

立法會 *Legislative Council*

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Panel on Home Affairs

Background brief prepared by the Legislative Council Secretariat for the meeting on 11 June 2010

Regulating of karting facilities

Purpose

Arising from an incident which resulted in the death of a fifteen-year old girl whilst karting at the Diamond Coast International Kart Circuit ("the Circuit") at Lung Kwu Tan, Tuen Mun on 17 February 2010, members of the Home Affairs Panel have expressed concern about the regulation and operation of karting facilities. At the request of the Panel, the Administration submitted a report in March 2010 to brief members on the regulation of karting in Hong Kong, including the role of the Hong Kong Kart Club ("HKKC") and the operation of karting facilities, vide LC Paper No. CB(2)1166/09-10(01). This paper summarizes the key issues mentioned in the Administration's report and questions raised by Legislative Council Members on the subject at the Council meeting on 3 March 2010.

Key issues raised in the Administration's report

The role of the Hong Kong Kart Club

2. HKKC is an affiliated member of the Commission Internationale de Karting ("CIK"), the international governing body which promulgates the guidelines and regulations on venue design, safety measures, event organisation and competition rules for karting. HKKC is also recognized by the Sports Federation and Olympic Committee of Hong Kong, China as the National Sports Association ("NSA") for the sport in Hong Kong. As the NSA for karting, HKKC has the responsibility to ensure that the sport is practised safely and in compliance with the CIK's rules and procedures.

3. HKKC receives an annual subvention under the Sports Subvention Scheme administered by the Leisure and Cultural Services Department ("LCSD"). In 2009-2010, LCSD has provided a subvention of about \$0.5 million to the HKKC for

participation in overseas competitions, and organisation of local competitions, squad training and training courses for young people to promote the sport of karting.

Operation of the Diamond Coast International Kart Circuit

4. The Circuit was developed by the Hong Kong Kartingsport Association Limited ("HKKAL"), which is a member club of the HKKC. The Circuit is situated largely on private land, the tenancy of which does not prohibit karting activities. In November 2006, the Administration granted the government land adjacent to the kart track to HKKAL by way of a short term tenancy for accommodating an office, storage, repair and maintenance and fuelling facilities for the kart track. Under the short term tenancy, HKKAL is required to -

- (a) obtain all licences and permission required and comply with all relevant ordinances and regulations under the Laws of Hong Kong when operating the kart track;
- (b) make arrangements at its own expenses and to the satisfaction of Director of Leisure and Cultural Services ("DLCS") and/or the Secretary for Home Affairs ("SHA") to employ a sport governing body to monitor the kart track to ensure the track will be operated in full compliance with the relevant sports codes and standing regulations; and
- (c) produce valid insurance to the satisfaction of the DLCS and/or the SHA to cover the risks involved in the sport.

Monitoring and inspection of the Circuit

5. HKKAL has engaged HKKC as the sport governing body to monitor the operation of the Circuit. The HKKC has issued a kart track operation manual and scheme of control with which HKKAL has to comply. Since the opening of the Circuit in 2007, HKKC has conducted 34 monthly inspections and submitted the inspection reports to LCSD for record. Each inspection report covers the use of the kart track, the operation and control on the use of the karts and kart track, the condition of the karts, the adequacy of fire precautions, and the management and supervision of activities and training courses. The HKKC report also assesses whether the operation of the track is in compliance with the operation manual and scheme of control as required under the prevailing sports codes of practice and other requirements of the sports. During the first year of the operation of the Circuit, the HKKC noticed minor areas for operational improvements during seven inspections. Improvements were proposed and implemented and no further follow-up action was considered necessary by HKKC.

6. HKKAL, as the operator of the Circuit, is required to submit reports to LCSD and HKKC on any accident that happens at the Circuit which requires

hospitalization or medical treatment. Since the opening of the Circuit, four accident reports (including the fatal incident in February 2010) have been received by the HKKC and LCSD. The cause of the fatal incident is still under police investigation.

Measures for enhancing the safety standard

7. According to the Administration, HKKC has reviewed the safety of the Circuit and its operational procedures after the fatal accident with a view to preventing similar incidents from occurring in the future. The following measures were proposed -

- (a) more stringent requirements on drivers' apparel, including the compulsory wearing of race suits;
- (b) the installation of an on-track alarm system;
- (c) the designation of an observer to monitor on all on-track activities;
- (d) the installation of more safety warning signs at conspicuous locations; and
- (e) the implementation of measures to strengthen staff training, and monitoring and reporting procedures to heighten safety awareness of both participants and staff.

8. To ensure that the proposed measures will bring the operation of the Circuit up to the highest possible safety standard, the Administration has requested the HKKC to invite an international expert to conduct an independent review of the proposed measures.

Question raised by Member

9. At the Council meeting on 3 March 2010, a Member raised a question on the operation of kart track. The Member enquired, inter alia, about measures taken by the Government to ensure HKKC's effective monitoring of the operation of kart track and the compliance with the code of practice and safety guidelines by the operator of the kart track; the penalty which might be imposed on HKKC if it was found to be negligent in this regard; and details of the training courses organised by the HKKC to promote karting to young people.

10. The Administration advised that HKKC, being the NSA for the sport of karting, was to monitor the daily operation of the kart track to ensure its compliance with the relevant safety regulations and operational guidelines. In the case of the Circuit, HKKC had conducted monthly inspections and submitted reports to LCSD as described in paragraph 5 after each inspection. If HKKC failed to ensure that the

kart track complied with the relevant safety requirements, LCSD might request the Lands Department to terminate the short term tenancy in accordance with the relevant provisions in the land lease.

11. Regarding the training courses, the Administration advised that in 2009-2010, the LCSD had provided a subvention of about \$0.5 million to HKKC for a number of initiatives, including four training courses for young people. Each of the courses offered 24 places and the total subvention involved was \$16,412. As of March 2010, HKKC had organised two training courses at the Circuit. Under the subvention agreement with the LCSD, HKKC was required to submit to the LCSDS periodic programme evaluation reports, quarterly reports and statements of accounts, and audited annual accounts prepared by certified public accountants.

Latest development

12. The Administration will brief the Panel on the report on the regulation of karting in Hong Kong and the progress in the implementation of improvement measures for enhancing the safety of the sport at its meeting on 11 June 2010.

Relevant papers

13. A list of relevant papers with their hyperlinks at the LegCo website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
8 June 2010

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Relevant documents on regulating the karting facilities

| Committee | Date of Meeting | Paper/ Council question | LC Paper No./ Website |
|-----------------------|-----------------|--|--|
| Council meeting | 3.3.2010 | Written question raised by Hon WONG Shing-chi on operation of a Kart Track | http://www.legco.gov.hk/yr09-10/english/counmtg/hansard/cm0303-translate-e.pdf (page 84) |
| Panel on Home Affairs | 17.3.2010 | Administration's paper entitled "Report on the Regulation of Karting in Hong Kong" | CB(2)1166/09-10(01) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/hacb2-1166-1-e.pdf |

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