

立法會
Legislative Council

LC Paper No. CB(2)516/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/SS/1/02

**Subcommittee on Karaoke Establishments (Licensing) Regulation
and Karaoke Establishments (Fees) Regulation**

**Minutes of the 1st meeting
held on Friday, 15 November 2002 at 4:30 pm
in Conference Room B of the Legislative Council Building**

Members Present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Eric LI Ka-cheung, JP
Hon Andrew WONG Wang-fat, JP
Hon LAU Kong-wah
Hon Henry WU King-cheong, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP

Members Absent : Hon James TO Kun-sun
Hon MA Fung-kwok, JP

Public Officers Attending : Mrs Jennie CHOK
Deputy Secretary for Security

Mr David WONG
Principal Assistant Secretary (Security)

Ms Monica LAW
Senior Assistant Law Draftsman

Mr LEE Chee-chung
Chief Fire Officer/Fire Safety
Fire Services Department

Mr MO Kim-ming

Action

Assistant Director/New Buildings (1)
Buildings Department

Mr TANG Hung-ki
Chief Officer (Licensing Authority)
Home Affairs Department

Mr HUNG Chi-pai
Assistant Director (Operations) 1
Food and Environmental Hygiene Department

Mr Damian CHAN
Assistant Secretary for Security

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Miss Connie FUNG
Assistant Legal Adviser 3

Miss Mary SO
Senior Assistant Secretary (2) 8

I. Election of Chairman

Ms Audrey EU was elected Chairman of the Subcommittee.

II. Meeting with the Administration
(LC Paper Nos. CB(2)363/02-03(01) to (03))

2. The Subcommittee deliberated (Index of proceedings at **Annex I**).

3. Mr Tommy CHEUNG raised a number of questions concerning the Karaoke Establishments (Licensing) Regulation and Karaoke Establishments (Fees) Regulation, details of which were set out in **Annex II**. As most of the questions raised were straightforward and having regard to the time limit of the scrutiny period, the Chairman suggested that Mr CHEUNG should first discuss his questions with the Administration and to refer those which could not be satisfactorily answered by the Administration for follow-up by the Subcommittee at its next meeting. Mr

Action

CHEUNG agreed. The Chairman also requested the Administration to provide a brief paper on the outcome of the discussion before the next meeting.

4. As requested by the Subcommittee, the Administration agreed to consider amending section 9 of the Karaoke Establishments (Licensing) Regulation to the effect that a grantee or licensee committed an offence if he or she, without reasonable excuse, contravened section 5, 6, 7 or 8 of the Regulation.

5. Having regard to the queries raised by Mr Andrew WONG concerning the licensing procedures for application for a karaoke establishment permit for licensed restaurants, the Administration undertook to provide the relevant flow chart showing the length of time required for completing the different stages of the licensing process.

III. Date of next meeting

6. Members agreed to hold the next meeting on 25 November 2002 at 8:30 am to continue discussion on the two Regulations. Members further agreed that the Chairman should move a motion at the Council meeting of 20 November 2002 to extend the scrutiny period to the Council meeting of 18 December 2002.

7. There being no other business, the meeting ended at 5:00 pm.

Council Business Division 2
Legislative Council Secretariat
29 November 2002

**Proceedings of the 1st meeting of the
Subcommittee on Karaoke Establishments (Licensing) Regulation
and Karaoke Establishments (Fees) Regulation
on Friday, 15 November 2002 at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 - 000048	Dr David CHU, Ms Audrey EU, Mr Andrew WONG, Mr Tommy CHEUNG and Mr Henry WU	Election of Chairman	
000049 - 000746	Administration	Briefed members on the Karaoke Establishments (Licensing) Regulation and Karaoke Establishments (Fees) Regulation	
000747 - 001733	Mr Tommy CHEUNG, Administration and Chairman	Questions raised by Mr Tommy CHEUNG on the two Regulations	✓ (Admin to provide a written response)
001734 - 002030	Mr Henry WU, Chairman and Administration	Section 9 of the Karaoke Establishments (Licensing) Regulation concerning offences and penalties	✓ (Admin to provide a written response)
002031 - 002718	Mr Andrew WONG and Administration	Procedures for application for a karaoke establishment permit for licensed restaurants	✓ (Admin to provide a written response)
002719 - 002852	Chairman	Date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
29 November 2002

附件 II
Annex II

卡拉 OK 業界對
《卡拉 OK 場所（發牌）規例》及
《卡拉 OK 場所（費用）規例》
之意見

《卡拉 OK 場所（發牌）規例》

- 2(a) 何謂「發牌當局認為滿意的方式」？
- (a)(iii) 「所有用於卡拉 OK 的器材及設備的位置」是否指業界為了令喇叭的接收好一點而要搬動喇叭，都要通知當局，不通知則屬犯法？業界建議刪除此條文。
- (a)(viii) 提及「大型傢俱...的位置」，請問搬梳化及搬張櫈算不算改動位置，及是否須要告知發牌當局？
- 3(1)(d) 可否闡釋何謂「該處所是否得到耐火結構充份保護」？業界認為這個寫法太籠統。另外，當局短期內會否提高耐火結構保護的標準？若會，當局會否諮詢立法會及業界？抑或任何新要求只會影響新的持牌者，現有持牌人則不會受影響？
- (f) 條文提及，如果卡拉 OK 處所正展開、進行或已完成《建築物條例》所界定的建築工程，發牌當局可考慮屋宇署署長所發出的批准書或署長所收到的證明書，決定處所是否適宜用作經營卡拉 OK。當局可否解釋條文所指的是哪種工程？倘《建築物條例》的要求有所改變，請問已完成的工程再更改，以符合法例的新規定？
- 6 當局可否解釋條文「處所內須提供並保持有足夠為所有傳聲器而設的潔淨設施，而傳聲筒均須保持潔淨衛生」的衛生要求？所指的清潔設施又是甚麼？
- 附表 1
- 2(8) 請解釋條文中「在黑暗中仍能顯示通往出口路線的低位方向指示牌」的意思？這與現時卡拉 OK 場所使用的出

口指示有何不同？

- (11) 所述的「安全短片」由誰製作？是否由政府拍攝，然後交卡拉 OK 處所播放？抑或政府決定 story board，由業界製作？短片的內容是一般性，抑或不同的卡拉 OK 而有不同？
- (12) 條文提出卡拉 OK 設置影音通報系統，火警警報器響起時能打斷卡拉 OK 的運作。是否必須疏散？業界建議取消此條文。由經營者透過 2(11)的安全短片，是否已足以提醒客人注意警報器響聲？

附表 2

- 1 關於結構適合程度，之前審議主體法例時，業界要求過，如現有卡拉 OK 處所的外加荷載少於 5 千帕斯卡，應獲得豁免。請當局修改條文或作出 undertaking。
- 3(1) 條文指「出口路線（包括內部走廊）須最少闊 1.2 米」，出口路線的外部是否也符合此規定？
- (2) 有關逃生出口路線因建築物設計無法達到法定要求，「須額外提供令發牌當局滿意的安全措施」，是否指建築圖則須經政府批准，業界才應該承租該處所？

《卡拉 OK 場所（費用）規例》

- 純粹的卡拉 OK 牌照（並不依附食肆牌的場所），如處所的總樓面面積超過 400 平方米，收費 \$27,800，業界認為十分昂貴。這收費是如何計算出來，包括甚麼服務及人手？
- 當局可否提供資料，比較各類娛樂場所的牌照收費為何，以解釋卡拉 OK 牌照費用如何釐定？