File Ref.: FINCR 6/3231/89

LEGISLATIVE COUNCIL BRIEF

Dutiable Commodities Ordinance (Cap. 109)

DUTIABLE COMMODITIES (AMENDMENT) BILL 2000

INTRODUCTION

Annex A

At the meeting of the Executive Council on 24 October 2000, the Council **ADVISED** and the Chief Executive **ORDERED** that the Dutiable Commodities (Amendment) Bill 2000 as set out in *Annex A* should be introduced into the Legislative Council (LegCo).

BACKGROUND AND ARGUMENT

Dutiable Commodities (Amendment) Bill 1999

- 2. On 17 November 1999, the Dutiable Commodities (Amendment) Bill 1999 (the 1999 amendment bill) was introduced into the LegCo. The 1999 amendment bill sought primarily to strengthen the enforcement and prosecution actions of Customs and Excise Department (C&ED) against the supply and sale of illicit fuel (which in general means duty-not-paid fuel) by adding the following two presumption provisions:
- (a) Light diesel oil and petrol is presumed to be dutiable if the sale, supply, purchase, receipt of such fuel or any other dealings in such fuel takes place at a location other than premises licensed under the Dangerous Goods (General) Regulations; and
- (b) Any light diesel oil found in the fuel tank of a motor vehicle with a sulphur content in excess of the maximum sulphur content prescribed under the Air Pollution Control (Motor Vehicle Fuel) Regulations (at present 0.05% by weight) is presumed to be dutiable.

- 3. Both presumptions seek to help C&ED to prove the offences of supply or use of illicit fuel by shifting the burden in adducing evidence to the suspect. The first one seeks to tackle the **supply** of illicit fuel, while the second one aims to deal with the **use** of it. The first presumption has now become part of the Dutiable Commodities Ordinance, after the 1999 amendment bill became law on 28 July 2000. The second presumption was, however, deleted from the 1999 amendment bill at the committee stage.
- The second presumption is primarily targeted at the use of 4. illicit fuel, in particular, the use of detreated oil and duty-not-paid oil smuggled into Hong Kong from other places. These two kinds of fuel are no different in appearance from legal fuel, and are difficult for C&ED to detect through spot checks at roadblocks. However, they can be distinguished from duty-paid diesel by their higher sulphur content. The current Air Pollution Control (Motor Vehicle Fuel) Regulations prohibit the supply for vehicular use of light diesel oil with a sulphur content higher than 0.05% by weight and only light diesel oil with a sulphur content at or below 0.05% is available from legitimate sources. Any such oil with a sulphur content above 0.05% is therefore very likely to be detreated oil or duty-not-paid light diesel oil. Even where it can be proved that vehicular diesel oil has an excessive sulphur content, C&ED is still required under the existing Ordinance to prove that the oil in question is duty-not-paid before it can proceed to prosecute those involved. This has not been possible in many cases. To address this problem, we propose to add a presumption provision to the effect that any light diesel oil found in the fuel tank of a motor vehicle with a sulphur content exceeding the maximum sulphur content prescribed under the Air Pollution Control (Motor Vehicle Fuel) Regulations is presumed to be dutiable.

Views of the Former Legislative Council and the Administration's Commitment

5. The LegCo generally appreciated the need for both of the above presumptions to enhance the effectiveness of the C&ED's enforcement measures against the supply and use of illicit fuel. Some Members however expressed concern about the inadvertent impact of the **second** presumption on professional drivers who work on shifts and adopt fuel from previous shifts without any knowledge about the source of fuel in their fuel tanks. They requested the Administration to -

- (a) consult the trade on the second presumption and to work out a proper record-keeping system to help drivers demonstrate the extent of their knowledge about the source of fuel in their vehicles; and
- (b) re-submit this presumption proposal to the newly-elected LegCo as soon as possible after the above consultation had been completed.
- 6. We do not consider that the inclusion of the second presumption in the Dutiable Commodities Ordinance will lead to unfair prosecution and conviction as the presumption itself does not create any new offence for use of illicit fuel. Whether or not a suspect should be convicted is a matter for the court to decide after taking into account all relevant factors, including whether the suspect knows the fuel is dutiable. Nonetheless, we agreed that the trade should be consulted on the second presumption and that a proper record-keeping system should be worked out with the trade before the presumption is to take effect. We therefore deleted this provision from the bill at the committee stage with a clear undertaking to consult the transport trade on the presumption proposal and then re-introduce it in the 2000-01 legislative session, after taking into account the outcome of the consultation.
- 7. The 1999 amendment bill was then passed by the former LegCo on 26 June 2000 and came into effect on 28 July 2000.

Consultation with the transport trade

- 8. C&ED has consulted a total of 86 organisations and individuals representing different sectors of the transport trade in six consultation sessions since early July 2000. A list of these organisations is at *Annex B*. The transport trade is generally supportive of the need for more vigorous legislative provisions to strengthen enforcement against the problem of illicit fuel. All the bodies consulted have expressed no objection to the re-introduction of legislative amendments in respect of the second presumption.
- 9. C&ED has also agreed with the trade on a set of guidelines which will help drivers to keep proper refuelling records at legitimate oil filling stations so as to demonstrate the extent of their knowledge about

Annex B

Annex C

the source of fuel in the vehicles they are using. A copy of the guidelines is at $Annex\ C$.

10. In view of the positive response from the transport trade, and the need to facilitate C&ED's enforcement actions against the use of illicit fuel, we propose to re-introduce the legislative amendments relating to the second presumption in a new Bill. As originally proposed in the 1999 amendment bill, the presumption will not apply to marked oil used in the vehicles. This is because marked oil is easily distinguishable from normal light diesel oil, and C&ED does not need the presumption to take action against its use. Nor will this presumption apply to light diesel oil used in the fuel tanks of cross-boundary vehicles entering Hong Kong from the Mainland, although such oil may have a sulphur content above 0.05% by weight. This is because such diesel oil is currently exempt from duty up to specified limits under the Dutiable Commodities Regulations, provided that it is not transferred to the fuel tanks of other vehicles for use.

THE BILL

11. **Clause 1** sets out the short title of the Bill. **Clause 2** stipulates that, subject to specific exceptions, light diesel oil with an excessive sulphur content is presumed to be dutiable.

LEGISLATIVE TIMETABLE

12. The legislative timetable for the Bill is-

Publication in the Gazette 27 October 2000

First Reading and 8 November 2000

commencement of Second

Reading debate

Resumption of Second Reading To be notified debate, committee stage and

Third Reading

BASIC LAW IMPLICATIONS

13. The Department of Justice advises that the Bill does not conflict with those provisions of the Basic Law carrying no human rights implications.

HUMAN RIGHTS IMPLICATIONS

- 14. The Department of Justice advises that the Bill is consistent with the human rights provisions of the Basic Law. In particular, having regard to -
- (a) the fact that light diesel oil with excessive sulphur content found in the fuel tank of a motor vehicle is more likely than not dutiable goods,
- (b) the evils of illicit fuel (revenue loss, air pollution and fire hazards),
- (c) the difficulty for the prosecutions to establish dutiability of illicit fuels, and
- (d) that the scope of the presumption is limited to the element of dutiability,

the Department of Justice advises that the proposed presumption satisfies the tests of rationality and proportionality in relation to statutory mandatory presumption of facts and is therefore consistent with the right to be presumed innocent guaranteed by Article 11(1) of the Hong Kong Bill of Rights under the Hong Kong Bill of Rights Ordinance.

BINDING EFFECT OF THE LEGISLATION

15. The Bill will not affect the binding effect of the existing provisions of the Ordinance and its subsidiary legislation.

FINANCIAL AND STAFFING IMPLICATIONS

- 16. The Bill seeks to strengthen C&ED's efforts to combat the problem of illicit fuel and should lead to increases in the use of duty-paid light diesel oil and hence to Government's revenue.
- 17. There are no staffing implications arising from the proposal. Additional workload, if any, arising from the proposal will be absorbed by C&ED from within its existing resources. In discharging their duties, C&ED needs to be equipped with four sets of mobile X-ray fluorescence analysers to detect the sulphur content in fuel. The total cost is estimated to be \$1.4 million. C&ED will absorb the non-recurrent and recurrent costs from within its existing resources.

ECONOMIC IMPLICATIONS

18. The proposal seeks to combat the use of illicit fuel. This amounts to preventing polluters from externalising the social cost of environmental pollution. This will also be conducive to development of a clean fuel market for vehicles.

ENVIRONMENTAL IMPLICATIONS

19. The proposal should lead to a reduction in air pollution. Vehicles using illicit fuel with a higher sulphur content may emit as much as 10% more particulates and nine times more sulphur oxides when compared with diesel fuel of 0.05% sulphur. When compared with ultra low sulphur diesel which is now the prime motor diesel on sale in local petrol filling stations, the increase in emissions can be up to 25% for particulates and 99 times for sulphur oxides. The proposal should therefore help to reduce particulate and sulphur oxides emissions from vehicle sources.

PUBLIC CONSULTATION

20. Transport-related organisations, as set out in Annex B, have been consulted. They have all indicated support for the proposed Bill.

PUBLICITY

21. We will issue a press release on 25 October 2000.

ENQUIRIES

22. In case of enquiries about this brief, please contact Ms Esther Leung, Principal Assistant Secretary for the Treasury (Revenue), at 2810 2370.

Finance Bureau

File reference: FIN CR 6/3231/89 Pt.9

25 October 2000

A BILL

To

Amend the Dutiable Commodities Ordinance to provide for the presumption of dutiability of light diesel oil based on its sulphur content.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Dutiable Commodities (Amendment) Ordinance 2000.

2. Presumptions

Section 40 of the Dutiable Commodities Ordinance (Cap. 109) is amended by adding -

"(ca) any light diesel oil found in the fuel tank of a motor vehicle and having a sulphur content in excess of that stipulated in Schedule 1 to the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap. 311 sub. leg.) is dutiable goods unless the circumstances are such that the exemption under regulation 12(1)(n), (p) or (pa) of the Dutiable Commodities Regulations (Cap. 109 sub. leg.) applies;".

Explanatory Memorandum

The object of this Bill is to extend the presumptions under the Dutiable Commodities Ordinance (Cap. 109) so that, subject to specific exceptions, light diesel oil with an excessive sulphur content is presumed to be dutiable goods.

List of transport industry representatives consulted

- (I) Taxi
- 1. The Kowloon Taxi Owners Association Ltd.
- 2. NW Area Taxi Drivers & Operators Association
- 3. Sai Kung Taxi Operators Association Ltd.
- 4. The Taxi Operators Association Ltd.
- 5. Taxi Dealers & Owners Association Ltd.
- 6. Golden Link Taxi Owners and Drivers Association Ltd.
- 7. Hong Kong Kowloon Taxi & Lorry Owners' Association Ltd.
- 8. The Hong Kong Taxi and Public Light Bus Association Ltd.
- 9. Wai Yik HK & Kln & NT Taxi Owners Association
- 10. NT Taxi Merchants Association Ltd.
- 11. The Association of NT Radio Taxicabs Ltd.
- 12. Rambo Taxi Owners' Association Ltd.
- 13. United Friendship Taxi Owners & Drivers Association Ltd.
- 14. CTOD Association Co. Ltd.
- 15. Urban Taxi Drivers Association Joint Committee Co. Ltd.

(II) Public Light Bus Association

- 16. Public Light Bus General Association
- 17. Hon Wah Public Light Bus Association Ltd.
- 18. HK Kln & NT Public & Maxicab Light Bus Merchants' United Association
- 19. Hong Kong Public & Maxicab Light Bus United Association

- 2 -

- 20. Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd.
- 21. The Kln PLB Chiu Chow Traders & Workers Friendly Association
- 22. Lam Tin Wai Hoi Public Light Bus Merchants Association Ltd.
- 23. Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.
- 24. Lung Cheung Public Light Bus Welfare Advancement Association Ltd.
- 25. Motor Transport Workers General Union
- 26. NT PLB Owners Association
- 27. NT San Tin PLB (17) Owners Association
- 28. Sai Kung PLB Drivers and Owners Association
- 29. Tsuen Wan PLB Commercial Association Ltd.

(III) Public Light Bus (Scheduled) Operators

- 30. Aberdeen Maxicab Service Co. Ltd.
- 31. Aplichau Maxicab Service Co. Ltd.
- 32. Wong Chuk Hang Light Bus Services Co. Ltd.
- 33. Peace Base Investment Ltd.
- 34. Superlong Ltd.
- 35. Wing Lee Motor Co. Ltd.
- 36. Chit Fai Motors Co. Ltd.
- 37. Brilliant Way PLB (Scheduled) Service Co. Ltd.
- 38. Fine Luck Ltd.
- 39. Peak Scene Ltd.
- 40. Choi Kee Investment Co. Ltd.
- 41. Hop Cheong PLB Maxicab Co. Ltd.
- 42. Hon Wah Maxicab Ltd.
- 43. Cantel Ltd.

- 44. Tat Ngai Development Ltd.
- 45. Nice Class Co. Ltd.
- 46. Shine Wah Services Ltd.
- 47. Bothfine Transportation Ltd.
- 48. Kamalie Ltd.
- 49. Sai Kung PLB (Maxicab) No. 1&2 Co. Ltd.
- 50. Lee Keung Enterprises Ltd.
- 51. Merry Dragon Ltd.
- 52. Saraluck Investment Ltd.
- 53. City Joy Investment Ltd.
- 54. D Like Investment Ltd.
- 55. C & W Mini Bus Service Co. Ltd.
- 56. Sun Power International Investment Ltd.
- 57. Win Top Services Ltd.
- 58. Fonsilk Investment Ltd.
- 59. Hop Kwan Special Route Co. Ltd.
- 60. Hop On P.L.B. Bus Service Co. Ltd.
- 61. Hong Kong Public & Maxicab Light Bus United Association
- 62. GMB Maxicab Operators General Association Ltd.

(IV) Goods Vehicle

- 63. The Hong Kong Union of Light Van Employees
- 64. The Goods Vehicle Fleet Owners Association Ltd.
- 65. Kowloon Truck Merchants Association Ltd.

(V) Container Tractor

- 66. Hong Kong Container Tractor Owner Association Ltd.
- 67. Container Transportation Employee General Union

(VI) Mixer Truck

- 68. Mixer Truck Drivers' Association
- 69. The Concrete Producers Association of Hong Kong Ltd.
- 70. Pioneer Concrete Owners Drivers Association

(VII) Others

- 71. Motor Transport Workers General Union
- 72. Traffic Services Employees Association
- 73. Lok Ma Chau China-Hong Kong Freight Association
- 74. Hong Kong Dumper Truck Drivers Association
- 75. Federation of Hong Kong Industries
- 76. Hong Kong Guangdong Transportation Association Ltd.
- 77. Hong Kong Driving Instruction Club Ltd.
- 78. Owners and Drivers Association
- 79. Organisation of Hong Kong Drivers
 - * Customs and Excise Department has also consulted a total of seven individual licensees of public light bus (scheduled) operator.

Guidelines on keeping proper fuelling records

Points to note

In order to combat the illicit use of fuel oil, Customs and Excise Department will frequently set up road blocks to check the fuel tanks of vehicles. To avoid being implicated in illegal activities, professional drivers are advised to note the following:

- check the fuel tank whenever they take over a vehicle to ascertain any presence of reddish color in the fuel, particularly if it is a hired vehicle;
- keep the last 3 oil filling receipts for establishing the source of fuel;
- the vehicle owners shall maintain a log book with details of the names and duty hours of drivers, odometer reading and its reading at the time of refueling, particulars of drivers or any other persons responsible for refueling etc;
- the taxi owner and the driver may specify in the hire agreement which party is responsible for refuelling;
- drivers should always purchase fuel oil at legitimate filling stations;
- whenever possible, the drivers should settle the payment for the fuel by credit cards or cards issued by oil companies. If payment is made by other means, keep the receipts from filling stations for ease of verification; and
- if the drivers discover any illegal sale of fuel, they should immediately inform C & ED whenever the circumstance warrants or report to the Crime Hotline of C & ED at telephone no. 2545 6182.

Hong Kong Tourist Association Ordinance (Chapter 302)

Hong Kong Tourist Association (Amendment) Bill 2001

Annexes

Annex A -	Hong Kong Tourist Association (Amendment) Bill 20	001
-----------	---	-----

Annex B - Relevant sections in the existing Hong Kong Tourist Association Ordinance and other ordinances proposed to be amended

HONG KONG TOURIST ASSOCIATION (AMENDMENT) BILL 2001

CONTENTS

Clause		Page
	PART I	
	PRELIMINARY	
1.	Short title and commencement	1
	PART II	
	AMENDMENT OF HONG KONG TOURIST ASSOCIATION ORDINANCE AND ITS SUBSIDIARY LEGISLATION	
	Hong Kong Tourist Association Ordinance	
2.	Long title	1
3.	Short title	2
4.	Interpretation	2
5.	Section substituted 3. Establishment of Board	4
6.	Objects of Board	4
7.	Section substituted 5. Seal of Board and authentication of the seal, and instruments executed under the seal	5
8.	Section substituted 6. Certain contracts and instruments not required to be under seal	5
9.	Section substituted	

	7. General powers of Board	6
10.	Section substituted	
	8. Executive Director and Deputy Executive Director	7
11.	Section substituted	
	9. Constitution and membership of Board	8
12.	Section substituted	
	 Resignation and removal of member, Chairman and Deputy Chairman 	9
13.	Board to be a body corporate	10
14.	Seal of the Board and authentication thereof, and instruments executed thereunder	10
15.	Certain contracts and instruments not required to be under seal	10
16.	Board to have management of Association	10
17.	Restriction on future financial commitments	10
18.	Board to make recommendations to Chief Executive on certain matters	10
19.	General powers of Board	10
20.	Chief Executive in Council may give directions	10
21.	Power of Board to appoint committees	11
22.	Grants	11
23.	Estimates	11
24.	Accounts and audit	12
25.	Reports	12
26.	Power of Board to make rules	12
27.	Meetings of Association	12
28.	Section substituted	
	22. Proceedings at meeting of Board	12
29.	Section substituted	
	23. Validity of proceedings	13

30.	Prohibition of possession and use of badges or emblems	13
31.	Unauthorized use of the title of Board	13
32.	Section substituted	
	26. Prohibition of possession and use of former badges or emblems of Association	14
33.	Section added	
	27. Unauthorized use of title of Association	14
	Hong Kong Tourist Association Rules	
34.	Repeal	15
	PART III	
	SAVINGS AND TRANSITIONAL PROVISIONS	
35.	Interpretation	16
36.	Vesting of property, rights and liabilities of old Board in new Board and saving of validity of old Board's acts	16
37.	Provisions incidental and supplemental to section 36	17
38.	Member or chairman of old Board taken to be the same of new Board	18
39.	Officer, servant or agent of Association taken to be the same of new Board	19
40.	Ordinance to be construed as continuing only valid and lawful acts	19
41.	Provisions of this Part not to derogate from section 23 of Interpretation and General Clauses Ordinance	20

PART IV

CONSEQUENTIAL AMENDMENTS

Specification of Public Offices

42.	Schedule amended	20
	Specification of Public Office	
43.	Schedule amended	20
	Prevention of Bribery Ordinance	
44.	Public bodies	21
	Travel Agents Regulations	
45.	Schedule 2 amended	21
	Protection of Investors Ordinance	
46.	Schedule amended	22
	Legislative Council Ordinance	
47.	Composition of the tourism functional constituency	22
	Hong Kong Trade Development Council Ordinance	
48.	Membership of the Council	22

A BILL

To

Amend the Hong Kong Tourist Association Ordinance by replacing the Hong Kong Tourist Association and its board of management by a new body corporate; and to make related amendments.

Enacted by the Legislative Council.

PART I

PRELIMINARY

1. Short title and commencement

- (1) This Ordinance may be cited as the Hong Kong Tourist Association (Amendment) Ordinance 2001.
- (2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Economic Services by notice published in the Gazette.

PART II

AMENDMENT OF HONG KONG TOURIST ASSOCIATION ORDINANCE AND ITS SUBSIDIARY LEGISLATION

Hong Kong Tourist Association Ordinance

2. Long title

The long title to the Hong Kong Tourist Association Ordinance (Cap. 302) is repealed and the following substituted -

"To establish the Hong Kong Tourism Board as a body corporate and to provide for its objects and powers; and for related matters.".

3. Short title

Section 1 is amended by repealing "Tourist Association" and substituting "Tourism Board".

4. Interpretation

Section 2(1) is amended -

- (a) in the definition of "Association" -
 - (i) by repealing "(香港旅遊協會)";
 - (ii) by adding after "section 3" -

"that was in force immediately before the day appointed for the coming into operation of Part II of the Hong Kong Tourist Association (Amendment) Ordinance 2001 (of 2001);";

- (b) by repealing the definition of "Board" and substituting -
 - ""Board" (發展局) means the Hong Kong Tourism Board Established by section 3(1);";
- (c) by repealing the definitions of "international passenger carrier",

 "recognized travel agent" and "scheduled journeys";
- (d) in the definition of "tour operator", by repealing everything after "means" and substituting "a natural person who is engaged in a business in Hong Kong, and that business includes the organization of tours for or supplying of guides to visitors to Hong Kong.";
- (e) by adding -

""Chairman" (主席) means the Chairman of the Board appointed under section 9(5) or the person who acts in that office under section 9(7);

- "Deputy Chairman" (副主席) means the Deputy Chairman of the Board appointed under section 9(5);
- "Deputy Executive Director" (副總幹事) means a Deputy Executive Director of the Board appointed under section 8(1);
- "Executive Director" (總幹事) means the Executive Director of the Board appointed under section 8(1);
- "hotel operator" (旅館營運人) means a natural person who operates, keeps or manages a licensed hotel or who is otherwise in control of a licensed hotel;
- "licensed hotel" (持牌旅館) means a hotel within the meaning of section 2 of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349) and which is licensed under section 8 of that Ordinance or the licence of which is renewed under section 9 of that Ordinance;
- "licensed restaurant" (持牌食肆) means a restaurant that is within the meaning of section 31 of the Food Business Regulation (Cap. 132 sub. leg.) and is licensed under that section;
- "licensed travel agent" (持牌旅行代理商) means a natural person who is engaged in the business of a travel agent who is within the meaning of section 2 of the Travel Agents Ordinance (Cap. 218) and is licensed under section 11 of that Ordinance;

- "member" (成員) means a member of the Board appointed under section 9(1);
- "passenger carrier" (客運商) means a natural person who is engaged in the business of providing carriage for passengers into and out of Hong Kong;
- "restaurant operator" (食肆營運人) means a natural person who operates, keeps or manages a licensed restaurant or who is otherwise in control of a licensed restaurant; "retailer" (零售商) means a natural person who is engaged in a retail business in Hong Kong;".

5. Section substituted

Section 3 is repealed and the following substituted -

"3. Establishment of Board

- (1) There is established by this section a body with the name "Hong Kong Tourism Board" in English and "香港旅遊發展局" in Chinese.
 - (2) The Board is a body corporate and has perpetual succession.
- (3) The Board may sue and be sued either in its English name or in its Chinese name.".

6. Objects of Board

Section 4 is amended -

- (a) by repealing "Association" and substituting "Board";
- (b) in paragraph (a), by repealing "number of visitors" and substituting "contribution of tourism";
- (c) by repealing paragraph (b) and substituting -

- "(b) to promote Hong Kong globally as a leading international city in Asia and a world class tourist destination;";
- (d) by repealing paragraph (d) and substituting -
 - "(d) to support the Government in promoting to the community the importance of tourism;";
- (e) in paragraph (e), by repealing "co-ordinate" and substituting "support, as appropriate,".

7. Section substituted

Section 5 is repealed and the following substituted -

"5. Seal of Board and authentication of the seal, and instruments executed under the seal

- (1) The Board shall have a common seal, and the fixing of the seal shall be authenticated by the signatures of -
 - (a) the Chairman, or a member who is authorized for that purpose by the Board either generally or specially; and
 - (b) some other person authorized for that purpose by the Board, either generally or specially.
- (2) Any instrument purporting to be an instrument duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be taken to be an instrument so executed.".

8. Section substituted

Section 6 is repealed and the following substituted -

"6. Certain contracts and instruments not

required to be under seal

Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal,

may be entered into or executed on behalf of the Board by any person generally or specially authorized by the Board for that purpose.".

9. Section substituted

Section 7 is repealed and the following substituted -

"7. General powers of Board

The Board may do the following -

- (a) acquire, take on lease, purchase, hold, hire and enjoy any lands, premises and other property of any kind, and dispose of the same;
- (b) subject to the restrictions on future financial commitments set out in section 14A, enter into any contract;
- (c) engage in, assist and promote such activities as are conducive to the better carrying out of the objects of the Board;
- (d) with the approval of the Financial Secretary, invest money not immediately required for the purposes of the Board;
- (e) with the approval of the Financial Secretary and subject to such conditions as the Financial Secretary may determine, borrow or otherwise raise money on such security as may be necessary;
- (f) for the purpose of borrowing or otherwise raising money in accordance with paragraph (e) charge all or any part of the property of the Board;
- (g) make copyright, trade mark and other intellectual property applications;
- (h) appoint such staff, agents or contractors as the Board considers necessary to carry out its objects;

- (i) delegate to the Executive Director, Deputy Executive Director or any other employees of the Board such of its powers and duties as it may consider expedient for the efficient conduct and management of the affairs of the Board; however, this delegation does not preclude the Board from exercising or performing at any time any of the powers or duties so delegated;
- enter into, execute or accept the assignment of, and vary or rescind any contract, agreement, memorandum of understanding or obligation;
- (k) publish periodicals, booklets and other written material, and produce or sponsor the production of documentary films and other audio-visual material, and distribute the same by sale or by loan, hire or otherwise with or without charge as the Board thinks fit;
- (l) do all such things as are calculated to facilitate, or as are incidental or conducive to, the exercising or performing of the powers or duties of the Board and the better carrying out of the objects of the Board.".

10. Section substituted

Section 8 is repealed and the following substituted -

"8. Executive Director and Deputy Executive Director

- (1) The Board shall, subject to subsection (3), appoint -
 - (a) 1 Executive Director; and
 - (b) 1 or more Deputy Executive Directors.
- (2) The Executive Director is the chief administrative officer of the Board.

(3) The appointment of the Executive Director and the Deputy Executive Director, and the determination of their remuneration and other terms of appointment, shall be subject to the approval of the Chief Executive.".

11. Section substituted

Section 9 is repealed and the following substituted -

"9. Constitution and membership of Board

- (1) The Board shall consist of 20 members who are natural persons to be appointed by the Chief Executive.
 - (2) Of the 20 members -
 - (a) 2 shall be passenger carriers;
 - (b) 2 shall be hotel operators;
 - (c) 2 shall fall within any of the following combinations -
 - (i) 1 licensed travel agent and 1 tour operator;
 - (ii) 2 licensed travel agents or 2 tour operators; and
 - (d) 2 shall fall within any of the following combinations -
 - (i) 1 retailer and 1 restaurant operator;
 - (ii) 2 retailers or 2 restaurant operators.
- (3) The term of a member is 3 consecutive years, or such lesser period as the Chief Executive may determine at the time of appointment.
- (4) The Chief Executive may reappoint a member on the expiry of the term of that member.
- (5) The Board shall have a Chairman and a Deputy Chairman who are to be appointed by the Chief Executive from among the members.
- (6) The Chairman and Deputy Chairman hold office so long as they continue to be members.

- (7) If the Chairman is temporarily incapacitated by injury or illness, or temporarily absent from Hong Kong, the Deputy Chairman shall act in the office of the Chairman during the period when the Chairman is incapacitated by injury or illness, or is absent from Hong Kong.
- (8) If the office of Chairman is vacant as a result of resignation or removal under section 10 or otherwise, the Deputy Chairman shall act in the office of the Chairman pending the appointment of a new Chairman.
- (9) If the office of Deputy Chairman is also vacant, the Chief Executive shall appoint a member to act in the office of the Chairman -
 - (a) during the period when the Chairman is incapacitated by injury or illness, or is absent from Hong Kong; or
 - (b) pending the appointment of a new Chairman.".

12. Section substituted

Section 10 is repealed and the following substituted -

"10. Resignation and removal of member, Chairman and Deputy Chairman

- (1) A member may resign by giving a notice in writing to the Chief Executive.
- (2) The Chairman or Deputy Chairman may resign by giving a notice in writing to the Chief Executive.
- (3) The Chief Executive may remove a person from the office of member, Chairman or Deputy Chairman if the Chief Executive is satisfied that the member, Chairman or Deputy Chairman -
 - (a) has become bankrupt or made a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with creditors; or
 - (b) is incapacitated by physical or mental illness; or

(c) is otherwise unable or unfit to exercise or perform the powers or duties of a member, Chairman or Deputy Chairman.".

13. Board to be a body corporate

Section 11 is repealed.

14. Seal of the Board and authentication

thereof, and instruments executed

thereunder

Section 12 is repealed.

15. Certain contracts and instruments not

required to be under seal

Section 13 is repealed.

16. Board to have management of Association

Section 14 is repealed.

17. Restriction on future financial

commitments

Section 14A is amended by repealing "理事會" wherever it appears and substituting "發展局".

18. Board to make recommendations to Chief

Executive on certain matters

Section 15 is repealed.

19. General powers of Board

Section 16 is repealed.

20. Chief Executive in Council may give

directions

Section 16A(1) is amended -

- (a) by repealing "理事會" wherever it appears and substituting "發展局":
- (b) by repealing "職責" and substituting "責任".

21. Power of Board to appoint committees

Section 17 is amended -

- (a) in subsection (1) -
 - (i) by repealing "The" and substituting "Subject to subsection (3), the";
 - (ii) by repealing the colon and the proviso after it and substituting a full stop;
- (b) in subsection (2), by repealing "理事會的理事" and substituting "發展局的成員";
- (c) by adding -
 - "(3) A delegation under subsection (1) does not preclude the Board from exercising or performing the powers or duties that have been delegated.".

22. Grants

Section 17A is amended by repealing everything after "assisting the" and substituting "Board to carry out its objects and to exercise its functions.".

23. Estimates

Section 17B is amended by repealing "理事會" wherever it appears and substituting "發展局".

24. Accounts and audit

Section 18(1) is amended by repealing everything after "relation" and substituting "to it, and shall prepare in respect of each financial year a statement of accounts.".

25. Reports

Section 19(1) is amended by repealing "and on the activities of the Association".

26. Power of Board to make rules

Section 20 is amended -

- (a) in paragraphs (a) and (b), by repealing "or the Association";
- (b) by repealing paragraphs (c), (d) and (e);
- (c) in paragraph (f), by repealing "職責" and substituting "責任";
- (d) by repealing "理事會" wherever it appears and substituting "發展局"

27. Meetings of Association

Section 21 is repealed.

28. Section substituted

Section 22 is repealed and the following substituted -

"22. Proceedings at meeting of Board

Subject to this Ordinance, the proceedings at any meeting of the Board shall be conducted in such manner as the Board may determine.".

29. Section substituted

Section 23 is repealed and the following substituted -

"23. Validity of proceedings

The validity of any proceedings of the Board shall not be affected by any defect in the appointment of any of its member or by any vacancy among its members.".

30. Prohibition of possession and use of badges

or emblems

Section 24 is repealed.

31. Unauthorized use of the title of Board

Section 25 is amended -

- (a) in subsection (1) -
 - (i) by repealing everything before paragraph (a) and substituting
 "(1) Except with the written consent of the
 Board or other reasonable excuse, a person shall not
 incorporate or form, or be a director, office bearer or
 organizer of any company, body corporate, firm or
 - organization which -";
 - (ii) by repealing "the Association" wherever it appears and substituting "the Board";
 - (iii) by repealing "thereof" where it twice appears and substituting "of the Board";
 - (iv) in paragraph (b), by repealing "Tourist Association" or "香港 旅遊協會" and substituting "Tourism Board" or "香港旅遊發 展局"";

(b) in subsection (2), by repealing "of \$50,000" and substituting "at level 5".

32. Section substituted

Section 26 is repealed and the following substituted -

"26. Prohibition of possession and use of former

badges or emblems of Association

- (1) Except with the written consent of the Board or other reasonable excuse, a person shall not use or be in possession for use a former badge or emblem.
- (2) A person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine at level 5.
 - (3) In this section -

"former badge or emblem" (舊徽章或標記) means -

- (a) any badge of the Association, which badges are portrayed in the Schedule, or any copy or replica of the badge in any colour or size whatsoever; or
- (b) any badge, emblem or other device containing the words "Hong Kong Tourist Association" or the characters "香港旅遊協會"; or
- (c) any badge, emblem or other device that so resembles any badge, emblem or other device of the Association as to be capable of being mistaken for the badge, emblem or other device.
- (4) This section expires at midnight on 31 December 2010 or such later date as the Legislative Council may be resolution determine.".

33. Section added

The following is added -

"27. Unauthorized use of title of Association

- (1) Except with the written consent of the Board or other reasonable excuse, a person shall not incorporate or form, or be a director, office bearer or organizer of any company, other body corporate, firm or organization which -
 - (a) purports or holds itself out to be -
 - (i) the Association or any branch or part of the Association; or
 - (ii) connected or associated with the Association in any manner; or
 - (b) uses a title in any language which so resembles the title "Hong Kong Tourist Association" or "香港旅遊協會" as to deceive or mislead any person in believing that the company, body corporate, firm or organization is -
 - (i) the Association or any branch or part of the Association; or
 - (ii) connected or associated with the Association in any manner.
- (2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine at level 5.
- (3) This section expires at midnight on 31 December 2010 or such later date as the Legislative Council may by resolution determine.".

Hong Kong Tourist Association Rules

34. Repeal

The Hong Kong Tourist Association Rules (Cap. 302 sub. leg.) are repealed.

PART III

SAVINGS AND TRANSITIONAL PROVISIONS

35. Interpretation

- In this Part, unless the context otherwise requires -
- "amended Ordinance" (經修訂條例) means the Hong Kong Tourist Association Ordinance as amended by Part II;
- "appointed day" (指定日期) means the day appointed for the coming into operation of Part II;
- "Association" (協會) means the Hong Kong Tourist Association established by section 3 of the Hong Kong Tourist Association Ordinance;
- "Hong Kong Tourist Association Ordinance" (《香港旅遊協會條例》) means the Ordinance known as the Hong Kong Tourist Association Ordinance (Cap. 302) that was in force immediately before the appointed day;
- "new Board" (發展局) means the Hong Kong Tourism Board established by section 3 of the amended Ordinance;
- "old Board" (理事會) means the Board of Management established by section 9 of the Hong Kong Tourist Association Ordinance, and named the Hong Kong Tourist Association Board by section 11 of the Hong Kong Tourist Association Ordinance.

36. Vesting of property, rights and liabilities of old Board in new Board and saving of validity of old Board's acts

- (1) All property, rights and liabilities of the old Board are vested in the new Board as from the appointed day by virtue of this subsection.
- (2) Nothing in this Ordinance affects the validity of anything lawfully done by or in relation to the old Board before the appointed day.

(3) Anything that immediately before the appointed day is in the process of being done by or in relation to the old Board may be continued by or in relation to the new Board to the extent that it is consistent with this Ordinance.

37. Provisions incidental and supplemental to section 36

- (1) Any agreement, arrangement or contract made or entered into or transaction effected or other things done by, to or in relation to the old Board that is in force or effective immediately before the appointed day or that is to take effect on or after that day has effect as from that day as if made, entered into, effected or done by, to or in relation to the new Board to the extent that it is consistent with this Ordinance.
 - (2) Accordingly, references to the old Board -
 - (a) in any agreement, arrangement or contract or in any record or in any deed, bond or instrument;
 - (b) in any process or other document issued, prepared or employed for the purpose of any proceeding before a court, tribunal or similar body; and
 - (c) in any other document whatever (other than an enactment) relating to or affecting any property, right or liability of the old Board that vests in the new Board under section 36,

are taken as from the appointed day as referring to the new Board in whatever terms as may be appropriate in the circumstances and to the extent that it is consistent with this Ordinance.

- (3) The new Board may be sued for the liabilities to which it is subject under section 36 and they may be recovered from the new Board.
- (4) The new Board may sue on, recover or enforce a chose in action vested in it under section 36 without having to give notice of the transfer to a person bound by the chose in action.

- (5) The record of property of the old Board immediately before the appointed day that is in the form of an entry in the books of a bank, company or other corporation is to be transferred in those books to the new Board on the request of the new Board, by the bank, company or other corporation.
- (6) The legal claims including present, future, actual and contingent claims by or against the old Board, including any accrued right of appeal, judicial and administrative proceedings instituted by or against the old Board that existed immediately before the appointed day do not abate by reason of the commencement of Part II. They may be continued or enforced by or against the new Board.
- (7) The guarantees and indemnities given by the old Board become and are the liability of the new Board, and the guarantees and indemnities given to the old Board become and are the property of the new Board.
- (8) Any delegation or authorization made by the old Board under the Hong Kong Tourist Association Ordinance is to continue in force to the extent that it is consistent with this Ordinance and in so far as it is necessary to continue its effect after the appointed day.

38. Member or chairman of old Board taken to

be the same of new Board

- (1) A person who holds office as a member or chairman of the old Board immediately before the appointed day shall be taken to have been appointed to the office in the new Board by the Chief Executive under section 9 of the amended Ordinance.
- (2) Such a member or Chairman of the new Board shall hold office so long as the member or chairman would have held office in the old Board.
- (3) This section does not affect the power of the Chief Executive under section 10(3) of the amended Ordinance to remove a person from the office of member of Chairman.

39. Officer, servant or agent of Association

taken to be the same of new Board

- (1) A person who has been appointed by the old Board under section 8(2) of the Hong Kong Tourist Association Ordinance as an officer, servant, agent, Executive Director or Deputy Executive Director of the Association and holds office immediately before the appointed day shall be taken to be appointed by the new Board under section 7(h) or 8(1) of the amended Ordinance to the same position in the new Board without any change to that person's remuneration and other terms of appointment.
- (2) For the purposes of determining the right to a pension, gratuity or other benefits ("the benefits"), if any, or for computing the amount of any such benefits of a person who is taken to be appointed by the new Board under subsection (1), the period of employment of that person under the old Board is to be taken into account and the commencement of Part II is not to be taken as having broken the continuity of that person's employment.
- (3) The appointment, remuneration and other terms of appointment of the Executive Director and Deputy Executive Director in subsection (1) shall be taken to have been approved by the Chief Executive under section 8(3) of the amended Ordinance.

40. Ordinance to be construed as continuing only valid and lawful acts

This Part shall not be construed as giving validity, continuing in force or giving effect to any or all of the following -

- (a) anything that could not have validly been done or given effect to under an enactment amended or repealed by this Ordinance;
- (b) anything done otherwise than in the lawful exercise of a power or performance of a duty.

41. Provisions of this Part not to derogate from section 23 of Interpretation and General

Clauses Ordinance

The provisions of this Part are in addition to and not in derogation from section 23 of the Interpretation and General Clauses Ordinance (Cap. 1).

PART IV

CONSEQUENTIAL AMENDMENTS

Specification of Public Offices

42. Schedule amended

The Schedule to the Specification of Public Offices (Cap. 1 sub. leg.) is amended by repealing -

"Financial Secretary Hong Kong Tourist Association Ordinance (Chapter

302), section 16(da).

Financial Secretary Hong Kong Tourist Association Rules (Chapter 302)

subsidiary legislation), rule 3(1)."

and substituting -

"Financial Secretary Hong Kong Tourism Board Ordinance (Chapter 302),

section 7(d).".

Specification of Public Office

43. Schedule amended

The Schedule to the Specification of Public Office (L.N. 324 of 1999) (Cap. 1 sub. leg.) is amended by repealing -

"Chief Secretary for Hong Kong Tourist Association Ordinance

Administration

(Chapter 302), section 19(2)."

and substituting -

"Chief Secretary for

Administration

Hong Kong Tourism Board Ordinance (Chapter 302), section 19(2).".

Prevention of Bribery Ordinance

44. Public bodies

Schedule 1 to the Prevention of Bribery Ordinance (Cap. 201) is amended by repealing item 22 and substituting -

"22. Hong Kong Tourism Board.".

Travel Agents Regulations

45. Schedule 2 amended

Schedule 2 to the Travel Agents Regulations (Cap. 218 sub. leg.) is amended -

- (a) in Form 4, in paragraph 3 -
 - (i) by repealing subparagraph (a);
 - (ii) in subparagraph (c), by repealing "(b)" and substituting "(a)";
 - (iii) by renumbering subparagraphs (b) and (c) as subparagraphs (a) and (b) respectively;
- (b) in Form 5, in paragraph 2 -
 - (i) by repealing subparagraph (a);
 - (ii) in subparagraph (c), by repealing "(b)" and substituting "(a)";
 - (iii) by renumbering subparagraphs (b) and (c) as subparagraphs(a) and (b) respectively.

Protection of Investors Ordinance

46. Schedule amended

The Schedule to the Protection of Investors Ordinance (Cap. 335) is amended in Part IV by repealing item 4 and substituting -

"4. Hong Kong Tourism Board.".

Legislative Council Ordinance

47. Composition of the tourism functional

constituency

Section 20O(a) of the Legislative Council Ordinance (Cap. 542) is repealed.

Hong Kong Trade Development Council Ordinance

48. Membership of the Council

Section 11(1)(b)(iv) of the Hong Kong Trade Development Council Ordinance (Cap. 1114) is repealed and the following substituted -

"(iv) the Chairman of the Hong Kong Tourism Board.".

Explanatory Memorandum

The purpose of this Bill is to amend the Hong Kong Tourist Association Ordinance (Cap. 302) so as to -

- (a) replace the Hong Kong Tourist Association (the "Association") and its Board of Management by a new body corporate known as the Hong Kong Tourism Board (the "Board");
- (b) update some of the objects to be achieved by the Board;

- (c) abolish the membership system of the Association that consists of travel industry members and ordinary members;
- (d) appoint up to 20 members to joint the Board.
- 2. Part I contains the short title and the commencement provision (clause 1).
- 3. Part II amends the Hong Kong Tourist Association Ordinance (Cap. 302). It includes the following provisions -
 - (a) clauses 2 and 3 amend the long and short titles of the Ordinance;
 - (b) clause 4 amends the interpretation provisions of the Ordinance;
 - (c) clause 5 establishes the Hong Kong Tourism Board and incorporates it as a body corporate;
 - (d) clause 6 updates some of the objects of the Association as follows -
 - (i) instead of to endeavour to increase the number of visitors to Hong Kong, the new object is to increase the contribution of tourism to Hong Kong;
 - (ii) instead of to further the development of Hong Kong as a tourist destination, the new object is to promote Hong Kong globally as a leading international city in Asia and a world class tourist destination;
 - (iii) instead of to secure publicity outside Hong Kong for the tourist attractions in Hong Kong, the new object is to support the Government in promoting to the community the importance of tourism;
 - (iv) instead of to co-ordinate the activities of persons providing services for visitors to Hong Kong, the new object is to support these activities, as appropriate;

- (e) clauses 7, 8 and 9 repeal provisions relating to the criteria of, application for, and termination of membership of the Association and substitute the provisions relating to the seal and general powers of the Board;
- (f) clause 10 provides for the appointment of an Executive Director and one or more Deputy Executive Directors of the Board;
- (g) clause 11-
 - (i) amends the constitution and membership of the Board. The number of Board members will be increased from 11 to 20, and they will be directly appointed by the Chief Executive. Some of the members of the Board will be appointed from people falling within specified categories; and
 - (ii) provides for the appointment of a new Deputy Chairman to the Board;
- (h) clause 18 repeals the provision that requires the Association to make recommendation to the Chief Executive on matters concerning the membership of the Association and its Board of Management;
- (i) clause 26 repeals the following matters for which the Board of Management of the Association has power to make rules -
 - (i) the holding of meetings of the Association;
 - (ii) the membership system of the Association;
- (j) clause 32 prohibits until midnight of 31 December 2010 any unauthorized use of the badges or emblems of the Association;
- (k) clause 33 prohibits until midnight of 31 December 2010 any unauthorized use of the title of the Association;

- (l) clause 34 repeals the Hong Kong Tourist Association Rules (Cap. 302 sub. leg.) that provide for matters relating to the meetings and membership system of the Association.
- 4. Part III contains savings and transitional provisions that are required for the transfer of matters concerning the Association to the Board (clauses 35 to 41).
- 5. Part IV contains consequential amendments to other Ordinances (clauses 42 to 48).

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:	
			ORDINANCE		
		Heading:	Long title	Version Date:	30/06/1997

To provide for the establishment and constitution of a tourist association and a board of management, and for matters connected therewith.

[21 June 1957]

(Originally 29 of 1957)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION
ORDINANCE

Section: 1 Heading: Short title Version Date: 30/06/1997

This Ordinance may be cited as the Hong Kong Tourist Association Ordinance.

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:	23 of 1998
Sections	2	Haadina	ORDINANCE Interpretation	Varsian Data	01/07/1007
Section:	Z	Heading:	Interpretation	Version Date:	01/07/1997

Remarks:

- (1) In this Ordinance, unless the context otherwise requires-
- "Association" (協會) means the Hong Kong Tourist Association (香港旅遊協會) established under section 3; (Amended 56 of 1974 s. 3)
- "Board" (理事會) means the Board of Management established under section 9;
- "financial year" (財政年度) means a period of 12 months beginning on 1 April;
- "international passenger carrier" (國際客運商) means any person carrying on a business providing carriage for passengers into and out of Hong Kong, and includes the agent in Hong Kong of any such person; (Amended 77 of 1982 ss. 2 & 13; 23 of 1998 s. 2)
- "recognized travel agent" (認可旅行代理商) means a travel agent recognized by an international passenger carrier as its agent;
- "scheduled journeys" (編定旅程) mean journeys which are undertaken between the same two places and which together amount to a systematic service operated in such a manner that the benefits

thereof are available to members of the public from time to time seeking to use them; (Added 77 of 1982 s. 2)

"tour operator" (旅遊經營商) means any person carrying on a business in Hong Kong which consists, wholly or in part, in organizing and conducting tours for or in supplying guides to visitors to Hong Kong. (Added 77 of 1982 s. 2)

(2) (Repealed 23 of 1998 s. 2)

(Amended 24 of 1960 s. 2; 23 of 1998 s. 2)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number: ASSOCIATION ORDINANCE

Section: 3 Heading: **Establishment and** Version Date: 30/06/1997

constitution of Association

(1) There shall be established an association to be known as the Hong Kong Tourist Association (香港旅遊協會). (Amended 56 of 1974 s. 4)

(2) The Association shall consist of travel industry and ordinary members admitted to membership under section 6. (Replaced 77 of 1982 s. 3)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number: 23 of 1998;
ASSOCIATION 36 of 1999
ORDINANCE
Section: 4 Heading: Objects of Association Version Date: 01/07/1997

Remarks:

Adaptation amendments retroactively made - see 23 of 1998 s. 2; 36 of 1999 s. 3

The objects of the Association shall be-

- (a) to endeavour to increase the number of visitors to Hong Kong;
- (b) to further the development of Hong Kong as a tourist destination; (Amended 77 of 1982 s. 4)
- (c) to promote the improvement of facilities for visitors;
- (d) to secure publicity outside Hong Kong for the tourist attractions of Hong Kong; (Amended 23 of 1998 s. 2)
- (e) to co-ordinate the activities of persons providing services for visitors to Hong Kong;
- (f) to make recommendations to and advise the Chief Executive in relation to any measures which may be taken to further any of the foregoing matters. (Amended 36 of 1999 s. 3)

(Amended 77 of 1982 s. 13)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:
ASSOCIATION
ORDINANCE
Section: 5 Heading: Eligibility for membership Version Date: 30/06/1997

- (1) Any body of persons incorporate or group of persons unincorporate, being-
 - (a) an international passenger carrier;
 - (b) an hotel proprietor;
 - (c) a recognized travel agent; or
 - (d) a tour operator,

shall be eligible for admission to membership of the Association as a travel industry member.

- (2) Any body of persons incorporate or group of persons unincorporate, who are-
 - (a) interested in travel and tourist development, either commercially or otherwise; and
 - (b) not eligible for membership under subsection (1),

shall be eligible for admission to membership of the Association as an ordinary member.

(Replaced 77 of 1982 s. 5)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION
ORDINANCE
Section: 6 Heading: Application for and admission to membership

ORDINANCE

Version Date: 30/06/1997

- (1) Every application for membership of the Association shall be made to the Board. (Amended 5 of 1958 s. 4; 24 of 1960 s. 4)
- (2) The Board shall consider all such applications and shall admit to membership of the Association such of those persons who are eligible for membership, as it thinks fit.

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:
ASSOCIATION
ORDINANCE
Section: 7 Heading: Termination of wersion Date: 30/06/1997
membership

The Board may, if it thinks fit, terminate, at any time, the membership of any travel industry or ordinary member of the Association.

(Amended 5 of 1958 s. 5; 77 of 1982 s. 6)

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
			ASSOCIATION		
			ORDINANCE		
Section:	8	Heading	: Officers and servants	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s. 3

- (1) The Association shall have an executive director and a deputy executive director (hereinafter referred to as the Executive Director and Deputy Executive Director respectively) and such other officers, servants and agents as the Board may determine.
- (2) The Executive Director, Deputy Executive Director and such other officers, servants and agents shall be appointed by the Board, and the terms of any such appointment, as to remuneration or otherwise, shall be such as the Board may determine:

Provided that the appointment of the Executive Director and Deputy Executive Director, and their remuneration and terms of appointment, shall be subject to the approval of the Chief Executive. (Amended 36 of 1999 s. 3)

(Amended 71 of 1979 s. 2; 77 of 1982 s. 2)

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:	36 of 1999
			ORDINANCE		
Section:	9	Heading	: Establishment and	Version Date:	01/07/1997
			constitution of Board		

Remarks:

- (1) The Association shall have a Board of Management consisting of 11 persons of whom-
 - (a) 6 (called "appointed members") shall be appointed by the Chief Executive as he thinks fit; and
 - (b) 4 (called "nominated travel industry members") shall be nominated by the travel industry members of the Association and appointed by the Chief Executive; 1 by each of the following classes of members-
 - (i) international passenger carriers;
 - (ii) hotel proprietors;
 - (iii) recognized travel agents;
 - (iv) tour operators; and
 - (c) 1 (called "nominated ordinary member") shall be nominated by the ordinary members of the Association, and appointed by the Chief Executive.
- (2) Members of the Board shall hold office for such period not exceeding 3 years as the Chief Executive shall stipulate.
 - (3) (a) A person nominated as a nominated travel industry member shall be-
 - (i) an individual;
 - (ii) except in the case of a person nominated by international passenger carriers,

- accepted by the Board as being engaged in the day to day activities of a member in the class which nominated him; and
- (iii) in the case of a person nominated by international passenger carriers. accepted by the Board as being engaged in the day to day activities of a member of that class which-
 - (A) carries passengers by air on scheduled journeys; or
 - (B) carries passengers by sea.
- (b) A person nominated as a nominated ordinary member shall be an individual.
- When for any reason a vacancy occurs in the office of a nominated travel industry member, the class of members by whom such member was nominated may, within 1 month of the occurrence of such vacancy, nominate another person for appointment as a nominated travel industry member.
- (d) When for any reason a vacancy occurs in the office of a nominated ordinary member the ordinary members may, within 1 month of the occurrence of such vacancy, nominate another person for appointment as a nominated ordinary member.
- (e) Where he thinks fit, the Chief Executive may, after consultation with those persons who are members of the Board, decline to appoint-
 - (i) as a nominated travel industry member any person who has been nominated under subsection (1)(b);
 - (ii) as a nominated ordinary member any person who has been nominated under subsection (1)(c).
- (f) Where-
 - (i) Within 1 month of the occurrence of any vacancy in the office of a nominated travel industry member, the class of members by whom such member was nominated for appointment has not nominated another person for appointment as a nominated travel industry member; or
 - (ii) the Chief Executive declines to appoint as a nominated travel industry member any person who has been nominated for such appointment under subsection (1)(b) by any class of members,

those persons who are members of the Board at the expiry of such month or at the time the Chief Executive so declines to appoint a person as a nominated travel industry member, as the case may be, may nominate another person for appointment as a nominated travel industry member; and such nomination shall be made and have effect as if the nomination were made by that class of members.

- (g) Where-
 - (i) within 1 month of the occurrence of any vacancy in the office of a nominated ordinary member, the ordinary members have not nominated another person for appointment as a nominated ordinary member; or
 - (ii) the Chief Executive declines to appoint as a nominated ordinary member any person who has been nominated for such appointment under subsection (1)(c),

those persons who are members of the Board at the expiry of such month or at the time the Chief Executive so declines to appoint a person as a nominated ordinary member, as the case may be, may nominate another person for appointment as a nominated ordinary member; and such nomination shall be made and have effect as if the nomination were made by ordinary members.

- (h) Every nomination under subsection (1) shall be made in accordance with such procedure as the Board may prescribe.
- (4) When for any reason a vacancy occurs in the office of an appointed member of the Board, such vacancy shall be filled by appointment by the Chief Executive.
- (5) The Chief Executive shall appoint a member of the Board as chairman thereof, and may appoint another member of the Board to act as chairman thereof during the temporary incapacity by illness or during the temporary absence from Hong Kong of the chairman.

- (6) The Chief Executive may appoint any person to be temporarily a member of the Board during the temporary incapacity by illness or during the temporary absence from Hong Kong of any member of the Board, and-
 - (a) where the member so incapacitated or absent is a nominated travel industry member, the person appointed under the provisions of this subsection shall be appointed as representing the class of members by whom such member was nominated for appointment;
 - (b) where the member so incapacitated or absent is a nominated ordinary member, the person appointed under the provisions of this subsection shall be appointed as representing ordinary members.

(Replaced 77 of 1982 s. 8. Amended 36 of 1999 s. 3)

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
			ASSOCIATION		
			ORDINANCE		
Section:	10	Heading:	Resignation of members	Version Date:	01/07/1997
			and power of Chief		
			Executive to declare office		
			vacant		

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s. 3

- (1) A member of the Board may, at any time, by notice in writing addressed to the Chief Executive, resign his office as such.
 - (2) If the Chief Executive is satisfied that a member of the Board-
 - (a) has become bankrupt or made an arrangement with his creditors;
 - (b) is incapacitated by physical or mental illness; or
 - (c) is otherwise unable or unfit to discharge the functions of a member of the Board,

the Chief Executive may declare his office as a member of the Board to be vacant, and shall notify the fact in such manner as he thinks fit, and thereupon his office shall become vacant.

(Amended 36 of 1999 s. 3)

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION ORDINANCE	Gazette Number:	
Section:	11	Heading:	Board to be a body corporate	Version Date:	30/06/1997

The Board shall be a body corporate and shall have the name of the Hong Kong Tourist Association Board and in that name shall have perpetual succession and may sue and be sued.

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:
ASSOCIATION
ORDINANCE

Section: 12 Heading: Seal of the Board and version Date: 30/06/1997
authentication thereof, and instruments executed thereunder

- (1) The Board shall have a common seal, and the affixing of the seal shall be authenticated by the signatures of-
 - (a) the chairman of the Board, or some other member thereof authorized for that purpose by the Board either generally or specially; and
 - (b) some other person authorized for that purpose by the Board, either generally or specially.
- (2) Any instrument purporting to be an instrument duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be an instrument so executed.

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION
ORDINANCE

Section: 13 Heading: Certain contracts and instruments not required to be under seal

Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed on behalf of the Board by any person generally or specially authorized by the Board for that purpose.

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION ORDINANCE

Section: **14** Heading: **Board to have management** Version Date: 30/06/1997

of Association

The Board shall have the management and control of the Association.

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
- ··I					
			ASSOCIATION		
			ORDINANCE		
			011211111102		
Section:	14A	Heading:	Restriction on future	Version Date:	01/07/1997
		· ·	financial commitments		
			manciai communents		

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s. 3

The Board shall not without the Chief Executive's approval in any financial year enter into any contract if expenditure under the contract together with all other contracts previously entered into is likely to involve expenditure by the Board in any subsequent financial year under any major head of expenditure specified by the Board under section 17B of an amount or aggregate amount exceeding the amount in the estimate of expenditure approved by the Chief Executive under section 17B for the same major head of expenditure for the financial year in which the contract is entered into (and not transferred to any other major head by the Board) together with any other sum transferred to that head by the Board during that financial year (other than a sum transferred from any unallocated balance or surplus shown in the estimates for that financial year).

(Added 58 of 1989 s. 2. Amended 36 of 1999 s. 3)

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:	36 of 1999
			ORDINANCE		
Section:	15	Heading:	Board to make	Version Date:	01/07/1997
			recommendations to Chief		
			Executive on certain matters	S	

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s. 3

It shall be a duty of the Board to make, within such period as the Chief Executive in Council may from time to time prescribe, recommendations to the Chief Executive as to the extent to which members of the Board may be elected by the members of the Association and as to the desirability of increasing the classes of person eligible for membership of the Association.

(Amended 36 of 1999 s. 3)

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:		
Section:	16	Heading:	ORDINANCE General powers of Board	Version Date:	30/06/1997	

The Board may, for the purposes of the Association.-

- (a) acquire, take on lease, purchase, hold, hire and enjoy any lands, premises, messuages, tenements, and other property of any kind, and dispose of the same;
- (b) subject to the restrictions on future financial commitments set out in section 14A, enter into any contract; (Amended 58 of 1989 s. 3)
- (c) engage in, assist and promote such activities as are conducive to the better carrying out of the objects of the Association and the convenience and enjoyment of Hong Kong as a holiday resort; (Amended 77 of 1982 s. 13)
- (d) delegate to the Executive Director, Deputy Executive Director or any other officer or servant of the Association such of its powers and duties as it may deem expedient for the efficient conduct and management of the affairs of the Association; (Amended 71 of 1979 s. 3; 77 of 1982 s. 10)

Provided that no delegation made hereunder shall preclude the Board from exercising or performing at any time any of the powers or duties so delegated;

- (da) with the approval of the Financial Secretary, invest moneys not immediately required for the purposes of the Association; (Added 71 of 1979 s. 3)
- (e) with the approval of the Financial Secretary and subject to such conditions as he may determine, borrow or otherwise raise money on such security as may be necessary; (Added 53 of 1970 s. 2)
- (f) for the purpose of borrowing or otherwise raising money in accordance with paragraph (e) charge all or any part of the property of the Board; (Added 53 of 1970 s. 2)
- (g) do all such things as are calculated to facilitate, or as are incidental or conducive to, the discharge of the functions of the Board and the better carrying out of the objects of the Association.

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
•			ASSOCIATION		
			ORDINANCE		
Section:	16A	Heading:	Chief Executive in Council	Version Date:	01/07/1997
			may give directions		

Remarks:

- (1) The Chief Executive in Council may, if he considers the public interest so requires, give directions in writing to the Board with respect to the exercise of its powers and the performance of its duties under this Ordinance, and the Board shall comply with those directions.
 - (2) No such direction shall be inconsistent with any provision of this Ordinance. (Added 71 of 1979 s. 4. Amended 36 of 1999 s. 3)

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION ORDINANCE

Section: 17 Heading: Power of Board to appoint Version Date: 30/06/1997

committees

(1) The Board may from time to time appoint such committees as it considers necessary for securing the efficient discharge of its functions and may delegate to any such committee any of its powers and duties:

Provided that no delegation made hereunder shall preclude the Board from exercising or performing at any time any of the powers and duties so delegated.

(2) Any person may be appointed a member of any such committee notwithstanding that he is not a member of the Board.

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999	
			ASSOCIATION			
			ORDINANCE			ĺ
Section:	17A	Heading	:: Grants	Version Date:	01/07/1997	

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s. 3

Each financial year there shall be paid to the Board out of moneys provided by the Legislative Council the sum the Chief Executive approves for the purpose of assisting the Association to carry out its objects and for the Board to exercise its functions.

(Added 58 of 1989 s. 4. Amended 36 of 1999 s. 3)

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
			ASSOCIATION		
			ORDINANCE		
Section:	17B	Heading	: Estimates	Version Date:	01/07/1997

Remarks:

- (1) Each financial year, before a date appointed by the Financial Secretary, the Board shall forward to the Financial Secretary, for the approval of the Chief Executive, a programme of its proposed activities and estimates of its income and expenditure for the next financial year.
- (2) The Board shall set out in its estimates the source of all income and shall set out the distribution of expenditure under the following major heads-
 - (a) staff emoluments (including provision for provident fund benefits, medical expenses and other ancillary pecuniary benefits);

- (b) capital expenditure exceeding such sum on any one item as the Financial Secretary may approve;
- (c) recurrent expenditure other than expenditure shown under major head (a) and capital expenditure other than expenditure shown under major head (b);
- (d) other non-recurrent expenditure on proposed activities. and shall show in the estimates all unallocated balances and surpluses available for use in the financial year to which the estimates relate.
- (3) Each major head of expenditure shall show clearly the distribution of all moneys and shall contain the particulars and information that the Chief Executive may require.
- (4) Where several matters are dealt with under one head, each matter shall be itemised and be shown in a separate sub-head relating to similar items of expenditure, and shall contain the particulars and information that the Chief Executive may require.
 - (5) The Board without the approval of the Chief Executive may-
 - (a) transfer from its unallocated balances or surpluses (if any) shown in its estimates to any major head of expenditure or from any major head or heads of expenditure to any other
 - major head of expenditure an amount or amounts in aggregate not exceeding 20% of the amount approved for the major head to which the sum is or sums are transferred; and
 - (b) transfer any amount or amounts without restriction, from any sub-head to any other sub-head within the same major head of expenditure.
- (6) Except as permitted by subsection (5)(a), the Board shall not transfer any amount to any major head of expenditure without the approval of the Chief Executive.
- (7) The Board may expend on any major head of expenditure or any sub-head only the sums approved by the Chief Executive (and not transferred to any other major head or sub-head) and any sum transferred to it under subsection (5).
- (8) Until subsection (2) comes into operation, the Board shall set out in its estimates the source of all income and shall set out the distribution of expenditure under the major heads approved by the Financial Secretary.

(Added 58 of 1989 s.4. Amended 36 of 1999 s.3)

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
1			ASSOCIATION		
			ORDINANCE		
Section:	18	Heading:	Accounts and audit	Version Date:	01/07/1997

Remarks:

- (1) The Board shall keep proper accounts and proper records in relation thereto, and shall prepare in respect of each financial year a statement thereof.
- (2) The accounts shall be audited annually by an auditor appointed by the Chief Executive. (Amended 36 of 1999 s.3)
- (3) As soon as possible after the accounts for any financial year have been audited, a copy of the statement of accounts prepared in accordance with this section, together with a copy of any report made by the auditor on that statement or on the accounts, shall be laid on the table of the Legislative Council.

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	L.N. 362 of
			ASSOCIATION		1997; 36 of
			ORDINANCE		1999
Section:	19	Heading	: Reports	Version Date:	01/07/1997

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s.3

- (1) The Board shall, as soon as possible after the end of each financial year, make to the Chief Executive a report on its activities and on the activities of the Association during that year.
- (2) The Chief Secretary for Administration shall lay a copy of every such report on the table of the Legislative Council. (Amended L.N. 362 of 1997)

(Amended 36 of 1999 s.3)

Chapter:	302	Title: HONG KONG TOURI	ST Gazette Number:	36 of 1999	
		ASSOCIATION			l
		ORDINANCE			l
Section:	20	Heading: Power of Board to ma	ke Version Date:	01/07/1997	l
		rules			l

Remarks:

Adaptation amendments retroactively made - see 36 of 1999 s.3

The Board may, with the approval of the Chief Executive in Council, by rules prescribe or provide for- (Amended 36 of 1999 s.3)

- (a) the manner of convening any meeting of the Board or the Association;
- (b) regulating the proceedings (including the quorum) at any meeting of the Board or the Association;
- (c) the form of application for membership of the Association and, in respect of any such application from a travel agent, the furnishing and form of a certificate from an international passenger carrier of its recognition of the travel agent as its agent;
- (d) fees for membership of the Association;
- (e) conditions and requirements of membership of the Association;
- (f) generally, for the exercise of its powers and duties under this Ordinance.

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	
			ASSOCIATION		
			ORDINANCE		
Section:	21	Heading	: Meetings of Association	Version Date:	30/06/1997

The Board shall convene a general meeting of the Association annually, and may convene such other meetings of the Association as it considers necessary.

Chapter: 302 Title: HONG KONG TOURIST Gazette Number:

ASSOCIATION
ORDINANCE

Section: 22 Heading: Proceedings at meetings of Version Date: 30/06/1997
Association and Board

- (1) The proceedings at any meeting of the Board, or of any committee appointed by the Board, or of the Association shall be conducted in accordance with the provisions of rules made under this Ordinance.
- (2) Subject to the provisions of this Ordinance and of any such rules, the proceedings at any such meeting shall be conducted in such manner as the Board may determine.

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION ORDINANCE	Gazette Number:	
Section:	23	Heading	: Validity of proceedings	Version Date:	30/06/1997

- (1) The validity of any proceedings of the Board shall not be affected by any defect in the appointment of any member thereof or by any vacancy amongst the members thereof.
- (2) The validity of any proceedings of the Association shall not be affected by any defect in the admission of any person to membership of the Association.

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION ORDINANCE	Gazette Number:	
Section:	24	Heading:	Prohibition of possession and use of badges or emblems	Version Date:	30/06/1997

- (1) No person shall, except with the authority of the Association, use or have in his possession-
 - (a) any badge of the Association, which badges are portrayed in the Schedule, or any copy or replica of such badge in any colour or size whatsoever; or (Amended 77 of 1982 s.11)
 - (b) any badge, emblem or other device containing the words "Hong Kong Tourist Association" or the characters "香港旅遊協會"; or (Amended 56 of 1974 s.5)

- (c) any badge, emblem or other device which so resembles any badge, emblem or other device of the Association as to be capable of being mistaken for such badge, emblem or other device.
- (1A) The Association may impose such conditions as it thinks fit upon any authorization given under subsection (1). (Added 77 of 1982 s.11)
- (1B) If any person fails to comply with any conditions imposed under subsection (1A) the Association may revoke or suspend the authorization or may vary the conditions. (Added 77 of 1982 s. 11)
- (2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of \$50000. (Amended 77 of 1982 s.11)

(Replaced 52 of 1965 s.2)

Chapter:	302	Title:	HONG KONG TOURIST ASSOCIATION	Gazette Number:	
			ORDINANCE		
Section:	25	Heading:	Unauthorized use of the	Version Date:	30/06/1997
			title of the Association		

- (1) No person shall incorporate or form, or be a director, office bearer or organizer of any company, body corporate, firm or organization which, without the written consent of the Board-
 - (a) purports or holds itself out to be-
 - (i) the Association or any branch or part thereof; or
 - (ii) connected or associated with the Association in any manner; or
 - (b) uses a title in any language which so resembles the title "Hong Kong Tourist Association" or "香港旅遊協會" as to deceive or mislead any person in believing that the company, body corporate, firm or organization is-
 - (i) the Association or any branch or part thereof; or
 - (ii) connected or associated with the Association in any manner.
- (2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of \$50000. (Amended 77 of 1982 s.12)

(Added 56 of 1974 s.6)

Chapter:	302	Title:	HONG KONG TOURIST	Gazette Number:	36 of 1999
1			ASSOCIATION		
			ORDINANCE		
Section:	26	Heading:	Power to amend the	Version Date:	01/07/1997
			Schedule		

Remarks:

(Added 56 of 1974 s.7. Amended 36 of 1999 s.3)

B2866 1999 年第 324 號法律公告

1999 年第 51 期憲報第二號法律副刊

L.S. NO. 2 TO GAZETTE NO. 51/1999

L.N. 324 of 1999

B2867

1999 年第 324 號法律公告

公職指定

(由行政長官會同行政會議根據《釋義及通則條例》 (第1章)第43條訂立)

1. 現指定列於附表第 1 欄的公職,以便執行列於附表第 2 欄的條例。

附表

〔第1條〕

公職

執行的條例

政務司司長

香港旅遊協會條例 (第 302 章),第 19(2)條。

仁小会亲红

行政會議秘書 陳美寶

行政會議廳

1999年12月14日

註釋

本公告的作用是使政務司司長可以轉授其在《香港旅遊協會條例》(第302章)第19(2)條上的權力及職責予其他公職人員。

L.N. 324 of 1999

SPECIFICATION OF PUBLIC OFFICE

(Made by the Chief Executive in Council under section 43 of the Interpretation and General Clauses Ordinance (Cap. 1))

1. The public office mentioned in column 1 of the Schedule is specified for the purposes of the Ordinance mentioned in column 2 of the Schedule.

SCHEDULE

[s. 1]

Public Office Chief Secretary for Administration Ordinance for which specified Hong Kong Tourist Association Ordinance (Chapter 302), section 19(2)

Mable CHAN
Clerk to the Executive Council

COUNCIL CHAMBER 14 December 1999

Explanatory Note

The effect of this Notice is to enable the Chief Secretary for Administration to delegate his powers and duties under section 19(2) of the Hong Kong Tourist Association Ordinance (Cap. 302) to other public officers.

Chapter: 1C	Title:	SPECIFICATION OF PUBLIC OFFICES	Gazette Number:	L.N. 173 of 2000
Section:	Heading:	SCHEDULE	Version Date:	01/07/2000

	Ordinance or section of Ordinance
Public Office	for which specified
Chief Justice	Bankruptcy Ordinance (Chapter 6), section 99A(7)(c). (L.N. 270 of 1979)
Chief Justice	Companies Ordinance (Chapter 32), section 222A(7)(c). (L.N. 270 of 1979)
Chief Justice	Evidence Ordinance (Chapter 8), sections 27(2) and 29A(2). (L.N. 229 of 1979)
Chief Justice	Juvenile Offenders Ordinance (Chapter 226), section <u>3A(2)</u> . (L.N. 229 of 1979)
Chief Secretary for Administration (L.N. 362 of 1997)	Air Passenger Departure Tax Ordinance (Chapter 140). (L.N. 318 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	Basel Evangelical Missionary Society Incorporation Ordinance (Chapter 1002), section 6(2). (L.N. 368 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	Betting Duty Ordinance (Chapter 108). (L.N. 211 of 1980)
Chief Secretary for Administration (L.N. 362 of 1997)	Catholic Mission of Macao Incorporation Ordinance (Chapter 1006), section 5(2). (L.N. 368 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	Chater (Cathedral and St. Andrew's) Endowment Funds Incorporation Ordinance (Chapter 1050), section 4(3). (L.N. 368 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	China Peniel Missionary Society Incorporation Ordinance (Chapter 1011), Section 6(2). (L.N. 368 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	Church of Christ in China, Wanchai Church, Incorporation Ordinance (Chapter 1063), section 6(3). (L.N. 368 of 1984)
Chief Secretary for Administration (L.N. 362 of 1997)	Colony Armorial Bearings (Protection) Ordinance (Chapter 315), section 3. (L.N. 103 of 1966)
Chief Secretary for Administration (L.N. 362 of 1997) Chief Secretary for Administration	Congregation of Our Lady of Charity of the Good Shepherd of Angers at Hong Kong Incorporation Ordinance (Chapter 1084), section 6(2). (L.N. 368 of 1984) Criminal Procedure Ordinance (Chapter 221), section 85(1). (L.N. 3 of 1986)
(L.N. 362 of 1997) Chief Secretary for Administration (L.N. 362 of 1997)	Daughters of Charity of the Canossian Institute Incorporation Ordinance (Chapter 1016), section 5(2). (L.N. 368 of 1984)

- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)
- Chief Secretary for Administration (L.N. 362 of 1997)

- Daughters of Mary Help of Christians Incorporation Ordinance (Chapter 1070), section 6(2). (L.N. 368 of 1984)
- Education Scholarships Fund Ordinance (Chapter 1085), section 6(2). (L.N. 7 of 1992)
- Evidence Ordinance (Chapter 8), sections 19A(1) and 40(5). (L.N. 311 of 1984)
- Heung Yee Kuk Ordinance (Chapter 1097). (L.N. 71 of 1974)
- Housing Ordinance (Chapter 283), sections 14(4) and 15(2). (L.N. 471 of 1996)
- Immigration Ordinance (Chapter 115). (L.N. 198 of 1973)
- Institute of the Soeurs des Missions Etrangeres Incorporation Ordinance (Chapter 1088), section 5(2). (L.N. 368 of 1984)
- Irish Province of the Order of Franciscans Minor Incorporation Ordinance (Chapter 1028), section 5(2). (L.N. 368 of 1984)
- Jesuit Order (English Assistancy) Incorporation Ordinance (Chapter 1029), section 5(2). (L.N. 368 of 1984)
- Jesuit Order (Portuguese Province) Incorporation Ordinance (Chapter 1030), section 5(2). (L.N. 368 of 1984)
- Kowloon Union Church Incorporation Ordinance (Chapter 1032), section 6(2). (L.N. 368 of 1984)
- Maryknoll Sisters of St. Dominic Incorporation Ordinance (Chapter 1019), section 5(2). (L.N. 368 of 1984)
- Norwegian Seamen's Mission Incorporation Ordinance (Chapter 1056), section 7(2). (L.N. 368 of 1984)
- Petites Soeurs des Pauvres, St. Pern, Bretagne, Incorporation Ordinance (Chapter 1039), section 6(2). (L.N. 368 of 1984)
- Pontifical Foreign Missions Institute Incorporation Ordinance (Chapter 1041), section 5(2). (L.N. 368 of 1984)
- Prior of the Order of Cistercians of the Strict Observance Incorporation Ordinance (Chapter 1107), section 6(2). (L.N. 368 of 1984)
- Prison Rules (Chapter 234 subsidiary legislation), rule 222(2). (L.N. 48 of 1967)

Chief Secretary for Administration (L.N. 362 of 1997) Chief Secretary for Administration (L.N. 362 of 1997)

(L.N. 362 of 1997)
Commissioner for Commodities
Trading
Commissioner for Labour

Commissioner for Labour

Commissioner for Labour

Commissioner for Labour

Commissioner for Securities Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Probation of Offenders Rules (Chapter 298 subsidiary legislation), rule 42. (L.N. 48 of 1967)

Registration of Persons Regulations (Chapter 177 subsidiary legislation), regulation 24. (L.N. 137 of 1970)

Salesian Society Incorporation Ordinance (Chapter 1043), section 5(2). (L.N. 368 of 1984)

Sisters of the Precious Blood Order Incorporation Ordinance (Chapter 1045), section 4(2). (L.N. 368 of 1984)

Soeurs de Saint Paul de Chartres Incorporation Ordinance (Chapter 1046), section 5(2). (L.N. 368 of 1984)

The Rules of the Supreme Court (Chapter 4 subsidiary legislation), Order 69, rule 2, and Order 70, rule 3. (L.N. 153 of 1967)

Tsung Tsin Mission of Hong Kong Incorporation Ordinance (Chapter 1090), section 6(2). (L.N. 368 of 1984)

Union Church Incorporation Ordinance (Chapter 1052), section 14(5). (L.N. 368 of 1984)

Commodities Trading Ordinance (Chapter 250). (L.N. 27 of 1982)

Employees' Compensation Ordinance (Chapter 282). (L.N. 70 of 1970)

Factories and Industrial Undertakings Ordinance (Chapter 59), section 7(4). (L.N. 145 of 1970)

Factories and Industrial Undertakings Ordinance (Chapter 59), section 9A. (L.N. 220 of 1985)

Pneumoconiosis (Compensation) Ordinance (Chapter 360). (L.N. 188 of 1981)

Securities Ordinance (Chapter 333). (L.N. 27 of 1982)

Eastern Harbour Crossing Ordinance (Chapter 215). (L.N. 405 of 1990)

Eastern Harbour Crossing Road Tunnel Regulations (Chapter 215 subsidiary legislation). (L.N. 405 of 1990)

Eastern Harbour Crossing Road Tunnel By-laws (Chapter 215 subsidiary legislation). (L.N. 405 of 1990)

Ferry Services Ordinance (Chapter 104). (L.N. 315 of 1985)

Ferry Services Regulations (Chapter 104 subsidiary legislation). (L.N. 158 of 1992)

Fixed Penalty (Criminal Proceedings) Ordinance (Chapter 240). (L.N. 315 of 1985)

Fixed Penalty (Traffic Contraventions) Ordinance (Chapter 237). (L.N. 315 of 1985)

Kowloon-Canton Railway Corporation Ordinance (Chapter 372). (L.N. 405 of 1990)

Kowloon-Canton Railway Corporation Regulations (Chapter 372 subsidiary legislation). (L.N. 405 of 1990)

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner for Transport

Commissioner of Correctional Services

Commissioner of Customs and Excise

Commissioner of Customs and Excise

Motor Vehicles (First Registration Tax) Ordinance (Chapter 330). (L.N. 90 of 1967)

Motor Vehicles Insurance (Third Party Risks) Ordinance (Chapter 272). (L.N. 90 of 1967)

Public Bus Services Regulations (Chapter 230 subsidiary legislation). (L.N. 405 of 1990)

Public Omnibus Services Ordinance (Chapter 230). (L.N. 60 of 1978)

Road Traffic Ordinance (Chapter 374). (L.N. 315 of 1985)

Road Traffic (Construction and Maintenance of Vehicles) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Driving Licences) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Expressway) Regulations (Chapter 374 subsidiary legislation). (L.N. 158 of 1992)

Road Traffic (Parking) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Parking on Private Roads) Regulations (Chapter 374 subsidiary legislation). (L.N. 158 of 1992)

Road Traffic (Public Service Vehicles) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Registration and Licensing of Vehicles) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Safety Equipment) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Traffic Control) Regulations (Chapter 374 subsidiary legislation). (L.N. 315 of 1985)

Road Traffic (Village Vehicles) Regulations (Chapter 374 subsidiary legislation). (L.N. 405 of 1990)

Road Traffic (Driving-offence Points) Ordinance (Chapter 375). (L.N. 315 of 1985)

Road Tunnels (Government) Ordinance (Chapter 368). (L.N. 405 of 1990)

Road Tunnels (Government) Regulations (Chapter 368 subsidiary legislation). (L.N. 405 of 1990)

Tate's Cairn Tunnel Ordinance (Chapter 393). (L.N. 405 of 1990)

Tate's Cairn Tunnel By-laws (Chapter 393 subsidiary legislation). (L.N. 158 of 1992)

Tate's Cairn Tunnel Regulations (Chapter 393 subsidiary legislation). (L.N. 158 of 1992)

Traffic Accident Victims (Assistance Fund) Ordinance (Chapter 229). (L.N. 315 of 1985)

Training Centres Ordinance (Chapter 280). (L.N. 46 of 1981)

Control of Chemicals Ordinance (Chapter 145). (L.N. 51 of 1984; 64 of 1994 s.18)

Copyright Ordinance (Chapter 528). (92 of 1997 s.280)

- Commissioner of Customs and Excise
- Commissioner of Mines
- **Director of Accounting Services**
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)

- Dutiable Commodities Ordinance (Chapter 109), except section 7. (L.N. 51 of 1984; L.N. 338 of 1987)
- Dutiable Commodities Regulations (Chapter 109 subsidiary legislation). (L.N. 51 of 1984)
- Dutiable Commodities (Marking and Colouring of Hydrocarbon Oil) Regulations (Chapter 109 subsidiary legislation), regulations 9 and 11. (L.N. 51 of 1984; L.N. 338 of 1987)
- Import and Export Ordinance (Chapter 60), sections 7, 12 and 27(3). (L.N. 51 of 1984)
- Import and Export Ordinance (Chapter 60), sections 27(3B), 28(2A) and (10) and 29A(1). (L.N. 320 of 1993)
- Import and Export Ordinance (Chapter 60), section 33A(1)(b). (L.N. 175 of 1997)
- Import and Export (Carriage of Articles) Regulations (Chapter 60 subsidiary legislation), regulation 4. (L.N. 176 of 1991)
- Import and Export (Registration) Regulations (Chapter 60 subsidiary legislation). (L.N. 51 of 1984)
- Industrial Training (Clothing Industry) Ordinance (Chapter 318). (L.N. 51 of 1984)
- Prevention of Copyright Piracy Ordinance (Chapter 544). (22 of 1998 s.41)
- Reserved Commodities Ordinance (Chapter 296), section 10. (L.N. 51 of 1984)
- Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Chapter 296 subsidiary legislation), regulations 7A and 9(2). (L.N. 51 of 1984)
- Smoking (Public Health) Ordinance (Chapter 371), section 10A(4). (L.N. 225 of 1989)
- Trade Descriptions Ordinance (Chapter 362), sections 16(3), 16C(1), (2) and (3) and 30(2), (3) and (5). (L.N. 338 of 1987)
- Mining Ordinance (Chapter 285), sections 13, 18, 20, 21, 31 and 37. (L.N. 6 of 1967)
- Waterworks Regulations (Chapter 102 subsidiary legislation), regulation 50(2) and (3). (L.N. 221 of 1977)
- Animals and Plants (Protection of Endangered Species) Ordinance (Chapter 187), sections 7, 10 and 15. (L.N. 49 of 1979)
- Animals and Plants (Protection of Endangered Species) (Exemption) Order (Chapter 187 subsidiary legislation), paragraphs 1A and 3. (L.N. 418 of 1991)
- Country Parks and Special Areas Regulations (Chapter 208 subsidiary legislation), regulations 4(1) and (2)(a), 5(1) and (2)(b), 8(1), 9(1), 10(1)(a) and (b) and (2), 11(1), (2) and (3)(a), 13(2), 14, 15(4) and 18(5). (L.N. 381 of 1989)
- Country Parks and Special Areas Regulations (Chapter 208 subsidiary legislation), regulation 10(1)(c) and (d). (L.N. 391 of 1982)
- Dairies Regulations (Chapter 139 subsidiary legislation), regulations 3, 8, 9, 11, 15, 16(2), 18, 19(2)(f), 21(3), 26(1) and 29(2). (L.N. 153 of 1967)

- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Agriculture, Fisheries and Conservation (L.N. 331 of 1999)
- Director of Buildings

- Forests and Countryside Ordinance (Chapter 96), sections 22(5) and 23. (L.N. 220 of 1993)
- Kadoorie Agricultural Aid Loan Fund Ordinance (Chapter 1080), section 7. (L.N. 397 of 1996)
- Marine Parks Ordinance (Chapter 476), section 22(1). (L.N. 67 of 1997)
- Marine Parks and Marine Reserves Regulation (Chapter 476 subsidiary legislation), section 17. (L.N. 67 of 1997)
- Pearl Culture (Control) Ordinance (Chapter 307), section 3. (L.N. 48 of 1967)
- Pesticides Ordinance (Chapter 133), the whole Ordinance except sections 5(4), 6(c), 10, 11 and 14. (L.N. 304 of 1977; 79 of 1990 s.21).
- Pesticides Regulations (Chapter 133 subsidiary legislation). (L.N. 411 of 1992)
- Plant (Importation and Pest Control) Ordinance (Chapter 207). (L.N. 360 of 1993)
- Public Health (Animals and Birds) Ordinance (Chapter 139), sections 6, 7 and 10(2). (L.N. 48 of 1967)
- Public Health (Animals and Birds) (Animal Traders) Regulations (Chapter 139 subsidiary legislation), regulations 5(1), 5(3) and 7. (L.N. 94 of 1978)
- Public Health (Animals and Birds) (Exhibitions) Regulations (Chapter 139 subsidiary legislation), regulations 4(1), 4(3), 6(a), 6(b), 8(1) and 8(3). (L.N. 94 of 1978)
- Public Health (Animals and Birds) (Keeping of Cattle, Sheep and Goats) Regulations (Chapter 139 subsidiary legislation), regulations 4, 11(1) and 13. (L.N. 153 of 1967)
- Public Health (Animals and Birds) Regulations (Chapter 139 subsidiary legislation), regulations 30, 34, 35, 37, 44 and 51. (L.N. 153 of 1967)
- Public Health (Animals) (Boarding Establishments) Regulations (Chapter 139 subsidiary legislation), regulations 5(1), 5(3) and 7. (L.N. 94 of 1978)
- Public Health (Animals) (Riding Establishments) Regulations (Chapter 139 subsidiary legislation), regulations 5(1), 5(3) and 7. (L.N. 94 of 1978)
- Wild Animals Protection Ordinance (Chapter 170), section 13. (L.N. 197 of 1979)
- Hong Kong Airport (Control of Obstructions) Ordinance (Chapter 301), sections 5, 7(1), 13, 14(1), 15(1), 2(c)(ii) and (8), 16(1), (3), (6), (8) and (9), 17, 18(2) and 20(g). (L.N. 303 of 1993)

Director of Buildings as Building Authority

Director of Buildings as
Building Authority
Director of Civil Aviation

Director of Civil Engineering Services

Director of Civil Engineering Services

Director of Education

Director of Education

Director of Education

Director of Electrical and Mechanical Services

Director of Environmental Protection

Director of Environmental Protection

Director of Health

Director of Health

Director of Highways Director of Highways

Director of Highways Director of Highways Director of Highways Buildings Ordinance (Chapter 123). (L.N. 303 of 1993)

Child Care Services Ordinance (Chapter 243), section 7(1)(b)(ii). (L.N. 303 of 1993; 32 of 2000 s.26)

Education Ordinance (Chapter 279), section 12(1)(d). (L.N. 303 of 1993)

Kowloon-Canton Railway Corporation Ordinance (Chapter 372), section 35(1). (L.N. 303 of 1993)

Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Chapter 276), section 15(1). (L.N. 303 of 1993)

Roads (Works, Use and Compensation) Ordinance (Chapter 370). (L.N. 303 of 1993)

Air Passenger Departure Tax Ordinance (Chapter 140). (L.N. 191 of 1983)

Ferry Services Ordinance (Chapter 104), sections 16(1)(a), 20(1) and 28(4), (L.N. 133 of 1986)

Sand Ordinance (Chapter 147), sections 2 and 3. (L.N. 133 of 1986)

Inland Revenue Ordinance (Chapter 112), sections 16B and 16C. (L.N. 6 of 1967)

Post Secondary Colleges Ordinance (Chapter 320), sections 3, 8, 9 and 10. (L.N. 6 of 1967)

Post Secondary Colleges Ordinance (Chapter 320), sections 11 and 12(2), (L.N. 48 of 1967)

Aerial Ropeways (Safety) Ordinance (Chapter 211). (L.N. 133 of 1986)

Electricity Ordinance (Chapter 406). (L.N. 133 of 1986; 16 of 1990 s.61)

Evidence Ordinance (Chapter 8), section 28(1)(b)(i). (L.N. 133 of 1986)

Peak Tramway Ordinance (Chapter 265), section 14. (L.N. 133 of 1986)

Peak Tramway Rules (Chapter 265 subsidiary legislation), rule 22. (L.N. 133 of 1986)

Tramway Ordinance (Chapter 107), sections 25 and 33. (L.N. 133 of 1986)

Ozone Layer Protection Ordinance (Chapter 403). (L.N. 202 of 1989)

Waste Disposal Ordinance (Chapter 354), sections 16(1), 17, 19(1), 20 and 36(3). (L.N. 84 of 1986)

Animal (Control of Experiments) Ordinance (Chapter 340). (L.N. 92 of 1989)

Undesirable Medical Advertisements Ordinance (Chapter 231). (L.N. 92 of 1989)

Peak Tramway Ordinance (Chapter 265). (L.N. 133 of 1986)

Peak Tramway Rules (Chapter 265 subsidiary legislation). (L.N. 133 of 1986)

Public Lighting Ordinance (Chapter 105). (L.N. 133 of 1986)

Road Traffic Ordinance (Chapter 374). (L.N. 133 of 1986)

Road Traffic (Expressway) Regulations (Chapter 374 subsidiary legislation). (L.N. 158 of 1992)

Director of Highways

Director of Highways
Director of Immigration
Director of Lands

Director of Lands Director of Lands

Director of Marine

Director of Marine

Director of Marketing

Director of Marketing

Director of Social Welfare Director of Social Welfare

Director of Social Welfare

Director of Social Welfare

Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)

Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)

Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)

Director-General of Trade and Industry (L.N. 173 of 2000) Road Traffic (Traffic Control) Regulations (Chapter 374 subsidiary legislation). (L.N. 133 of 1986)

Tramway Ordinance (Chapter 107). (L.N. 133 of 1986)

Immigration Ordinance (Chapter 115). (L.N. 67 of 1972)

Land (Miscellaneous Provisions) Ordinance (Chapter 28). (L.N. 303 of 1993; 29 of 1998 s.2)

Lands Resumption Ordinance (Chapter 124). (L.N. 303 of 1993; 29 of 1998 s.2)

Government Leases Ordinance (Chapter 40). (L.N. 303 of 1993; 29 of 1998 s.2)

Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), section 7(3). (L.N. 423 of 1993; 29 of 1998 s.2)

Foreshore and Sea-bed (Reclamations) Ordinance (Chapter 127). (L.N. 303 of 1993)

Hong Kong Airport (Control of Obstructions) Ordinance (Chapter 301), sections 18(2), 20(g), 23(1) and (2), 24 and 25(2). (L.N. 303 of 1993)

Mining Ordinance (Chapter 285). (L.N. 303 of 1993)

Road Traffic Ordinance (Chapter 374), sections 123(3) and (4) and 124(1) and (2). (L.N. 303 of 1993)

Dangerous Goods (Shipping) Regulations (Chapter 295 subsidiary legislation), regulations 3, 5(1), 6, 9, 12, 13, 14, 16, 17, 19 and 21. (L.N. 6 of 1967)

Merchant Shipping (Safety) Ordinance (Chapter 369), sections 31, 38(4), 51(2) and (3), 57(2) and 63. (L.N. 365 of 1981)

Agricultural Products (Marketing) Ordinance (Chapter 277). (L.N. 239 of 1988)

Marine Fish (Marketing) Ordinance (Chapter 291). (L.N. 239 of 1988)

Juvenile Offenders Ordinance (Chapter 226). (L.N. 79 of 1973)

Offences against the Person Ordinance (Chapter 212), section 44(4). (L.N. 6 of 1967)

Probation of Offenders Ordinance (Chapter 298). (L.N. 79 of 1973)

Reformatory Schools Ordinance (Chapter 225). (L.N. 79 of 1973)

Export (Certificates of Origin and Commonwealth Preference Certificates) Regulations (Chapter 60 subsidiary legislation), regulations 6(2) and 8(1). (L.N. 132 of 1986)

Export (Certificates of Origin and Commonwealth Preference Certificates) Regulations (Chapter 60 subsidiary legislation), regulations 7(1)-(4), 8(3), 9(2) and 11(1)(c). (L.N. 51 of 1984)

Import and Export Ordinance (Chapter 60), sections 9(3) and 36(2). (L.N. 51 of 1984)

Import and Export Ordinance (Chapter 60), section 33A(1)(b). (L.N. 396 of 1996)

- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Director-General of Trade and Industry (L.N. 292 of 1989; L.N. 173 of 2000)
- Financial Secretary
- Financial Secretary
- Financial Secretary
- Financial Secretary
- **Financial Secretary**
- Financial Secretary

- Import and Export (Fees) Regulations (Chapter 60 subsidiary legislation). (L.N. 51 of 1984)
- Import and Export (General) Regulations (Chapter 60 subsidiary legislation), regulation 6(3) and (4). (L.N. 132 of 1986)
- Import and Export (Strategic Commodities) Regulations (Chapter 60 subsidiary legislation), regulation 2. (L.N. 51 of 1984)
- Import (Radiation) (Prohibition) Regulations (Chapter 60 subsidiary legislation). (L.N. 51 of 1984)
- Reserved Commodities Ordinance (Chapter 296), section 6. (L.N. 51 of 1984)
- Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Chapter 296 subsidiary legislation). (L.N. 51 of 1984)
- Reserved Commodities (Control of Sales by Wholesale) Regulations (Chapter 296 subsidiary legislation). (L.N. 51 of 1984)
- Companies Ordinance (Chapter 32), sections 123(4), 124(2), 126(2) and (3), 128(3), 129(3) and 129A(2); and paragraphs 6(b), 13(2), 18(4), 27(1) and 28(3) of the Tenth Schedule, only. (L.N. 86 of 1978)
- Companies Ordinance (Chapter 32), section 157E(4)(a). (L.N. 57 of 1989)
- Companies Ordinance (Chapter 32), section 337B(3). (L.N. 345 of 1985)
- Consumer Council Ordinance (Chapter 216), section 16(1) and (5). (L.N. 111 of 1987)
- Customs and Excise Service (Welfare Fund) Regulations (Chapter 342 subsidiary legislation), regulation 8. (L.N. 389 of 1990)
- Fire Services Department (Welfare Fund) Regulations (Chapter 95 subsidiary legislation), regulation 8. (L.N. 389 of 1990)
- Government Lotteries Ordinance (Chapter 334). (L.N. 254 of 1973)
- The Hong Kong Association of Banks Ordinance (Chapter 364), section 12(1). (L.N. 499 of 1993)
- Hong Kong Export Credit Insurance Corporation Ordinance (Chapter 1115), section 12. (L.N. 92 of 1979)
- Hong Kong Export Credit Insurance Corporation Ordinance (Chapter 1115), section 17(1). (L.N. 234 of 1980)
- Hong Kong Export Credit Insurance Corporation Ordinance (Chapter 1115), section 24(2). (L.N. 512 of 1996)
- Hong Kong Industrial Estates Corporation Ordinance (Chapter 209), section 26. (L.N. 106 of 1986)
- Hong Kong Industrial Technology Centre Corporation Ordinance (Chapter 431), section 20(5). (L.N. 185 of 1993)

Financial Secretary	Hong Kong Tourist Association Ordinance (Chapter 302), section 16(da). (L.N. 233 of 1980)
Financial Secretary	Hong Kong Tourist Association Rules (Chapter 302 subsidiary legislation), rule 3(1). (L.N. 129 of 1983)
Financial Secretary	Immigration Service (Welfare Fund) Regulations (Chapter 331 subsidiary legislation), regulation 8. (L.N. 389 of 1990)
Financial Secretary	Legal Tender Notes Issue Ordinance (Chapter 65), section 3(2), (3) and (5). (L.N. 258 of 1996)
Financial Secretary	Money Lenders Ordinance (Chapter 163), sections 33A and 33B. (L.N. 160 of 1989)
Financial Secretary	Police (Welfare Fund) Regulations (Chapter 232 subsidiary legislation), regulation 9. (L.N. 389 of 1990)
Financial Secretary	Prison Rules (Chapter 234 subsidiary legislation), rules 263 and 265. (L.N. 389 of 1990)
Financial Secretary	Trading Funds Ordinance (Chapter 430), section 3(1). (L.N. 36 of 1995)
Financial Secretary	Trading Funds Ordinance (Chapter 430), section 8(2). (L.N. 529 of 1994)
Financial Secretary	Travel Agents Ordinance (Chapter 218), section 32K. (L.N. 350 of 1994)
Gas Authority	Gas Safety Ordinance (Chapter 51). (49 of 1990 s.38)
Insurance Authority	Insurance Companies Ordinance (Chapter 41). (L.N. 182 of 1990)
Land Registrar	Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), sections 11(1) and (3) and 12(1) and (3). (L.N. 140 of 1993; 29 of 1998 s.2)
Land Registrar	Land Registration Ordinance (Chapter 128). (L.N. 140 of 1993)
Land Registrar	Building Management Ordinance (Chapter 344). (27 of 1993 s.56)
Monetary Authority	Crimes Ordinance (Chapter 200), sections 103(1) and 104(1). (L.N. 102 of 1995)
Principal Probation Officer	Probation of Offenders Rules (Chapter 298 subsidiary legislation), rules 15, 20(2) and 21 only. (L.N. 213 of 1979)
Registrar of Companies Registrar of Companies	Companies Ordinance (Chapter 32). (L.N. 141 of 1993) Limited Partnerships Ordinance (Chapter 37). (L.N. 141 of 1993)
Registrar of Companies	Registered Trustees Incorporation Ordinance (Chapter 306). (L.N. 141 of 1993)
Registrar of Companies	Trustee Ordinance (Chapter 29). (L.N. 141 of 1993)
Registrar of Co-operative Societies	Co-operative Societies Ordinance (Chapter 33). (L.N. 8 of 1973)
Registrar of Co-operative Societies	J.E. Joseph Trust Fund Ordinance (Chapter 1067), sections 3, 4, 5, 6 and 7. (L.N. 398 of 1996)
Registrar of Credit Unions	Credit Unions Ordinance (Chapter 119). (L.N. 239 of 1988)
Registrar of Money	Money Lenders Ordinance (Chapter 163). (L.N. 357 of

1980)

Occupational Retirement Schemes Ordinance (Chapter 426). (L.N. 454 of 1993)

Lenders

Registrar of Occupational Retirement Schemes

Secretary for Broadcasting. Culture and Sport (L.N. 372 of 1996)	Books Registration Ordinance (Chapter 142). (L.N. 403 of 1995)
Secretary for Economic Services	Merchant Shipping (Safety) Ordinance (Chapter 369), section 5. (L.N. 94 of 1984)
Secretary for Home Affairs	Clubs (Safety of Premises) Ordinance (Chapter 376). (L.N. 91 of 1992)
Secretary for Home Affairs	Heung Yee Kuk Ordinance (Chapter 1097), section 3(3). (L.N. 235 of 1995)
Secretary for Home Affairs (L.N. 262 of 1989)	New Territories Ordinance (Chapter 97), section 9(2), for the purposes of section 19. (L.N. 188 of 1973)
Secretary for Security	Auxiliary Medical Service Ordinance (Cap 517). (57 of 1997 s.34)
Secretary for Security	Civil Aid Service Ordinance (Cap 518). (58 of 1997 s.34)
Secretary for Security	Essential Services Corps Ordinance (Chapter 197), the whole Ordinance. (L.N. 158 of 1977)
Secretary for Security	Immigration Ordinance (Chapter 115), sections 29(1), (2) and (4), 32(2), (3) and (4)(a), 34(b). (L.N. 102 of 1980)
Secretary for Security	Immigration Ordinance (Chapter 115), section 32(2A). (L.N. 307 of 1980)
Secretary for Security	Public Order Ordinance (Chapter 245), section 31(6)(i) only. (L.N. 158 of 1977)
Secretary for Transport	Eastern Harbour Crossing Ordinance (Chapter 215). (L.N. 308 of 1988)
Secretary for Transport	Roads (Works, Use and Compensation) Ordinance (Chapter 370). (L.N. 133 of 1986)
Secretary for Transport	Tate's Cairn Tunnel Ordinance (Chapter 393). (L.N. 26 of 1989)
(L.N. 280 of 199	92; L.N. 84 of 1993; L.N. 303 of 1993; 94 of 1993 s.47; 13 of 1995

Note: Please also see the Specifications of Public Offices in L.N. 282 of 1998, L.N. 320 of 1998, L.N. 343 of 1998 and L.N. 324 of 1999. They were made under s.43 of Cap 1 after 1 July 1997. Their particulars are as follows-

2000 s.48)

s.2; 40 of 1995 s.10; 44 of 1995 s.143; L.N. 198 of 1999; 78 of 1999 s.7; 32 of

	Public Office	Ordinance or section of Ordinance for which specified	
L.N. 282 of 1998	Director of Environmental Protection	Environmental Impact Assessment Ordinance (Chapter 499).	
	Director of Environmental Protection	Environmental Impact Assessment (Appeal Board) Regulation (Chapter 499 subsidiary legislation).	
L.N. 320 of 1998	Secretary for Security Immigration Ordinance (Chapter 115), section 35(2).		
L.N. 343 of 1998	Director of Intellectual Property	Director of Intellectual Property (Establishment) Ordinance (Chapter 412).	

	Director of Intellectual	Trade Marks Ordinance (Chapter 43).
	Property as Registrar of Trade Marks	Trade Marks Rules (Chapter 43 subsidiary legislation).
	Trade Warks	Trade Marks (Emergency) Ordinance
		(Chapter 263). Trade Marks (Emergency) Rules (Chapter
		263 subsidiary legislation).
	Director of Intellectual	Patents Ordinance (Chapter 514).
	Property as Registrar of Patents	Patents (Transitional Arrangements) Rules (Chapter 514 subsidiary legislation).
		Patents (General) Rules (Chapter 514 subsidiary legislation).
	Director of Intellectual	Registered Designs Ordinance (Chapter
	Property as Registrar of	522).
	Designs	Registered Designs Rules (Chapter 522
		subsidiary legislation).
L.N. 324 of 1999	Chief Secretary for	Hong Kong Tourist Association Ordinance
	Administration	(Chapter 302), section 19(2).

Chapter:	201	Title:	PREVENTION	OF Gazette Number:	L.N. 136 of
_			BRIBERY ORDINANCE		2000
Section:	1	Heading:	PUBLIC BODIES	Version Date:	30/06/2000

[sections 2(1) & 35] (Amended 20 of 1999 s.6)

- 1. Hong Kong Telecom International Limited. (Replaced 20 of 1999 s.6)
- 2. China Light and Power Company Limited.
- 3. (Repealed 20 of 1999 s.6)
- 4. The Chinese University of Hong Kong. (Replaced 20 of 1999 s.6)
- 5. Hong Kong Arts Development Council. (Replaced 26 of 1995 s.19)
- 6. (Repealed L.N. 198 of 1999)
- 7. Fish Marketing Organization.
- 8. Hong Kong and China Gas Company Limited.
- 9. Hong Kong and Yaumati Ferry Company Limited.
- 10. Hong Kong Air Cargo Terminals Limited.
- 11. Hong Kong Building and Loan Agency.
- 12. Hong Kong Commercial Broadcasting Company Limited.
- 13. Hong Kong Electric Company Limited.
- 14. Hong Kong Export Credit Insurance Corporation.
- 15. Hong Kong Housing Authority.
- 16. Hong Kong Housing Society.
- 17. (Repealed 50 of 1987 s.13)
- 18. The Hong Kong Polytechnic University. (Replaced 94 of 1994 s.23)
- 19. Hong Kong Productivity Council.
- 20. Hong Kong Settlers Housing Corporation Limited.
- 21. Hong Kong Telephone Company Limited.

- 22. Hong Kong Tourist Association.
- 23. Hong Kong Trade Development Council.
- 24. Hong Kong Tramways Limited.
- 25. Kowloon Motor Bus Company (1933) Limited.
- 26. (Repealed L.N. 249 of 1990)
- 27. Ocean Park Corporation. (Amended 35 of 1987 s.40)
- 28. Peak Tramways Company Limited.
- 29. Asia Television Limited. (Replaced L.N. 31 of 1983)
- 30. Hong Kong Jockey Club. (Amended 20 of 1999 s.6)
- 31. The Hong Kong Jockey Club (Charities) Limited. (Replaced L.N. 512 of 1994)
- 32. "Star" Ferry Company Limited.
- 33. Television Broadcasts Limited.
- 34. The Community Chest of Hong Kong.
- 35. University of Hong Kong.
- 36. Vegetable Marketing Organization.
- 37. MTR Corporation Limited. (Added 36 of 1975 s.31. Amended 13 of 2000 s.65)
- 38. The Hong Kong Industrial Estates Corporation. (Added 17 of 1976 s.13. Amended 16 of 1977 s.43)
- 39. The Hong Kong Examinations Authority. (Added 23 of 1977 s.17)
- 40. Consumer Council. (Added 56 of 1977 s.22)
- 41. (Repealed 20 of 1999 s.6)
- 42. The Vocational Training Council. (Added 6 of 1982 s.25)
- 43. The Kowloon-Canton Railway Corporation. (Added 73 of 1982 s.39)
- 44. New Lantao Bus Company (1973) Limited. (Added L.N. 160 of 1983)
- 45. Hong Kong Baptist University. (Added 50 of 1983 s.34. Amended 93 of 1994 s.39)
- 46. City University of Hong Kong. (Added 65 of 1983 s.25. Amended 92 of 1994 s.32)
- 47. The Hong Kong Academy for Performing Arts. (Added 38 of 1984 s.28)
- 48. The Hong Kong University of Science and Technology. (Added 47 of 1987 s.25)
- 49. Broadcasting Authority. (Added 49 of 1987 s.17)
- 50. Hong Kong Council on Smoking and Health. (Added 56 of 1987 s.21)
- 51. Land Development Corporation. (Added 71 of 1987 s.20)
- 52. Securities and Futures Commission. (Added 10 of 1989 Schedule 2)
- 53. The Open University of Hong Kong. (Added 22 of 1987 Schedule 2. Amended L.N. 176 of 1989. Replaced 50 of 1997 s.29)
- 54. Hong Kong Sports Development Board. (Added 8 of 1990 s.18)
- 55. Travel Industry Council of Hong Kong. (Added L.N. 62 of 1990)
- 56. (Repealed 20 of 1999 s.6)
- 57. Hong Kong Council for Academic Accreditation. (Added 15 of 1990 s.26)
- 58. The Hospital Authority (including any committee established by the Hospital Authority). (Added 68 of 1990 s.24)
- 59. The Airport Authority. (Added L.N. 249 of 1990. Replaced 71 of 1995 s.49)
- 60. Metro Broadcast Corporation Limited. (Added L.N. 184 of 1991)
- 61. Hong Kong Academy of Medicine. (Added 55 of 1992 s.16)
- 62. Lingnan University. (Added 72 of 1992 s.29. Replaced 54 of 1999 s.29)
- 63. Citybus Limited. (Added L.N. 330 of 1992)
- 64. New Hong Kong Tunnel Company Limited. (Added L.N. 382 of 1992)
- 65. Tate's Cairn Tunnel Company Limited. (Added L.N. 382 of 1992)
- 66. Hong Kong Industrial Technology Centre Corporation. (Added 21 of 1993 s.25)
- 67. (Repealed 134 of 1997 s.85)
- 68. Tradelink Electronic Commerce Limited. (Replaced L.N. 125 of 1998)
- 69. Travel Industry Compensation Fund Management Board. (Added 51 of 1993 s.8)
- 70. Western Harbour Tunnel Company Limited. (Added 72 of 1993 s.71)

- 71. Wharf Cable Limited. (Added L.N. 384 of 1993)
- 72. The Legislative Council Commission. (Added 14 of 1994 s.24)
- 73. The Hong Kong Institute of Education. (Added 16 of 1994 s.25)
- 74. Hong Kong Quality Assurance Agency. (Added L.N. 409 of 1994)
- 75. Equal Opportunities Commission. (Added 67 of 1995 s.91)
- 76. The Security and Guarding Services Industry Authority. (Added 97 of 1994 s.34)
- 77. Legal Aid Services Council. (Added 17 of 1996 s.14)
- 78. Route 3 (CPS) Company Limited. (Added 33 of 1995 s.65)
- 79. Privacy Commissioner for Personal Data. (Added 81 of 1995 s.72)
- 80. Authorized Persons Registration Committee. (Added 54 of 1996 s.27)
- 81. Structural Engineers Registration Committee. (Added 54 of 1996 s.27)
- 82. Contractors Registration Committee. (Added 54 of 1996 s.27)
- 83. The Estate Agents Authority. (Added 48 of 1997 s.57)
- 84. Long Win Bus Company Limited. (Replaced 20 of 1999 s.6)
- 84A. Long-term Prison Sentences Review Board. (Added 86 of 1997 s.44. Amended 20 of 1999 s.6)
- 85. Electoral Affairs Commission. (Added 129 of 1997 s.24)
- 86. Mandatory Provident Fund Schemes Authority. (Added 4 of 1998 s.8)
- 87. New World First Bus Services Limited. (Added L.N. 239 of 1998)
- 88. The Hong Kong Mortgage Corporation Limited. (Added L.N. 313 of 1998)
- 89. Hong Kong Note Printing Limited. (Added L.N. 313 of 1998)
- 90. Exchange Fund Investment Limited. (Added L.N. 16 of 1999)
- 91. The Stock Exchange of Hong Kong Limited. (Added 20 of 1999 s.6)
- 92. Hong Kong Futures Exchange Limited. (Added 20 of 1999 s.6)
- 93. Hong Kong Securities Clearing Company Limited. (Added 20 of 1999 s.6)
- 94. The SEHK Options Clearing House Limited. (Added 20 of 1999 s.6)
- 95. HKFE Clearing Corporation Limited. (Added 20 of 1999 s.6)
- 96. Hong Kong Exchanges and Clearing Limited. (Added 12 of 2000 s.23)

(Replaced L.N. 272 of 1974)

Note 1-S. 18 of 48 of 1996 reads as follows-

"18. Savings

- (1) Notwithstanding the repeal of section 14A of the principal Ordinance by section 17 of this Ordinance, a written notice issued under section 14A(1) of the principal Ordinance and in force immediately before the coming into operation of this Ordinance, shall continue in force according to its tenor for such period as it would have continued in force had section 14A of the principal Ordinance not been repealed and shall as from the coming into operation of this Ordinance be treated as if it were an order made by the District Court and served under section 14C of the principal Ordinance prior to its amendment by section 7 of this Ordinance.
- (2) Notwithstanding the amendment of section 14C of the principal Ordinance by section 7 of this Ordinance, an order issued under section 14C(1) of the principal Ordinance and in force immediately before the coming into operation of this Ordinance shall continue in force according to its tenor for such period as it would have continued in force had section 14C of the principal Ordinance not been amended and shall as from the coming into operation of this Ordinance be treated as if it were an order made by the District Court and served under section 14C of the principal Ordinance prior to its amendment by section 7 of this Ordinance."
- Note 2-For text of s.14A prior to its repeal by s.17 of 48 of 1996, please see the Revised Edition of the Laws and ss.2 & 3 of 8 of 1993.
- Note 3-For text of s.14C prior to its amendment by s.7 of 48 of 1996, please see the Revised Edition of

Chapter:	218A	Title:	TRAVEL	AGENTS Gazette Number:	L.N. 152 of
			REGULATIONS		1999
Section:	2	Heading:		Version Date:	15/07/1999
Beetion.		meaning.		version Bute.	15/01/17/7

[regulations 9, 11, 13, 16 & 17]

FORM 1 [regulation 11]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

TRAVEL AGENTS LICENCE

		Licence No	
LICENCE IS GRANTED thisto	•	19	
(name) to carry on business as a travel agent at_			
		ess(es) of premises)	
This licence shall, unless earlier s	-	evoked, cease to have effect on the)

This licence is subject to the conditions set out herein.

CONDITIONS

- (1) The licensee shall notify the Registrar of Travel Agents in writing prior to the licensee ceasing to carry on the business of a travel agent at any address specified in this licence.
- (2) The licensee shall, prior to the expiry of this licence, submit to the Registrar of Travel Agents the latest statement of accounts in respect of the licensee's business as a travel agent.
- (3) The licensee shall, during the period that this licence is in force, be and remain a member of an approved organization specified in Part I of Schedule 1 to the Travel Agents Ordinance (Cap 218).

Signed		
Registra	r of Travel Agents	

ENDORSEMENTS

(Enacted 1985, L.N. 240 of 1988; L.N. 136 of 1996, 80 of 1997 s.102)

FORM 2

[regulation 9(1)(a)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR A LICENCE BY AN INDIVIDUAL OR BY AN UNINCORPORATED BODY

Application is hereby made to the Registrar of Travel Agents for a licence under Part II of the Travel Agents Ordinance.

1.	Appli (a)	cation by an Individua Full name in English				
	(b)	Full name in Chines	se characters (i	f applicable) a	nd code	
	(c)	Aliases (if any)				
	(d)	Residential address				
			Tele	phone No		
	(e)	Hong Kong Identity	Card number			
	(f)	Place and date of bi	rth			
2.	Appli	cation by an Unincorp	orated Body			
	partn		1	2	3	4
	Full r	name in English				
		name in Chinese cters (if applicable) ode				
	Alias	es (if any)				

		ential address and none number						
	Hong numb	Kong Identity Card er						
	Place and date of birth							
3.	(a)				ent to be license			
	(b)	Business Registrati	on numl	oer				
	Address of the proposed head office and of all offices in Hong Kong at whi intended to carry on the business of a travel agent, including the number street, flat, floor(s), whether the area occupied is part of a floor, the number room(s) and whether the applicant is the owner, the principal tenant or the tenant of the premises.				number of the number of the			
		Address			whether the predor rented by the		Tele	phone number
	(d)	State which, if any	, of the p	premises	listed under (c)	are not in a	n comn	nercial building
	(e)	Will the proposed of			exclusively by		s of the	e travel agent?
		ΓΕ LICENCE WILI N 12 OF THE TRAV		EQUIR		No H BRANC	H OF	FICE UNDER
4.		ulars of person(s) in siness, including the	_		_	_	or the	management of
			-	1	2	3		4
	Full n	ame in English						

Full name in Chinese		
characters (if applicable)		
and code		
Aliases (if any)		
Residential address and		
telephone number		
Hong Kong Identity Card number		
Place and date of birth		
Position held		
Date of appointment		
_		

I/We* declare that all the information given by me/us* in this application is true and correct to the best of my/our* knowledge and belief.

Signed_		Signed	
C	(Individual Applicant)	J	(Applicant as a partner)
		Signed	
		J	(Applicant as a partner)
		Signed	
		C	(Applicant as a partner)
		Signed	
		<u> </u>	(Applicant as a partner)

NOTES

- 1. You are advised to read the Travel Agents Ordinance and the Travel Agents Regulations before submitting this application.
- 2. A statement of particulars in support of this application (Form 4) must also be completed and submitted.
- 3. Documentary evidence may be required in support of the information given in this application.
- 4. The prescribed fee payable upon submitting this application is #FEE \$300.

^{*} Delete as appropriate.

- 5. The original and one copy of-
 - (a) this application; and
 - (b) the statement of particulars in support, together with the application fee should be posted or delivered to the Registrar at the following address-

TRAVEL AGENTS REGISTRY.

6th Floor, East Wing,

Hennessy Centre,

500 Hennessy Road,

Hong Kong.

(If payment is made by post, only cheques will be accepted. Cheques should be made payable to 'Hong Kong Government' and crossed. They must not be made payable to any individual officer. Postdated cheques will not be accepted.)

- 6. Upon approval of this application, you will be notified of the amount of the licence fee payable, in accordance with the rates set out in the First Schedule of the Travel Agents Regulations.
- 7. A licence, if granted, shall not enter in force except on payment of the appropriate fee.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

(Enacted 1985. L.N. 240 of 1988; L.N. 136 of 1996)

FORM 3

[regulation 9(1)(b)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR A LICENCE BY A BODY CORPORATE

Application is hereby made to the Registrar of Travel Agents for a licence under Part II of the Travel Agents Ordinance.

1.	(a)	The name and any former names of the company or other body corporate- (i) in English
		(ii) in Chinese
	(b)	The place of incorporation
	(c)	The date of incorporation
	(d)	Company Registration number
	(e)	The name of the proposed business of a travel agent if different from (a) above- (i) in English

(f)	which it is intended to co of the street, flat, floor(of the room(s) and whe	Address of the corporation's registered office and of all offices in Hong Kong at which it is intended to carry on the business of a travel agent, including the number of the street, flat, floor(s), whether the area occupied is part of a floor, the number of the room(s) and whether the corporation is the owner, the principal tenant or the sub-tenant of the premises.						
		State whether	the premises are					
	Address	owned or rented	by the corporation	Telephone num	ber			
(g)	State which, if any, of the	ne premises listed	above are not in a co	ommercial buildin	ng			
(h)	Will the proposed office	e(s) be used exclus	sively by the busines	ss of a travel agen	t?			
		Yes	No					
	ATE LICENCE WILL BE ON 12 OF THE TRAVEL A	-		CH OFFICE UN	DER			
GULATI Part		GENTS REGUL	ATIONS.					
GULATI Part	ON 12 OF THE TRAVEL A	GENTS REGUL	ATIONS.					
GULATI Part corp	ON 12 OF THE TRAVEL A	e note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				
Part corp Full	ON 12 OF THE TRAVEL A	agents regulate note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				
Full (if a	ON 12 OF THE TRAVEL A ciculars of the Controller (seconation. I name in English I name in Chinese characters	agents regulate note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				
Full (if a Alia	ON 12 OF THE TRAVEL A ciculars of the Controller (seconation. I name in English I name in Chinese characters applicable) and code	agents regulate note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				
Full (if a Alia Res	iculars of the Controller (seconation. I name in English I name in Chinese characters applicable) and code asses (if any)	agents regulate note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				
Full (if a Alia tele Hornum Pos	iculars of the Controller (seconation. I name in English I name in Chinese characters applicable) and code ases (if any) idential address and phone number ag Kong Identity Card	agents regulate note 3), the Sec	ATIONS. retary and all Direct	ors and officers of				

Date of appointment				
I declare that all information gi the best of my knowledge and belief.	ven by me i	n this applicati	on is true a	nd correct to

Signature
Name of Signatory
2 7
Capacity
Capacity
(Evidence of authorization by
the company or other body
corporate for a person in this
behalf should be produced)

NOTES

- 1. You are advised to read the Travel Agents Ordinance and the Travel Agents Regulations before submitting this application.
- 2. A statement of particulars in support of this application (Form 5) must also be completed and submitted.
- 3. A controller of a travel agency is a person who controls the applicant company and includes a person in accordance with whose directions or instructions the directors thereof are accustomed to act.
- 4. Documentary evidence may be required in support of the information given in this application.
- 5. The prescribed fee payable upon submitting this application is #FEE \$300.
- 6. The original and one copy of-
 - (a) this application; and
 - (b) the statement of particulars in support,

together with the application fee should be posted or delivered to the Registrar at the following address-

TRAVEL AGENTS REGISTRY,

6th Floor, East Wing,

Hennessy Centre,

500 Hennessy Road,

Hong Kong.

(If payment is made by post, only cheques will be accepted. Cheques should be made payable to 'Hong Kong Government' and crossed. They must not be made payable to any individual officer. Postdated cheques will not be accepted.)

- 7. Upon approval of this application, you will be notified of the amount of the licence fee payable, in accordance with the rates set out in the First Schedule of the Travel Agents Regulations.
- 8. A licence, if granted, shall not enter in force except on payment of the appropriate fee.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

(Enacted 1985. L.N. 240 of 1988; L.N. 136 of 1996)

FORM 4

[regulation 9(2)(a)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

STATEMENT OF PARTICULARS IN SUPPORT OF AN APPLICATION FOR A LICENCE BY AN INDIVIDUAL OR BY AN UNINCORPORATED BODY

Please answer the following questions-

(If there is insufficient space provided for your answer, please continue on a separate sheet of paper, specifying the question number to which your answer relates, and add your signature.)

1.	(a)	Have you or any members of your management or staff any previous experience in the business of a travel agent?
		Yes No
	(b)	If the answer to (a) is 'Yes', state the type and period of such experience
2.	Is it p	proposed that your business includes obtaining for another person-
	(a)	carriage, by any means of conveyance, on a journey which is to commence in Hong Kong and which thereafter is to take place mainly outside Hong Kong?
		Yes No
	(b)	accommodation at a place outside Hong Kong for which payment is, or is to be, made by that other person on account of the cost of that accommodation?
		Yes No
	(c)	If the answer to (a) is 'Yes', state whether the travel agency for which application is made for a

		licence is- (i) approved by IATA
3.	(a)	Is the business of a travel agency for which application is being made for a licence a member of the Hong Kong Tourist Association?
		Yes No
	(b)	Is the business of a travel agency for which application is being made for a licence a member of any established travel business association(s) in Hong Kong?
		Yes No
	(c)	If the answer to (b) is 'Yes', give the name(s) of the travel business association(s)- (i)
4.	(a)	Do you propose to keep a bank account in connection with your business as a trave agent?
		Yes No
	(b)	If the answer to (a) is 'Yes', give the following details in respect of each bank a which you propose to keep an account in connection with the business-
		1 2 3 4
		Name of bank
		Address of bank
		Account number
		Date on which the account was opened
5.	(a)	Do you propose to appoint a certified public accountant to audit the accounts of the business?
		Yes No
	(b)	If the answer to (a) is 'Yes', state the name and address of the accountant-
6.	(a)	Have you, or any member of your management named in paragraph 4 of the Application for a Licence, ever been convicted, whether in Hong Kong o elsewhere, of an offence other than a traffic offence?

		7	Yes			No	
	(b)	If the answer to (a) is 'Y	Yes',	give the fo	ollowing de	tails-	
				1	2	3	4
		Fall name of the defendant in English					
		Full name of the defendant in Chinese characters (if applicable) and code Aliases (if any)					
		Hong Kong Identity Card number					
		The offence					
		Penalty (if any) imposed					
		Date of conviction					
		Place of conviction					
		Name of the court which tried the offence					
7.	(a)	Have you any unsatt connection with any bu					
		,	Yes			No	
	(b)	If the answer to (a) is 'Y (i) the date of the junction (ii) the name of the	udgn	nent			
8.	(a)	Have you any unsatisfi damages or a sum of m you or in which you ha	oney	in relatio	n to any tra		- •
		,	Yes			No	
	(b)	If the answer to (a) is 'Y (i) the date of the ju (ii) the name of the	udgn	nent		making the or	der

9.	(a)	Have you ever been adjudicated bankrupt in Hong Kong or elsewhere?
		Yes No
	(b)	If the answer to (a) is 'Yes', give details of- (i) the date of the adjudication (ii) the name of the court which made the adjudication of bankruptcy
	(c)	If you have been discharged as a bankrupt, state- (i) the date of discharge
10.	(a)	Has a bankruptcy petition ever, in Hong Kong or elsewhere, been served on you which did not result in your being adjudicated bankrupt?
		Yes No
	(b)	If the answer to (a) is 'Yes', specify details of the petition, including the date, place and the court in which the petition was presented
11.	(a)	Have you ever, in Hong Kong or elsewhere, been a party to a scheme of arrangement or entered into any form of composition with your creditors?
		Yes No
	(b)	If the answer to (a) is 'Yes', give details of the arrangement or composition
12.	(a)	To the best of your knowledge, has any company or other body corporate of which you have been a director, in Hong Kong or elsewhere, been wound up, otherwise than by means of a members' voluntary winding up, during the 5 years preceding this application?
		Yes No
	(b)	If the answer to (a) is 'Yes', state- (i) the name of the company or body corporate
		(ii) the mode of winding up
		(iii) the reasons for winding up
13.	(a)	To the best of your knowledge, has any firm of which you have been a partner, in Hong Kong or elsewhere, been dissolved, otherwise than voluntarily with the consent of all the partners, during the 5 years preceding this application?

(b)	If the a	nswer to (a) is 'Yes', state-	
` '	(i)	the name of the firm	
	(ii)	the mode of dissolution	
	(iii)	the reasons for dissolution	

I/We* declare that all the information given by me/us* in this application is true and correct to the best of my/our* knowledge and belief.

Signed_____*(Applicant as an individual)

*(Applicant for and on behalf of all partners whose signatures are given in the application form)

* Delete as appropriate.

Please note:

- (i) The original and one copy of this statement, duly completed and signed, should be submitted, together with the Application for a Licence, to the Registrar.
- (ii) Documentary evidence may be required in support of any information given in this statement.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

(Enacted 1985. L.N. 136 of 1996)

FORM 5

[regulation 9(2)(b)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

STATEMENT OF PARTICULARS IN SUPPORT OF AN APPLICATION FOR A LICENCE BY A BODY CORPORATE

Please answer the following questions-

(If there is insufficient space provided for your answer, please continue on a separate sheet of paper, specifying the question number to which your answer relates, and add your signature.)

- 1. Is it proposed that the business of the corporation include obtaining for another person-
 - (a) carriage, by any means of conveyance, on a journey which is to commence in Hong Kong and which thereafter is to take place mainly outside Hong Kong?

		Yes	S			No			
	(b)	accommodation at a place made by that other person o							
		Yes	S			No			
	(c)	If the answer to (a) is 'Yes', application is made for a lic (i) approved by IATA_(ii) an OAA appointed (iii) appointed as sales name of the air carr	ence agen agei	t t for an	international	schedule	ed air ca	arrier (give	
2.	(a)	Is the business of a travel as a member of the Hong Kong				is being	made fo	or a licence,	
		Yes	S			No			
	(b)	Is the business of a travel as a member of any established							
		Yes	S			No			
	(c)	If the answer to (b) is 'Yes', (i)							
3.	(a)	Does the corporation propbusiness as a travel agent?	ose	to keep	a bank acco	unt in c	onnectio	on with its	
		Yes	S			No			
	(b)	If the answer to (a) is 'Yes which the corporation propo							
				1	2	3		4	
		Name of bank							-
		Address of bank							-
		Account number							•
		Date on which the account was opened							•

Does the corporation propose to appoint a certified public accountant to audit the corporation's accounts of the business?

4.

(a)

		Yes			No	
	(b)	If the answer to (a) is 'Yes', st	ate the name a	and address of	of the accounta	nt-
5.	(a)	Has the corporation or any been convicted, whether in I traffic offence?				
		Yes			No	
	(b)	If the answer to (a) is 'Yes', gi	ve the followi	ng details-		
			1	2	3	4
		Full name of the defendant in English				
		Full name of the defendant in Chinese characters (if applicable) and code				
		Aliases (if any)				
		Hong Kong Identity Card number				
		The offence				
		Penalty (if any) imposed				
		Date of conviction				
		Place of conviction				
		Name of the court which tried the offence				
6.	(a)	Are there any unsatisfied ju payment of damages or sum of				
		Yes			No	
	(b)	If the answer to (a) is 'Yes', st	ate the amoun	t and give fu	ıll details-	
7.	(a)	Has any controller, director, Kong or elsewhere been decla			e corporation (ever in Hong

			Yes		N	о	
	(b)	If the answer to (a) is	s 'Yes', give th	e follow	ng particul	ars-	
				1	2	3	4
		Full name of the controller/director/secicer in English Full name of the	ecretary/off				
		controller/director/se icer in Chinese chara applicable) and code	acters (if				
		Aliases (if any)					
		Hong Kong Identity number Date of adjudication					
		Place of bankruptcy					
		Name of the court w	hich made				
		If the controller/ director/secretary/ officer has been	the date of discharge				
		discharged as a bankrupt state-	the condition of discharge				
8.	(a)	Has any controller, of Hong Kong or elsew not result in his being	here, been sei	rved with		-	
			Yes		N	0	
	(b)	If the answer to (a) is		e follow		<u> </u>	on-
	(b)	If the answer to (a) is		e followi		<u> </u>	on-
	(b)	Full name of the controller/director/se officer in English Full name of the	s 'Yes', give th		ng details	of the petiti	<u> </u>

		Aliases (if any)					
		Hong Kong Identity Card number					
		Date of service of the petition					
		Place where the petition was presented					
		Name of the court in which the petition was presented					
9.	(a)	Has the corporation or any co ever, in Hong Kong or elsewhor or entered into any form of con	ere, been a	a party to	a scheme		
		Yes			No		
	(b)	if the answer to (a) is 'Yes', give	e the follow	wing detai	ls-		
			1	2	3	4	
		Full name of the controller/director/secretary/ officer in English					
		Full name of the controller/director/secretary/ officer in Chinese characters (if applicable) and code (L.N. 307 of 1998)					
		Aliases (if any)					
		Hong Kong Identity Card number					
		Details of arrangement or composition					
10.	(a)	Has a petition ever been presen	ted for wii	nding up t	he corpora	tion?	
		Yes			No		
	(b)	If the answer to (a) is 'Yes', is the	ne petition	now pend	ling?		
							_
	(c)	If the answer to (b) is 'No', how	was the p	etition dis	posed of?		

I declare that all information given by me in this application is true and correct to the best of my knowledge and belief.

Signature_	
Name of Signatory	
Capacity_	
Capacity_	(Evidence of authorization by the company or other body corporate for a person in this
	behalf should be produced)

Please note:

- (i) The original and one copy of this statement, duly completed and signed, should be submitted, together with the Application for a Licence, to the Registrar.
- (ii) Documentary evidence may be required in support of any information given in this statement.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

(Enacted 1985. L.N. 136 of 1996; L.N. 307 of 1998)

FORM 6

[regulation 13(2)(a)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR RENEWAL OF A LICENCE BY AN INDIVIDUAL OR BY AN UNINCORPORATED BODY

Application is hereby made to the Registrar of Travel Agents for the renewal of a licence under section 15 of the Travel Agents Ordinance.

1.	Appli	cation by an Individual
	(a)	Full name in English (including any aliases)
	(b)	Full name in Chinese characters (if applicable) and code

(c)	Aliases (if any)					
(d)	Residential address					
			Te	lephone No		
(e)	Hong Kong Identity	Caro	d number			
(f)	Place and date of bir	th				
Appl	ication by an Unincorp	orate	ed Body			
			1	2	3	4
	e completed for partner					
Full	name in English					
chara	name in Chinese acters (if scable) and code					
	ses (if any)					
	dential address and hone number					
Card	g Kong Identity number e and date of birth					
Place	e and date of birth					
(a)					espect of whic	
(b)	Business Registratio	n nu	mber			
(c)	Address of existing of	offic	e(s) of bus	siness, includ	ing any branch	n office(s).
	Address			whether the proor rented by the		Telephone number

	additional branch off	-	ionai omice(s)	including	any propos
	Address		whether the pre-		Telephone number
ER REC	ATE LICENCE WILL GULATION 12 OF THe culars of person(s) in ess, including the management	E TRAVEL A	GENTS REGU	ULATIONS. or the management	
		1	2	3	4
		1	<u> </u>	5	
Full 1	name in English	1	2	3	7
Full r	name in Chinese		2	3	7
Full rechara	name in Chinese		2		
Full rechara	name in Chinese acters (if applicable) code			5	
Full recharation and control Alias	name in Chinese acters (if applicable) and acters (if applicable) and acters (if any) dential address and address and acters acters and acters and acters and acters and acters acters acters acters and acters acters acters acters acters and acters acter				
Full rechara and control Alias Residentelephone	name in Chinese acters (if applicable) and acters (if applicable) and acters (if any) dential address and address and acters acters and acters and acters and acters and acters acters acters acters and acters acters acters acters acters and acters acter				
Full recharation and control Alias Residuteleph Hongumb Place	name in Chinese acters (if applicable) code es (if any) dential address and hone number g Kong Identity Card per				

I/We* declare that all the information given by me/us* in this application is true and

NOTES

- 1. You are advised to read the Travel Agents Ordinance and the Travel Agents Regulations before submitting this application.
- 2. A statement of particulars in support of this application (Form 8) must also be completed and submitted.
- 3. Documentary evidence may be required in support of the information given in this application.
- 4. The original and one copy of-
 - (a) this application; and
 - (b) the statement of particulars in support.

should be posted or delivered to the Registrar at the following address-

TRAVEL AGENTS REGISTRY, 6TH FLOOR EAST WING, HENNESSY CENTRE, 500 HENNESSY ROAD, HONG KONG.

5. A licence, if renewed, shall not enter in force except on payment of the appropriate fee.

WARNING-Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment of by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

^{*} Delete as appropriate.

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR RENEWAL OF A LICENCE BY A BODY CORPORATE

Application is hereby made to the Registrar of Travel Agents for the renewal of a licence under section 15 of the Travel Agents Ordinance.

1.	(a)	-	r names of the company or other body	-				
		(ii) in Chinese						
	(b)	The place of incorporation	on					
	(c)	The date of incorporation	n					
	(d)	Company Registration n	umber					
	(e)	licence is sought, if diffe (i) in English	erent from (a) above-					
	(f)	Address of the registered office and all other office(s) of the business, including any branch office(s).						
		Address	State whether the premises are owned or rented by the corporation	Telephone number				
	(g)	Address of any propo additional branch office(sed additional office(s) including (s).	any proposed				
		Address	State whether the premises are owned or rented by the corporation	Telephone number				

corpora		1	2	3	4
Full nar	ne in English				
characte	me in Chinese ers (if applicable) le (if any)				
Resider	ntial address and ne number				
Hong K	Cong Identity Card				
Control Directo	h held (e.g. ler/Managing r/Director/Secretar ger/Accountant				
	appointment				
	e that all the informaty knowledge and be		me in this app	olication is true	e and co

produced)

NOTES

- 1. You are advised to read the Travel Agents Ordinance and the Travel Agents Regulations before submitting this application.
- 2. A statement of particulars in support of this application (Form 9) must also be completed.
- 3. Documentary evidence may be required in support of the information given in this application.
- 4. The original and one copy of-
 - (a) this application; and
 - (b) the statement of particulars in support,

should be posted or delivered to the Registrar at the following address-

TRAVEL AGENTS REGISTRY, 6TH FLOOR, EAST WING, HENNESSY CENTRE, 500 HENNESSY ROAD, HONG KONG.

5. A licence, if renewed, shall not enter in force except on payment of the appropriate fee.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue of a licence.

(Enacted 1985. L.N. 136 of 1996)

No

FORM 8

[regulation 13(3)(a)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

STATEMENT OF PARTICULARS IN SUPPORT OF AN APPLICATION FOR RENEWAL OF A LICENCE BY AN INDIVIDUAL OR BY AN UNINCORPORATED BODY

Please answer the following questions-

(If there is insufficient space provided for your answer, please continue on a separate sheet of paper, specifying the question number to which your answer relates, and add your signature.)

Since the date of your application for a licence or last application for renewal (whichever is the later)-

Yes

have you, or any member of your management named in paragraph 4 of the
have you, or any member of your management named in paragraph 4 of the
Application for a Licence or, if applicable, paragraph 4 of the last Application for
Renewal of a Licence, been convicted of any offence, other than a traffic offence, in
Hong Kong or elsewhere?

If the answer to (a) is 'Yes', give the following details-

Full name of the defendant in English Full name of the defendant in Chinese characters (if applicable) and code Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
Full name of the defendant in Chinese characters (if applicable) and code Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
defendant in Chinese characters (if applicable) and code Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
characters (if applicable) and code Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
Applicable) and code Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
Aliases (if any) Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
Hong Kong Identity Card number The offence Penalty (if any) imposed Date of conviction				
Card number The offence Penalty (if any) imposed Date of conviction				
The offence Penalty (if any) imposed Date of conviction				
Penalty (if any) imposed Date of conviction				
imposed Date of conviction				
imposed Date of conviction				
Date of conviction				
Place of conviction				
N. C.1				
Name of the court which tried the offence				
If the answer to (b) is 'Y	les' specify det	oila of the	stition inclus	
and the court in which the		_		-
nand the court in which the cour	ong Kong or e	presentedelsewhere, b	peen a party	to a sch

	(ii)	the mode of winding							
	(iii)	the reasons for wir	iding up						
(e)	to the best of your knowledge has any firm of which you have been a partner, in Hong Kong or elsewhere, been dissolved, otherwise than voluntarily with the consent of all the partners?								
		Ye	es		No				
	If the (i) (ii) (iii)	answer to (e) is 'Yes', the name of the fir the mode of dissoluthe reasons for diss	m ution						
(f)		here been any chang cant's business as a tra		nk accounts l	kept in connec	tion with the			
		Ye	es		No				
		answer to (f) is 'Yes', ng an account in conf	-		-				
			1	2	3	4			
	Name	e of bank							
	Addre	ess of bank							
	Acco	unt number							
		on which the int was opened							
		that all the informati knowledge and belie	•	ne/us* in this a	application is tru	ue and correct			
			*(Appli		ndividual) n behalf of all p n the application				
* Delete as ap	propriat	e.							
Please note:	(i)	The original and of should be submit Licence, to the Reg	ted, together			~			
	(ii)	Documentary evice given in this statem	•	e required in	support of any	y information			

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue or renewal of a licence.

(Enacted 1985. L.N. 136 of 1996)

FORM 9

[regulation 13(3)(b)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

STATEMENT OF PARTICULARS IN SUPPORT OF AN APPLICATION FOR RENEWAL OF A LICENCE BY A BODY CORPORATE

Please answer the following questions-

(a)

(If there is insufficient space provided for your answer, please continue on a separate sheet of paper, specifying the question number to which your answer relates, and add your signature.)

Since the date of the corporation's application for a licence or last application for renewal (whichever is the later)-

has the corporation or any convicted of an offence, othe			•	
Yes			No	
If the answer to (a) is 'Yes', g	ive the follow	ing details-		
_	1	2	3	4
Full name of the				
defendant in English				
Full name of the				
defendant in Chinese				
characters (if applicable)				
and code				
Aliases (if any)				
Hong Kong Identity Card number				
The offence				
Penalty (if any) imposed				
Date of conviction				

Place of conviction				
Name of the court which tried the offence				
has any controller, director Kong or elsewhere, been se	-		-	on, in
Yes			No	
If the answer to (b) is 'Yes',	give the foll	lowing detail	ls-	
	1	2	3	
Full name of the controller/director/secre tary/officer in English				
Full name of the controller/director/secre tary/officer in Chinese				
characters (if applicable) and code				
Aliases (if any)				
Hong Kong Identity Card number				
Date of service of petition				
Number of bankruptcy petition				
Name of the court issuing petition				
has the corporation or any Hong Kong or elsewhere entered into any form of co	, been a pa	rty to a sch	neme of arra	
Yes			No	
If the answer to (c) is 'Yes',	give the foll	owing detail	ls-	
	1	2	3	
Full name of the controller/director/secre tary/officer in English				

	Full r	name of the								
	contro	oller director								
	secret	tary/officer in								
		ese characters (if								
		cable) and code								
		es (if any)								
		, , , , , , , , , , , , , , , , , , ,								
	Hong	Kong Identity								
		number								
	Detai	ls of arrangement								
		mposition								
		1							ı	
(d)	has a petition been presented for winding up the corporation?									
		Y	es			N	О			
	(i) If the answer to (d) is 'Yes', is the petition now pending?									
										-
	<i>(</i> **)	TC .1	• • •	D.T. 1.1	.1	, • , •	1.		co	
	(ii)	If the answer to (1) 1S	'No' how	was the p	etitior	alsp	osed	01?	
										_
(a)	haa th	has there been any change in the bank accounts kept in connection with the								
(e)		ration's business as	_			кері	III CO	meci	lion v	with the
	corpo	ration's business as	au	aver agen	ıı:					
		V	es			N	О			
		10	CS			1	10			
	If the	enewer to (a) is 'V	ac' o	ive the fe	allowing d	otoila	in roc	noot .	of on	ah hank
		If the answer to (e) is 'Yes', give the following details in respect of each bank at which the corporation is keeping an account in connection with the								
		ration's business as				unt n	ı con	песп	OII V	vitii tiie
	corpo	ration's business as	au	aver agen	it-					
				1	2		3			4
				1			3			•
	Name	e of bank								
	1 variic	or ounk								
	Addre	ess of bank								
	riadi	ess of bulk								
	Acco	unt number								
	11000									
	Date	on which the								
		int was opened								
	45550	nus openeu	1		<u> </u>					
I decl	are that	all information gi	ving	by me in	n this appl	icatio	n is tı	ue ai	nd co	orrect to
			5	- , 1					•	
the best of my	y knowl	ledge and belief.								
the best of my	y know]	ledge and belief.								
the best of my	y know]	ledge and belief.								
the best of my	y know]	ledge and belief.								

N	Ia	m	Δ	\sim	f
- 17	12	ш	-	()	

		Name of
		Signatory
		Capacity
Please note:	(i)	The original and one copy of this statement, duly completed and signed, should be submitted, together with the Application for Renewal of a

Licence, to the Registrar.

(ii) Documentary evidence may be required in support of any information given in this statement.

WARNING- Section 48(1)(c) of the Travel Agents Ordinance makes it an offence punishable by a fine of #FINE \$100000 and to imprisonment for #IMPRIYR 2 years on conviction upon indictment or by a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months on summary conviction for a person who makes any false or misleading statement or furnishes any false or misleading information in connection with any application for the issue or renewal of a licence.

(Enacted 1985. L.N. 136 of 1996)

FORM 10

[regulation 16(a)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

CERTIFICATE OF THE REGISTRAR OF TRAVEL AGENTS ISSUED TO A MAGISTRATE FOR MAKING A PROHIBITION ORDER

	TAR FIL	E REF
То:	The Magistrate,	
	Magistracy,	
	Hong Kong.	
	I hereby certify that in connection with an investigation of	, a licensed travel
agent	(hereinafter called "the travel agent") being conducted by me under	er section 21 of the Travel
Agent	s Ordinance, I am of the opinion that *Mr./Madam/Miss	(hereinafter called
"the as	ssociated person"), whose last known place of *abode/business/ emp	ployment is
	and whose Hong Kong Identity Card n	umber is
is:-		

- able to assist me in connection with that investigation; (a)
- associated with the business of the travel agent; and (b)

		section 29(1) of the Trorder to prevent the asso				you to
	, and the	o serve the order on e associated person *M d.				
Date	d this	day of		19		
				Registr	ar of Travel Agents	S
* Delete as a	appropria	ate.				
				(Enacted	l 1985. L.N. 136 of	1996)
		FC	ORM 11		[regulation 16(b)]
		TRAVEL AGE	NTS ORD	INANCE		
		(Cha	pter 218)			
MAGISTRA	CY RE	F	_			
TAR FILE F	REF		_			
		PROHIBI	TION ORE	DER		
29(1) of the	Travel A whose la long Ko	eipt of a certificate issu Agents Ordinance, it is ast known place of *abong Identity Card number	ordered that ode/busines	t *Mr./Mada ss/employme	nm/Missent is	
This	order sh	nall lapse after the expired on the application	•			
Date	d this	day of	19			
					Magistrate	
					Magistracy	
* Delete as a	appropri	ate.				
NOTES:	(1)	Section 29(3) of the or attempts to leave	Ordinance	provides that	at any person who	leaves

about to, or is likely to, leave Hong Kong.

(c)

Hong Kong in wilful contravention of a prohibition order commits an offence and is liable to a fine of #FINE \$10000 and to imprisonment for #IMPRIMON 6 months and any person who commits an offence under section 29(3) may be arrested without warrant by any immigration officer or police officer.

- (2) Subject to section 29(6) of the Ordinance (which requires an applicant to give 3 clear days written notice to the Registrar of Travel Agents of his intention to make an application and of the time and place at which such application will be made), a person named in a prohibition order may apply to a magistrate for an order to discharge the prohibition order.
- (3) 4 copies of this prohibition order should be signed and sealed by the magistrate.

(Enacted 1985. L.N. 136 of 1996)

FORM 12

[regulation 16(c)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR *EXTENSION/RENEWAL OF PROHIBITION ORDER

			TAR FILE REF
То:	The Magistrate,	Magistracy,	
	Hong Kong.		
-	e Registrar of Travel	Agents for an *extension/rene	etion 29(4) of the Travel Agents Ordinance wal of the order no. (Magistracy Ref.)
of (pl	ace of *abode/busin	dated ess/employment)	prohibiting (name)
and H	Hong Kong Identity (Card number	from leaving Hong Kong.
	I,		gents of (office address of Registrar)apply for the *extension /
			made by (name
order)	The application is for *day/days/month/mon	an *extension/renewal for a period of to to in accordance with section 29(4) of the
Trave	el Agents Ordinance.) in accordance with section 29(4) of the
2.	The grounds of th	is application are-	
-			

Dated this _____day of _____19____

			Registrar of Travel Agents
* Delete as appropi	riate.		
			(Enacted 1985. L.N. 136 of 1996)
	F	ORM 13	[regulation 16(d)]
	TRAVEL AG	ENTS ORDI	NANCE
	(Cl	hapter 218)	
	EF		
	*EXTENDED/RENEV	WED PROHII	BITION ORDER
by t (Magistracy Ref.) _	he Registrar of Travel date	Agents for 3	theday of19 *extension/renewal of the order noprohibiting (name) of (place of
*abode/business/en			from leaving Hong
Kong I am satisfied	I that such order should	l be *extended	d/renewed.
(name)	whose last kno	own place of '	Ordinance, it is ordered that the said *abode/business/employment ise Hong Kong Identity Card number
is period of	, is pro, is pro*day/days/mor	ohibited from hth/months un	leaving Hong Kong for a further titl(inclusive).
	day of		
			Magistrate
			Magistracy
*Delete as appropri	ate.		
NOTES: (1)	or attempts to lead prohibition order construction should be provided by the state of the state	ave Hong K ommits an offorisonment for ts an offence	provides that any person who leaves ong in wilful contravention of a ence and is liable to a fine of #FINE or #IMPRIMON 6 months and any under section 29(3) may be arrested ion officer or police officer.

- (2) Subject to section 29(6) of the Ordinance (which requires an applicant to give 3 clear days written notice to the Registrar of Travel Agents of his intention to make an application and of the time and place at which such application will be made), a person named in a prohibition order may apply to a magistrate for an order to discharge the prohibition order.
- (3) 4 copies of this prohibition order should be signed and sealed by the magistrate.

(Enacted 1985. L.N. 136 of 1996)

FORM 14

[regulation 16(e)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

APPLICATION FOR DISCHARGE OF PROHIBITION ORDER

THE PROPERTY OF PERSONS OF TROUBLESS OF TROU
IN THE MATTER of a prohibition order numberissued under the Travel Agents Ordinance by (name of Magistracy)on (date)
AND
IN THE MATTER of an application under section 29(5) of the Travel Agen Ordinance for the discharge of a prohibition order.
AND
IN THE MATTER of (name of applicant) the personaffected by the prohibition order.
I (name of applicant)of (address of applicant) apply for
discharge of the order prohibiting me from leaving Hong Kong issued by (name of Magistrate) on (date)
The grounds for this application are-
A notice of intention to apply for discharge of prohibition Order was served by mon the Registrar of Travel Agents on(date).
Dated thisday of19
Applicant

Under section 29(6) of the Travel Agents Ordinance an applicant is required to NOTE: give 3 clear days written notice (which is in prescribed Form 15) to the Registrar of Travel Agents of his intention to make an application to discharge a prohibition order and of the time and place at which such application will be made.

(Enacted 1985. L.N. 136 of 1996)

FORM 15

[regulation 16(f)]

TRAVEL AGENTS ORDINANCE

(Chapter 218)

To:	The Registrar of Travel Agents
(addres	In accordance with section 29(6) of the Travel Agents Ordinance, I (name)of
(date)	notify you that I intend to make an application to (name of Magistracy)ononfor the discharge of a prohibition order issued by (name of trate)on (date)
	Signature
	Date
NOTE	This notice must be delivered to the Registrar not later than 3 clear days before an application is made to a magistrate to discharge the prohibition order.
	(Enacted 1985. L.N. 136 of 1996)
	FORM 16 [regulation 16(g)]
	TRAVEL AGENTS ORDINANCE
	(Chapter 218)
	DISCHARGE OF PROHIBITION ORDER
То:	The Registrar of Travel Agents
	WHEREAS on hearing the application made under section 29(5) of the Travel of Ordinance on theday of19by (name of applicant) of (address of applicant)
	of (address of applicant)harge the said applicant from an order prohibiting *him/her from leaving Hong Kong atisfied that the order should be discharged.

~		strate)	· · · · · · · · · · · · · · · · · · ·	•	
			prohibiting the said applicant from		
leaving Hong K					
*subject to the f	following	conditions-			
				_	
				<u> </u>	
				_	
Dated the	his	day of19_			
			Magist	rate	
			C		
			Maniat		
			Magist	гасу	
* Delete as app	ropriate.				
NOTES:	(1) 4	copies of this order should be sign	ned and sealed by the	e magistrate.	
		This order should be served by the Agents, the Director of Immigration		-	
			(Enacted 1985	5. L.N. 136 of 1996)	
		FORM 17			
(Repealed L.N.	240 of 19	88)(For transitional provision, see	reg. 4 of L.N. 240 o	f 1988.)	
		DDOTECTION OF	Gazette Number:	8 of 1000: I N	
Chapter: 335	Title:	PROTECTION OF	Gazette Nulliber.	•	
Chapter: 335 Section:		INVESTORS ORDINANCE SCHEDULE	Version Date:	320 of 1999 01/01/2000	

PART I

PART II

INSTRUMENTS

- 1. A bill of exchange within the meaning of section 3 of the Bills of Exchange Ordinance (Cap 19).
- 2. A promissory note within the meaning of section 89 of the Bills of Exchange Ordinance (Cap 19).
- 3. Any other instrument which evidences an obligation to pay a stated amount to bearer or to order, on or before a fixed time, with or without interest, being an instrument by the delivery of which, with or without endorsement, the right to receive that stated amount, with or without interest, is transferable (and, in the case of any such instrument which is a prescribed instrument by virtue of paragraph (a) of the definition of "prescribed instrument" in section 137B of the Banking Ordinance (Cap 155), such instrument includes any right or interest referred to in paragraph (b) of that definition in respect of such instrument). (Amended 94 of 1993 s.42)

PART III

MULTILATERAL AGENCIES

- 1. The African Development Bank.
- 2. The Asian Development Bank.
- 3. The European Investment Bank.
- 4. The Inter-American Development Bank.
- 5. The International Bank for Reconstruction and Development (commonly known as the World Bank). (Replaced 77 of 1993 s.7)
- 6. The International Finance Corporation (an affiliate of the World Bank). (Added 77 of 1993 s.7)
- 7. The European Bank for Reconstruction and Development. (Added 77 of 1993 s.7)

PART IV

LIST OF EXEMPTED BODIES WHICH MAY BE AMENDED UNDER SECTION 9(2)

(Amended 77 of 1993 s.7)

- 1. Hong Kong Export Credit Insurance Corporation.
- 2. The Hong Kong Industrial Estates Corporation.

- 3. Hong Kong Productivity Council.
- 4. Hong Kong Tourist Association.
- 5. Hong Kong Trade Development Council.
- 6. The Vocational Training Council.

PART IVA

LIST OF EXEMPTED BODIES WHICH MAY NOT BE AMENDED UNDER SECTION 9(2)

- 1. The Government.
- 2-3. (Repealed 78 of 1999 s.7)
- 4. Any District Council. (Amended 8 of 1999 s.89)
- 5. The Hong Kong Housing Authority.
- 6. The Kowloon-Canton Railway Corporation.
- 7. The Mass Transit Railway Corporation.
- 8. The Land Development Corporation.
- 9. Any other corporation which has any of its shares listed on the Unified Exchange, and any wholly owned subsidiary of such a corporation, whether incorporated in Hong Kong or elsewhere.

(Added 77 of 1993 s.7)

PART V

SUM SPECIFIED FOR THE PURPOSES OF DEFINITION OF "RELEVANT CONDITION" IN SECTION 4(9)

\$100 million or its equivalent in any other currency.

(Replaced 77 of 1993 s.7)

Chapter:	542	Title:	LEGISLATIVE COUNCIL	Gazette Number:	L.N. 210 of
			ORDINANCE		1999
Section:	20O	Heading:	Composition of the tourism	Version Date:	01/07/2000
			functional constituency		

The tourism functional constituency is composed of the following bodies-

- (a) travel industry members of the Hong Kong Tourist Association entitled to vote at general meetings of the Association;
- (b) members of the Travel Industry Council of Hong Kong entitled to vote at general meetings of the Council;
- (c) members of the Board of Airline Representatives in Hong Kong;
- (d) members of the Hong Kong Hotels Association entitled to vote at general meetings of the Association;
- (e) members of the Federation of Hong Kong Hotel Owners entitled to vote at general meetings of the Federation.

(Added 48 of 1999 s.13)

						_
Chapter:	1114	Title:	HONG KONG TRADE	Gazette Number:	L.N. 173 of	1
•			DEVELOPMENT		2000	
			COUNCIL ORDINANCE			l
Section:	11	Heading:	Membership of the Council	Version Date:	01/07/2000	L

Remarks:

Adaptation amendments retroactively made - see 66 of 2000 s.3

PART III

MEMBERSHIP AND PROCEDURE OF THE COUNCIL

- (1) The Council shall consist of the following members-
 - (a) the Chairman who shall be appointed, as such, by the Chief Executive;
 - (b) 8 ex officio members, as follows-
 - (i) the Chairman of the Hong Kong General Chamber of Commerce,
 - (ii) the Chairman of the Federation of Hong Kong Industries,
 - (iii) the President of the Chinese Manufacturers' Association,
 - (iv) the Chairman of the Hong Kong Tourist Association,
 - (v) the Chairman of the Committee of The Hong Kong Association of Banks within the meaning of The Hong Kong Association of Banks Ordinance (Cap 364), (Replaced 2 of 1986 s.3)
 - (va) the Chairman of the Chinese General Chamber of Commerce, Hong Kong, (Added 2 of 1986 s.3)
 - (vi) the Secretary for Commerce and Industry, and (Amended L.N. 206 of 1977; L.N. 294 of 1982; L.N. 173 of 2000)
 - (vii) the Director of Information Services:

Provided that if any person, who as the Chairman or President of any one of the aforesaid associations is a member of the Council, becomes the Chairman or President, as the case may be, of any of the other 5 such associations, the Chief Executive shall, from amongst the members of the latter association, appoint a person to be a member of the Council for so long as the first-mentioned person remains the Chairman or President, as the case may be, of both such associations; (Amended 2 of 1986 s.3)

- (c) 4 nominated members of whom-
 - (i) one shall be nominated by the Hong Kong General Chamber of Commerce.

- (ii) one shall be nominated by the Federation of Hong Kong Industries,
- (iii) one shall be nominated by the Chinese Manufacturers' Association, and
- (iv) one shall be nominated by the Chinese General Chamber of Commerce, Hong Kong, (Added 2 of 1986 s.3)

each such person being nominated from among the members of the general committee or similar body of the association nominating him; and (Amended 2 of 1986 s.3)

- (d) 6 members appointed by name by the Chief Executive. (Amended 52 of 1978 s.2)
- (2) Where, for any period, any of the members of the Council specified in sub-paragraphs (i) to (va) (inclusive) of paragraph (b) of subsection (1) or nominated or appointed under the proviso to paragraph (b) or under paragraph (c) or (d) of that subsection is, by reason of absence from Hong Kong or illness, unable to exercise the powers or perform the duties of his office as a member of the Council, then- (Amended 2 of 1986 s.3)
 - (a) in the case of a member specified as aforesaid, that member may appoint such person as the Council approves to be a temporary member of the Council in his place during such period;
 - (b) in the case of a member nominated under paragraph (c) of subsection (1), the association which nominated him may nominate such other person as the Council approves to be a temporary member of the Council in place of that member during such period;
 - (c) in the case of a member appointed under the proviso to paragraph (b) or under paragraph (d) of that subsection, the Chief Executive may appoint another person to be a temporary member of the Council in place of that member during such period.
- (3) Without prejudice to section 42 of the Interpretation and General Clauses Ordinance (Cap 1)-
 - (a) the term of office of the Chairman shall be such period as the Chief Executive in his discretion shall on the appointment of the Chairman fix, and the Chairman may from time to time be re-appointed;
 - (b) the term of office, as members of the Council, of the members nominated pursuant to paragraph (c) of subsection (1) shall be one year from the date of nomination unless, in respect of any such member, he earlier ceases to be a member of the general committee or similar body of the association which nominated him, in which case he shall also cease to be a member of the Council, and any such member may from time to time be re-nominated in accordance with the said paragraph (c);
 - (c) the term of office, as members of the Council, of the members appointed pursuant to subsection (1)(d) shall be 2 years, or such lesser period as in any particular case the Chief Executive may on appointment fix, and any such member may from time to time be re-appointed.
- (4) The Chairman and any member of the Council appointed under the proviso to subsection (1)(b) or nominated under subsection (1)(c) or appointed under subsection (1)(d) may at any time by notice in writing to the Chief Executive resign from the Council.
- (5) Where the Chairman or any member of the Council referred to in subsection (4) resigns from the Council or dies, the vacancy thereby created shall be filled by appointment or nomination, as the case may require, and the provisions of subsection (3) as to terms of office shall apply in relation to the member filling such vacancy.
- (6) If the Chairman is absent from Hong Kong or is, for any other reason unable to act as Chairman, the Chief Executive may, in his absolute discretion, appoint a person (whether or not such person is already a member of the Council) to act as Chairman of the Council during the absence or incapacity of the Chairman.

(Amended 66 of 2000 s.3)

Hong Kong Tourist Association (Amendment) Bill 2001 [5.1.2001]

Background

The Government published in the Gazette today (5 January) the *Hong Kong Tourist Association (Amendment) Bill 2001* which will be introduced into the Legislative Council (LegCo) on 17 January. The purpose of the Bill is to amend the *Hong Kong Tourist Association Ordinance* to implement some of the main recommendations of the Strategic Organisation Review (SOR) completed by the Hong Kong Tourist Association (HKTA) in late 1999.

The SOR was commissioned by the Board of Management of the HKTA to better define the role of the HKTA so as to draw up long term development strategies to meet the challenges. As part of the SOR, the HKTA has undertaken thorough consultation with the travel trade and relevant organisations.

The SOR concluded and the HKTA Board endorsed that the main role of the HKTA should be to promote Hong Kong as a tourist destination, to enrich visitors' travel experience and to enhance Hong Kong's attractiveness through improving and developing new tourism itineraries in collaboration with the tourism industry.

To implement the recommendations of the SOR, we propose to introduce the following major amendments to the HKTA Ordinance-

(a) establishing a new body corporate known as the "Hong Kong

Tourism Board" to replace the HKTA and its Board of Management;

- (b) updating some of the objects of the HKTA to put emphasis on promoting Hong Kong globally as a world class destination and stepping up its advisory role to the Government;
- (c) repealing provisions related to the membership system of the HKTA; and
- (d) increasing the number of Board members from 11 to 20 and providing for the appointment of a new Deputy Chairman from amongst the Board members.

We have consulted the HKTA and the LegCo Panel on Economic Services on the proposed amendments. Both of them supported the proposal.

Line to take

- The proposed amendments aim to implement some of the main recommendations of the SOR by the HKTA. They are necessary to better define the marketing role of the HKTA and enable it to serve the whole tourism industry. They will also enhance the effectiveness of the work of the proposed Hong Kong Tourism Board in future.
- The HKTA has consulted its members and key industry bodies on the recommendations of the SOR. They generally welcomed the recommendations.

The proposed amendments also have the support of the HKTA and the LegCo Panel on Economic Services.

[If asked on the HKTA's renaming proposal]

The HKTA Board proposed to change the name of the HKTA to the "Hong Kong Tourism Board" to better reflect its role relating to the whole of the tourism industry.

[If asked on the proposal to abolish membership system]

The HKTA intends to abolish the membership system in the financial year of 2001-02. The membership system is outdated as the HKTA has been working with concerned organisations of the tourism industry in its promotion work and not just its members. The cessation of the system and relevant income would not affect the healthy financial status maintained by the HKTA. The Government and the HKTA will continue to closely co-operate with the trade to further tourism development in Hong Kong.

[If asked on the respective roles of the Tourism Commission and the HKTA]

- In further promoting tourism development, the Tourism Commission and the HKTA perform distinctive but complementary roles.
- The Tourism Commission is mainly responsible for formulating and

coordinating the implementation of policies, strategies, infrastructure and plans for promoting tourism development. It also leads and co-ordinates the work of other Government bureaux and departments on policies and plans which have an impact on tourism development.

The principal role of the HKTA is to promote Hong Kong as a tourist destination globally, at specific markets, and to assist in enriching visitors' travel experience. The focus of its work is on market promotion, and on co-ordination of all sectors in the tourism industry with a view to improving tourism products and enhancing Hong Kong's attractiveness.

[If asked on the commencement date of the Bill]

- To allow time for the HKTA to complete the procedures for abolishing its membership and changing its name, we propose that the legislation shall come into effect on a date to be appointed by the Secretary for Economic Services by notice in the Gazette.

- END -

Economic Services Bureau 4 January 2001

Press Release

Hong Kong Tourist Association (Amendment) Bill 2001 Friday, 5 January 2001

The Government announced that the Hong Kong Tourist Association (Amendment) Bill 2001 gazetted today (Friday) would be introduced into the Legislative Council on 17 January.

"The Hong Kong Tourist Association (HKTA) completed a Strategic Organisation Review (SOR) on its role in late 1999. It is necessary to introduce amendments to the Hong Kong Tourist Association Ordinance to implement some of the main recommendations of the SOR," a Government spokesman said.

"As part of the SOR, the HKTA has undertaken thorough consultation with the travel trade and relevant organisations. The SOR concluded and the HKTA Board endorsed that the main role of the HKTA should be to promote Hong Kong as a tourist destination, to enrich visitors' travel experience and to enhance Hong Kong's attractiveness through improving and developing new tourism itineraries in collaboration with the tourism industry," the spokesman said.

The spokesman added that the SOR consultancy had also made a number of specific recommendations which had been endorsed by the HKTA Board of Management. These recommendations include abolishing the outdated membership system of the HKTA, expanding the

size of the HKTA Board to enhance its representativeness, and renaming the HKTA as the "Hong Kong Tourism Board" to better reflect its overall role in the tourism industry.

Consistent with the recommendations of the SOR, the main provisions of the Bill include -

- establishing a new body corporate known as the "Hong Kong Tourism Board" to replace the HKTA and its Board of Management;
- updating some of the objects of the HKTA to put emphasis on promoting Hong Kong globally as a world class destination and stepping up its advisory role to the Government;
- repealing provisions related to the membership system of the HKTA; and
- increasing the number of Board members from 11 to 20 and providing for the appointment of a Deputy Chairman from amongst the Board members.

"We have consulted the HKTA and the LegCo Panel on Economic Services on the proposed amendments. Both of them

supported the proposal. We are confident that the proposed amendments would more clearly define the role and enhance the effectiveness of the work of the HKTA. The Government will continue to work closely with the HKTA and the tourism industry to further tourism development in Hong Kong," the spokesman said.

The HKTA was set up as a membership organisation under the *HKTA Ordinance* in 1957. Since then, the tourism industry in Hong Kong has experienced many challenges, including keen competition from other regional destinations. In mid-1997, the Board of Management of the HKTA commissioned a consultancy to undertake a SOR to better define the role of the HKTA so as to draw up long term development strategies to meet the challenges.

END/5 January 2001 (Friday)