

立法會
Legislative Council

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Panel on Home Affairs

Minutes of meeting
held on Friday, 12 December 2003 at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon IP Kwok-him, JP (Chairman)
Hon MA Fung-kwok, JP (Deputy Chairman)
Hon Cyd HO Sau-lan
Hon NG Leung-sing, JP
Hon Andrew WONG Wang-fat, JP
Hon WONG Yung-kan
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, SBS, JP
Dr Hon TANG Siu-tong, JP
Hon Henry WU King-cheong, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon WONG Sing-chi

Members absent : Hon Albert HO Chun-yan
Hon James TO Kun-sun
Hon LAU Wong-fat, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Dr Hon LO Wing-lok, JP

Public Officers attending : Item III
Mr Stephen FISHER
Deputy Secretary for Home Affairs (1)

Mr John DEAN
Principal Assistant Secretary for Home Affairs (4)

Mr Alvin LI
Assistant Commissioner (Social), Census and Statistics
Department

Item IV

Mr Stephen FISHER
Deputy Secretary for Home Affairs (1)

Ms Esther LEUNG
Principal Assistant Secretary for Home Affairs (1)

Mr Ryan CHIU
Assistant Secretary for Home Affairs (1)

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

Staff in attendance : Ms Joanne MAK
Senior Assistant Secretary (2)2

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I. Information paper(s) issued since the last meeting
(LC Paper No. CB(2)637/03-04(01) and CB(2)638/03-04(01))

The Chairman invited members to note the following papers issued since the last meeting -

- (a) paper entitled "Latest developments of the new administrative structure on sports development" provided by the Administration (LC Paper No. CB(2)637/03-04(01)); and
- (b) paper entitled "Report on the campaign to relaunch Hong Kong's economy" provided by the Administration (LC Paper No. CB(2)638/03-04(01)).

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II. Items for discussion at the next meeting

(Appendices I and II to LC Paper No. CB(2)633/03-04)

2. Members agreed that the Secretary for Home Affairs (SHA) should be invited to the next regular meeting on 9 January 2004 at 10:45 am to brief members on his policy initiatives and work plan for the year ahead. Members also agreed that the Panel would further discuss the way forward in relation to matters arising from previous discussions on issues relating to the appointment and termination of contract of Mr Patrick YU Chung-yin as Director (Operations) by the Equal Opportunities Commission (EOC) and how the Government safeguarded the credibility of EOC at the next meeting.

Subcommittee on review of the Building Management Ordinance

3. The Chairman said that at the last meeting on 28 November 2003, some members had proposed that the Subcommittee on review of the Building Management Ordinance (the Subcommittee) should resume meetings with the Administration to explore what further improvements could be made to the Building Management Ordinance. Members agreed that the Subcommittee should continue its work.

Proposed research study on hosting of the 2009 East Asian Games

4. At the Chairman's suggestion, members agreed that the Research and Library Services Division should conduct a research study on the experience of hosting previous East Asian (EA) Games and the possible economic and other impact of hosting the 2009 EA Games on Hong Kong. Members further agreed that a research outline for the study should be provided to the Panel for consideration and endorsement at the meeting on 13 February 2004.

III. Summary results of the 2001 Population Census - characteristics of South and Southeast Asian minorities (excluding foreign domestic helpers)

(LC Paper No. CB(2)2937/02-03(01) and CB(2)688/03-04(01))

5. Deputy Secretary for Home Affairs (1) (DS(HA)(1)) said that in response to members' requests, the Administration had provided a paper entitled "Hong Kong 2001 Population Census - characteristics of South and Southeast Asian minorities (excluding foreign domestic helpers)" (LC Paper No. CB(2)2937/02-03(01)) to the Panel in July 2003.

6. Assistant Commissioner for Census and Statistics (Social) (AC(S)) gave a PowerPoint presentation on the findings pertaining to the following ethnic groups in Hong Kong: the Filipinos, Indians, Indonesians, Nepalese, Pakistanis, Thais and other Asians (other than Japanese, Koreans and "Mixed"), excluding

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foreign domestic helpers, with comparison to the whole population excluding foreign domestic helpers. The findings on these South and Southeast Asian minorities (excluding foreign domestic helpers), obtained through the 2001 Population Census, covered their age distribution, marital status, place of birth, languages commonly spoken at home, educational attainment, labour force participation, occupational distribution, median income, living arrangement, type of housing, geographical distribution, etc. The findings were detailed in the Administration's paper.

7. Noting that 54.1% of Indonesians were living in the New Territories (NT), the Chairman asked about their distribution in NT. AC(S) said that Indonesians were found mainly living in Tuen Mun (10%) and Yuen Long (10%). He said that about 70% of female Indonesians aged 15 and above in Hong Kong were married to Hong Kong residents of Chinese origin. The fact that a large proportion of Indonesians lived in the New Territories was probably due to the fact that their husbands had been living in there.

8. Mr WONG Sing-chi asked about the Administration's policy on these South and Southeast Asian minorities since there was quite a large number of them living in Hong Kong. DS(HA)(1) explained that the Administration's policy was to encourage integration of these ethnic minorities into the local community in the social and economic fronts while facilitating the preservation of their cultural and religious characteristics and traditions. In respect of education, the Administration's goal was to integrate children of the ethnic groups who were born in Hong Kong or came to Hong Kong when they were small into Hong Kong's mainstream education system. DS(HA)(1) said that the Administration did not encourage these children being sent back to their home countries to receive education and return to Hong Kong when they were in their teens.

9. DS(HA)(1) said that the Administration noted that some children of the ethnic minorities had moved to Hong Kong at a late stage of childhood. They had been therefore unable to catch up in Chinese and unable to sit for the Chinese language examination of the Hong Kong Certificate Education Examination. DS(HA)(1) said that HAB was discussing with the Education and Manpower Bureau (EMB) to see if it was possible to organise Chinese language courses specially for these children so that they could sit for internationally recognised examinations on the Chinese language subject. The Administration was of the view that these people should at least know some Chinese as this would be useful to them in finding jobs. DS(HA)(1) added that the Administration and some non-governmental organisations (NGOs) had provided services to help children of the ethnic minorities integrate into the local community and to help those newly arrived to adapt to the mainstream education system.

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10. Noting that only 54.9% of the population of the ethnic minorities aged 5 and above were able to speak Cantonese, Mr WONG Sing-chi asked what services the Administration had provided to help the ethnic minority children who studied in Chinese primary schools to adapt to school education. DS(HA)(1) said that Mr WONG's question was actually related to the education policy. He said that HAB had formed a committee comprising representatives from the ethnic minorities to exchange views with the departments concerned on improving the Administration's services to the ethnic minorities. DS(HA)(1) said that the issue raised by Mr WONG had recently been discussed by the committee but he was not in a position to give an account of the education policy for children of the ethnic minorities on behalf of EMB. DS(HA)(1) said that as far as he knew, there were 13 secondary and primary schools in which more children of the ethnic minorities were studying and these schools might run courses, such as Hindi and Urdu, in addition to Chinese. DS(HA)(1) said that all eligible local children, including the non-Chinese speaking children of the ethnic minorities, had a choice to study in local schools. He added that some local universities, such as the University of Hong Kong (HKU), did not require candidates to have passed public examinations on Chinese for entry to the universities.

11. Mr Albert CHAN said that he had received many complaints from the ethnic minorities about inadequacies in the Administration's policies in respect of education and social services to meet their needs. He said that, for example, the Pakistanis had complained that their children had to travel for a long distance and to pay school fees in order to study in the Muslim schools. Mr CHAN said that the problem was even greater for those Pakistanis who were recipients of the Comprehensive Social Security Assistance. He said that the Administration should take into consideration the characteristics and specific needs of the ethnic minorities in devising the relevant policies instead of providing one single mode of services to them.

12. Mr Albert CHAN further said that the fact that a large proportion of the ethnic minorities could not speak Cantonese had deterred their participation in community activities. Therefore, they wished to have their own centres to gather and organise activities for themselves. Mr CHAN suggested that in areas with a large population of the ethnic minorities, venues should be made available to them to gather and hold activities. He said that this would be conducive to promoting their mutual support. He added that as the ethnic minorities were mostly poor people, the Administration should provide better support services to them.

13. DS(HA)(1) said that HAB had formed two committees to look at problems faced by the ethnic minorities and discuss with NGOs on provision of services to them. He said that the committees had also come to a view that tailor-made services should be provided to the ethnic minorities to meet their specific needs. In this connection, a community centre for different ethnic

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groups had been provided at Ping Shan. DS(HA)(1) said that any requests from the ethnic minorities for allocation of land for constructing a mosque, a temple or other places of worship would be handled in the same way as handling such requests from other religions in the community. He added that HAB would assist NGOs in providing social services to the ethnic minorities by providing venues and funds as far as possible.

14. Mr Albert CHAN said that there should be better coordination between policy bureaux in providing support services to the ethnic minorities. He said that for example, he had helped some of the ethnic minorities apply to the Housing Department (HD) for allocation of vacant premises in Tin Shui Wai for establishing a service centre for them. The application had been made for three years but to no avail, as HD considered that the allocation of premises for such a purpose was outside its purview. Mr CHAN said that the same problem was also found in Kwai Tsing. DS(HA)(1) responded that HAB was working with other bureaux/departments to enhance the provision of support services to the ethnic minorities. To that end, it was already funding NGOs to provide certain tailor-made services for them, such as language classes and a community leadership programme.

15. Mr Albert CHAN said that another case reflecting the inconsistency in the Administration's policies was the mosque in the North District. He said that when it was demolished, the ethnic minorities had intended to operate an education service centre there for people of their ethnic group and they had already raised funds in overseas for the purpose. However, the people had eventually given up the plan as the Government had refused to waive the land cost for the site, which had eventually been used for operating a centre for the elderly. He urged the Administration to strive for better coordination in its policies under the purview of various policy bureaux to meet its target of enhancing services for the ethnic minorities.

16. Mr Andrew WONG asked whether it was the Administration's established policy to provide land under Short Term Tenancy (STT) for the construction of temples, such as a mosque. He opined that it was inappropriate to allocate sites under STT for such constructions, as the establishment of a temple was usually intended for the long term. He said that these places of worship, such as a mosque, usually served as places for the ethnic groups to gather and organise services and activities. In identifying sites for these constructions, the Administration therefore should not select remote and inaccessible sites which would be inconvenient for the worshippers. He considered that the Administration should review its overall policy on religious land grant.

17. DS(HA)(1) said that given the scarcity of land in the urban area, it was difficult to identify sites there for establishing temples but it would be easier in the New Territories. He shared Mr Andrew WONG's view that it was not an

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ideal arrangement to allocate sites under STT for the construction of temples. He agreed to take into consideration members' comments and review the policy on religious land grant.

18. The Chairman said that he had also received complaints relating to education from the ethnic minorities. One of the complaints was that the child of a Muslim family had to study in a Catholic school and another was that non-Chinese speaking students of the ethnic minorities had been rejected admission by universities merely because they did not know Chinese. DS(HA)(1) pointed out that HKU and one or two other universities accepted non-Chinese speaking students. So there was no problem for these students to study in local universities provided that they met the admission requirements. The Chairman said that the non-Chinese speaking students who had the ability to study in the other university (which required knowledge of Chinese) must not be deprived of the opportunities merely because they did not know Chinese. In response to the Chairman's comments, DS(HA)(1) said that the issue of whether a quota system should be provided to allocate university places for students of the ethnic minorities was very controversial and would require public discussion. The Chairman suggested that apart from a quota system, consideration could also be given to suitably adjusting the marks of these students in examinations. He requested the Administration to take into consideration all the views and suggestions made by members.

IV. Measures to address gambling-related problems
(LC Paper No. CB(2)633/03-04(01) and (02))

19. With reference to the Administration's paper, DS(HA)(1) briefed members on the progress of measures implemented to address gambling-related problems.

20. Mr WONG Sing-chi said that the Administration was late in providing the progress report as it had previously undertaken to provide it in October 2003. He further said that it was hard to believe that the measures outlined in the paper could effectively prevent and address gambling-related problems since no concrete details of the measures had been provided. He said that, for example, it was not mentioned in paragraph 10(a) how many service recipients were targeted by the two-year education programme and what measures would be taken to enhance the understanding of young people, school students, parents and teachers of gambling-related problems. Referring to a survey report released on the previous day revealing that many young people were taking part in gambling activities and soccer betting, Mr WONG asked what measures would be taken to tackle the problem and what enforcement actions had been taken against underage gambling.

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21. Principal Assistant Secretary for Home Affairs (1) (PAS(HA)(1)) said that the Hong Kong Education City (Hkedcity) had launched a two-year education programme in October 2003. The programme included a dedicated website which provided on-line activities to disseminate information on gambling and its inherent risks and provided reference materials on problem and pathological gambling. Hkedcity also organised seminars on gambling problems among the youth and the first one had been held in October 2003. In addition, it was planning to arrange for presentations to schools and organise educational activities on gambling-related problems. PAS(HA)(1) added that a committee comprising members who were teachers and principals, education workers, and representatives from concern groups had been formed to advise Hkedcity on its education programme. She said that the Administration could provide more detailed information on the education campaign targeting the adolescents later.

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22. On the enforcement actions against illegal gambling, DS(HA)(1) provided the following information -

- (a) in 2003, the Police had conducted a total of 55 raids and bets on soccer matches seized by the Police amounted to \$38 million. 93 persons had been arrested;
- (b) in August 2003, the Police had conducted three raids and bets on soccer matches seized by the Police amounted to \$154,000. Three persons had been arrested;
- (c) in September 2003, the Police had conducted three raids and bets on soccer matches seized by the Police amounted to \$180,000. Seven persons had been arrested; and
- (d) in October 2003, the Police had conducted four raids and bets on soccer matches seized by the Police amounted to \$235,000. Six persons had been arrested.

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DS(HA)(1) undertook to obtain information from the Police on the enforcement actions taken to combat and prevent the problem of adolescents' participation in illegal gambling activities. The information would be provided to the Panel when available.

23. In response to Mr WONG Sing-chi's enquiry, DS(HA)(1) said that no formal application for extension of the operating hours of the Off-course Betting Branches of the Hong Kong Jockey Club (HKJC) had been received from the licensee for authorised football betting.

24. Referring to paragraphs 13 to 15 of the paper, Mr WONG Sing-chi requested the Administration to provide more details on the counselling and

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treatment services for problem and pathological gamblers provided by Caritas and the Tung Wah Group of Hospitals. He asked what performance indicators would be adopted for the evaluation of the services.

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25. PAS(HA)(1) said that Caritas and the Tung Wah Group of Hospitals were selected to operate two pilot dedicated counselling and treatment centres for problem / pathological gamblers and their family members. They would also organise educational programmes for the general public on problem and pathological gambling and on how to prevent and cope with gambling-related problems. For example, they would go to schools to provide teachers with professional advice on how to deal with gambling-related problems. In addition, they would provide training to help professionals concerned build up expertise in working with problem / pathological gamblers. In response to Mr WONG Sing-chi, PAS(HA)(1) agreed to provide a copy of each of the contracts signed with Caritas and the Tung Wah Group of Hospitals, which had set out the performance indicators for the evaluation of the above services.

26. Mr Andrew CHENG referred to a submission from "Hong Kong Gambling Watch" forwarded to the Panel by the Complaints Division and requested the Administration to provide a response to the concerns raised. He expressed strong dissatisfaction with the Administration's failure to live up to its promises made during the scrutiny of the Betting Duty (Amendment) Bill 2003, such as issuing a code of practice, and restricting soccer betting to international major matches. He said that in the absence of any code of practice, it was difficult for the Football Betting and Lotteries Commission (the Commission) to monitor and advise on matters relating to the regulation of football betting. He said that as pointed out by "Hong Kong Gambling Watch", while the Administration had undertaken that advertisements on football betting on television or on the radio would be prohibited from 4:30 pm to 10:30 pm on any day, the Broadcasting Authority had recently moved an amendment to the relevant code of practice allowing such advertisements to be broadcast on television or on the radio from 4:00 pm to 8:30 pm on any day.

27. Referring to the survey report mentioned by Mr WONG Sing-chi in paragraph 20 above, Mr Andrew CHENG expressed grave concern about the findings suggesting that some 4 000 secondary school students aged below 18 had taken part in soccer betting and many of them had started their participation after August 2003. Mr CHENG considered that in the light of the findings, the Administration should re-consider the social cost involved and review the effectiveness of authorised football betting to combat illegal football gambling. He said that if it proved that authorised football betting had little effect in that regard, the Administration should consider repealing the relevant legislation.

28. DS(HA)(1) clarified that the Administration had all along planned that a code of practice would be drawn up in the light of actual experience gained

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from implementing authorised football betting. In this connection, the Commission was reviewing the operation of authorised football betting in the past few months. PAS(HA)(1) said that HAB was drafting the code of practice in consultation with a sub-committee under the Commission. She said that the code of practice would include provisions on the measures to prevent persons aged below 18 from participating in soccer betting. She said that the draft code of practice should be ready in the first quarter of 2004 and the Panel would be consulted on the draft.

29. DS(HA)(1) informed members that HAB had noted that the publicity approach for authorised football gambling and horse racing had aroused public concern recently. It had therefore written to HKJC to draw their attention to the matter and had requested it to give an explanation. HAB had also proposed holding quarterly meetings with HKJC to discuss matters of concern to the public.

30. DS(HA)(1) further said that it had already been made a licensing condition for authorised football betting that advertisements on football betting on television or on the radio would be prohibited from 4:30 pm to 10:30 pm on any day. He said that so far the licensee had well complied with this requirement. As to the recent amendment made by the Broadcasting Authority, DS(HA)(1) clarified that it would not affect the restriction on the football betting licensee regarding the broadcasting of advertisement relating to football betting.

31. Mr Andrew CHENG said that the Administration had been extremely slow in drawing up the code of practice on the one hand and, on the other hand, it had allowed some 90 football matches for betting on per week and had relaxed the publicity requirement. He queried whether the Administration really played a neutral role in its policy on authorisation of football betting. He also asked whether the Administration considered that the problem of gambling by adolescents, including those aged below 18, was serious in the light of the above survey findings.

32. DS(HA)(1) said that based on previous surveys conducted by the Administration, it was found that the number of adolescents under the age of 18 engaged in soccer betting had been on the increase in the past two to three years. However, before August 2003, they had placed bets with illegal bookmakers, and this trend could have resulted in even more serious problems if there had not been authorised football betting. As regards the survey results released on the previous day, DS(HA)(1) said that the Administration had not studied them yet. He said that it was still not known whether or not the sharp increase in the number of adolescents taking part in soccer betting after August as found by the survey would only be a short-lived phenomenon caused by young people's curiosity about the newly introduced authorised soccer betting. DS(HA)(1) said that the Administration would anyway conduct its own survey

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to provide information and data for its own studies.

33. In response to Mr Andrew CHENG, DS(HA)(1) said that the main reason for the Administration to have proposed authorisation of soccer betting was to combat illegal soccer gambling. It was necessary to take into consideration the following factors in order to decide to whether or not the longstanding policy of combating a kind of betting activity by authorising it should be changed -

- (a) the effectiveness of authorised soccer gambling to combat illegal soccer gambling;
- (b) the effectiveness of the various preventive and educational measures against gambling-related problems; and
- (c) the social impact of authorisation of soccer betting e.g. whether it had really led to an increase in the number of soccer gamblers and the profile of those attracted to take part in soccer gambling after its authorisation.

DS(HA)(1) said that one could not merely rely on the survey results to assess the real extent of the problem as information, such as the number of illegal soccer gamblers in Hong Kong before August 2003, was lacking for making a comparison. Besides, the methodology used for conducting the survey, including how the interviewees had been chosen, was not known.

34. Mr Tommy CHEUNG considered that the Administration should conduct a research study on the gambling behaviour of Hong Kong people, such as the profile of the target population, the kinds of gambling activities they took part in, etc. He said that the information and data generated would be useful to the Administration's review of the social impact of the authorisation of soccer betting and its long-term policy on authorised soccer betting. Mr CHEUNG also considered that the Administration should follow up the survey results, particularly the allegedly large increase in the number of underage soccer gamblers. He suggested that the Police should conduct undercover operations to see whether the Off-course Betting Branches really accepted bets placed by underage persons.

35. DS(HA)(1) said that the Administration was also very concerned as to whether persons aged below 18 could enter any betting centres to tender bets. He said HKJC had been asked to put in place measures to prohibit these young people from participating in betting and he noted that HKJC had been extremely vigilant in that regard. He undertook that HAB would further discuss with HKJC and follow up the survey results. He said that so far there had not been many complaints regarding any betting centres allowing persons aged below 18 to enter. As to Mr CHEUNG's suggestion of conducting

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undercover operations, DS(HA)(1) said that it would be referred to the Commission for consideration. He added that suggestions would also be made to HKJC to carry out similar operations to test the effectiveness of measures put in place.

36. DS(HA)(1) said that the Hong Kong Polytechnic University had been commissioned to conduct a study on "Hong Kong People's Participation in Gambling Activities" in 2001. He said that the Administration was also planning to further commission a university to conduct another study in early 2004, which would include tracking surveys on the impact of gambling participation, and prevalence of problem and pathological gambling in Hong Kong.

37. Mr Tommy CHEUNG asked whether the two pilot dedicated counselling and treatment centres operated by Caritas and the Tung Wah Group of Hospitals had adequate manpower to meet service demands. He also asked whether the Administration would follow up clients who had received treatment services from the centres to assess the effectiveness of the services.

38. DS(HA)(1) said that the Administration would commission a university to conduct a research study on the effectiveness of the counselling and treatment services provided by the two centres. He said that the study would commence in early 2004. He said that indicators had also been drawn up for the assessment of effectiveness of their services. It was also intended that when the first contracts with the centres were completed, the Administration would decide whether additional services should be provided in the light of results of reviews on the effectiveness of the counselling and treatment services.

39. PAS(HA)(1) said that the two centres and the gambling counselling hotline service commenced operation in mid-October 2003. Until the end of November 2003, the two centres had received a total of 686 calls which required telephone counselling or follow-up actions, and a total of 206 new cases which required face-to-face counselling or other referral services. She said that according to the relevant contracts, the two centres were expected to handle about 1 000 cases which required face-to-face counselling or other referral services in a year. The caseload in the past two months tallied with that stipulated in the contract.

40. Ms Cyd HO requested the Administration to provide the following information on the operation of the two centres to assess whether they had adequate manpower -

- (a) the average waiting time counting from the time that clients called the centres to register their cases and the dates of their first appointments; and

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- (b) the average interval between the first and second appointments of clients.

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PAS(HA)(1) agreed to provide the information later.

41. Mr Albert CHAN said that the Administration should review the adequacy of the present level of funding (\$3 million a year) provided for their operation, taking into account the high rental rate of premises in urban areas and the manpower required. He pointed out that in fact one of the centres had great difficulty in finding a suitable venue for its operation and was only operating in temporary premises. He said that the counselling and treatment services for problem and pathological gamblers were very important to the community and, given the large amount of income generated to the Government from authorisation of soccer betting, more funding should be allocated to the two centres to enhance their services.

42. PAS(HA)(1) said that one of centres was operating in temporary premises but it would move to a permanent address the following year. She said that so far none of them had indicated any problems of resources. In response to the Chairman, PAS(HA)(1) said that the two centres were located in Wanchai and Tsuen Wan.

43. Ms Cyd HO said that not only advertisements on soccer gambling but on gambling in general should be prohibited during the family viewing hours in order to protect the youth from being attracted to gambling. She said that HAB was obliged to discuss with the Broadcasting Authority to plug the loophole which allowed advertisements on gambling to be broadcast on television or on the radio from 4:00 pm to 8:30 pm on any day. DS(HA)(1) agreed to follow this up with the Broadcasting Authority and would make a report to the Panel later.

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44. Ms Cyd HO asked whether the Administration would explore other sources of funding for injection into the Ping Wo Fund if it was found inadequate to cope with service demands. DS(HA)(1) said that HKJC had undertaken to contribute a total of \$24 million within the first two years and \$12 million to \$15 million each year in the following three years to the Fund. The Administration also welcomed donations from the public. DS(HA)(1) said that if there was really a serious shortfall of funds, the Administration would try to raise money from other sources. He added that when the licence for authorised football betting was due for renewal, the Administration would also discuss with HKJC to see if it should increase the amount of contributions to the Fund.

45. The meeting ended at 12:50 am.

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Council Business Division 2
Legislative Council Secretariat
8 January 2004