



香港旅行社
東主協會有限公司

Our ref: HKTAOA/06072011

6 July, 2011

Mr. Philip W H Yung, JP
Commissioner for Tourism
Tourism Commission
Commerce and Economic Development Bureau
2/F East Wing, Central Government Offices
Lower Albert Road, HK

Dear Mr. Yung,

Opinion on the Regulatory Control and Supervision of Hong Kong Travel Industry

Travel Industry is an important business sector in Hong Kong and is also one of the essential economic pillars of Hong Kong. Now, there are 1,578 travel agents in the Industry. The Industry also makes other related industries turn and become prosperous such as hotels, airlines, transport and retail business. Thus, the Regulatory Control and Supervision of Hong Kong Travel Industry are going to have deep effort on the Hong Kong economy as a whole.

In the past, there had been a number of negative impacts on inbound travel industry in Hong Kong. The main reasons were coming from the excess media propaganda and the improper response from TIC. Media propaganda as such has been given bad image on the Hong Kong Travel Industry. At this moment, should we not totally change the regulatory control and supervision systems, the public and the majority sectors of the travel and related industries would totally not satisfy with the present TIC systems. Therefore, we need to establish an independent regulatory organization that can offer public trust and effective regulatory control and supervision of the travel industry. Establishment as such can no longer be adjourned or delayed.

Today, Hong Kong Travel Industry needs a trustworthy and effective Regulatory Control and Supervision Organization. To form a trust worthy regulatory organization, the committee members can be nominated by government from the travel industry and non-travel industry so that they participate in the system of control and supervision. Committee as such is able to remove the doubts of the public. As you know, the establishment of TIC was at the years in the Eighties when there was collapse of travel agents. Travel agents pay levy to protect consumers so that their paid traveling expenses can be protected. At the moment, the TIC compensation fund is over 500 million. Thus, the levy stops in 2010. The 500 million can be used as the running capital for the established Regulatory Organization. However, someone may consider the establishment of an organization will increase the cost of industry operation and will raise the dissatisfaction of the industry operators. In fact, the majority of the industry operators reflect that the present system make the industry operators carry unnecessary and unreasonable expenses. For example, to become a member of TIC, a travel agent needs to enter one of the eight TIC travel associations. However, it is in the opinion that membership entry as such is considered to be violating the both the TIC constituent and related association/corporate M & A. In the proposed system, the application of license is going to be more simplified. The travel agent only requires to apply license with the "Regulatory Organization" and is no longer required to pay membership fees of other associations. This is able to reduce operation cost of travel agents.



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Furthermore, it may be a mistake that the general public is in the belief that the knowledge of TIC management committee understands the operation of travel industry. Inbound travel is one of the examples that need to tell where the travelers are coming from. The nominated outside professionals to the committee by the government may also cause difficulties in order that the regulatory or supervision systems can be more effective.

Our Association is not in the opinion to deny the past of TIC but is to face the changing of the environment. The ongoing existence of TIC need to rely on public trust, transparency and enforceable organization structure. In addition, the TIC operation needs to have the trust of the society, the love and support of the travel industry.

Yours Sincerely,

Yip Hing Ming Freddy
Chairman of HKTADA



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尊敬的容專員:

香港旅遊業的運作和規管之意見

旅遊業在香港擔當著重要角色，是本港經濟的重要支柱，現存香港旅行社數目達 1,578 間，而且旅遊業之興旺亦直接帶動其它相關行業如酒店、航空公司、交通及零售行業等，香港旅遊業的運作和規管，實對香港整體經濟影響深遠。

過去發生連串內地入境遊之負面事件，成因主要是由傳媒過份報導所影響，而 TIC 亦未能適當處理和回應而引發的問題，這負面廣泛報導已直接或間接破壞香港的形象。時至今天，不作出徹底改變旅遊業的監管，絕對不可能滿足公眾及大多數業內人士的要求。成立法定獨立機構規管，似難拖延和迴避。

今天香港旅遊業的運作和規管需要的是一個名正言順而且擁有公信力的規管機構。成員可按實際需要由政府邀請或委任具公信力之業外和業內人士參與規管，以平息公眾疑慮。眾所周知 TIC 的成立乃源於 80 年代連串旅行社相繼倒閉，故強制外遊旅行社徵收印花費，用以保障消費者，令已預繳的團費能得到保障，目前該徵費已滾存逾 5 億，故此 2010 年初已停止再徵收，此滾存的 5 億元亦可作為獨立規管機構將來之營運本金。可能有人認為成立一獨立規管機構會造成業者增加經營成本，令業內人士不滿，其實旅遊業大多數經營者，曾反映現時制度的流弊。導致各旅行社負擔不必要及不合理支出，例如必須先要加入一個屬會才可申請成為 TIC 會員繼而取得牌照去經營旅行社，此條例被質疑是違法及違憲。未來成立之獨立機構，必須將架構和制度簡化，日後各旅行社可直接向規管機構申領牌照，加入商會與否則由旅行社自由決定，這已可減輕兩個商會的入會費及年費的支出。

再者，TIC 理事成員對業內運作熟悉一論，乃最大誤差，正如專員所知，外遊業務為主的業者、對入境業的運作不太熟悉，入境業又必然因旅客來源地而有千差萬別的運作模式，更遑論由政府委派的各界專業人士加強管理，他們對業內運作認知有限，要成功規管，談何容易？因為當他們經過長時間參予並了解稍為熟悉一些業界情況後，任期又將屆滿，新委任之非業界理事又要重新摸索，週而復始，未能對症下藥，根治問題。

本會全人並非要全盤否定 TIC 的過去，而是面對環境的轉變，它的存在必須具公信力，增加透明度，精簡架構，其運作亦必須受到社會人士之信任和得到業界的支持和愛戴。

香港旅行社東主協會主席

葉慶寧謹具
2011 年 7 月 6 日