

立法會
Legislative Council

LC Paper No. CB(2)2598/01-02
(These minutes have been
seen by the Administration)

Ref : CB2/BC/9/00

Legislative Council
Bills Committee on Karaoke Establishments Bill

Minutes of the 28th meeting
held on Wednesday, 5 June 2002 at 8:30 am
in the Chamber of the Legislative Council Building

Members Present : Hon James TO Kun-sun (Chairman)
Dr Hon David CHU Yu-lin, JP
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 Michael MAK Kwok-fung

Members Absent : Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP

Public Officers Attending : Security Bureau
Mrs Jennie CHOK
Deputy Secretary for Security
Miss Peggy LAU
Chief Assistant Secretary for Security
Department of Justice
Ms Monica LAW
Senior Assistant Law Draftsman

Ms Francoise LAM
Government Counsel

Fire Services Department

Mr C C LEE
Chief Fire Officer/Fire Safety

Buildings Department

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

Home Affairs Department

Mr TANG Hung-ki
Chief Officer (Licensing Authority)

Food and Environmental Hygiene Department

Mr WONG Siu-wing
Acting Assistant Director (Operations) 1

Hong Kong Police Force

Mr WONG Che-kwong, Roger
Superintendent (Licensing)

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Miss Connie FUNG
Assistant Legal Adviser 3

Ms Joanne MAK
Senior Assistant Secretary (2) 2

I. Meeting with the Administration

(LC Paper Nos. CB(2)2118/01-02(02), CB(2)2180/01-02(01) and CB(2)2201/01-02(01))

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

2. The Administration took members through the following additional draft Committee Stage amendments (CSAs) -

- (a) to amend the proposed clause 3(1A) by adding an additional factor of "proportion of area for conducting karaoke activity";
- (b) to delete clause 5(3)(c);
- (c) to amend clause 13(1) to stipulate that the power under the clause was to be exercised for the purpose of ensuring compliance with the provisions of the Bill and with the licensing conditions;
- (d) to delete the new clause 13(3)(b) proposed in the draft CSAs;
- (e) to revise clause 15 to the effect that the licensing authority would, as soon as practicable after receiving a request for discharge of closure order, notify the applicant of any outstanding matter that needed to be remedied; and
- (f) to amend clause 20(4) to make the penalty provision under this clause the same as that under the proposed clause 16(5).

(The above draft CSAs had been incorporated in the updated version [as at 4 June 2002] of draft CSAs to be moved by the Administration which was tabled at the meeting.)

3. The Administration agreed to -

- (a) explain that restaurants would be covered by the proposed clause 3(1A) when the Second Reading debate on the Bill was resumed; and
- (b) include such explanations in the information pamphlets on licensing requirements.

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

- (a) to add express provisions to the Bill to provide for the return of seized property within 6 months after the date of the seizure,

unless prosecution against an offence in respect of the seized property was instituted within the 6 months; and

- (b) to amend the proposed clause 15(5)(b) to stipulate that the licensing authority must, as soon as practicable and within 28 days after receiving the request for discharge of closure order, notify the applicant of any outstanding matters that required to be remedied.

II. Date of next meeting

5. Members agreed that the next meeting would be held on 10 June 2002 at 4:30 pm instead of 14 June 2002 as originally scheduled. The Clerk would remind members to provide a copy of their proposed CSAs before the next meeting for circulation to members for their information. The Assistant Legal Adviser would provide a marked-up copy of the Bill showing the additional draft CSAs proposed by the Administration before the next meeting.

6. There being no other business, the meeting ended at 9:50 am.

Council Business Division 2
Legislative Council Secretariat
15 July 2002

Annex A

**Bills Committee on Karaoke Establishments Bill
Meeting on Wednesday, 5 June 2002 at 8:30 am
in the Chamber of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000 - 000139	Chairman	Administration's response to issues raised at the meeting on 29 May 2002 (LC Paper No. CB(2)2118/01-02(02))	
000139 - 000339	Administration	Ditto	
000339 - 000405	Chairman	Ditto	
000405 - 000617	Administration	Ditto	
000617 - 000621	Chairman	Ditto	
000621 - 000635	Administration	Ditto	
000635 - 000719	Chairman	Ditto	
000719 - 000848	Administration	Ditto	
000848 - 000909	Chairman	Ditto	
000909 - 001547	Administration	Ditto	
001547 - 001658	Mr LAU Kong-wah	Internal instructions issued by the Buildings Department and Fire Services Department on the return of seized property	
001658 - 001840	Administration	Ditto	
001840 - 001846	Chairman	Ditto	
001846 - 002055	Administration	Ditto	
002055 - 002233	Mr LAU Kong-wah	Ditto	
002233 - 002250	Chairman	Ditto	

002250 - 002325	Administration	Ditto	
002325 - 002449	Mr LAU Kong-wah	Ditto	
002449 - 002527	Administration	Ditto	
002527 - 002543	Mr LAU Kong-wah	Ditto	
002543 - 002730	Administration	Ditto	
002730 - 002756	Chairman	Ditto	
002756 - 002853	Administration	Ditto	
002853 - 003126	Chairman	Adding express provisions to the Bill on the return of seized property	Adm (Para. 4(a))
003126 - 003234	Mr Tommy CHEUNG Yu-yan	Ditto	
003234 - 003254	Chairman	Ditto	
003254 - 003322	Administration	Ditto	
003322 - 003338	Chairman	Ditto	
003338 - 003402	Administration	Ditto	
003402 - 003514	Chairman	Ditto	
003514 - 003544	Mr Tommy CHEUNG Yu-yan	Ditto	
003544 - 003604	Chairman	Ditto	
003604 - 003717	Administration	Ditto	
003717 - 003725	Chairman	Ditto	
003725 - 003731	Mr Tommy CHEUNG Yu-yan	Ditto	
003731 - 003801	Administration	Ditto	
003801 - 003827	Chairman, Mr LAU Kong-wah and Mr Tommy CHEUNG Yu-yan	Ditto	

003827 - 003839	Chairman	The appropriate time period within which seized property should be returned	
003839 - 003854	Mr Tommy CHEUNG Yu-yan	Ditto	
003854 - 003941	Chairman	Ditto	
003941 - 004021	Mr Tommy CHEUNG Yu-yan	Ditto	
004021 - 004043	Chairman	Ditto	
004043 - 004130	Administration	Anticipated difficulties for seized property to be returned within 3 months after the date of seizure	
004130 - 004150	Mr LAU Kong-wah	Ditto	
004150 - 004212	Administration	Ditto	
004212 - 004223	Chairman	Ditto	
004223 - 004232	Mr Tommy CHEUNG Yu-yan	Ditto	
004232 - 004257	Administration	Ditto	
004257 - 004309	Chairman	Ditto	
004309 - 004407	Administration	Ditto	
004407 - 004418	Chairman	Ditto	
004418 - 004603	Administration	Ditto	
004603 - 004713	Chairman, Mr LAU Kong-wah, Mr Tommy CHEUNG Yu-yan and Administration	Ditto	
004713 - 004843	Administration	Ditto	
004843 - 004915	Mr LAU Kong-wah	Ditto	
004915 - 004948	Administration	Ditto	
004948 - 004956	Mr LAU Kong-wah	Proposed amendment to the new clause 15(5)(b)	
004956 - 005108	Chairman	Ditto	

005108 - 005123	Mr LAU Kong-wah	Ditto	
005123 - 005131	Chairman	Ditto	
005131 - 005213	Mr LAU Kong-wah	Ditto	
005213 - 005224	Chairman	Ditto	
005224 - 005303	Mr LAU Kong-wah	Ditto	
005303 - 005608	Mr Tommy CHEUNG Yu- yan	Ditto	
005608 - 005923	Chairman	Ditto	Adm (Para. 4(b))
005923 - 010139	Administration	Administration's response to issues raised at the meeting on 31 May 2002 (LC Paper No. CB(2)2180/01- 02(01))	
010139 - 010202	Chairman	Ditto	
010202 - 010225	Administration	Ditto	
010225 - 010235	Chairman	Ditto	Adm (Para. 3)
010235 - 010408	Mr Tommy CHEUNG Yu- yan	Ditto	
010408 - 010629	Chairman	Ditto	
010629 - 010815	Administration	Ditto	
010815 - 010921	Chairman	Ditto	
010921 - 010940	Administration	Ditto	
010940 - 010953	Mr Tommy CHEUNG Yu- yan	Ditto	
010953 - 011029	Chairman	Date of next meeting and provision of draft CSAs proposed by members to the Bills Committee before the next meeting	
011029 - 011116	Mr Tommy CHEUNG Yu- yan, Chairman and Administration	Ditto	

011116 - 011131	Mr Tommy CHEUNG Yu- yan	Ditto	
011131 - 011203	Chairman	Ditto	

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