

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2805/02-03  
(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 Tuesday, 24 June 2003 at 2:30 pm**  
**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 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 WONG Sing-chi
- Members Absent** : Hon Eric LI Ka-cheung, JP  
Hon James TO Kun-sun  
Hon Michael MAK Kwok-fung  
Hon IP Kwok-him, JP  
Hon Audrey EU Yuet-mee, SC, JP
- 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

Mr Chris WARDLAW  
Deputy Secretary for Education and Manpower

Mr CHEUNG Wing-hung  
Chief Curriculum Development Officer (Moral and  
Civic Education)  
Education and Manpower Bureau

Mr LEE Chi-hoi  
Senior Curriculum Development Officer (Moral and  
Civic Education)  
Education and Manpower Bureau

**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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Action

**I. Meeting with the Administration**

Educational measures to prevent gambling-related problems

The Committee received a briefing on the educational measures implemented by the Education and Manpower Bureau to prevent gambling-related problems (index of proceedings attached at **Annex**).

Adm 2. The Administration was requested to consider the following requests from members –

- (a) to expedite the implementation of educational measures to enhance the understanding of school students about gambling problems; and
- (b) to include informative materials in these measures apart from educational materials so that school students would have a good understanding about authorization of football betting such as prohibition of underage betting and credit betting.

Issues arising from previous meetings

[LC Paper Nos. CB(2)2603/02-03(03) and CB(2)2603/02-03(05)]

3. The Committee deliberated the Administration's responses to the outstanding issues and concerns raised by members as well as the views expressed by deputations at previous meetings (index of proceedings attached at **Annex**).

Adm 4. The Administration had undertaken –

- (a) to set out in the licence for authorized football betting and lotteries the operating hours for the betting premises which would be open until 11:30 pm;
- (b) to consult relevant local bodies, including the District Council concerned, for the extension of operating hours of betting premises beyond 11:30 pm in the future which would be considered on a case by case basis by the Secretary for Home Affairs (SHA);
- (c) to amend the proposed new section 6AAA in the draft Committee Stage amendments (CSAs) to be proposed by the Administration so as to include conflict of interest as one of the considerations for SHA to determine whether the licensed operator and its related persons were fit and proper;
- (d) to advise whether there were provisions in other legislation similar to the proposed new section 6Z which provided an appeal channel with the power to confirm, vary or reverse the decision of the authority;
- (e) to propose a CSA to the proposed new section 6ZF(3) to raise the penalty for contravention of section 6ZF(1) on the keeping of records of authorized football betting or lotteries from level 3 to

level 6;

- (f) to review its policy of authorization of football betting against certain benchmarks, such as the changes in the intensity of illegal gambling activities and the number of problem and pathological gamblers, and report the results to the Panel on Home Affairs in around two years' time after the legislation (if passed) had come into operation;
- (g) to commission academic institutions to conduct tracking surveys on the impact of authorization of football betting on the prevalence of problem and pathological gambling;
- (h) to make a progress report to the Panel on Home Affairs at its first regular meeting in the next legislative session on the implementation of the educational measures as well as provision of counselling and treatment services to address gambling-related problems, and enforcement action taken by the Police in combating illegal football gambling activities; and
- (i) to address the concern that authorization of football betting would lead to deteriorating moral standards in the community and explain how the Government would address the social problems arising from authorizing football betting in the SHA's speech to be delivered during the resumption of the Second Reading debate on the Bill.

Adm

5. The Administration was requested to provide a written response to the following requests from some members before 12:00 noon 25 June 2003 –

- (a) to consider amending the proposed new section 6R so as to impose additional penalty on the sale of football betting tickets to juveniles; and
- (b) to consider amending the proposed new section 6E to the effect that meetings of the Football Betting and Lotteries Commission should be open to the public, unless the Chairperson decided otherwise.

Draft Committee Stage amendments (CSAs)

[LC Paper Nos. CB(2)2642/02-03(01) and CB(2)2661/02-03(01)]

6. The Committee deliberated the draft CSAs to be proposed by the Administration (24 June 2003 version) and those by Mr Andrew CHENG to the proposed new sections 6G, 6Z and 6ZA (index of proceedings attached at **Annex**).

7. Members noted that the Administration had included the amendments mentioned in paragraph 4(c) and (e) above in its draft CSAs. Members also noted that the Administration had made 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 amended the draft CSA to the proposed new section 6B(2) to specify the inclusion of one member each from the education, social welfare and religious sectors in the composition of the Football Betting and Lotteries Commission.

8. Mr Andrew CHENG informed members that if the Administration did not accept members' requests in paragraph 5 above, he would move CSAs accordingly.

## **II. Any other business**

### Resumption of Second Reading debate

9. The Administration explained to the Committee that there was a strong reason of public interest to resume the Second Reading debate on the Bill as soon as possible, i.e., on 9 July 2003. However, as the Committee had not completed its deliberations on the Bill until 24 June 2003, the Administration had not given notice for resumption on 23 June 2003, in accordance with the Rules of Procedure. The Administration therefore sought the support of the Committee for its request to the President for the requisite notice period to be waived, in order that the Bill could resume the Second Reading debate on 9 July 2003.

10. A vote was taken on the Administration's request. Mr Howard YOUNG, Mr Abraham SHEK and Mr Tommy CHEUNG voted in favour of the request while Mr SIN Chung-kai and Mr Andrew CHENG voted against. Hon Cyd HO was abstained from voting. The Committee decided to submit a written report to the House Committee at its meeting on 27 June 2003 and recommend that the Administration's request to the President for the requisite notice period for resumption of the Secondary Reading debate on the Bill to be waived be supported.

11. There being no other business, the meeting ended at 4:45 pm.

**Proceedings of the meeting of the Bills Committee on  
 Betting Duty (Amendment) Bill 2003  
 on Monday, 24 June 2003 at 2:30 pm  
 in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
0000 - 0042	Chairman	Introduction of the representatives of the Education and Manpower Bureau (EMB)	
0043 - 0609	Admin	Introduction of the measures implemented by EMB to prevent gambling-related problems	
0610 - 2446	Chairman Mr Andrew CHENG Admin	Measures to be implemented before the summer vacation at schools to reduce the adverse effects of authorized football betting on school students	<b>Admin</b> (see para. 2(a) of minutes of meeting)
2447 - 3004	Mr Tommy CHEUNG Admin Chairman	School students' participation in gambling activities	
3005 - 3914	Ms Cyd HO Chairman Admin	Focus of preventive measures on football betting	<b>Admin</b> (see para. 2(b) of minutes of meeting)
3915 - 5721	Chairman Mr Andrew CHENG Admin	Admin's response to the issues raised at previous meetings [LC Paper No. CB(2)2603/02-03 (03)]	<b>Admin</b> (see para. 4(a), (b) and (e) of minutes of meeting)
5722 - 011319	Mr Andrew CHENG Chairman Admin Ms Cyd HO	Review of the policy of authorization of football betting against certain benchmarks  Operating hours of off-course betting branches	<b>Admin</b> (see para. 4(f) and (g) of minutes of meeting)
011320 - 011520	Chairman ALA4 Admin	Variation of the penalty imposed on a licence holder by the Secretary for Home Affairs by the Appeal Board	<b>Admin</b> (see para. 4(d) of minutes of meeting)
011521 - 013243	Mr Andrew CHENG Chairman Admin Mr Tommy CHEUNG Mr Abraham SHEK Ms Cyd HO	Proposal for additional penalty on the sale of football betting tickets to juveniles	<b>Admin</b> (see para. 5(a) of minutes of meeting)
013244 - 014616	Chairman Mr Andrew CHENG Ms Cyd HO Admin	Revised draft CSAs to be proposed by Admin [LC Paper No. CB(2)2661/02-03 (01)]  Request for amendment to the proposed new section 6E to the effect that meetings of the Football Betting and Lotteries Commission would be open to the public	<b>Admin</b> (see paras. 4(c) and 5(b) of minutes of meeting)
014617 - 015112	Mr Andrew CHENG	Draft CSAs to be proposed by Mr Andrew CHENG [LC Paper No. CB(2)2462/02-03 (01)]	

015113 - 015255	Chairman	Admin's overall reponse to deputations' views on the Bill [LC Paper No. CB(2) 2603/02-03(05)]	
015256 - 015348	Mr Andrew CHENG Chairman	Draft CSA to the new section 6ZD	
015349 - 020600	Chairman Admin Mr Andrew CHENG Ms Cyd HO Mr Abraham SHEK Mr Tommy CHEUNG	Admin's request for support of the resumption of the Second Reading debate on the Bill at the Council meeting on 9 July 2003	
020601 - 020716	Chairman	Voting on Admin's request  Decision of the Bills Committee	
020717 - 021038	Mr Abraham SHEK Chairman Admin	Concern of members and deputations about the deterioration of moral standards in the community caused by authorization of football betting	<b>Admin (see para. 4(i) of minutes of meeting)</b>
021039 - 021146	Ms Cyd HO	Follow-up action requested of the Admin	<b>Admin (see para. 4(h) of minutes of meeting)</b>
021147 - 021344	Mr Abraham SHEK Chairman Admin	Admin's response to the concerns of members and deputations on the impact of authorized football betting on moral standards	

Council Business Division 2  
Legislative Council Secretariat  
9 July 2003