

Legislative Council Meeting of 23 October 2013
Motion on “Expeditiously formulating long-term planning for the
tourism industry”

Progress Report

Purpose

At the Council meeting of 23 October 2013, the motion on “Expeditiously formulating long-term planning for the tourism industry” moved by the Hon Yiu Si-wing and amended by the Hon Tony Tse, the Hon Sin Chung-kai and the Hon Ronny Tong, was carried. Please refer to **Annex** for the carried motion. This paper aims to report the stance and follow-up actions taken by the Administration.

Formulating legislative regulations for the healthy development of the tourism sector

2. On formulating legislative regulations for the healthy development of the tourism sector, the Government is pressing ahead with the preparatory work for the establishment of the Travel Industry Authority (TIA) and implementation of a new regulatory framework for the tourism sector. It is expected that the draft new legislation could be introduced into the Legislative Council (LegCo) in the next legislative session, and the TIA could be established in late 2015 the earliest.

3. As regards the proposals of amending the prevailing Travel Agents Ordinance to put in place a demerit point system and a system of registered authorized representatives (AR), since such amendment will also be subject to the vetting of the LegCo, we consider that the most comprehensive and effective approach is to deal with all the proposals relating to the improvement of the regulatory framework of the tourism sector collectively under the draft new legislation. We have already proposed adding a new licensing condition under the new regulatory framework to require every travel agent to appoint a natural person to be an AR. The AR will have statutory duty to ensure that the operation of the travel business shall comply with the licence conditions as well as the rules and regulations promulgated by the TIA in future, etc. In addition, each eligible person can only be an AR of one travel agent at any one time. The TIA will be empowered to disqualify any AR if it is of the opinion that he fails to carry out his statutory duties properly and/or the TIA has serious doubt on his “fit and properness”. When the travel agent fails to replace the disqualified AR by a qualified one within a reasonable period of time, the travel agent’s licence may be suspended until such time a qualified AR is appointed or the licence may be revoked.

4. The detailed rules and regulations under the new regulatory framework, including the disciplinary mechanism to be imposed on non-compliant licensees and ARs, etc., will have to be worked out after the establishment of the TIA, taking into account factors such as the prevailing market situation at the time.

5. Under the new regulatory framework, we have also proposed to set up a statutory licensing system for tourist guides and tour escorts. The TIA will be the licensing authority and responsible for regulation of tourist guides and tour escorts, including promulgating codes of conduct and directives and maintaining a disciplinary mechanism, etc. The objectives of the system will be to enhance the quality and service standard of trade practitioners in the long run. Those interested in becoming tourist guides and tour escorts in future will be required to complete compulsory pre-examination training courses before they can sit for a licensing examination. In addition, tourist guides and tour escorts will be required to complete designated Continuing Professional Development courses for renewal of licences.

6. As for the handling of consumers' complaints under the new regulatory framework, we will continue to provide consumers with a simple and inexpensive route for resolving minor disputes with travel agents through conciliation. To this end, our proposal at this stage is to entrust the Travel Industry Council of Hong Kong (TIC) with the responsibility to conciliate non-disciplinary disputes between consumers and travel agents of service or commercial nature. The TIC has been handling such disputes under the existing regime and has accumulated much experience and expertise. At the same time, legal advice suggests that, as conciliation work may affect the impartiality of the TIA as the regulatory body, the TIA should not be involved in conciliating disputes concerning travel agents so that any conflicts of roles could be avoided.

Strengthening tourism-related manpower training

7. The eight University Grants Committee (UGC)-funded institutions typically conduct academic planning on a triennial basis. Generally speaking, the UGC sector enjoys a high degree of autonomy in offering programmes of different disciplines and allocating student numbers to individual disciplines having regard to community needs and the institutions' own development strategies. At present, two UGC-funded institutions (Chinese University of Hong Kong and Hong Kong Polytechnic University) offer publicly-funded undergraduate programmes in tourism and hotel management. The total concerned undergraduate intake places offered by these two UGC-funded institutions will increase from 217 in the 2011/12 academic year to 269 by the 2014/15 academic year.

8. On the other hand, the planned places for tourism industry-related subvented programmes offered by the Vocational Training Council in the 2013/14 academic year is 2 615. The Employees Retraining Board (ERB) also provides

2 000 training places for tourism related courses in 2013/14, including full-time placement-tied and half-day or evening “Skills Upgrading Scheme Plus” courses. Appointed training bodies of ERB will provide placement follow-up services to trainees who have completed the placement-tied courses.

Nature Conservation and Promotion of Green Tourism

9. There are 24 country parks and 22 special areas in Hong Kong, as well as four marine parks and one marine reserve. These areas are managed by the Agriculture, Fisheries and Conservation Department (AFCD) in accordance with the Country Parks Ordinance (i.e. Cap. 208) and the Marine Parks Ordinance (i.e. Cap. 476). In order to strengthen the conservation of Hong Kong’s geological resources and develop its tourism value, the Government established the Hong Kong Global Geopark of China (Geopark). This arrangement protects and enhances our natural environment and scenery while local residents and visitors can earn a better understanding of the nature resources of Hong Kong, and enhance their awareness of nature conservation.

10. The AFCD conducts on a regular basis throughout the year a series of country park educational activities, publishes books and leaflets as well as organizes Country Parks Volunteer Scheme to raise the awareness of students and the general public on conservation through their participation in various education and conservation works in the country parks. Furthermore, there are various education facilities in country parks to promote nature conservation and strengthen people’s care for the countryside environment such as exhibitions in various themes in Country Park Visitor Centres, guided tours for group visits with advanced booking and on-site interpretative panels along the nature trails and tree walks.

11. The AFCD launched in collaboration with the concerned stakeholders a pilot scheme of fisheries eco-tourism in Sai Kung, the northeastern waters of Hong Kong, Lamma Island and the western waters and Tai O waters since 2010 with an aim to assist fishermen to switch to the eco-tourism industry. The scheme introduces to tourists the culture and practices of fisherman communities as well as the ecological and geological features of Hong Kong through marine-based guided tours. Up till now, over 400 fishermen have been trained.

12. The Hong Kong Tourism Board (HKTB) also promotes green tourism products developed by the local travel trade and the attractive features in our major outlying islands through various channels including the Internet, smartphone applications and guidebook. Targeting at overseas source markets, the HKTB invites overseas media to Hong Kong to visit the outlying islands and other green attractions. The HKTB also organizes familiarization trips for travel agents specializing in green tourism to experience Hong Kong’s natural attractions and encourages them to feature the outlying islands in their green tour itineraries.

Developing the Lantau Island into a Leisure Ecological Park

13. At present, around 70% of the area in Lantau has been designated as country parks, including Lantau South, Lantau North and Lantau North (Extension) Country Parks. Various recreational facilities are provided in the country parks for public enjoyment, including hiking trails, campsites and barbecue sites, etc. Visitors can enjoy the tranquility of the countryside, the natural scenery and the various recreational activities in the country parks. The AFCD will seek to review the service quality and arrangements of the existing facilities in the country parks to meet the needs of the visitors as appropriate.

14. As for Lantau tourism promotion, the HKTB has been promoting to our visitors cultural attractions in Lantau through its “Great Outdoors Hong Kong” marketing platform and various other channels like the Internet, publications and smartphone applications. These include not only the well-known Big Buddha, Po Lin Monastery and Wisdom Path, but also various spots and activities in Tai O such as the Tai O Heritage Hotel, the Dragon Boat Water Parade of Tai O, the Tai O Rural Committee Historic and Cultural Showroom, the Tai O Cultural Workshop, the local specialty market and stilted houses, etc.

Intangible Cultural Heritage Conservation and the Related Tourism Promotion

15. As regards intangible cultural heritage (ICH), the Government has been supporting the protection of ICH through various means, including the identification, documentation, research, preservation, promotion and transmission of such heritage. Home Affairs Bureau established the Intangible Cultural Heritage Advisory Committee (ICHAC), comprising local academics, experts and community personalities, to advise the Government on the territory-wide survey of ICH and measures to protect the ICH.

16. The Government has earlier commissioned the South China Research Center of the Hong Kong University of Science and Technology to conduct a territory-wide survey of ICH in Hong Kong. This has completed. The survey findings were discussed thoroughly by the ICHAC and a draft ICH inventory was drawn up. Leisure and Cultural Services Department launched a four-month public consultation from July 2013 onwards to gauge public views on the draft inventory list recommended by the ICHAC. Taking into account the public views received, the Administration will consult the ICHAC again before publishing the first ICH inventory list for Hong Kong in early 2014.

17. Having due regard to the variations among various ICH items in terms of their importance, nature and urgency for immediate protection actions, the Government will, on the basis of the territory-wide survey and the first inventory

of ICH in Hong Kong, consult the ICHAC to devise and implement a host of safeguarding measures.

18. On promotion of traditional cultural festivals, the HKTb actively promotes to tourists traditional festivals under “the third national list of intangible cultural heritage” including the Cheung Chau Jiao Festival, the Tai O dragon boat water parade, the Tai Hang fire dragon dance and the Yu Lan Ghost Festival of the Hong Kong Chiu Chow community. The HKTb promotes the Cheung Chau’s “Floating Colours Parade” (or “Piu Sik”) and the “Bun Scrambling Competition” through the “Hong Kong Cultural Celebrations” promotion platform, as well as the Tai O dragon boat water parade and the Tai Hang fire dragon dance through the “Hong Kong Dragon Boat Carnival” and the “Hong Kong Mid-Autumn Festival” mega events respectively. As regards the Yu Lan Ghost Festival, the HKTb worked with the Federation of the Hong Kong Chiu Chow Community Organizations in 2013 to publicize the concerned festival in Kowloon City as well as the Chinese opera performances staged in various districts and arranged overseas media to do the filming and interview on the spot. The HKTb also introduced the activities of the festival to visitors staying in town during the period through the in-room TV channel and the HKTb visitor centres.

19. On promotion of traditional handicrafts, the “New Tour Product Development Scheme” of the HKTb has recently supported the development of relevant new tourism products by the travel trade. For example, in the tour “Hand Made in Hong Kong”, visitors can have a glimpse of some of the city’s age-old handicrafts, such as face threading, tailoring, shoemaking and metal tooling, with the master craftspeople sharing the history of their trades. The HKTb will continue to encourage the trade to develop tourism products in this area.

Tourism Promotion on Heritage and Historic Buildings

20. On the other hand, the Government will continue to protect, conserve and revitalize historic buildings, with an objective to strike a proper balance between heritage conservation and development. The HKTb has been actively introducing to visitors various traditional historic buildings across the districts, including Chinese temples, walled villages and those Western-styled buildings such as the Tai O Heritage Hotel which was converted from the Old Tai O Police Station. The HKTb also invites overseas media to use revitalized historic buildings as settings for interview and filming. With regard to those recently revitalized historic buildings such as Mei Ho House and Jao Tsung-i Academy (former Lai Chi Kok Hospital), the HKTb is exploring with the Development Bureau on how best it could help promote them.

21. All relevant government bureaux and departments will continue to work with the tourism sector and other sectors in Hong Kong, in protecting the natural environment and local culture, developing and promoting more high-quality and

diversified tourism products, as well as continuing to implement the works pertaining to the new regulatory framework for tourism sector and training, to enhance the visitors' experience in Hong Kong.

Commerce and Economic Development Bureau

Development Bureau

Home Affairs Bureau

Environment Bureau

Education Bureau

Labour and Welfare Bureau

January 2014

**Motion on
“Expeditiously formulating long-term planning
for the tourism industry”
moved by Hon YIU Si-wing
at the Council meeting of 23 October 2013**

Motion as amended by Hon Tony TSE, Hon SIN Chung-kai and Hon Ronny TONG

That, as the tourism industry generates substantial foreign exchange revenue for Hong Kong, and at the same time creates a large number of employment opportunities, its impact on the overall economy can be described as significant; given the year-on-year increase in the number of inbound tourists, Hong Kong’s ancillary facilities in respect of scenic spots, hotels, transport, shopping and control points, etc., have obviously become insufficient; in addition, in undertaking urban planning, the Government fails to consider it from the tourism perspective and formulate relevant measures; the Government must strike a balance between conservation and development, so as not to hinder the development of the tourism industry and Hong Kong as a whole and affect people’s daily lives; in this connection, this Council urges the Government to formulate diversified long-term planning and comprehensive industrial policies and measures for the tourism industry, including attracting more tourists to Hong Kong to enjoy the fruits of conservation with Hong Kong people and achieve economic benefits by the conservation and revitalization of buildings and the environment, strengthening the tourism industry-related manpower training, and formulating laws and regulations conducive to the healthy development of the tourism industry, so as to alleviate the pressure on traditionally popular tourism districts, raise the visitor carrying capacity, and promote the sustainable development of the tourism industry; the relevant proposals should also include:

- (1) to request the Government to expeditiously submit a bill on establishing a travel industry authority to strengthen the monitoring of travel agents and tourist guides;
- (2) to propose amendments to the Travel Agents Ordinance, put in place a demerit point system based on objective criteria, and require each travel agent to appoint two registered authorized representatives; when travel agents and tourist guides are found to be non-compliant, to deduct points from them, with possible temporary licence suspension for minor non-compliance and licence revocation for serious non-compliance; when a travel agent is found to be non-compliant, to deduct points from both of its two authorized representatives; and after the persons concerned have incurred full demerit points, to forbid them to serve as authorized

representatives of travel agents, so as to prevent travel agents from changing their names to evade penalty;

- (3) regarding licensing systems and handling of complaints, apart from making reference to the current accreditation system of the Travel Industry Council of Hong Kong, to propose improvements to the licensing systems for tourist guides and tour escorts, so as to upgrade tourism practitioners' quality and service standard in the long run; and apart from conducting a preliminary inspection of consumer complaints about and claims against travel agents and/or their employees, to switch the existing mediation role of the Travel Industry Council of Hong Kong to the purview of the Travel Industry Authority to be set up in the future;
- (4) dovetailing with the conservation policy, to protect Hong Kong's natural landscape, as well as conserve intangible cultural heritage, so as to attract tourists; and
- (5) to develop the Lantau Island into a leisure ecological park, so as to increase the number of scenic spots in Hong Kong;

this Council also urges the Government to enhance tourist spots, develop the countryside and green tourism projects, coupled with public education, to strengthen people's care for the countryside environment and their awareness of keeping it clean.