

立法會
Legislative Council

LC Paper No. CB(2)1580/01-02

(These minutes have been
seen by the Administration)

Ref : CB2/BC/9/00

**Legislative Council
Bills Committee on Karaoke Establishments Bill**

**Minutes of the seventeenth meeting
held on Thursday, 7 March 2002 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members Present : Hon James TO Kun-sun (Chairman)
Hon Fred LI Wah-ming, JP
Hon Andrew WONG Wang-fat, JP
Hon Howard YOUNG, JP
Hon LAU Kong-wah
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP

Members Absent : Hon David CHU Yu-lin, JP
Hon Michael MAK Kwok-fung
Hon LAU Ping-cheung

Public Officers Attending : Security Bureau

Mrs J CHOK
Deputy Secretary for Security

Mr S W HUI
Principal Assistant Secretary for Security

Mr Damian CHAN
Assistant Secretary for Security

Fire Services Department

Mr C C LEE
Chief Fire Officer/Fire Safety

Mr CHUNG Cheuk-hung
Senior Divisional Officer/Commercial Buildings and
Premises

Buildings Department

Mr MO Kim-ming
Assistant Director/New Buildings (1)

Mr J R Dobbing
Chief Building Surveyor/Legal

Home Affairs Department

Mr TANG Hung-ki
Chief Officer (Licensing Authority)

Mr MAK Nai-cheong
Building Surveyor (Licensing Authority) Support

Food and Environmental Hygiene Department

Mr HUNG Chi-pai
Assistant Director (Operations) 1

Mr WONG Siu-wing
Senior Superintendent (Licensing)

Hong Kong Police Force

Mr WONG Che-kwong, Roger
Superintendent (Licensing)

Mrs LEUNG YOUNG Shi-kwan, Grace
Chief Inspector (Licensing)

Department of Justice

Ms Monica LAW
Acting Senior Assistant Law Draftsman

Ms Francoise LAM
Government Counsel

Clerk in Attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in Attendance : Miss Connie FUNG
Assistant Legal Adviser 3

Ms Joanne MAK
Senior Assistant Secretary (2)2

I. Meeting with the Administration

(The Bill and LC Papers Nos. CB(2)1044/01-02(04), CB(2) 1106/01-02(01), CB(2)1154/01-02(02), CB(2)1169/01-02(01) and CB(2) 1247/01-02(01))

The Committee deliberated (index of proceedings attached at **Annex A**).

2. The Committee considered the request of the Karaoke Requirements Concern Group for another opportunity to present their views to the Committee and agreed to meet with them at the meeting on 20 March 2002 at 2:30 pm.

3. After going through the Administration's responses to issues raised at previous meetings, the Committee resumed clause by clause examination of the Bill and had finished scrutinizing clause 5 at the end of the meeting.

4. The Committee agreed that when clause by clause examination of the Bill was completed, the Committee would proceed to scrutinise the draft Karaoke Establishments (Licensing) Regulations. The Administration agreed to provide a copy of the updated draft Regulations for members' consideration in due course.

5. The Administration was requested to respond in writing to the following issues to facilitate the work of the Committee -

(a) on clause 5(3)(b) and (c), to consider -

(i) some members' view that the criteria for assessing "suitable place", "suitable area" and "public interest" under clause 5(3)(b) and (c) should be expressly provided in the Bill, e.g. fire and building safety requirements, zoning area and nuisance caused to the public; and

- (ii) a member's view that clause 5(3)(b) and (c) should be deleted altogether because of the unrestricted power it conferred on the licensing authority to refuse to issue or renew licences/permits and the absence of an open hearing to handle appeals against the decision of the licensing authority.
- (b) to consider extending the duration of the licence or permit for KE specified under clause 5(8)(c), having regard to the provision in the Massage Establishments (Amendment) Ordinance and advantages such as reduction in operating cost for the licensing authority.

II. Dates of next meetings

6. The Committee agreed to hold the next four meetings on the following dates -

- (a) 15 March 2002 (Friday) at 8:30 am;
- (b) 20 March 2002 (Wednesday) at 2:30 pm;
- (c) 10 April 2002 (Wednesday) at 10:45 am; and
- (d) 18 April 2002 (Thursday) at 10:45 am.

(Post-meeting note : At the request of the Administration and with the concurrence of the Chairman, the meeting on 18 April 2002 was subsequently cancelled.)

7. There being no other business, the meeting ended at 6:35 pm.

Council Business Division 2
Legislative Council Secretariat
12 April 2002

**Proceedings of the seventeenth meeting of the Bills Committee on
Karaoke Establishments Bill
on Thursday, 7 March 2002 at 4:30 pm.
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000001-000252	Chairman	Request of the Karaoke Requirements Concern Group for another opportunity to present their views to the Committee	
000253-000341	Mr Tommy CHEUNG	-ditto-	
000342-000623	Chairman	-ditto-	Clerk (paragraph 2)
000624-000802	Adm	Introduction of the paper on information requested by the Bills Committee at its meeting held on 10 January 2002 (LC Paper No. CB(2)1247/01-02(01))	
000803-000806	Chairman	-ditto-	
000807-000951	Mr Tommy CHEUNG	Building and safety requirements in karaoke establishments (KEs) in Japan and Taiwan and materials used for partitions of corridor	
000952-000959	Chairman	-ditto-	
001000-001102	Adm	-ditto-	
001103-001116	Chairman	-ditto-	
001117-001142	Adm	-ditto-	
001143-001208	Chairman	-ditto-	
001209-001247	Adm	-ditto-	
001248-001259	Chairman	-ditto-	
001300-001354	Adm	-ditto-	
001355-001404	Chairman	-ditto-	
001405-001410	Mr Tommy CHEUNG	-ditto-	
001411-001439	Mr Andrew WONG	-ditto-	
001440-001502	Adm	-ditto-	
001503-001521	Mr Tommy CHEUNG	-ditto-	
001522-001613	Adm	-ditto-	
001614-001629	Chairman	-ditto-	
001630-001702	Adm	-ditto-	
001703-001708	Chairman	-ditto-	
001709-001728	Mr Andrew WONG	-ditto-	

001729-001732	Adm	-ditto-	
001733-001745	Mr Andrew WONG	-ditto-	
001746-001824	Adm	-ditto-	
001825-001836	Chairman	-ditto-	
001837-001855	Mr Andrew WONG	-ditto-	
001856-001939	Adm	-ditto-	
001940-002031	Mr Andrew WONG	A comparison of the approach of the regulatory control proposed by the Bill for KEs with that in Japan and Taiwan	
002032-002115	Adm	-ditto-	
002116-002151	Mr Andrew WONG	-ditto-	
002152-002200	Adm Mr Andrew WONG	-ditto-	
002201-002216	Adm	Handling of anonymous objections raised under clause 5(3)(b) by the licensing authority	
002217-002221	Chairman	-ditto-	
002222-002313	Adm	-ditto-	
002314-002451	Mr Tommy CHEUNG	-ditto-	
002452-002513	Chairman	-ditto-	
002514-002610	Adm	-ditto-	
002611-002616	Mr Tommy CHEUNG	-ditto-	
002617-002628	Chairman	-ditto-	
002629-002650	Mr Tommy CHEUNG	-ditto-	
002651-002705	Chairman	-ditto-	
002706-002806	Adm	-ditto-	
002807-002955	Mr Tommy CHEUNG	-ditto-	
002956-003012	Adm	-ditto-	
003013-003015	Chairman	-ditto-	
003016-003024	Adm Mr Tommy CHEUNG Chairman	-ditto-	
003025-003104	Adm	-ditto-	
003105-003259	Mr Lau Kong-wah	-ditto-	
003300-003333	Chairman	-ditto-	
003334-003436	Adm	-ditto-	
003437-003503	Mr Lau Kong-wah	-ditto-	
003504-003537	Chairman	-ditto-	
003538-003629	Adm	-ditto-	
003630-003703	Mr Lau Kong-wah	-ditto-	

003704-003719	Chairman	-ditto-	
003720-003749	Adm	-ditto-	
003750-003807	Chairman	-ditto-	
003808-003817	Adm	-ditto-	
003818-004036	Ms Audrey EU	To review the drafting of clause 5(3)(b) and (c) to spell out the factors to be taken into account by the licensing authority	
004037-004146	Adm	-ditto-	
004147-004223	Ms Audrey EU	-ditto-	
004224-004316	Adm	-ditto-	
004317-004359	Chairman	-ditto-	
004400-004535	Ms Audrey EU	-ditto-	
004536-004707	Chairman	-ditto-	
004708-004832	Mr Tommy CHEUNG	-ditto-	
004833-004931	Chairman	-ditto-	
004932-004939	Adm	-ditto-	
004940-005017	Chairman	-ditto-	
005018-005021	Mr Tommy CHEUNG	-ditto-	
005022-005107	Chairman	-ditto-	
005108-005126	Mr Tommy CHEUNG	-ditto-	
005127-005201	Chairman	-ditto-	
005202-005221	Adm	-ditto-	
005222-005237	Chairman	-ditto-	
005238-005447	Ms Audrey EU	-ditto-	
005448-005456	Adm	-ditto-	
005457-005505	Chairman	-ditto-	
005506-005511	Adm	-ditto-	
005512-005516	Chairman	-ditto-	
005517-005535	Adm	-ditto-	
005536-005538	Chairman	-ditto-	
005539-005545	Adm	-ditto-	
005546-005554	Chairman	-ditto-	
005555-005601	Adm	-ditto-	
005602-005605	Chairman	-ditto-	
005606-005639	Ms Audrey EU	-ditto-	
005640-005641	Adm	-ditto-	
005642-005825	Chairman	-ditto-	
005826-005922	Mr Howard YOUNG	-ditto-	
005923-010039	Chairman	-ditto-	

010040-010412	Mr Tommy CHEUNG	-ditto-	
010413-010621	Chairman	-ditto-	
010622-010634	Mr Tommy CHEUNG	-ditto-	
010635-010638	Chairman	-ditto-	
010639-010641	Mr Tommy CHEUNG	-ditto-	
010642-010647	Chairman	-ditto-	
010648-010700	Mr Tommy CHEUNG Chairman	-ditto-	
010701-010735	Chairman	-ditto-	
010736-010805	Mr Howard YOUNG	-ditto-	
010806-010810	Chairman	-ditto-	
010811-010816	Mr Howard YOUNG	-ditto-	
010817-010820	Mr Tommy CHEUNG	-ditto-	
010821-010859	Adm	-ditto-	
010900-010910	Mr Tommy CHEUNG	-ditto-	
010911-010914	Chairman	-ditto-	
010915-010932	Mr Tommy CHEUNG	-ditto-	
010933-011024	Chairman	-ditto-	Adm (paragraph 5(a))
011025-011028	Adm	Administration's response to issues raised at the meeting on 14 January 2002 (Part 2) (concerning clauses 4 and 5) (LC Paper No. CB(2)1044/01-02(04))	
011029-011111	Chairman	-ditto-	
011112-011116	Adm	-ditto-	
011117-011119	Chairman	-ditto-	
011120-011144	Adm	Administration's proposal of a new clause 3(1) (Annex B to LC Paper No. CB(2)1169/01-02(01))	
011145-011152	Chairman	-ditto-	
011153-011202	Mr Tommy CHEUNG	-ditto-	
011203-011207	Chairman	-ditto-	
011208-011229	Mr Tommy CHEUNG	-ditto-	
011230-011245	Chairman	-ditto-	
011246-011350	Adm	Administration's proposed amendment to the level of fine stipulated in clause 4(1) (Item 4 of LC Paper No. CB(2)1044/01-02(04))	
011351-001403	Chairman	-ditto-	
011404-011524	Adm		

011525-011533	Chairman	-ditto-	
011534-011547	Mr Tommy CHEUNG	-ditto-	
011548-011552	Adm	-ditto-	
011553-011559	Chairman Mr Tommy CHEUNG	-ditto-	
011600-011607	Mr Tommy CHEUNG	-ditto-	
011608-011614	Adm	-ditto-	
011615-011622	Mr Tommy CHEUNG	-ditto-	
011623-011628	Adm Chairman	-ditto-	
011629-011639	Adm	-ditto-	
011640-011701	Mr Tommy CHEUNG Adm	-ditto-	
011702-011721	Chairman	-ditto-	
011722-011732	Adm Chairman Mr Tommy CHEUNG	-ditto-	
011733-011748	Chairman Mr Tommy CHEUNG	-ditto-	
011749-011752	Adm	-ditto-	
011753-011806	Chairman	-ditto-	
011807-011827	Mr Tommy CHEUNG	Draft standard conditions for KE licences (or permits) - fire safety training (item. 12) (Annex D to LC Paper No. CB(2)1169/01-02(01))	
011828-011840	Adm Mr Tommy CHEUNG	-ditto-	
011841-011845	Chairman	-ditto-	
011846-011949	Mr Tommy CHEUNG	-ditto-	
011950-011953	Chairman	-ditto-	
011954-012136	Adm	-ditto-	
012137-012255	Mr Tommy CHEUNG	-ditto-	
012256-012305	Chairman	-ditto-	
012306-012410	Adm	-ditto-	
012411-012416	Chairman	-ditto-	
012417-012443	Adm	-ditto-	
012444-012449	Chairman	-ditto-	
012450-012502	Adm	-ditto-	
012503-012508	Chairman	-ditto-	Adm (paragraph 4)

012509-012512	Mr Tommy CHEUNG	-ditto-	
012513-012536	Chairman	-ditto-	
012537-012546	Adm	-ditto-	
012547-012554	Chairman	-ditto-	
012555-012603	Mr Tommy CHEUNG	-ditto-	
012604-012651	Chairman Mr Tommy CHEUNG	-ditto-	
012652-012707	Adm	-ditto-	
012708-012811	Chairman	-ditto-	
012812-012749	Mr Tommy CHEUNG	-ditto-	
012750-012814	Adm	-ditto-	
012815-012819	Chairman	-ditto-	
012820-012835	Adm	-ditto-	
012836-012823	Mr Tommy CHEUNG	-ditto-	
012824-013004	Chairman	-ditto-	
013005-013022	Adm	-ditto-	
013023-013055	Chairman	Clause-by-clause examination of the Bill - commencing from clause 5(3)	
013056-013137	Mr Tommy CHEUNG	Clause 5(3)(a)(iii) - refusal to issue licence or permit under section 10	
013138-013212	Chairman	-ditto-	
013213-013223	Mr Tommy CHEUNG	-ditto-	
013224-013236	Chairman	-ditto-	
013237-013314	Adm	-ditto-	
013315-013319	Chairman	-ditto-	
013320-013334	Mr Tommy CHEUNG Adm	-ditto-	
013335-013357	Adm	-ditto-	
013358-013446	Mr Tommy CHEUNG Adm Chairman	-ditto-	
013447-013454	Mr Tommy CHEUNG	-ditto-	
013455-013459	Chairman Mr Tommy CHEUNG	-ditto-	
013500-013643	Chairman	Meaning of "adequately" in clause 5(7)	
013644-013654	Adm	-ditto-	
013655-013703	Chairman	-ditto-	
013704-013825	Adm	-ditto-	
013826-013755	ALA3	-ditto-	

013756-013831	Chairman	-ditto-	
013832-013842	Adm	-ditto-	
013843-013833	Chairman	-ditto-	
013834-013951	Adm	-ditto-	
013952-014051	ALA3	-ditto-	
014050-014305	Chairman	Proposed duration of licence or permit for KE under clause 5(8)(c)	Adm (paragraph 5(b))
014306-014322	Adm	-ditto-	
014323-014400	Chairman	Dates of next meetings	
014401-014407	Mr Tommy CHEUNG	-ditto-	
014408-014415	Chairman	-ditto-	
014416-014423	Adm	-ditto-	
014424-014923	Chairman	-ditto-	

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
12 April 2002