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政府總部  
民政事務局

香港灣仔  
軒尼詩道一百三十號  
修頓中心三十一樓



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**URGENT BY FAX**

15 June 2006

Mrs. Apollonia Liu  
Principal Assistant Secretary  
Security Bureau  
Central Government Offices  
Central

Dear *Apollonia*,

**Bills Committee on Betting Duty (Amendment) Bill 2006**

In the course of examination of the Betting Duty (Amendment) Bill 2006, we are requested to convey to your Bureau Members' wish for you to consider if amendments to the Organized and Serious Crimes Ordinance (OSCO) are required to counter money-laundering activities more effectively, in view of the fact that only \$2.5 million was confiscated out of an aggregate amount of \$2.5 billion in respect of the 25 convicted bookmaking cases.

To facilitate your consideration in consultation with the Police, the Administration's previous replies which have been submitted to the Legislative Council are attached at Annex for your easy reference.

Yours sincerely,

(Miss Jenny Yip)  
for Secretary for Home Affairs

c.c.

Commissioner of Police

(Attn. Mr Ma Wai-luk)

Clerk to Bills Committee

(Attn. Miss Odelia Leung)

**Annex**

**Bills Committee on Betting Duty (Amendment) Bill 2006**  
**Follow-up actions arising from the meetings on 30 May and 2 June 2006**

At the meeting, the Administration was requested to :-	The Administration's written response :-
(a) Provide information concerning financial investigations into illegal bookmaking activities	Where it is believed that financial assets are connected with illegal bookmaking activities, the Police will exercise the power under Organized and Serious Crimes Ordinance (OSCO) (Cap. 455) and undertake in-depth financial investigation with a view to restraining and subsequently confiscating such assets. This is a highly protracted process which requires a huge amount of resources in order to track down the movement of the assets and to identify individuals who have control over the same. Since 1998, financial investigation had been conducted in respect of 25 bookmaking cases which resulted in convictions for bookmaking related money laundering charges in the Courts. The aggregate amount involved was about \$2,500 million. Arising from these convictions, there was one confiscation order involving an amount of \$2.5 million.

**Extract of replies on the follow-up actions arising from the meeting  
on 8 June 2006**

<b>At the meeting, the Administration was requested to :-</b>	<b>The Administration's written response :-</b>
<p>(b) 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;</p>	<p>As a result of prosecution actions taken, a total of 25 persons were convicted on money laundering-related offences and received sentences up to five and a half years' imprisonment.</p> <p>In order to have an order of confiscation successfully applied under the Organized and Serious Crimes Ordinance (OSCO) (Cap. 455), the applicant i.e. the Police is required to establish that a person so convicted for money laundering offences have ownership, control or equitable interest on the assets before a Court would grant a confiscation order. Only one of the cases mentioned met the criteria where an application for confiscation was successfully applied. As a result, \$2.5 million was confiscated from the defendant. In all of these cases, the Police relied on the advice of Department of Justice (DoJ) in determining the merits of the cases for confiscation order under OSCO.</p>