

## **For Information**

### **Report on the Regulation of Karting in Hong Kong**

#### **Purpose**

This paper briefs Members on the regulation of karting in Hong Kong and on related aspects, such as the role of the Hong Kong Kart Club and the operation of karting facilities.

#### **Background**

##### *Hong Kong Kart Club (HKKC)*

2. Established in 1965, the HKKC has the objective of promoting the sport of karting in Hong Kong. It is an affiliated member of the Commission Internationale de Karting (CIK), the international governing body for the sport of karting and is recognised by the Sports Federation and Olympic Committee of Hong Kong, China as the “national sports association” (NSA) for the sport in Hong Kong.

3. The HKKC receives an annual subvention under the Sports Subvention Scheme administered by the Leisure and Cultural Services Department (LCSD). In 2009-10, LCSD has provided a subvention of about \$0.5 million to the HKKC. The subvention is for the organisation of activities including participation in overseas competitions, the organisation of local competitions, squad training and training courses for young people to promote the sport of karting – however it does not cover the operation of karting facilities per se. LCSD enters into a subvention agreement with HKKC each year, which stipulates the amount of subvention and the activities to be organised with this funding, as well as the funding conditions. The HKKC is required to submit to LCSD periodic programme evaluation reports, quarterly reports and statements of account on activities funded by the government subvention, and audited annual accounts on the subvention prepared by certified public accountants.

4. In general, NSAs manage and develop sports in Hong Kong in compliance with recognised codes and standards promulgated by their respective international federations (IF). In the case of karting, the CIK has laid down rules and regulations governing matters such as venue design, safety measures, event organisation and competition rules. As the NSA for karting, HKKC is

responsible for ensuring that the sport is practised safely and in compliance with the CIK's rules and procedures.

*The Diamond Coast Circuit International Circuit (the Circuit)*

5. Located at Lung Kwu Tan, Tuen Mun, the Circuit was developed by the Hong Kong Kartingsport Association Limited (HKKAL), which is a member club of the HKKC. The Circuit was opened in 2007. The HKKAL is not subvented under LCSD's Sports Subvention Scheme.

6. According to government records, the Circuit is situated largely on private land, the tenancy of which does not prohibit karting activities. Adjacent to the private land, the Government has granted a piece of government land with an area of about 4 700m<sup>2</sup> to HKKAL since November 2006 by way of a short term tenancy (STT) to accommodate an office, storage, repair and maintenance and fuelling facilities for the kart track. The key conditions of the STT include -

- the tenant should obtain all licences and permissions required and comply with all relevant ordinances and regulations under the Laws of Hong Kong when operating a kart track;
- the tenant should make arrangements at its own expense 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
- the tenant shall produce valid insurance to the satisfaction of the DLCS and/or the SHA to cover the risks involved in the sport.

7. With regard to the condition requiring compliance with the Laws of Hong Kong, the then Secretary for the Environment, Transport and Works, in exercise of the power conferred under section 116 of the Road Traffic Ordinance (Cap. 374) (RTO), approved the temporary exclusion<sup>1</sup> of the private roads at the Circuit from Part XIII of the RTO from 18 May 2007 to 31 July 2008, thus allowing karting activities to be carried out. On 1 August 2008, the Secretary for Transport and Housing renewed the exclusion for the period up until 31 July 2011.

8. HKKAL engaged the 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, and the HKKC has

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<sup>1</sup> Except that the provisions concerning the preservation of evidence of accidents as stated in section 57 of the RTO would still apply to the private roads of the Circuit.

to conduct monthly inspections and submit inspection reports to LCSD. HKKC has conducted monthly inspections of the Circuit since May 2007. 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 hospitalisation or medical treatment.

9. As regards the insurance requirement, on 18 May 2007 HKKAL submitted to LCSD proof of valid insurance with coverage of up to \$10 million. The insurance has since been renewed annually and is currently in force until 27 August 2010.

### *Monitoring and inspections*

10. Since the opening of the Circuit, HKKC has conducted 34 monthly inspections of the Circuit 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 sport.

11. According to HKKC's inspection records, the HKKC noticed minor areas for operational improvements in seven inspections during the first year of the operation of the Circuit. Improvements were proposed and implemented and no further follow-up action was considered necessary by HKKC. Details of the improvement recommendations are at **Annex A**.

12. Since the opening of the Circuit, four accident reports have been received by the HKKC and LCSD. The first three incidents were relatively minor whereas the fourth one, which happened on 17 February 2010, was fatal. A brief summary of the incidents and the follow-up action taken is at **Annex B**. More detailed information on the fatal incident is given below.

### **The fatal incident at the Circuit and follow-up action**

13. On 17 February 2010, a fifteen-year old girl died whilst karting at the Circuit. The cause of the incident is still under police investigation.

14. On 18 February 2010, representatives from the Home Affairs Bureau (HAB), LCSD, Lands Department, Electrical and Mechanical Services Department, Police and Tuen Mun District Office conducted a joint site visit to

the Circuit, and met the operator and a representative of the HKKC. After the visit, HAB requested the HKKC to submit a report on the incident to HAB and LCSD and to conduct a comprehensive review of the safety of the Circuit and its operational procedures, with a view to proposing safety enhancement measures that could prevent similar incidents from occurring in the future. It was agreed that pending the satisfactory completion of the review and implementation of new safety measures, the Circuit should remain closed.

### **Recent developments**

15. On 8 March 2010, HAB and LCSD met representatives of the HKKC and HKKAL to discuss new safety measures that the HKKC proposed to implement at the Circuit. These measures include –

- more stringent requirements on drivers' apparel, including the compulsory wearing of race suits;
- the installation of an on-track alarm system;
- the designation of an observer to watch on all on-track activities; and
- the installation of more safety warning signs at conspicuous locations.

16. The HKKC also proposed a number of measures to strengthen staff training, and monitoring and reporting procedures to heighten safety awareness of both participants and staff. In its expert view as the governing body for the sport of karting in Hong Kong, the HKKC has expressed the opinion that the proposed measures would improve the overall safety of the Circuit.

17. To ensure that the proposed measures will bring the operation of the Circuit up to the highest possible safety standard, HAB has requested the HKKC to invite an international expert, preferably from or nominated by the CIK, to conduct an independent review of the proposed new safety measures. The HKKC is currently seeking the CIK's expert advice on the proposed safety improvements.

### **Advice Sought**

18. Members are invited to note the content of this paper.

**Home Affairs Bureau**  
**March 2010**

**Improvement recommendations put forward by HKKC  
during monthly inspections**

<b>Month of inspection</b>	<b>Recommendations</b>
July 2007	<ul style="list-style-type: none"><li>• All karts should be kept clean and tidy</li><li>• Flag marshals should stand at each flag signal post when the track is in operation</li></ul>
February 2008	Water puddles should be cleared after rain
March 2008	<ul style="list-style-type: none"><li>• Tyre barriers should be increased and curbs should be added</li><li>• Grass should be cut</li></ul>
May 2008	Run-off areas should be improved
June 2008	Grass should be cut
July 2008	<ul style="list-style-type: none"><li>• Kart brakes should be checked</li><li>• Inspection records of fire prevention measures should be checked</li><li>• Trainings on (i) management and supervision of events/training courses, and (ii) safety monitoring during operation, should be provided</li><li>• Pot holes should be filled up</li><li>• Run-off areas should be levelled</li></ul>
August 2008	<ul style="list-style-type: none"><li>• Inspection records of fire prevention measures should be checked</li><li>• Training on management and supervision of events/training courses</li></ul>

**Brief summary of the four reported incidents at the Circuit**

<b>Date of incident</b>	<b>Summary of event</b>	<b>Follow-up actions</b>
23 November 2007	Whilst practising, a driver lost control of his kart and drove towards the buffer area. Instead of stopping the kart immediately and signalling for help from the staff as instructed in the safety briefings, the driver drove the kart back onto the track in the opposite direction. Consequently, it collided with another kart. The two drivers were admitted to hospital.	LCSD inspected the kart track with the Hong Kong Kart Club (HKKC) after the incident. The HKKC considered that the operation of the kart track on the whole was normal and there was no need to make any operational changes.
7 May 2009	A driver failed to stop in time and veered off course when driving back to the closed area. A security guard was knocked down and admitted to hospital.	Ditto
16 May 2009	A driver lost control of his kart when practising on the track and veered out of the buffer area. He was injured and admitted to hospital.	Ditto

<b>Date of incident</b>	<b>Summary of event</b>	<b>Follow-up actions</b>
17 February 2010	A driver was found unconscious in a kart that has stopped on the track and was certified dead after being admitted to hospital.	On the day following the incident, officers from the Home Affairs Bureau (HAB), together with representatives from LCSD, the Lands Department, the Electrical and Mechanical Services Department, the Police and the Tuen Mun District Office, carried out a site inspection of the Circuit and its operation, and met officers of the HKKC and HKKAL. The HAB has requested the HKKC to submit a report on the incident and conduct a comprehensive review of the safety measures at the kart track. The Police are conducting an investigation into the incident.