

立法會
Legislative Council

LC Paper No. CB(2)2791/02-03
(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 Monday, 16 June 2003 at 8:30 am
in the Chamber of the Legislative Council Building**

Members Present : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)
Hon Cyd HO Sau-lan
Hon SIN Chung-kai
Dr Hon Philip WONG Yu-hong
Hon Howard YOUNG, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, SBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi
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

Public Officers Attending : Items I and II

Mr Stephen FISHER
Deputy Secretary for Home Affairs (2)

Ms Esther LEUNG
Principal Assistant Secretary for Home Affairs (5)

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

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

Item II

Mrs Teresa CHU
Assistant Commissioner for Inland Revenue (3)

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

**Attendance by
Invitation** : Item I

Prevocational School Educational Workers' Association

Mr James LAM Yat-fung
Chairman

Education Convergence

Mr TSO Kai-lok
Vice-chairman

Mr HO Hon-kuen
Vice-chairman

The Boys and Girls Clubs Association of Hong Kong

Ms YAU Yuk-lan
Supervisor

Mr CHIU Chun-hung
Research and Development Officer

Breakthrough Ltd

Ms Eileen MOK Wai-chi
Manager, Cultural Pavilion

Ms Brandie CHAN Kit-ping
Program Officer, Cultural Pavilion

The Society for Truth and Light

Mr WONG Sai-fai
Director

Ms Helen FU
Supervisor (Administrative and Development)

Kei Yam Alliance Church

Rev SIU Yu-fat
Pastor In-charge

Hong Kong Professional Teachers' Union

Mr CHOW Ka-kong
Senate Vice-Chairman

Mrs NG Shuk-ying
Organization Department Director

The Great Coalition to Oppose Legalization of Soccer
Betting

Mr WONG Hak-lim
Chairman

Hong Kong Christian Anti-Soccer Gambling Alliance

Rev Jeremiah CHU
Vice-Convener

Mr Michael CHAN Wing-ho
Secretary

Individuals

Ms LAW Sau-yin

Mr FONG Che-sing

Mr Andrew HUNG Tsz-wan

Mr Lawrence LOUR Tsang-tsay

Mr Stanley CHAN

Mr CHEUNG Kim-sing

Mr FUNG Kwok-keung

Mr Patrick YUEN Hon-sing

Mr CHUNG Kim-wah
Assistant Professor, Department of Applied Social
Sciences of the Hong Kong Polytechnic University

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

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I. Meeting with the Administration and deputations

[LC Paper Nos. CB(2)2463/02-03(01) to (06), CB(2)2198/02-03(01), CB(2)2248/02-03(07), (09) and (10), CB(2)2483/02-03(02), CB(2)2486/02-03(01) to (04),]

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

2. The Bills Committee received the views from the following 14 deputations and individuals on the Bill -

- (a) Prevocational School Educational Workers' Association
- (b) Education Convergence
- (c) The Boys and Girls Clubs Association of Hong Kong
- (d) Breakthrough Ltd

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- (e) The Society for Truth and Light
- (f) Kei Yam Alliance Church
- (g) Ms LAW Sau-yin
- (h) Mr FONG Che-sing
- (i) Mr Andrew HUNG Tsz-wan
- (j) Mr Lawrence LOUR Tsang-tsay
- (k) Mr Stanley CHAN
- (l) Mr CHEUNG Kim-sing
- (m) Mr FUNG Kwok-keung
- (n) Mr Patrick YUEN Hon-sing

Adm

3. The Administration was requested to consider the following requests from some of the members –

- (a) to set benchmarks on the basis of the statistics on the existing participation in legal and illegal gambling activities in Hong Kong for the purpose of assessing the impact of authorization of football betting on society as well as its effectiveness in combating illegal football gambling activities in future; and
- (b) to address the concerns of members and deputations on the effectiveness of the measures proposed by the Administration on the prevention of underage betting and protection of the underage population from the possible adverse effects of authorization of football betting.

II. Meeting with the Administration

[The Bill, LC Paper Nos. CB(2)2000/02-03(02) and CB(2)2485/02-03(01)]

4. The Bills Committee deliberated (Index of proceedings attached at **Annex**).

5. Mr Andrew CHENG requested that the Bills Committee should consider the response from the Administration to the issues and concerns raised by members at the meeting on 12 June 2003 provided in LC Paper No.

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CB(2)2463/02-03(07) before proceeding to clause-by-clause examination of the Bill. A vote was taken on the request. Two members voted in favour of the request while four members voted against. The request was not agreed to.

6. The Bills Committee proceeded to examine the Bill clause-by-clause and completed examination of clauses 1 to 12 and the proposed new sections 6A to 6E under clause 13 of the Bill.

Adm

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

- (a) to consider widening the scope of the education measures and counseling services provided under the programmes to be financed by the dedicated fund to cover prudent financial management;
- (b) to provide scientific statistics and evidence to illustrate the effectiveness of authorization of football betting on combating illegal football betting activities;
- (c) to request for contribution from the Hong Kong Jockey Club towards the promotion of soccer sport;
- (d) to provide information on the indirect correlation between football betting and the development of problem and pathological gambling behaviour;
- (e) to consider deferring the commencement of the Ordinance until the measures to address gambling-related problems proposed by the Administration were ready for implementation;
- (f) to consider replacing the interpretation of "football" in clause 4 with that adopted by the Fédération Internationale de Football Association;
- (g) to advise which three public officers would be appointed as members of the Gaming Commission under the proposed new section 6B(2)(a);
- (h) to consider specifying the term of office of members of the Gaming Commission as well as the time limit for filling any vacancies in the membership of the Commission in the proposed new section 6B; and
- (i) to consider specifying the circumstances under which a resolution would be approved on circulation of papers by members of the

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Gaming Commission in the new section 6E(4).

ALA4

8. Assistant Legal Adviser 4 was requested to advise –
- (a) whether it would contravene Article 74 of the Basic Law (BL) if members proposed amendment to the commencement date of the Bill; and
 - (b) whether members would be prevented from proposing the amendment mentioned in paragraph 8(a) above under BL 74 if the Administration claimed that the commencement of the Bill was relating to government policy.

Adm

9. The Administration agreed to –
- (a) retitle the Gaming Commission as "Football Betting and Lotteries Commission" so as to better reflect the function of the commission;
 - (b) specify in the proposed new section 6B in the Bill that the composition of the "Gaming Commission" should include one member each from the religious, educational and welfare sector; and
 - (c) provide the draft Committee Stage amendments for giving effect to paragraph 9(a) and (b) above for members' consideration.
10. Members agreed that researchers from the Hong Kong Polytechnic University who conducted the study on Hong Kong people's participation in gambling activities in 2001 should be invited to brief members on the study at a future meeting of the Bills Committee.

II. Any other business

Dates of future meetings

11. In addition to the seven meetings already scheduled for June 2003, members agreed to conduct two more meetings as follows -

<u>Date</u>	<u>Time</u>
Monday, 23 June 2003	8:30 am to 12:45 pm
Tuesday, 24 June 2003	2:30 pm to 4:30 pm

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Members also agreed that the meeting on 24 June would be extended to 6:30 pm, if necessary. Members further agreed to continue examine the Bill clause-by-clause at the next meeting on Wednesday, 18 June 2003 at 10:45 am.

12. There being no other business, the meeting ended at 1 pm.

Council Business Division 2
Legislative Council Secretariat
8 July 2003

**Proceedings of the meeting of the Bills Committee on
 Betting Duty (Amendment) Bill 2003
 on Monday, 16 June 2003 at 8:30 am
 in Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
0000 – 0053	Chairman	Welcoming remarks	
0054 – 0445	Prevocational School Education Workers' Association	Presentation of views	
0446 – 0841	Education Convergence	Presentation of views	
0842 – 1310	The Boys and Girls Clubs Association of Hong Kong	Presentation of views	
1311 – 1849	Breakthrough Ltd	Presentation of views	
1850 – 2346	The Society for Truth and Light	Presentation of views	
2347 – 2751	Kei Yam Alliance Church	Presentation of views	
2752 – 3220	Ms LAW Sau-yin	Presentation of views	
3221 – 3859	Mr FONG Che-sing	Presentation of views	
3900 – 4247	Mr Andrew HUNG Tsz-wan	Presentation of views	
4248 – 4552	Mr Lawrence LOUR Tsang-tsay	Presentation of views	
4553 – 4951	Mr Stanley CHAN	Presentation of views	
4952 – 5359	Mr CHEUNG Kim-sing	Presentation of views	
5400 – 5831	Mr FUNG Kwok-keung	Presentation of views	
5832 – 010254	Mr Patrick YUEN Hon-sing	Presentation of views	
010255 – 010436	Chairman	Arrangements for meetings with deputations	
010437 – 011507	Chairman Mr WONG Sing-chi Hong Kong Christian Anti-Soccer Gambling Alliance Education Convergence Mr FUNG Kwok-keung Hong Kong Professional Teachers' Union The Great Coalition to Oppose Legalization of Soccer Betting	Possible adverse effects of authorization of football betting on society	
011508 – 012112	Ms Cyd HO Mr FONG Che-sing	Impact of authorization of football betting on cross-border gambling activities	

012113 – 013800	Mr Michael MAK Chairman The Great Coalition to Oppose Legalization of Soccer Betting Education Convergence Kei Yam Alliance Church Mr Lawrence LOUR Tsang-tsay Mr Andrew HUNG Tsz-wan Mr FUNG Kwok-keung	Effectiveness of education on the prevention of gambling behaviour	
013801 – 014006	Mr Patrick YUEN Hon-sing	Possible adverse effects of authorization of football betting on society	
014007 – 014110	Hong Kong Christian Anti-Soccer Gambling Alliance	Effectiveness of education on the prevention of gambling behaviour	
014111 – 014534	The Society for Truth and Light	Effectiveness of education on the prevention of gambling behaviour	
014535 - 014759	Chairman Mr SIN Chung-kai	Setting of bench marks for assessing the impact of authorization of football betting on society as well as its effectiveness on combating illegal football betting activities	
014800 – 014923	Hong Kong Professional Teachers' Union	Possible adverse effects of authorization of football betting on society	
014924 – 015313	Mr CHUNG Kim-wah	Effectiveness of authorization of football betting on combating illegal football betting activities Impact of authorized football betting on youth and the development of pathological gambling behaviour	
015314 – 015937	Mr Howard YOUNG Mr FONG Che-sing	Impact of authorized football betting on the turnover of horse race betting Selection of the operator of authorized football betting	
015938 – 020418	Prevocational School Educational Workers' Association Hong Kong Professional Teachers' Union	Effectiveness of education on the prevention of gambling behaviour	
020419 – 021015	Admin	Response to the views expressed by deputations and individuals	
021016 – 021132	Chairman	Issues to be addressed by Admin	Admin (see para. 3(a) and (b) of minutes of meeting)
021133 - 022045		Break	
022046 - 022117	Chairman Mr Andrew CHENG	Timing for the discussion of Admin's response to the concerns and issues raised by members at the meeting on 12 June 2003 provided in LC Paper No. CB(2)2463/02-03(07)	

022118 - 022244	Ms Cyd HO Chairman	Widening of the scope of the educational measures provided under the programmes to be financed by the dedicated fund to cover prudent financial management	Admin (see para 7(a) of minutes of meeting)
022245 - 022542	Mr Abraham SHEK Chairman	Retitling of the Gaming Commission proposed under the proposed new section 6B in the Bill	Admin (see para. 9(a) and (c) of minutes of meeting)
022543 - 024602	Mr Andrew CHENG Chairman Mr WONG Sing-chi Mr Tommy CHEUNG	Timing for the discussion of Admin's response to the concerns and issues raised by members at the meeting on 12 June 2003 provided in LC Paper No. CB(2)2463/02-03(07)	
024603 - 025450	Chairman Mr Andrew CHENG Admin	Clause-by-clause examination of the Bill Designation of part of the tax revenue generated from authorized football betting to the promotion of soccer sport	
025451 - 025755	Ms Cyd HO Admin	Clause 1 Commencement date of the Amendment Ordinance	Admin (see para. 7(e) of minutes of meeting)
025756 - 030419	Chairman Mr Andrew CHENG Admin	Designation of part of the tax revenue generated from authorized football betting to the dedicated fund	
030420 - 031531	Mr WONG Sing-chi Admin Chairman	Designation of part of the tax revenue generated from authorized football betting to the dedicated fund Commencement date of the Amendment Ordinance Effectiveness of authorization of football betting on combating illegal football betting activities	Admin (see para. 7(b) of minutes of meeting)
031532 - 032037	Ms Cyd HO Admin ALA4 Chairman Mr Howard YOUNG	Commencement date of the Amendment Ordinance	
032038 - 032917	Mr Andrew CHENG Chairman Admin	Contribution from the Hong Kong Jockey Club to the dedicated fund and promotion of soccer sport Enforcement action against illegal gambling activities Launching of the measures proposed to address gambling-related problems	Admin (see para. 7(c) of minutes of meeting)

032918 - 033126	Mr Tommy CHEUNG Admin	Retitling of the Gaming Commission proposed under the proposed new section 6B in the Bill	
033127 - 033653	Mr WONG Sing-chi Admin Chairman	Correlation between authorized football betting and the development of pathological gambling behaviour	Admin (see para. 7(d) of minutes of meeting)
033654 - 034313	Mr Andrew CHENG Chairman Admin ALA4 Mr Abraham SHEK	Invitation of researchers from the Hong Kong Polytechnic University to brief the Bills Committee on the study on Hong Kong people's participation in gambling activities in 2001 Possibility of contravening Article 74 of the Basic Law if members proposed amendment to the commencement date of the Ordinance	ALA4 (see para. 8(a) and (b) of minutes of meeting)
034314 - 034449	Chairman Mr Andrew CHENG	Clauses 2 to 3	
034450 - 034927	Mr Andrew CHENG Admin Chairman	Clause 4 Interpretation of "football"	Admin (see para. 7(f) of minutes of meeting)
034928 - 035012	Chairman	Clauses 5 to 10	
035013 - 035244	Chairman Mr Andrew CHENG Admin	Clauses 11 to 12	
035245 - 035455	Chairman Admin Mr Tommy CHEUNG	Clause 13 Proposed new section 6B Retitling of the Gaming Commission to Football Betting and Lotteries Commission Composition of the Gaming Commission	Admin (see para. 9(b) and (c) of minutes of meeting)
035456 - 035832	Mr Andrew CHENG Admin Chairman	Proposed new section 6A(c) Reference to a condition of a licence	
035833 - 040733	Ms Cyd HO Admin Chairman Mr Andrew CHENG	Proposed new section 6B Specification of the term of office of members of the Gaming Commission as well as the time limit for filling any vacancies in the membership of the Commission	Admin (see para. 7(h) of minutes of meeting)
040734 - 041152	Mr Michael MAK Admin Mr Andrew CHENG	Proposed new section 6C Imposition of financial penalty	

041153 - 041720	Ms Cyd HO Admin Chairman Mr Tommy CHEUNG	Proposed new sections 6B, 6D and 6E Public officers to be appointed to the Gaming Commission Chairperson of the Gaming Commission Transaction of the business of the Gaming Commission by circulation of papers	Admin (see para. 7(g) and (i) of minutes of meeting)
041721- 042238	Chairman Mr Howard YOUNG Mr Tommy CHEUNG Ms Cyd HO Mr IP Kwok-him	Date of future meetings	

Council Business Division 2
Legislative Council Secretariat
8 July 2003