

(Translation)

**Motion on
“Combating unscrupulous shops”
moved by Hon LAU Kong-wah
at the Legislative Council meeting
of Wednesday, 9 May 2007**

Motion as amended by Hon Howard YOUNG and Hon SIN Chung-kai

“That, in view of the recent cases of Mainland tourists being cheated while shopping in Hong Kong which have aroused wide concern, this Council urges the Government to adopt active measures to rigorously combat unscrupulous shops ripping off customers and to strengthen the regulation of the tourism industry, in order to restore the confidence of tourists coming to Hong Kong for shopping, including:

On the cooperation with the relevant Mainland authorities:

- (a) fully implementing the eight regulatory measures promulgated earlier by the China National Tourism Administration, including conducting regular inspections and imposing severe penalties on non-compliant travel agents, so as to thoroughly combat the problems arising from zero-fare and negative-fare tours;
- (b) prohibiting outbound travel agents in the Mainland from imposing additional charges on tour members for leaving the tour group before completion of the itinerary;
- (c) vigorously publicizing to tourists the risks involved in ‘arranged shopping’ tours and the protection available to them;
- (d) expeditiously allowing Hong Kong’s reputable travel agents to operate Hong Kong and Macao tours in Guangdong Province, with a view to upgrading in the long run the quality of tourism services in the Mainland;

On the local front:

- (e) studying whether there is a need for the consolidation of the provisions relating to protecting consumer rights and interests in the existing legislation into a Protection of Consumer Rights and Interests Ordinance;
- (f) comprehensively reviewing the existing legislation on protecting consumer rights and interests, and tightening up regulation to cover the marketing practices of alluding to particular brands or misleading the customers;

- (g) enhancing the regular inspections and ‘undercover’ operations carried out by the Police and the Customs and Excise Department to crack down on shops engaging in fraudulent practices and selling fake products;
- (h) requesting the Travel Industry Council of Hong Kong (TIC) to set up a complaint website, so that Mainland tourists may lodge complaints through the website after their departure from Hong Kong, and installing television facilities at border crossing points to publicize tourism information, as well as cooperating with telecommunications companies to provide inbound and outbound tourists with information such as the complaint hotline via mobile telephone short message service;
- (i) expeditiously discussing with the TIC the introduction of a demerit point system to regulate travel agents and tour guides;
- (j) if the complaints are substantiated, fully disclosing the parties involved in complaint cases, including the names of shops, the local and Mainland travel agents, as well as the tour guides concerned; and
- (k) discussing with the industry the introduction of a tour guide fee system.”