

## Tourism Commission's response to media enquiries

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In response to media enquiries regarding the follow-up on the closure of Kwan Kin Travel, a spokesman for the Tourism Commission said today (March 26):

"Travellers who have suffered losses of outbound fares due to Kwan Kin Travel's closure are protected by the Travel Industry Compensation Fund even if their tours were scheduled for departure before the travel agent's closure. There is no provision under the Travel Agents Ordinance (the Ordinance) and the Travel Industry Compensation Fund (Procedure for Ex-Gratia Payments) Rules (the Rules) forbidding applications related to outbound tours scheduled for departure before the travel agent's closure. According to section 3(1) of the Rules, an application for an ex-gratia payment may be made by the outbound traveller who has suffered the loss. Section 3A of the Rules requires that an application for an ex-gratia payment shall be accompanied by the franked original receipt for the outbound fare.

It is reasonable to infer the loss of an outbound fare if a travel agent has closed down before its traveller's tour is supposed to depart. If the tour was scheduled to depart before the travel agent closed down, the Travel Industry Compensation Fund Management Board Secretariat (the Secretariat) will request from the applicant additional proof that he/she has not received any travel service, e.g. notices issued by the travel agent of change of tour/cancellation of tour/retention of tour fare with the travel agent or other sufficient proof. Owing to the fact that travellers may still hold franked outbound receipts after their return from tours, the Secretariat has a duty to safeguard the compensation mechanism from abuse."

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