

LCQ12:Regulation of internet computer services centres

Following is a question by the Hon Starry Lee and a written reply by the Secretary for Home Affairs, Mr Tsang Tak-sing, in the Legislative Council today (October 28):

Question:

Internet computer services centres (commonly known as Internet cafes) have become one of the major places of leisure for young people and students. The Home Affairs Bureau has drawn up the Code of Practice for Internet Computer Services Centres Operators (the Code) for voluntary compliance by the trade. The Code provides guidelines on fire and building safety, noise control, maintenance of public order, crime prevention, Internet content, smoking, ventilation and hygiene facilities, including the guideline that persons under 16 should not remain in Internet cafes after midnight on weekdays and after 2am on Saturdays and public holidays. In this connection, will the Government inform this Council:

- (a) of the current number of Internet cafes in Hong Kong (broken down by District Council districts);
- (b) of the respective numbers of inspections of such premises conducted by law enforcement officers in each of the past three years in respect of the three areas of fire safety, building safety and law and order; whether non-compliance with the Code will be recorded during the inspections; if so, of the details of the non-compliance; and, among these cases, the number of those involving breaches of the time restrictions regarding the reception of persons under 16;
- (c) of the total number of complaints about Internet cafes received by the authorities in the past three years; the nature of such complaints; and, among them, the respective numbers of cases of the persons in charge or customers of the Internet cafes being prosecuted and convicted; and
- (d) whether the authorities will review the existing regime concerned and strengthen the regulation of Internet cafes (which includes reconsidering the introduction of legislation to regulate the operation of Internet cafes with reference to the relevant legislation of neighbouring places); if they will, of the details; if not, the reasons for

that?

Reply:

President,

(a) The number of Internet computer services centres (ICSCs) in Hong Kong is broken down by Police Regions. The number of ICSCs by Region as at June 2009 are as follows:

	Number of ICSCs
Hong Kong Island	42
Kowloon East	36
Kowloon West	61
New Territories South	43
New Territories North	48
Islands	1
Total	231

(b) The Police conducts inspections of ICSCs from time to time to maintain public order and safety in these premises. The Fire Services Department (FSD) and the Buildings Department (BD) carried out 31 and 13 inspections of ICSCs respectively in the past three years (2007, 2008 and 2009 (up to June)).

As they conduct inspections at ICSCs, relevant departments carry out their duties in accordance with existing legislation and would take follow-up actions as and when necessary. These departments do not keep statistics on non-compliance with the Code of Practice for Internet Computer Services Centres Operators or breaches of time restrictions regarding the reception of persons under 16.

(c) In the past three years (up to June 2009), relevant government departments (including Television and Entertainment Licensing Authority, Police, Environmental Protection Department, Customs and Excise Department, FSD and BD) received a total of 27 complaints involving ICSCs. They were mainly related to problems on noise, fire safety and suspected indecent website/computer games, etc.

The Police does not keep statistics on the prosecutions or convictions of the persons-in-charge or customers of ICSCs.

(d) ICSCs are generally referred to as premises providing computers and related equipment to customers for using Internet services. The mode of operation and the types of services provided by ICSCs are quite diverse, including personal communication centre, restaurant/café, browsing of information on the Internet, listening to the music and playing network games. Regarding the regulation of ICSCs, HAB has issued the "Code of Practice for Internet Computer Services Centres Operators" for voluntary compliance by ICSC operators.

Given that the mode of operation and types of services provided by ICSCs are quite diverse, and that different departments would regulate the different aspects of operation of ICSCs under different legislation, the Government currently has no plan to revise the regulation of ICSCs by introducing legislation or other means.

Ends/Wednesday, October 28, 2009

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