Guide to Application A (Applicable to Travel Agents and Travel Agents’ Staff)

Anti-epidemic Fund
Travel Agents and Practitioners Support Scheme
Guide to Application A

Applicable to Travel Agents and Travel Agents’ Staff

(I) Introduction

1.1 In respect of travel agents and travel agents’ staff, the Travel Agents and Practitioners Support Scheme aims to:

(a) provide travel agents with a one-off subsidy ranging from $20,000 to $200,000 (amount depending on the number of their staff members):

<table>
<thead>
<tr>
<th>Number of Staff Members on 31 March 2020</th>
<th>Amount of Subsidy</th>
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</thead>
<tbody>
<tr>
<td>Fewer than 5</td>
<td>$20,000</td>
</tr>
<tr>
<td>5 to fewer than 20</td>
<td>$50,000</td>
</tr>
<tr>
<td>20 to fewer than 50</td>
<td>$100,000</td>
</tr>
<tr>
<td>50 or above</td>
<td>$200,000</td>
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</table>

(b) provide travel agents’ staff each with a subsidy equivalent to $5,000 monthly for six months. Each subsidy will be disbursed in two tranches. The amount in the first tranche will be $15,000 (equivalent to the subsidy for three months), which will be disbursed in around one to two months upon completion of approval; the amount in the second tranche will be $15,000 (equivalent to the subsidy for another three months), which will be disbursed around three months after the disbursement of the first tranche subsidy. Each person can receive one subsidy at most.

1.2 This Guide to Application A is applicable to travel agents and travel agents’ staff. Relevant applications must be submitted to the Travel Agents Registry (“TAR”) for approval. The Government reserves the final right to approve any application and to disburse any subsidy of any amount.

1.3 For freelance accredited tourist guides and tour escorts whose main occupations are tourist guides and tour escorts, please refer to Guide to Application B.

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1 A travel agent’s staff under this Scheme generally refer to the travel agent’s employees (including full-time and part-time employees) covered by the Mandatory Provident Fund (“MPF”) System. According to the Mandatory Provident Fund Schemes Ordinance (Cap. 485), employers must arrange employees aged 18 and below 65 to join MPF schemes and make regular mandatory contribution. For any employees exempt from joining MPF schemes under the Ordinance, the travel agent must provide other relevant supporting document(s), including but not limited to wage records/cheque copies of their salaries, copies of contracts of employment/assignment letters, and obtain the agreement of the approving authority.
(II) Eligibility of Applicants

2.1 “Eligible travel agent”: a travel agent holding on 14 February 2020 (the day on which the Government announced the establishment of the Travel Agents Subsidy Scheme under the Anti-epidemic Fund) a valid travel agent licence issued under the Travel Agents Ordinance (Cap. 218). The travel agent has to hold a valid travel agent licence during the period from application-making to subsidy approval.

2.2 “Eligible travel agent’s staff”: staff of an “eligible travel agent” on 31 March 2020.
(III) Application Procedures for Subsidy for “Eligible Travel Agent” and “Eligible Travel Agent’s Staff”

Note: Must submit supporting documents for staff list (MPF pay-record)
Applications of staff must be submitted by travel agents

Application Period

3.1 Each “eligible travel agent” must submit the original of completed Application Form A1 and copies of the required documents to TAR by post or in person on or before 15 June 2020. Late submission will not be considered. The postmark date will be taken as the date of submission by post.

3.2 Each “eligible travel agent” can only submit one application. Duplicate submission will not be processed.

3.3 TAR will acknowledge receipt of an application by email through the email address provided by the applicant in the application form. If the email address provided by the applicant is incorrect, TAR may not be able to issue acknowledgement of application to the applicant. Therefore, applicants are requested to fill in the relevant information clearly and correctly.

Application Form and Documents

3.4 An application must contain the following form and documents:

(a) the original of completed Application Form A1, in which a staff list on 31 March 2020 should be filled in (the application form can be downloaded from TAR’s website (www.tar.gov.hk) or obtained from its office, or downloaded from the Tourism Commission’s website (www.tourism.gov.hk));

(b) a copy of the Mandatory Provident Fund (“MPF”) pay-record covering each of the staff members above under the MPF scheme (issued by the MPF approved trustee) for March 2020 as the supporting document of the above staff list;

(c) in Application Form A1, in respect of subsidy collection, if the applicant:

(i) chooses to use the method of collecting the $80,000 subsidy under the Travel Agents Subsidy Scheme: no supporting document for the bank account required; or

(ii) specifies another bank account for collecting the subsidy: a copy of the first page of the bank book or bank statement of the relevant bank account; and

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2 TAR reserves the right to request the applicant to submit supplementary supporting document(s) and information in respect of its application.

3 Namely the travel agent’s employees (including full-time and part-time employees) on 31 March 2020.

4 According to the Mandatory Provident Fund Schemes Ordinance (Cap.485), employers must arrange employees aged 18 and below 65 to join MPF scheme and make regular mandatory contribution. If there is any staff not belonging to this category, travel agents have to provide other relevant supporting document(s), including but not limited to wage records/cheque copies of salary, copies of contracts of employment/assignment letters, etc.
(d) For the application of a subsidy by each of the “eligible travel agent’s staff” under this Scheme, please provide:

(i) **the original of Annex to Application Form A1 completed** by the staff member;

(ii) **a copy of the first page of the bank book or bank statement of the bank account** for subsidy collection by the staff member; and

(iii) **a copy of the Hong Kong identity card** of the staff member.

**Disbursement of Subsidy**

3.5 The Government will notify the “eligible travel agent” by email of the approved subsidy, and arrange the subsidy to be deposited directly into the bank account as specified by the travel agent.

3.6 The Government will notify the “eligible travel agent’s staff” by email of the approved subsidy, and arrange the subsidy to be deposited directly into the bank account as specified by the staff member **in two tranches**.

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(IV) Other Important Notes

4.1 If an eligible applicant under this Scheme is eligible for a subsidy under the Employment Support Scheme of the Anti-epidemic Fund, the applicant can apply for subsidies under this Scheme and the Employment Support Scheme at the same time. Other than this, if the applicant is an “eligible travel agent” and has successfully applied/is applying for a subsidy under any other scheme in the second round of the Anti-epidemic Fund, the applicant is not eligible for this Scheme; if the applicant is a member of “eligible travel agent’s staff” and has successfully applied/is applying for a subsidy under any other scheme of the Anti-epidemic Fund, the applicant is not eligible for this Scheme.

4.2 The information provided in the application form and the attached document(s) (including supplementary document(s) and information (if any)) has to be true and correct. If the applicant knowingly or wilfully makes any false statement or withhold any information, or misleads the Government for the purpose of obtaining any subsidy under the Scheme, it may be liable to criminal prosecution. The Government will also cancel the approved subsidy and full refund of the disbursed subsidy to the Government shall be required.

4.3 The Government has no obligation to process the application or make any payment under the Scheme in respect of the applicant if:

(a) any document(s)/information provided by the applicant under the Scheme is/are at any time found to be false, incomplete, inaccurate, incorrect or misleading; or

(b) the applicant is not eligible for the Scheme.

4.4 The beneficiary must notify the Government forthwith of any overpayment or any payment by mistake for whatever reason to it under the Scheme and refund the same to the Government. In this respect, the beneficiary authorises the bank to debit the bank account with such amount certified by the Government as overpayment or payment by mistake and indemnify the Government against any losses, damages, costs, charges and expenses which the Government may sustain or incur, which may include those as a result of delay in returning or failure to return such overpayment or payment by mistake.

(V) Notes to Personal Information Involved in the Application

Purposes of Collection of Personal Data

5.1 The Government and its agents will use the information provided by the applicant for the Scheme (including but not limited to the personal data of the applicant and its staff (if applicable)) for one or more of the following purposes and any directly related purposes:

(a) to process applications and payment (if applicable) under the Scheme and, if required, to communicate with the applicant for matters relating to the Scheme;

(b) to administer the Scheme, including but not limited to effecting payment;
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5.2 The Government and its agents may require the applicant, the authorised person and/or staff of the applicant (if the applicant is a travel agent), and/or the travel agent being the employer of the applicant (if the applicant is a travel agent’s staff member) to provide further document(s) and information to verify whether the document(s) and information provided by the applicant is true and correct.

5.3 Provision of information for the application is voluntary. If the applicant does not provide adequate and accurate data, the Government and its agents may not be able to process the application. Furthermore, the applicant must obtain the prescribed consent of its staff before disclosing their personal data to the Government when submitting the application. Their personal data will be used by the Government and its agents for the purposes set out above and disclosed to relevant organisations/persons under the conditions listed in paragraph 5.4 below.

Possible Transfer of Collected Data

5.4 The data provided by the applicant may be disclosed to relevant bureaux and departments of the Government, their agents, law enforcement agencies, banks and other transferees and any other parties involved in the administration and operation of the Scheme to obtain and verify information for the purposes stated in paragraphs 5.1 and 5.2 above (including matching with the databases of the relevant bureaux and departments of the Government and relevant organisations for the purposes of application approval, assessment, review, monitoring and law enforcement).

Access to Personal Data

5.5 Except where there is an exemption provided under the Personal Data (Privacy) Ordinance (Cap. 486), the applicant has the right to request access to and correction of personal data when the data have not been erased.

(VI) Enquiry

6.1 For enquiries, please contact TAR:

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<thead>
<tr>
<th>Email:</th>
<th><a href="mailto:tapss@cedb.gov.hk">tapss@cedb.gov.hk</a></th>
</tr>
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<tbody>
<tr>
<td>Telephone:</td>
<td>2735 5600; 2735 5611</td>
</tr>
<tr>
<td>Address:</td>
<td>Room 4901, 49/F, Hopewell Centre, 183 Queen’s Road East, Wanchai, Hong Kong</td>
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6 According to the Personal Data (Privacy) Ordinance (Cap. 486), prescribed consent means the express consent of the person given voluntarily, and such consent does not include any consent which has been withdrawn by notice in writing served on the person to whom the consent has been given (but without prejudice to so much of that act that has been done pursuant to the consent at any time before the notice is so served).