

立法會
Legislative Council

LC Paper No. CB(2)2770/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/BC/9/02

Bills Committee on Betting Duty (Amendment) Bill 2003

**Minutes of meeting
held on Friday, 12 June 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members Present** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)
Hon Cyd HO Sau-lan
Dr Hon Philip WONG Yu-hong
Hon Howard YOUNG, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon IP Kwok-him, JP
Hon Audrey EU Yuet-mee, SC, JP
- Members Absent** : Hon Eric LI Ka-cheung, JP
Hon James TO Kun-sun
Hon SIN Chung-kai
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi
- Public Officers Attending** : Mr Stephen FISHER
Deputy Secretary for Home Affairs (2)
- Ms Esther LEUNG
Principal Assistant Secretary for Home Affairs (5)
- Mrs Teresa CHU
Assistant Commissioner for Inland Revenue (3)

Mr Thomas LI
Senior Assessor (Research) (1)
Inland Revenue Department

Mr W L CHEUNG
Senior Government Counsel (Law Drafting Division)
Department of Justice

Mr Ryan CHIU
Assistant Secretary for Home Affairs (5)1

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Miss Lolita SHEK
Senior Assistant Secretary (2)7

Action

I. Meeting with the Administration
[LC Paper Nos. CB(2)2422/02-03(01)]

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

2. Members noted the following from the Administration's response to the issues and concerns raised by members at the meeting held on 6 June 2003 -

- (a) the Administration agreed to prescribe specific conditions relating to age restriction, prohibition of credit betting, restrictions on promotion and advertising, and measures to prevent gambling-related problems as mandatory conditions in any football licence issued by the Secretary for Home Affairs (SHA) under the Bill;
- (b) the Administration proposed to introduce a "fit and proper person" requirement for the licensed operators of authorized football betting and lotteries and their related persons;
- (c) the Administration would issue the relevant draft Committee Stage Amendments (CSAs) shortly for members' reference;

Adm

- (d) the Administration agreed to specify in the licence for football betting, but not in the Bill, the locations and operating hours of betting premises and require the licensee to seek SHA's prior approval for any changes; and
- (e) the Administration did not agree to specify the types of matches available for football betting and types of bets in the Bill or the licensing conditions but would set out the generic match types and bet types in the licence.

Adm 3. The Administration was requested to provide a written response to the following requests from some of the members –

Measures to address gambling-related problems

- (a) to expedite the launching of the dedicated gambling-related website and the implementation of other measures to address gambling-related problems so that preventive education programmes and the provision of treatment services for problem and pathological gamblers would commence before the operation of authorized football betting;
- (b) to ensure the provision of continuous funding for the implementation of measures to address gambling-related problems irrespective of the decision on the authorization of football betting;

Gaming Commission and the advisory committee on the dedicated fund

- (c) to amend the proposed new section 6B in the Bill to specify that members of the Gaming Commission would include representatives from the fields of religion, education and social work;

Licensing conditions for football betting and lotteries

- (d) to consult the Panel on Home Affairs on the provisions to be included in the codes of practice to be issued by SHA in relation to football betting and lotteries under the new section 6X of the Bill;
- (e) to inform members whether there would be restrictions on the new types of matches and bets for football betting that could be introduced by the licensee;

- (f) to inform members of the criteria for the approval for the locations and operating hours of betting premises;
- (g) to provide information on the locations of existing betting premises;
- (h) to provide information on the measures to be taken by the licensee to prevent gambling-related problems;
- (i) to add as one of the factors to be considered under the “fit and proper person” requirement that the licensed operators of authorized football betting and lotteries and their related persons should not be involved in the local football industry;
- (j) to specify clearly in the relevant CSA that SHA could revoke the licence if the licensed operator or any of its related persons failed to comply with the “fit and proper person” requirement; and

Football betting duty

- (k) to consider amending the Bill so as to provide for the allocation of a certain percentage of the tax revenue generated from football betting for the dedicated fund and the promotion of soccer sport.

4. As regards paragraph 3(b) above, the Administration agreed that SHA would give an undertaking in his speech to be delivered during the resumption of the Second Reading debate on the Bill that the Government would ensure that there would be adequate funding for the implementation of measures to address gambling-related problems.

5. Ms Cyd HO said that if the Administration had decided not to accept members’ request mentioned in paragraph 3(c), she would propose a CSA to the new section 6B in the Bill. Members noted her draft CSA which was tabled at the meeting.

6. Members agreed that the Hong Kong Jockey Club should be invited to brief members at a future meeting of the Bills Committee on the measures it had taken to prohibit underage betting, protect the privacy of winners and prevent problem and pathological gambling, as well as to present its views on the proposed licensing conditions for football betting.

7. Mr Andrew CHENG informed members that he would prepare his questions on the Bill and football betting in Hong Kong in writing and requested the Administration to provide a written response.

II. Any other business

Date of future meetings

8. Members agreed that the meeting of the Bills Committee scheduled for Monday, 16 June 2003 should be held from 8:30 am to 12:45 pm to receive views from deputations from 8:30 am to 10:30 am, and then meet with the Administration and examine the Bill clause-by-clause from 10:45 am to 12:45 pm. Members also agreed that the meeting originally scheduled for 16 June 2003 from 1 pm to 2:15 pm should be cancelled. The Chairman reminded members to forward any CSAs they would propose to the Bills Committee for consideration as soon as possible. Members also noted that the next meeting would be held on Friday, 13 June 2003 at 8:30 am to receive public views.

9. There being no other business, the meeting ended at 10:30 am.

Council Business Division 2
Legislative Council Secretariat
4 July 2003

**Proceedings of the meeting of the Bills Committee on
 Betting Duty (Amendment) Bill 2003
 on Thursday, 12 June 2003 at 8:30 am
 in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000-000355	Chairman Mr IP Kwok-him	Changes in the arrangements for the meeting scheduled for 16 June 2003	
000356-001400	Chairman Admin	Introduction of the Admin's response to the issues and concerns raised by members at the meeting on 6 June 2003	
001401-002004	Chairman Ms Cyd HO Admin	Proposed amendment to the new section 6B in the Bill to specify that members of the Gaming Commission would include representatives from the fields of religion, education and social work Funding for the implementation of measures to address gambling-related problems	Admin (see paras. 3(b) and (c) and 4 of minutes of meeting)
002005-004036	Chairman Mr IP Kwok-him Admin	Consultation of the Panel on Home Affairs on the provisions to be included in the codes of practice to be issued by the Secretary for Home Affairs in relation to football betting and lotteries Circumstances under which codes of practice would be issued	Admin (see para. 3(d) of minutes of meeting)
004037-010902	Chairman Mr Andrew CHENG Admin	Specification of the types of matches and types of bets for football betting in the Bill or in the licensing conditions Measures to be taken by the licensee to prevent gambling-related problems	Admin (see para. 3(e) and (h) of minutes of meeting)

010903-011800	Chairman Mr Andrew CHENG Admin	Specification of the locations and operating hours of betting premises in the Bill or in the licence Criteria for the approval for the locations and operating hours of betting premises	Admin (see para. 3(f) and (g) of minutes of meeting)
011801-013724	Chairman Mr Andrew CHENG Admin Mr Tommy CHEUNG Ms Cyd HO	Introduction of a “fit and proper person” requirement for the licensed operators of authorized football betting and lotteries and their related persons Invitation of the Hong Kong Jockey Club to a future Bills Committee meeting to brief members on the measures it had taken to prohibit underage betting, protect the privacy of winners and prevent problem and pathological gambling, and to present its views on the proposed licensing conditions for football betting	Admin (see para. 3(i) and (j) of minutes of meeting)
013725-014552	Chairman Mr Andrew CHENG Mr Timothy FOK Admin	Contribution from gambling proceeds to sports developments in other jurisdictions Allocation of a certain percentage of the tax revenue generated from football betting for the promotion of soccer sport in Hong Kong	Admin (see para. 3(k) of minutes of meeting)
014553-015214	Chairman Mr Andrew CHENG Admin ALA	Implementation of measures to address gambling-related problems before the operation of authorized football betting Allocation of a certain percentage of the tax revenue generated from football betting for the dedicated fund	Admin (see para. 3(a) and (k) of minutes of meeting)
015215-015726	Chairman Mr Howard YOUNG Mr IP Kwok-him Mr Andrew CHENG Ms Cyd HO	Arrangements for future meetings of the Bills Committee	