

立法會
Legislative Council

LC Paper No. CB(2)1636/12-13
(These minutes have been seen
by the Administration)

Ref : CB2/BC/3/12

Bills Committee on Betting Duty (Amendment) Bill 2013

**Minutes of the meeting
held on Monday, 27 May 2013, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)
Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, SBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon MA Fung-kwok, SBS, JP
Hon Martin LIAO Cheung-kong, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Public Officers attending : Items I and II

Ms Gracie FOO, JP
Deputy Secretary for Home Affairs

Ms Winnie TSE
Principal Assistant Secretary for Home Affairs

Ms Y Y TSE, JP
Assistant Commissioner
Inland Revenue Department

Mr HONG Wai-kuen
Senior Superintendent of Stamp Office
Inland Revenue Department

Item II only

Mr Lawrence PENG
Senior Assistant Law Draftsman
Department of Justice

Ms Angie LI
Senior Government Counsel
Department of Justice

Attendance : Item I
by invitation

Individual

Mr Martin OEI, Political Commentator

The Lion Rock Institute

Mr Peter WONG
Executive Director

人手比例不符最低工資關注組

Mr WONG Kwai-sang
Member

Asian Racing Federation

Mr Andrew HARDING
Secretary General

Hong Kong Gambling Watch

Pastor WU Chi-wai
Convenor

The Society for False and Dark

Mr CHIN Wai-lok
Chairman

The Society for Truth and Light

Mr AU-YEUNG Ka-wo
Project Officer

Individual

Mr Brett PREBBLE, Jockey

Hong Kong Racehorse Owners Association Limited

Mr Paul WROBEL
President

Individual

Mr Ricky YIU, Horse Trainer

PricewaterhouseCoopers Hong Kong

Mr LUI Tim-leung, BBS, JP
Senior Tax Partner

Individual

Mr Gary LING

Item II

Hong Kong Jockey Club

Mr Kim MAK
Executive Director (Corporate Affairs)

Mr Henry CHAN
Executive Director (Strategic Business Development)

Mr Albert CHAN
Executive Manager (External Relations)

Ms Felicity LIU
Principal Financial Specialist

Clerk in attendance : Ms Alice LEUNG
Chief Council Secretary (2) 2

Staff in attendance : Mr Bonny LOO
Assistant Legal Adviser 3

Miss Josephine SO
Senior Council Secretary (2) 2

Miss Jasmine TAM
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

Action

The Bills Committee deliberated (index of proceedings attached at **Annex**).

Declaration of interest

2. The Chairman reminded members that where a member of the Bills Committee considered that there might be concern about conflict of interest or conflict of roles in his discussion on a certain issue, he should make a declaration of the matter which was the cause for the concern. In accordance with Rule 83A of the Rules of Procedure, a member should not move any motion or amendment relating to or speak on a matter in which he had a pecuniary interest, whether direct or indirect, except where he had disclosed the nature of that interest.

3. The Chairman declared that he was a voting member of the Hong Kong Jockey Club ("HKJC").

4. Mr James TO, Mr Frankie YICK, Mr MA Fung-kwok and Ir Dr LO Wai-kwok declared that they were members of HKJC.

5. Mr Martin LIAO declared that he was a member of the Board of Stewards of HKJC.

Action

I. Meeting with deputations and the Administration

6. The Bills Committee received views from the following 12 deputations/individuals attending the meeting -

- (a) Mr Martin OEI, Political Commentator
(LC Paper No. CB(2)1195/12-13(01));
- (b) The Lion Rock Institute
(LC Paper No. CB(2)1195/12-13(02));
- (c) 人手比例不符最低工資關注組
(LC Paper No. CB(2)1174/12-13(01));
- (d) Asian Racing Federation
(LC Paper No. CB(2)1203/12-13(01));
- (e) Hong Kong Gambling Watch
(LC Paper No. CB(2)1222/12-13(01));
- (f) The Society for False and Dark
(LC Paper No. CB(2)1195/12-13(03));
- (g) The Society for Truth and Light
(LC Paper No. CB(2)1222/12-13(02));
- (h) Mr Brett PREBBLE, Jockey
(LC Paper No. CB(2)1195/12-13(04));
- (i) Hong Kong Racehorse Owners Association Limited
(LC Paper No. CB(2)1195/12-13(05));
- (j) Mr Ricky YIU, Horse Trainer
(LC Paper No. CB(2)1195/12-13(06));
- (k) PricewaterhouseCoopers Hong Kong
(LC Paper No. CB(2)1222/12-13(03)); and
- (l) Mr Gary LING
(LC Paper No. CB(2)1195/12-13(07)).

7. The Bills Committee noted that written submissions were also received from 16 organizations/individuals not attending the meeting (LC Paper Nos. CB(2)1174/12-13(02)-(17)).

Action

Admin

8. The Administration was requested to provide a consolidated written response to the views expressed by deputations at the meeting. As some of the views and concerns raised by deputations were related to technical and operational details of two-way commingling as well as its impact on the workload of staff of HKJC, members also requested HKJC to provide a written response in this regard.

HKJC

II. Meeting with the Administration and the Hong Kong Jockey Club

(LC Paper Nos. CB(3)482/12-13, CB(2)1174/12-13(18) to (20))

9. The Bills Committee concluded its deliberations on the policy aspects of the Bill.

Clause-by-clause examination

10. The Bills Committee commenced clause-by-clause examination of the Bill. At the invitation of the Chairman, the Administration introduced the major provisions of the Bill.

Issues requiring follow-up action/consideration by the Administration

Admin

11. In respect of the proposed new section 6GF(1B) under clause 9(3), the Administration was requested to consider and provide a response on the proper order in which the three definitions, namely "extra amount", "specified amount" and "specified payee", should be arranged in the Chinese text with a view to keeping the order of presentation of the Chinese definitions in step with that of the English definitions which would improve the readability of the Chinese text of the provision concerned.

Admin

12. Regarding the definition of "specified payee" in the proposed new section 6GF(1B) under clause 9(3), the Administration was requested to clarify the meaning of the phrase "the right under the law that governs the right" as appeared in the definition.

Action

III. Any other business

Date of next meeting

13. The Chairman reminded members that the next meeting of the Bills Committee would be held on Monday, 3 June 2013, at 10:45 am to continue clause-by-clause examination of the Bill.

14. The meeting ended at 6:42 pm.

Council Business Division 2
Legislative Council Secretariat
22 July 2013

**Proceedings of the meeting of the
Bills Committee on Betting Duty (Amendment) Bill 2013
on Monday, 27 May 2013, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000237 - 000452	Chairman	The Chairman's opening remarks	
000453 - 000907	Chairman Ir Dr LO Wai-kwok Mr Martin LIAO Mr MA Fung-kwok Mr James TO Mr Frankie YICK	Declaration of interest	
<i>Agenda item I - Meeting with deputations and the Administration</i>			
000908 - 001212	Mr Martin OEI	Presentation of views (LC Paper No. CB(2)1195/12-13(01))	
001213 - 001520	Mr Peter WONG, The Lion Rock Institute	Presentation of views (LC Paper No. CB(2)1195/12-13(02))	
001521 - 001834	Mr WONG Kwai-sang, 人手比例不符最低工資 關注組	Presentation of views (LC Paper No. CB(2)1174/12-13(01))	
001835 - 002130	Mr Andrew HARDING, Asian Racing Federation	Presentation of views (LC Paper No. CB(2)1203/12-13(01))	
002131 - 002439	Pastor WU Chi-wai, Hong Kong Gambling Watch	Presentation of views (LC Paper No. CB(2)1222/12-13(01))	
002440 - 002744	Mr CHIN Wai-lok, The Society for False and Dark	Presentation of views (LC Paper No. CB(2)1195/12-13(03))	
002745 - 003056	Mr AU-YEUNG Ka-wo, The Society for Truth and Light	Presentation of views (LC Paper No. CB(2)1222/12-13(02))	
003057 - 003357	Mr Brett PREBBLE	Presentation of views (LC Paper No. CB(2)1195/12-13(04))	
003358 - 003617	Mr Paul WROBEL, Hong Kong Racehorse Owners Association Limited	Presentation of views (LC Paper No. CB(2)1195/12-13(05))	
003618 - 003916	Mr Ricky YIU	Presentation of views (LC Paper No. CB(2)1195/12-13(06))	

Time marker	Speaker	Subject(s)	Action Required
003917 - 004125	Mr LUI Tim-leung, PricewaterhouseCoopers Hong Kong	Presentation of views (LC Paper No. CB(2)1222/12-13(03))	
004126 - 004351	Mr Gary LING	Presentation of views (LC Paper No. CB(2)1195/12-13(07))	
004352 - 005159	Chairman Admin	The Administration's response to the following issues raised by deputations, including: (a) its consultation with the Betting and Lotteries Commission ("BLC") on the proposals of the Hong Kong Jockey Club ("HKJC") to implement in Hong Kong two-way commingling on horse race betting; (b) BLC's stance over HKJC's proposals; (c) public education programmes on gambling-related issues as well as counselling and treatment services for problem and pathological gamblers through the Ping Wo Fund.	Admin to provide a written response to deputations' views (para. 8 of the minutes refers)
<i>Break from 005200 to 005607</i>			
<i>Agenda item II - Meeting with the Administration and the Hong Kong Jockey Club</i>			
005608 - 005900	Chairman Admin	The Administration's response to issues raised at the meeting on 15 May 2013 (LC Paper No. CB(2)1174/12-13(19)).	
005901 - 010414	Chairman HKJC	HKJC's response to issues raised at the meeting on 15 May 2013 (LC Paper No. CB(2)1174/12-13(20)); HKJC's response to deputations' views.	HKJC to provide a written response to deputations' views (para. 8 of the minutes refers)
010415 - 010627	Chairman Ir Dr LO Wai-kwok HKJC	Ir Dr LO Wai-kwok's enquiry and HKJC's response on whether the implementation of two-way commingling would create stress or incur heavier workload on HKJC's Telebet staff, and whether there were any restrictions on HKJC's contract part-time employees to take up employment with other organizations.	

Time marker	Speaker	Subject(s)	Action Required
010628 - 011411	Chairman Mr WU Chi-wai HKJC	Mr WU Chi-wai's enquiry and HKJC's clarification on the following issues - (a) whether the existing pari-mutuel betting system would be maintained after the launch of two-way commingling; (b) whether fixed odds betting would be conducted under the commingling arrangement; and (c) whether the size of HKJC's jackpots for exotic bets would increase substantially due to the injection of non-local bets into local exotic pool.	
011412 - 014554	Chairman Admin	<u>Clause-by-clause examination of the Bill</u> An overview on the Blue Bill (LC Paper No. CB(3)482/12-13). Long title of the Bill Clause 1 - Short title and commencement Clauses 2 to 19 of the Bill	
014555 - 015729	Chairman Mr Alan LEONG Admin	<u>Clause 9(3) - the proposed new section 6GF(1B)</u> Discussion on the proper order in which the three definitions in the Chinese text of the Bill, namely "extra amount", "specified amount" and "specified payee" should be arranged, with a view to keeping the order of presentation of the Chinese definitions in step with that of the English definitions so as to improve the readability of the Chinese text of the provision concerned.	Admin to consider and provide a response (para. 11 of the minutes refers)
015730 - 020247	Chairman Mr Martin LIAO Admin	Mr Martin LIAO's enquiry and the Administration's explanation that HKJC's commingling of local bets with a non-local partner which necessitated settlement arrangements would not be deemed as HKJC's placement of bets with the partner. The Administration also explained the meaning of "net stake receipts" in the proposed new section 6GF(1A) under Clause 9(3).	

Time marker	Speaker	Subject(s)	Action Required
020248 - 020809	Chairman Mr Alan LEONG Admin	Date of next meeting Mr Alan LEONG's enquiry about the meaning of the phrase "the right under the law that governs the right" as appeared in the definition of "specified payee" in the proposed new section 6GF(1B) under clause 9(3).	Admin to clarify the meaning of the phrase (para. 12 of the minutes refers)

Council Business Division 2
Legislative Council Secretariat
22 July 2013