

Hong Kong Tourist Association (Amendments) Bill 2001

Proposed Amendments to be Moved by Secretary for Economic Services
(as at 21 February 2001)

Taking into account comments made by Members, we set out below a summary of the proposed amendments to be moved by Secretary for Economic Services by way of Committee Stage Amendments and reasons thereof –

Clause	Subject	Proposed Amendment	Reason
4(e)	Interpretation – “licensed travel agent”	To amend the definition of “licensed travel agents” as follows – “licensed travel agent” means a natural person who is engaged in the business of a travel agent licensed under section 11 of the Travel Agents Ordinance (Cap. 218), and “travel agent” has the same meaning as in that Ordinance.	The item “licensed travel agents” is intended to include the controller, director or officer of a corporate that is a travel agent as well as a natural person who is himself/herself a travel agent. We propose to modify the existing definition in the Bill to avoid ambiguity.
7	Seal of Board and authentication of the seal, and instruments executed under the seal	To replace “接納” with “收取” in the Chinese text in the new section 5(2).	To ensure consistency with the existing HKTA Ordinance (Cap. 302).
9	General powers of Board	<ul style="list-style-type: none"> To add a provision in the new section 7 specifying that the Board may set up and maintain offices in and outside Hong Kong. 	<ul style="list-style-type: none"> To clearly reflect the power of the Board to set up and maintain offices in and outside Hong Kong.

Clause	Subject	Proposed Amendment	Reason
		<ul style="list-style-type: none"> • To replace “執行” with “履行” in the Chinese text of the new sections 7(i) and 7(l). • To delete “, execute” in the new section 7(j). 	<ul style="list-style-type: none"> • To better reflect the meaning. • Since “enter into” in the new section 7(j) is wide enough to cover “execute”, the latter could be deleted to address the concern that “義務” cannot be “簽立”.
11	Constitution and membership of Board	<ul style="list-style-type: none"> • To specify that the number of “licensed travel agent”, “tour operator”, “retailer” and “restaurant operator” to be appointed to the Hong Kong Tourism Board shall be one each. • To amend the Chinese text of the new section 9(8) as follows – <p style="margin-left: 2em;">“如主席的職位因主席根據第 10 條辭職或遭免任，或因其他理由而懸空，則副主席須在新主席尚待委任期間署理主席的職位。”</p> 	<ul style="list-style-type: none"> • The proposed amendment was raised by Members. We considered that the proposal was consistent with our aim to maintain a balanced composition and therefore accepted the proposal. • To better reflect the meaning of the English text.

Clause	Subject	Proposed Amendment	Reason
12	Resignation and removal of member, Chairman and Deputy Chairman	To replace “執行” with “履行” in the Chinese text of the new section 10(3)(c).	To better reflect the meaning.
20	Chief Executive in Council may give directions	To replace “執行” with “履行” in the Chinese text of the new section 16A(1)(b).	To better reflect the meaning.
21	Power of Board to appoint committees	To replace “執行” with “履行” in the Chinese text of the new section 17(3).	To better reflect the meaning.
26	Power of Board to make rules	To replace “執行” with “履行” in the Chinese text of the new section 20(f).	To better reflect the meaning.
New	Schedule	To amend the section number within the square brackets in the Schedule to “s.26”.	To tidy up an inaccurate cross-reference.
40	Ordinance to be construed as continuing only valid and lawful acts	To replace “執行” with “履行” in the Chinese text of paragraph (b).	To better reflect the meaning.

Economic Services Bureau
21 February 2001