

LCQ3: Nuisances caused to residents by activities of receiving inbound Mainland tour groups

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Following is a question by the Hon Starry Lee and a reply by the Acting Secretary for Commerce and Economic Development, Dr Bernard Chan, in the Legislative Council today (March 21):

Question:

During the Labour Day holiday of the Mainland (commonly known as Labour Day Golden Week) each year, the number of inbound Mainland tour groups (IMTGs) surges as compared with those in the ordinary days. Among such IMTGs, quite a number of them charge low fares and have arranged shopping. It is learnt that such type of tour groups usually arrange their tour group members to have meals and shopping at designated restaurants and shops located in the old districts. As a result, the traffic in such districts is seriously congested due to a large number of coaches parking and picking up/dropping off tourists there, and the daily life of the residents in such districts has therefore been greatly affected. On the other hand, the Travel Industry Council of Hong Kong (TIC) has set up various disciplinary committees, which are responsible for handling non-compliance cases concerning and complaints against its member travel agents and the "registered shops" (i.e. those shops registered with the TIC which are dedicated to receiving tour group visitors). In this connection, will the Government inform this Council:

(1) whether it knows the total number of complaints involving IMTGs received by the disciplinary committees under the TIC in each of the past three years, a breakdown of such complaints by nature, the number of such complaints which were found substantiated, and the penalties imposed on the offenders concerned;

(2) whether it knows if the disciplinary committees under the TIC handled, in the past three years, complaints about the nuisances caused to residents by the activities of the registered shops and travel agents in receiving IMTGs; if the committees did, of the details; if not, whether the Government will urge TIC to handle this type of complaints; and

(3) of the new measures to be put in place to alleviate the nuisances that may be caused by IMTGs to the residents in old districts during the upcoming Labour Day

Golden Week; given that upon the passage of the Travel Industry Bill by this Council, the Government will establish a statutory regime for the licensing and regulation of travel agents, tourist guides and tour escorts, whether the Government will consider including the impacts brought to residents by the activities of receiving tour groups as one of the considerations for vetting and approval of applications for the relevant licenses; of the interim measures, before the relevant legislation comes into effect, to alleviate the nuisances caused to the residents in the aforesaid districts by the activities of receiving tour groups?

Reply:

President,

The Government has been maintaining close liaison with the Travel Industry Council of Hong Kong (TIC) to ensure the orderly operation of Hong Kong's travel industry. The TIC is responsible for trade self-regulation. Through promulgating codes of conduct and directives and putting in place a disciplinary mechanism, it regulates travel agents, tourist guides and tour escorts. Furthermore, the TIC implements the Refund Protection Scheme (Registered Shops) for Inbound Tour Group Shoppers (Refund Protection Scheme). Before taking visitors to registered shops, travel agents must register those shops with the TIC. The shops concerned are required to make pledges to the TIC, including providing refund protection for visitors, not coercing visitors into making purchases, etc.

My reply to the three-part question raised by the Hon Starry Lee is as follows:

(1) In 2015, 2016 and 2017, the TIC received 260, 161 and 195 complaint cases, respectively, from Mainland inbound tour group members. Each complaint case may involve more than one item. As regards breakdowns by nature, the complaints in 2015 involved 301 items in total, of which 148 pertained to shopping matters, 143 pertained to tourist guide services, and 10 pertained to travel agent arrangements; the complaints in 2016 involved 177 items in total, of which 110 pertained to shopping matters, 58 pertained to tourist guide services, and nine pertained to travel agent arrangements; and the complaints in 2017 involved 224 items in total, of which 140 pertained to shopping matters, 72 pertained to tourist guide services, and 12 pertained to travel agent arrangements.

If a complaint concerns a travel agent or tourist guide having breached TIC's

code of conduct or directive, the TIC will refer the case to its Compliance Committee for handling after conducting investigation; if a complaint concerns a shop having breached a pledge under the Refund Protection Scheme, the TIC will refer the case to its Committee on Shopping-related Practices for handling after conducting investigation.

From 2015 onwards, there were 139, 186 and 134 cases involving Mainland inbound tour groups, respectively, ruled by the Compliance Committee as substantiated year by year. The penalties imposed on the travel agents or tourist guides that had breached TIC's rules ranged from issuance of an advisory letter to termination of the travel agent membership or revocation of the tourist guide pass. The cases concerned mainly involved failure to register a Mainland inbound tour group with the TIC or that the information registered was not in compliance with requirements, failure to assign the same tourist guide to receive a Mainland inbound tour group throughout the journey, failure to distribute itineraries to visitors or that the itineraries were not in compliance with requirements, and coercing visitors into making purchases. In the same period, there were four, five and four cases involving Mainland inbound tour groups, respectively, ruled by the Committee on Shopping-related Practices as substantiated year by year. The penalties imposed on the shops that had breached pledges ranged from issuance of an advisory letter to imposition of demerit points. The cases concerned mainly involved failure to set out information about the goods or shops in the receipt in accordance with requirements, failure to comply with refund requirements, and use of TIC's name for advertising or promotional purposes without permission.

(2) and (3) All along, the Government and the TIC are deeply concerned about the impact brought about by inbound tour groups to the community and have adopted various counter-measures. From time to time, the TIC conducts on-site inspection and tasks its relevant committees with formulating counter-measures. It also takes follow-up actions with trade members involved, including issuing advisory letters, holding meetings, etc. Furthermore, from time to time, the TIC not only issues circulars to travel agents urging them to ensure coaches' compliance with traffic rules when going to tourist attractions and minimise the inconvenience caused to other road users, but also appeals to tourist guides for proper management of inbound tour groups through talks.

The orderly management of visits by inbound tour groups to restaurants and shops in the community calls for close co-operation and co-ordination among trade

members, including travel agents, tourist guides, restaurants, shops, coach drivers, etc. To this end, the Tourism Commission, together with the TIC and other relevant Government departments, has been holding meetings with trade representatives from time to time to follow up their arrangements of receiving inbound tour groups. In view of the forthcoming Labour Day Golden Week this year, we have also met up several times. The Government and the TIC have repeatedly urged the trade to maintain order when receiving inbound tour groups, and encouraged them to use information technology to strengthen visitor and vehicular flow control. Measures being implemented include: using instant messaging software with a chat room set up to strengthen communication among trade members; and installing video cameras outside a restaurant that serves inbound tour groups, on a pilot basis, to enable the trade to know the real-time on-the-spot situation so as to avoid an influx of a large number of tour groups at the same time.

In addition, after the Financial Secretary convened a high-level tourism co-ordinating meeting in October 2017, the relevant Government departments have been strengthening enforcement actions against illegal coach parking, as well as exploring and introducing different measures to promote the use of legal parking spaces by more coaches. The Government has been providing additional pick-up/drop-off spaces and parking spaces for coaches at appropriate locations (including tourist and shopping hotspots) on condition that road safety and other road users are not affected, letting car parks for coach parking on the basis of short-term tenancy (STT), as well as piloting the provision of a half-hourly concessionary parking rate in an STT car park with a view to improving coach drivers' incentive of using the car park.

The Government will continue to closely monitor whether the trade has continually adopted measures to minimise the inconvenience caused by inbound tour groups to the community. If there remains no improvement to the situation over time, the Government will recommend to the Travel Industry Authority soon to be set up that it should deploy more manpower to conduct on-site inspection, as well as formulate suitable administrative measures against those licensees that are not amenable to repeated advice and wilfully undertakes poor management in arranging inbound tour groups to visit shops and restaurants in a non-co-operative manner. Disciplinary orders can be made after investigation and disciplinary proceedings.

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