

立法會
Legislative Council

LC Paper No. CB(2)2792/02-03
(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 Wednesday, 18 June 2003 at 10:45 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
Hon Eric LI Ka-cheung, JP
Hon James TO Kun-sun
Hon SIN Chung-kai
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 WONG Sing-chi
Hon IP Kwok-him, JP
Hon Audrey EU Yuet-mee, SC, JP
- Members Absent** : Dr Hon Philip WONG Yu-hong
Hon Michael MAK Kwok-fung
- 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

Attendance by Invitation : The Hong Kong Jockey Club

Mr Henry S K CHAN
Executive Director, Betting

Mr KIM K W MAK
Executive Director, Corporate Development

Ms June TENG
Head of Public Affairs

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
[The Bill, LC Paper No. CB(2)2000/02-03(02)]

The Bills Committee deliberated and completed clause-by-clause examination of the proposed new sections 6F to 6H (Index of proceedings attached at **Annex**).

2. Members noted the second draft of the Committee Stage amendments (CSAs) to clause 1(2) and the proposed new sections 6B and 6E to be proposed

by Ms Cyd HO which was tabled at the meeting.

Adm

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

Clause 1

- (a) to consider deferring the commencement of the Ordinance until 1 January 2004 so that the measures to address gambling-related problems proposed by the Administration would be implemented before the commencement of the operation of authorized football betting;

Clause 13

Proposed new section 6B

- (b) to explain from a legal point of view why the Chief Executive (CE) would have the authority to terminate the appointment of members of the Gaming Commission;
- (c) to consider amending the section to the effect that CE would not appoint a public officer as the Chairperson of the Commission;

Proposed new section 6C

- (d) to explain the division of responsibilities between the Gaming Commission and the advisory committee on the dedicated fund;
- (e) to review similar licensing conditions in other types of licences and consider introducing an appeal mechanism against warnings issued to licensees under the proposed licensing conditions for authorized football betting;

Proposed new section 6D

- (f) to compare the section with similar provisions for the performance of functions of other statutory bodies in the ordinances concerned and consider whether similar expressions should be used;

Proposed new section 6E

- (g) to provide further information on the meeting procedure of the Gaming Commission with special reference to the transparency of its meeting arrangements;

- (h) to specify the circumstances under which a resolution would be approved on circulation of papers by members of the Commission;

Proposed new section 6G

- (i) to provide for members' reference the draft code of practice on the types of bets allowed for authorized football betting; and

Proposed new section 6H

- (j) to review whether a provision should be added for imposing financial penalty on unauthorized football betting activities.

Adm 4. The Administration agreed to the following -

- (a) any vacancies in the membership of the Gaming Commission would be filled within three months;
- (b) it would provide the draft CSA for giving effect to paragraph 4(a) above for members' consideration; and
- (c) Secretary for Home Affairs would give an undertaking in his speech to be delivered during the resumption of the Second Reading debate on the Bill that only one licence for authorized football betting would be issued.

Adm 5. Members noted that the Administration had proposed to add a "fit and proper person" requirement to the licensing conditions for authorized football betting stipulated in the proposed new section 6G in the Bill and that it would provide the draft CSA for members' consideration.

II. Meeting with the Hong Kong Jockey Club

6. The Bills Committee held discussion with representatives of the Hong Kong Jockey Club on the operation of and licensing conditions for authorized football betting (Index of proceedings attached at **Annex**).

III. Any other business

Date of next meeting

7. Members noted that the next meeting would be held on Friday, 20 June 2003 at 8:30 am to continue clause-by-clause examination of the Bill.
8. There being no other business, the meeting ended at 1:05 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 Wednesday, 18 June 2003 at 10:45 am
 in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
0000 - 0731	Chairman Mr Andrew CHENG Admin	Clause-by-clause examination of the Bill Clause 13 Proposed new section 6B The authority of the Chief Executive to terminate the appointment of members of the Gaming Commission	Admin (see para. 3(b) of minutes of meeting)
0732 - 1229	Mr Andrew CHENG Admin	Proposed new section 6C The types of lotteries that could be conducted by the licensed operator	
1230 - 1928	Ms Cyd HO Admin Chairman Mr IP Kwok-him	Draft Committee Stage amendments (CSAs) to be proposed by Ms Cyd HO to clause 1(2), and the proposed new sections 6B and 6E	Admin (see paras. 3(a), (c) and (h), and 4(a) and (b) of minutes of meeting)
1929 - 2722	Mr WONG Sing-chi Admin Chairman	Proposed new section 6C Division of responsibilities between the Gaming Commission and the advisory committee on the dedicated fund	Admin (see para. 3(d) of minutes of meeting)
2723 - 3659	Mr Andrew CHENG Admin Chairman Ms Cyd HO	Proposed new section 6E Meeting procedure and the transparency of meeting arrangements of the Gaming Commission	Admin (see para. 3(g) of minutes of meeting)
3700 - 4604	Mr Andrew CHENG Admin Chairman Mr Tommy CHEUNG	Penalties that could be imposed on the licensees by the Secretary for Home Affairs (SHA) Issue of warnings	Admin (see para. 3(e) of minutes of meeting)
4605 - 4931	Chairman Mr Andrew CHENG Admin Mr SIN Chung-kai	Proposed new section 6D Performance of function	Admin (see para. 3(f) of minutes of meeting)
4932 - 5118	Chairman Admin	Proposed new section 6G Draft CSA to be proposed by Admin to add the "fit and proper person" requirement to the licensing conditions for authorized football betting	Admin (see para. 5 of minutes of meeting)

5119 - 010057	Mr SIN Chung-kai Admin Mr Andrew CHENG Chairman Mr WONG Sing-chi	Number of licences for authorized football betting to be issued by SHA	
010058 - 011654	Mr Andrew CHENG Admin Chairman Mr Tommy CHEUNG ALA4	Types of bets allowed for authorized football betting	Admin (see para. 3(i) of minutes of meeting)
011655 - 012028	Ms Cyd HO Chairman Admin ALA4	Proposed new section 6H Betting duty charged on the conduct of authorized betting on football matches	Admin (see para. 4(c) of minutes of meeting)
012029 - 012247	Mr Eric LI Chairman Admin	Provision for imposing financial penalty on unauthorized football betting activities	Admin (see para. 3(j) of minutes of meeting)
012248 - 012427	Chairman Mr Andrew CHENG	Proposed new section 6G and 6H	
012428 - 012539	Chairman	Meeting with the Hong Kong Jockey Club (HKJC) Introduction of representatives of HKJC	
012540 - 012913	HKJC	Conduct of authorized football betting by HKJC	
012914 - 013531	Mr Howard YOUNG HKJC	Advantages of HKJC in the conduct of authorized football betting over its competitors	
013532 - 014414	Mr Andrew CHENG HKJC	Effectiveness of authorized football betting on combating illegal football betting activities	
014415 - 014553	Mr SIN Chung-kai HKJC	Acceptance of bets from outside Hong Kong	
014554 - 014919	Mr IP Kwok-him HKJC	Screening of football matches in betting premises	
014920 - 015934	Mr Tommy CHEUNG HKJC	Screening of football matches in betting premises Operating hours of betting premises and measures to reduce disturbance to residents in the neighbourhood Possibility of HKJC suffering losses from conducting authorized football betting	
015935 - 020529	Mr Abraham SHEK HKJC	Impact of authorized football betting on the supervisory board and management of HKJC Employment opportunities to be created by authorized football betting Increase in HKJC's charitable donations after the conduct of authorized football betting	

020530 - 022018	Mr Andrew CHENG HKJC	Codes of practices on compliance with licensing conditions to be issued by the Administration Types of football matches and bets to be offered by HKJC The amount of turnover estimated by the Administration Possible conflicts between the promotional activities conducted by HKJC and its Responsible Gambling Policy Contribution by HKJC towards the promotion of soccer sport	
022019 - 022100	Chairman	Date of next meeting	

Council Business Division 2
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8 July 2003