

立法會
Legislative Council

LC Paper No. CB(2)2804/02-03
(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, 23 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
Hon Eric LI Ka-cheung, JP
Hon SIN Chung-kai
Hon Howard YOUNG, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, SBS, 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** : Hon James TO Kun-sun
Dr Hon Philip WONG Yu-hong
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Abraham SHEK Lai-him, JP
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

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

Committee Stage amendments (CSAs) to be proposed by the Administration and members

[LC Paper Nos. CB(2)2531/02-03(02) and CB(2)2603/02-03(02)]

The Committee deliberated the draft CSAs to be proposed by the Administration and the second draft CSAs to be proposed by Ms Cyd HO (index of proceedings attached at **Annex**).

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2. The Administration undertook to -

- (a) include conflict of interest as one of the consideration for the Secretary for Home Affairs (SHA) to determine whether the licensed operators of authorized football betting and lotteries and their related persons were fit and proper under the proposed new 6AAA section in the draft CSAs to be proposed by the Administration;
- (b) make reference to the wording of section 20E of the Legislative Council Ordinance (Cap. 542) and section 4 of the Human Reproductive Technology Ordinance (Cap. 561) and consider

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amending the draft CSA to the proposed new section 6B on the inclusion of one member each from the education, social welfare and religious sectors in the composition of the "Football Betting and Lotteries Commission";

- (c) give an undertaking in the speech to be delivered by SHA during the resumption of the Second Reading debate on the Bill that the placing of hedging bets by a football betting conductor would be closely monitored and set out the areas that would be included in the hedging policy submitted by a football betting conductor; and
- (d) consider specifying in the proposed new section 6R that it was an offence for any person even to give away a football betting ticket to a juvenile.

3. Ms Cyd HO informed members that since she agreed to the draft CSAs to be proposed by the Administration to the proposed new section 6B regarding the appointment of the Chairperson and filling of vacancies in the membership of the Football Betting and Lotteries Commission, as well as the draft CSAs to the proposed new section 6E regarding the transaction of business of the Commission by circulation of papers, she would not propose CSAs to these subsections. However, she said that as the Administration did not agree to postpone the commencement of the Amendment Ordinance, she would propose a CSA to clause 1(2). She added that if the Administration did not accept her proposed description of the three members to be added to the composition of the Football Betting and Lotteries Commission in paragraph 2(b) above, she would propose CSAs accordingly.

Outstanding issues arising from previous meetings

[LC Paper Nos. CB(2) 2603/02-03(04) and CB(2)2609/02-03(01)]

4. The Committee deliberated the Administration's response to the issues and concerns raised by members at the meeting on 18 June 2003 (index of proceedings attached at **Annex**).

5. Members agreed that the Administration's response to the outstanding issues arising from, and to the views of the deputations expressed at, previous meetings should be discussed at the next meeting on 24 June 2003. Members also noted that the research team of the Hong Kong Polytechnic University conducting the study on Hong Kong people's participation in gambling activities in 2001 had been disbanded and that one of the team members had attended meetings of the Bills Committee twice to present his personal views on the Bill. In view of the above, members agreed that it was not necessary to arrange for a briefing on the study at the next meeting and members might refer to the report of the study provided by the Administration for details of the study. Members noted that representatives of the Education and Manpower Bureau

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would be invited to brief members on the education measures implemented by the Bureau to prevent gambling-related problems at the next meeting.

II. Any other business

Date of next meeting

6. Members noted that the next meeting would be held on Tuesday, 24 June 2003 from 2:30 pm to 6:30 pm.

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

Council Business Division 2
Legislative Council Secretariat
9 July 2003

**Proceedings of the meeting of the Bills Committee on
 Betting Duty (Amendment) Bill 2003
 on Monday, 23 June 2003 at 8:30 am
 in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
0000 – 0713	Chairman Admin	Draft Committee Stage amendments (CSAs) to be proposed by Admin [LC Paper No. CB(2)2603/02-03(02)]	
0714 – 0856	Mr Howard YOUNG Admin Chairman	CSA to clause 4 Definition of "football"	
0857 – 1057	Admin	CSA to add new section 12A	
1058 – 1420	Ms Audrey EU Admin Chairman	CSA to add new section 6AAA	
1421 – 1644	Chairman Admin	CSA to clause 13, new section 6A	
1645 – 1756	Ms Cyd HO Chairman Admin	Definition of "juvenile"	
1757 - 2940	Chairman Admin Mr Tommy CHEUNG Ms Audrey EU Ms Cyd HO ALA4	CSA to add new section 6AAA Factors that the Secretary for Home Affairs considered relevant in determining if a person was a "fit and proper" person	
2941 – 3754	Mr WONG Sing-chi Admin Chairman Mr Tommy CHEUNG	Conflict of interest to be added as one of the considerations in determining whether licensed operators of authorized football betting and lotteries and their related persons were fit and proper	Admin (see para. 2(a) of minutes of meeting)
3755 – 5154	Chairman Admin Ms Cyd HO Mr Howard YOUNG Mr Tommy CHEUNG	CSA to the new section 6B Draft CSAs to be proposed by Ms Cyd HO [LC Paper No. CB(2) 2531/02-03(02)] Suggestion to make reference to the wording of section 20E of the Legislative Council Ordinance and section 4 of the Human Reproductive Technology Ordinance in amending the draft CSA to the new section 6B to include one member each from the education, social welfare and religious sectors in the composition of the Football and Lotteries Commission	Admin (see para. 2(b) of minutes of meeting)
5155 – 5544	Chairman Admin Ms Cyd HO Mr Howard YOUNG	CSA to the new section 6B to specify the time limit for filling a vacancy in the membership of the Football and Lotteries Commission	

5545 – 5809	Chairman Admin Ms Cyd HO	CSA to the new section 6E	
5810 – 010801	Chairman Admin	CSAs to the new sections 6F, 6G, 6J, 6M, 6N, 6O, and 6P	
010802 – 011442	Ms Cyd HO Admin Chairman	CSA to the new section 6Q Monitoring of the placing of hedging bets by a football betting conductor and areas that would be included in the hedging policy to be submitted by the conductor	Admin (see para. 2(c) of minutes of meeting)
011443 – 013220	Chairman Admin Mr WONG Sing-chi Ms Cyd HO Mr Tommy CHEUNG Mr Howard YOUNG	CSAs to the new sections 6R and 6S Restrictions on giving away a football betting ticket to a juvenile	Admin (see para. 2(d) of minutes of meeting)
013221 – 013747	Chairman Admin	CSAs to the new sections 6U, 6Y, 6Z, 6ZA and 6ZB, and clauses 17 and 19	
013748 – 013830	Ms Cyd HO	Proposal to defer the commencement of the Amendment Ordinance Wording of the CSA to add a member each from the education, social welfare and religious sectors to the composition of the Football and Lotteries Commission	
013831 – 014852	Chairman Admin	Admin's response to the issues raised at the meeting on 18 June 2003 [LC Paper No. CB(2)2603/02-03(04)]	
014853 – 015001	Ms Cyd HO Chairman	Admin to provide response to the outstanding issues arising from previous meetings	
015002 – 015502	Chairman Admin Ms Cyd HO	Resumption of the Second Reading debate on the Bill	

Council Business Division 2
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