

立法會
Legislative Council

LC Paper No. CB(2)2674/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/BC/3/05

Bills Committee on Betting Duty (Amendment) Bill 2006

Minutes of meeting
held on Thursday, 8 June 2006 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 CHAN Yuen-han, JP
Hon SIN Chung-kai, JP
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung
Hon Albert Jinghan CHENG
Hon TAM Heung-man
- Members absent** : Dr Hon Philip WONG Yu-hong, GBS
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon Daniel LAM Wai-keung, BBS, JP
Hon LEUNG Kwok-hung
Hon Patrick LAU Sau-shing, SBS, JP
- Public Officers attending** : Mr Stephen FISHER
Deputy Secretary for Home Affairs (1)
- Miss Jenny YIP
Principal Assistant Secretary for Home Affairs (1)

Miss Christine CHOW
Assistant Secretary for Home Affairs (1)1

Mr Lawrence PENG
Senior Assistant Law Draftsman

Mr SO Chau-chuen
Assistant Commissioner of Inland Revenue

Ms Mary WONG
Senior Assessor

Clerk in attendance : Miss Odelia LEUNG
Chief Council Secretary (2)6

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Stanley MA
Senior Council Secretary (2)6

Miss Carmen HO
Legislative Assistant (2)6

Action

I. Clause-by-clause examination of the Bill

[LC Paper Nos. CB(2)1957/05-06(02) & (03), CB(2)2115/05-06(02), CB(2)2176/05-06(02), CB(2)2215/05-06(01), CB(2)2298/05-06(01) and CB(2)2306/05-06(01)]

The Bills Committee deliberated (Index of proceedings in attached **Annex**).

2. Members noted the draft Committee Stage amendments (CSAs) to clauses 3(6) and 15 of the Bill provided by the Administration in the Annex of LC Paper Nos. CB(2)2298/05-06(01) and CB(2)2306/05-06(01). Mr Andrew CHENG said that he would consider proposing a CSA in respect of the definition of high-value bets. Mr Tommy CHEUNG suggested and members agreed that the Bills Committee would discuss draft CSAs proposed by members, if any at the next meeting.

Action

3. The Bills Committee completed clause-by-clause examination of the Bill and discussion of the Administration's response to members' concerns raised at the meetings on 30 May and 2 June 2006. The Bills Committee requested the Administration to –

Clause-by-clause examination

Section 6GN – Appeal against assessment and holding over of duty

- (a) provide examples of “such other orders” which might be made by the Court under section 6GN(6); and

Section 6GO – Provisions relating to holding over

- (b) provide information on the circumstances under which a race meeting would be regarded as cancelled and the guidelines for a replaced race meeting;

Issues arising from meetings on 30 May and 2 June 2006

- (c) explain why only \$2.5 million was confiscated out of an aggregate amount of \$2.5 billion in respect of the 25 convicted bookmaking cases;
- (d) provide information on whether disciplinary actions had been taken on the six police officers who had been arrested in connection with bookmaking but were not prosecuted due to insufficient evidence;
- (e) follow up with the Hong Kong Jockey Club (HKJC) on the allegation that front line staff had been provided with a script to encourage or advise customers to place bets on certain horses;
- (f) in consultation with HKJC, consider increasing the resources and expanding the scope of services financed by the Ping Wo Fund;
- (g) consider providing in the Bill or the code of practice the definition of high value bets which might be entitled to rebates; and
- (h) state at the Second Reading debate on the Bill that the unclaimed dividends and rebates would be paid to the HKJC Charities Trust in line with the existing arrangement.

Action

II. Any other business

4. Mr Jeffrey LAM declared interest as a voting member of HKJC.
5. Members agreed to reschedule the next meeting to start at 10:45 am on Monday, 12 June 2006.
6. The meeting ended at 4:36 pm.

Council Business Division 2
Legislative Council Secretariat
6 July 2006

**Proceedings of the Bills Committee on
 Betting Duty (Amendment) Bill 2006
 on Thursday, 8 June 2006 at 2:30 pm in
 Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
000346 - 000442	Chairman	Welcome to representatives of Admin	
000443 - 002205	Chairman Admin Mr Tommy CHEUNG Mr Jeffrey LAM	Clause 15 – Division 2A of Part 3 added Section 6GI – Provisional payments Interpretation of charging period	
002206 - 002508	Chairman Admin	Section 6GJ – Demand for provisional payment; and Section 6GK – Assessment of net stake receipts and horse race betting duty	
002509 - 002743	Chairman Admin	Section 6GL – Additional assessment; and Section 6GM – Surcharges	
002744 - 003349	Chairman Admin	Section 6GN – Appeal against assessment and holding over of duty	See para 3(a) of the minutes
003350 - 003446	Chairman Admin	Section 6GO – Provisions relating to holding over	See para 3(b) of the minutes
003447 - 005249	Chairman Admin Mr Andrew CHENG Mr Tommy CHEUNG Miss TAM Heung-man	Section 6GP – Remission of further horse race betting duty	
005250 - 005318	Chairman Admin	Section 6GQ – Restrictions relating to horse race betting tickets	
005319 - 005655	Chairman Admin Mr Andrew CHENG	Clause 16 – Authorisation of betting on football matches; Clause 17 – Interpretation of Division 5; and Clause 18 – Revocation of licences	
005656 - 010009	Chairman Admin Miss TAM Heung-man	Clause 19 – Section added Section 6ZO – Powers of Collector to correct errors and refund overpaid duty	
010010 - 010039	Chairman Admin	Clause 20 – Regulation and forms	

Time marker	Speaker	Subjects	Action required
010040 - 010233	Chairman Admin	Clause 21 – Schedules 1 and 2 added	
010234 - 010253	Chairman Admin	Clause 22 – Savings	
010254 - 010554	Chairman Admin	Clause 23 – Consequential amendments	
Follow-up actions arising from the meetings on 30 May and 2 June 2006 LC Paper No. CB(2)2298/05-06(01)			
010555 - 011346	Chairman Admin Mr Andrew CHENG Mr Jeffrey LAM	Financial investigation into illegal bookmaking; statistics on police officers involved in illegal bookmaking activities; and provision of financial reward to encourage intelligence reports	See para 3(c) and (d) of the minutes
011347 - 012546	Chairman Admin Mr Andrew CHENG Mr Tommy CHEUNG Mr Jeffrey LAM	Customer complaints relating to the conduct of horse race betting; and performance targets set by HKJC for its staff involved in taking horse race bets	See para 3(e) of the minutes
012547 - 012645	Chairman Admin	Composition of Football Betting and Lottery Commission and the future Betting and Lottery Commission	
012646 - 013230	Chairman Admin Mr Andrew CHENG Mr Jeffrey LAM	Increasing allocations and expanding the scope of service for the Ping Wo Fund	See para 3(f) of the minutes
013231 - 013308	Chairman Admin	CSA to move the definition of “director” from section 6B(1) to new section 1A(1)	
013309 - 014439	Admin Chairman Mr Andrew CHENG Mr Tommy CHEUNG	Code of practice for the conduct of horse race betting and the definition of high-value bets	See para 3(g) of the minutes
014440 - 014926	Chairman Admin Mr Andrew CHENG	Announcement of Public Interests and warning against the seriousness of the problems caused by excessive gambling during the hours of broadcast of horse races	
014927 - 015001	Chairman Admin Mr Andrew CHENG	Extension of prohibited hours for advertising the conduct of horse race betting on television on Saturdays and Sundays	
015002 - 015145	Chairman Admin Mr Tommy CHEUNG	Arrangements for unclaimed dividends and rebates to high-value bets	

Time marker	Speaker	Subjects	Action required
015146 - 015225	Chairman Admin	Impact of change of charging period on the betting duty receivable by the Government	
015226 - 015717	Chairman Admin Mr Tommy CHEUNG	CSAs proposed by Admin	
015718 - 020132	Chairman Admin ALA4 Mr Tommy CHEUNG	Arrangement for unclaimed dividends and rebates to be paid to HKJC Charities Trust	See para 3(h) of the minutes
020133 - 020510	Chairman Mr Tommy CHEUNG Mr Andrew CHENG Admin ALA4	Date and time of next meeting; and resumption of Second Reading debate on 12 July 2006	

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