

## LCQ9: Combating touting activities in booking of recreation and sports venues

Following is a question by the Hon Luk Chung-hung and a written reply by the Secretary for Culture, Sports and Tourism, Mr Kevin Yeung, in the Legislative Council today (June 19):

Question:

It has been reported that recently, there has been a relapse in the situation where hirers tout their booked sessions for using the recreation and sports facilities for profits (touting). The publicly-funded recreation and sports venues have been reduced to "cash cows" for "venue touting gangs" to make profit out of nothing. For example, the Government's indoor basketball courts, which charge between \$57 and \$148 per hour, have been touted at between \$800 and \$1,200 for two hours. In addition, some "venue touting gangs" have resorted to human wave tactics and computer programmes to access the intelligent sports and recreation services booking and information system "SmartPLAY" of the Leisure and Cultural Services Department (LCSD) extremely quickly in the early morning each day to book 60 per cent to 70 per cent of the tennis courts for prime time and then resell them at a higher price. In this connection, will the Government inform this Council:

(1) as there are views pointing out that although the situation of touting has improved since the launch of SmartPLAY, the LCSD staff members as supervisors have failed to effectively stop touting activities, how the Government ensures that the LCSD staff members will strictly discharge their duties to accurately combat touting activities;

(2) as it has been reported that some people use other people's identity cards to check-in repeatedly at self check-in devices at the ball courts under the LCSD, and some hirers just wander around the venues during the booked session without using the facilities, but rather transfer the venues to suspected buyers by way of touting, whether the Government will consider installing closed-circuit televisions at the LCSD venues, so as to prevent the aforesaid activities; and

(3) of (i) the number of cases investigated by government departments in respect of touting-related activities and, among them, (ii) the number of cases where prosecutions were instituted and (iii) the number of successful cases of conviction in the past five years, and set out the breakdown in the table below?

Type of cases	2020	.....	From 2024 to present
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(i)			
(ii)			
(iii)			

Reply:

President,

My reply to the questions raised by the Hon Luk Chung-hung is as follows:

(1) The Leisure and Cultural Services Department (LCSD) has all along been paying close attention to the unauthorised transfer of user permits or touting activities in relation to sports and recreation facilities. In recent years, the LCSD has adopted a multi-pronged approach in combating touting activities, including enhancing the booking arrangements, imposing penalty arrangements and stepping up inspections. To combat the touting of sports and recreation facilities more effectively, the LCSD has already incorporated functions addressing the touting of venues when the SmartPLAY system was launched, including:

(i) Requiring real-name registration;

(ii) Adding a new function of allocating certain popular recreation and sports facilities by ballot instead of the first-come-first-served allocation mechanism;

(iii) Requiring the hirer to fill in the account numbers of four other SmartPLAY users with whom the hirer will use the facility when submitting balloting application for turf soccer pitches or booking on a first-come-first-served basis. Three out of these four SmartPLAY users are required to check in together with the hirer and be present during the use of the booked session;

(iv) Requiring members of the public to declare and undertake that they will be present during the use of the booked session(s) and that the user permit will not be transferred by any means in the course of booking facilities via the SmartPLAY system and checking in. Any one failing to do so may commit the offence of fraud under section 16A of the Theft Ordinance (Cap. 210) and be liable to prosecution and imprisonment of up to 14 years upon conviction; and

(v) allowing hirers to cancel bookings up to one day before the booked session via different channels, including the internet/mobile app/smart self-service stations (SSS), but the cancelled session(s) will not be immediately released for booking on the new system to prevent using the cancellation of booking as a means of transferring the user permit of the booked session for touting activities. Cancelled session(s), including those of turf soccer pitches, will be posted on the LCSD website and under the section titled "Cancelled sessions to be released for booking" on the system at 1am on the following day. They will be available for booking again from 7am on the same day through various booking channels on a first-come-first-served basis.

To stamp out login by computer programs effectively, the SmartPLAY system adopts a new generation of Web Application Firewall and anti-bot solution. Once unusual login or booking is detected, the anti-bot solution will conduct analysis and intercept bot access instantly.

The LCSD has stepped up the monitoring of unauthorised transfer and touting of sports and recreation venues, including closely monitoring social media platforms, collecting information such as venues and sessions of suspected touting cases on a regular basis and working closely with the law enforcement agency to take appropriate follow-up actions on suspected cases of unauthorised transfer. The LCSD will continue to monitor the effectiveness of the anti-touting measures, and will further enhance the SmartPLAY system and roll out more stringent administrative measures to combat touting when needed.

Meanwhile, as stipulated in the Conditions of Use of LCSD Recreation and Sports Facilities, hirers must check-in for the use of the facilities with their original Hong Kong Identity Cards (HKIDs) at the SSS or Self-service Check-in Device (CID) before using the facilities, and be present during the booked session(s). Any hirer who has failed to take up and/or be present during booked session(s) on two occasions within 60 consecutive days will be suspended from booking LCSD fee-charging facilities for 90 days.

The LCSD has formulated operational guidelines for venue staff of sports and recreation facilities. Venue staff are required to follow the relevant procedures when handling hirers' check-in of venues and keep proper records. They are also reminded, from time to time, to strictly follow the prevailing guidelines to inspect the use of sports and recreation facilities. The LCSD has also issued guidelines requiring district management staff to strengthen the venue management and arrange on-site inspections, especially for venues with a high risk of touting activities. Venue supervisory and frontline staff have been reminded to strictly enforce the relevant guidelines and ensure that the relevant official records (e.g. Sign-in Registration by Hirer/Users, Monthly Register of Block Bookings, etc) are properly maintained. In addition, the Quality Assurance Section of the LCSD will conduct surprise inspections of sports and recreation venues at different times to ascertain whether venue staff have followed the departmental guidelines when hirers check-in to take up booked facilities and when conducting random checks on hirers' use of venues. If irregularities are found, venue staff will be instructed to rectify immediately and the relevant summaries will be forwarded to the management of the respective districts for follow-up. Such reports will be submitted to the Head of Department for scrutiny in due course.

(2) Hirers of sports and recreation facilities are required to check-in with their original HKIDs at the SSSs or CIDs installed at leisure venues in person. Any person who, without lawful authority or reasonable excuse, uses or has the custody or is in possession of another person's identity card commits an offence.

At present, some of the sports and recreation venues under the

management of the LCSD are installed with closed-circuit televisions (CCTVs) cameras to deter illegal activities and monitor the venues. CCTVs in some of these venues cover the vicinity of the SSSs or CIDs. However, CCTVs can capture a large number of images of individuals or their personal data and the vast majority of the hirers are law-abiding. In order to avoid excessive collection of personal data, the LCSD has also adopted other methods that do not involve privacy concerns to effectively monitor the use of the venues by the hirers. These include arranging venue staff to carry out random inspections of the signers' HKIDs at the SSS or CIDs to verify whether they are the actual hirers of the facilities.

Venue staff will, from time to time, inspect whether the hirers are using the facilities at the venue during the booked sessions. If it is found out that the hirers are not using the facilities at the venue during the booked sessions, or if there is sufficient evidence to prove that the hirers have transferred the user permits in breach of the Conditions of Use, the LCSD will follow up in accordance with the established mechanism.

(3) Information on the investigation cases related to touting in the past five years is set out below:

	2020	2021	2022	2023	2024 to present
(i) Number of investigation cases#	90	740	232	177	130
(ii) Cases with penalties awarded#	0	2	0	2	13

#Note: The investigation cases only include those referred through the 1823 system, brought up by the Office of The Ombudsman or reported directly by members of the public by letters or e-mails to venue staff for investigation and penalty. There are no prosecution or successful conviction cases for touting in the past five years. Besides, the LCSD is analysing the booking patterns of hirers through the SmartPLAY booking system data to identify suspected touting activities.