

Legislative Council Question No. 18
(Written Reply)

Date of Sitting : 28 March 2001

Asked by : Hon Howard Young Replied by : Secretary for Economic Services

Question :

Regarding unlicensed travel agents, will the Government inform this Council:

- (a) whether it knows the total number of travel agents carrying out travel service without a licence in the past three years;
- (b) of the circumstances in which outbound group tours can be organised by a person without a licence; and
- (c) of the actions it has taken against unlicensed travel agents?

Reply

Madam President,

My answer to Mr Young's question is as follows:-

- (a) During the past three years from 1998 to 2000, the Travel Agents Registry (TAR) received a total of 108 reports on organisations suspected of carrying on business as a travel agent without a licence.
- (b) A person is required to obtain a travel agent's licence if he carries on the business of obtaining for another person-
 - (i) transportation of an outward journey departing from Hong Kong; or
 - (ii) accommodation outside Hong Kong for which payment is paid to him by that other person.

However, a person will not be regarded as carrying on the business as a

travel agent under (i) if he is the operator of the carrier or under (ii) if the accommodation is intended to be occupied by the same person in the same place for a period exceeding 14 days.

- (c) Upon receipt of complaints/reports on alleged unlicensed activities, the TAR will investigate the cases. For first time offenders, it may issue an advisory letter to the person/organisation, drawing its attention to the relevant provisions of the Travel Agents Ordinance and the penalty for carrying on business without a travel agent's licence. The TAR will refer cases to the Police for investigation and possible prosecution if such activities continue. During 1998 to 2000, the TAR had referred a total of 24 cases to the Police. Four cases were successfully convicted with penalties ranging from \$2,000 to \$10,000.

Economic Services Bureau
28 March 2001