administration. Members had not raised objection.

Follow-up actions required

8. The Bills Committee requested the Administration to –
- (a) provide written information on the principles in handling requests for a replaced race meeting due to the cancellation of certain races in a race meeting, or explain how such requests would be handled at the resumption of the Second Reading debate on the Bill;
 - (b) convey to the Security Bureau the views of some members on the need to review the Organized and Serious Crimes Ordinance to facilitate confiscation of money/assets in connection with illegal bookmaking activities;
 - (c) advise the number of convicted bookmaking cases involving the Internet;
 - (d) clarify whether advertising football betting was permissible in Cable Channels 61 and 63;
 - (e) comment on the Committee Stage amendments proposed by Hon Andrew CHENG; and
 - (f) confirm the tentative date on which the Bill, if enacted, would come into operation.

Resumption of Second Reading debate

9. The Bills Committee supported the Administration's proposal to resume the Second Reading debate on the Bill at the Council meeting on 12 July 2006. Members agreed that the Bills Committee would report its deliberations on the Bill to the House Committee on 23 June 2006. The Chairman reminded members that the deadline for submission of notice to move CSAs to the Bill was 3 July 2006.

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II. Any other business

10. There being no other business, the meeting ended at 12:10 pm.

Council Business Division 2
Legislative Council Secretariat
6 July 2006

**Proceedings of the Bills Committee on
 Betting Duty (Amendment) Bill 2006
 on Monday, 12 June 2006 at 10:45 am
 in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
000000 - 000652	Chairman	Introduction	
000653 - 002102	Chairman Admin	Briefing on the Admin paper in response to members' concerns at the meeting on 8 June 2006 LC Paper No. CB(2)2343/05-06(01)	See para 8(a) of the minutes
002103 - 002647	Mr Andrew CHENG Chairman Admin	Review of the Organized and Serious Crimes Ordinance to facilitate confiscation of money/assets in connection with illegal bookmaking activities; promotion of horse race betting by HKJC staff; and allocation of resources to Ping Wo Fund	See para 8(b) of the minutes
002648 - 002816	Mr SIN Chung-kai Chairman Admin	Number of the 25 convicted bookmaking cases involving the Internet	See para 8(c) of the minutes
002817 - 003401	Chairman Admin	Exaggeration of the likelihood of winning in the conduct of advertising or promotional activities on horse race betting; and scope of services financed by Ping Wo Fund	
003402 - 003715	Miss CHAN Yuen-han Admin Chairman Mr Tommy CHEUNG Mr Andrew CHENG	Suspected advertising of football betting in Cable Channels 61 and 63 during broadcasting of World Cup Football matches	See para 8(d) of the minutes
003716 - 004244	Mr Andrew CHENG Admin Chairman	Promotion of horse race betting by HKJC frontline staff; allocation of resources to Ping Wo Fund; and definition of high value bets	
004245 - 005227	Chairman Mr Andrew CHENG ALA4 Admin	Draft CSAs proposed by Hon Andrew CHENG and the Admin's preliminary response	See para 6 and 8(e) of the minutes
005228 - 005713	Mr Tommy CHEUNG Mr Abraham SHEK Mr Jeffrey LAM Mr SIN Chung-kai	Members' preliminary views on draft CSAs proposed by Hon Andrew CHENG	
005714 - 010223	Mr SIN Chung-kai Admin Chairman	Prevention of students from participating in football betting; and increase of adolescents in betting	

Time marker	Speaker	Subjects	Action required
010224 - 010409	Mr WONG Ting-kwong	Views on draft CSAs proposed by Hon Andrew CHENG	
010410 - 010953	Miss CHAN Yuen-han Admin Chairman Mr Abraham SHEK	Display of warning notices in compliance with section 6GB(7) in conducting any advertising or promotional activities as a condition for issuance of licence on horse race betting	
010954 - 012245	Mr Andrew CHENG Chairman Mr WONG Ting-kwong Mr Tommy CHEUNG Mr SIN Chung-kai Admin	Display of warning notices in all advertising and promotional activities on horse racing; and education to reduce problem and pathological gambling	
012246 - 012442	Chairman Admin	Revised Chinese version of CSAs proposed by the Administration; resumption of Second Reading debate; and commencement of the Bill	See para 8(f) of the minutes
012443 - 012600	Chairman Mr Tommy CHEUNG	Report of the Bills Committee to House Committee and deadline for submission of notice to move CSAs	

Council Business Division 2
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6 July 2006