

L.N. 394 of 1998

TRAVEL INDUSTRY COMPENSATION FUND (AMOUNT OF  
EX GRATIA PAYMENTS AND FINANCIAL PENALTY) (AMENDMENT) RULES 1998  
(Made by the Travel Industry Compensation Fund Management Board  
after consulting the Financial Secretary under  
section 32G(2) of the Travel Agents  
Ordinance (Cap. 218))

1. Interpretation

Section 2 of the Travel Industry Compensation Fund (Amount of  
Ex gratia Payments and Financial Penalty) Rules (Cap. 218 sub. leg.) is amended-  
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(a) by repealing the definition of "relative" and substituting---

""relative" (親屬), in relation to an outbound traveller, means---

- (a) a spouse;
- (b) a parent, step-parent or guardian;
- (c) a spouse's parent, step-parent or guardian;
- (d) a grandparent or great-grandparent;
- (e) a child or a ward of court under the care and control of the outbound traveller;
- (f) a stepchild or a ward of court under the  
care and control of the outbound traveller's spouse;
- (g) a grandchild;
- (h) a son-in-law or daughter-in-law;
- (i) a brother or sister;
- (j) a spouse's brother or sister;
- (k) a brother's or sister's spouse;
- (l) a half-brother or half-sister;
- (m) a step-brother or step-sister;
- (n) a brother's or sister's child;
- (o) a parent's brother or sister;
- (p) a parent's brother's spouse or parent's sister's spouse; or
- (q) a parent's brother's child or parent's sister's child;"

(b) by adding---

""spouse" (配偶), in relation to a person, includes---

- (a) a concubine of the person; and
- (b) a person with whom the person is cohabiting as husband or wife;"

2. Amount of ex gratia payment

Section 5C is amended in the Table by adding---

"(d) if a deceased or injured outbound traveller \$ 20,000 does not have any relatives, expenses reasonably incurred by a former spouse of the traveller in visiting the relevant country for a purpose connected with the traveller's death or injury

(e) expenses reasonably incurred by not more than \$ 20,000 2 relatives of a deceased outbound traveller in per visiting Hong Kong for a purpose connected relative with the traveller's death, but only if there is no relative or former spouse of the traveller residing in Hong Kong

(f) if a deceased outbound traveller does not have \$ 20,000". any relatives, expenses reasonably incurred by a former spouse of the traveller in visiting Hong Kong for a purpose connected with the traveller's death

Consequential Amendments

Travel Industry Compensation Fund (Procedure for Ex gratia Payments) Rules

3. Schedule amended

The Schedule to the Travel Industry Compensation Fund (Procedure for Ex gratia Payments) Rules (Cap. 218 sub. leg.) is amended---

(a) in Form C, in paragraph 3(b)(ii)---

(i) (A) by repealing "relative(s)" and substituting "relative(s)/ former spouse";

(B) by repealing "relative" and substituting "relative/ former spouse";

(ii) by adding "(in the case of a relative)" after "Relationship with me";

(b) in Form D, in the Annex, in paragraph 3(b)---

(i) (A) by repealing "relative(s)" and substituting "relative(s)/ former spouse";

(B) by repealing "relative" and substituting "relative/ former spouse";

(ii) by adding "(in the case of a relative)" after "Relationship with me";

(c) in Form E, in paragraph 4(b)(iii)---

(i) (A) by repealing "relative(s)" and substituting "relative(s)/ former spouse";

(B) by repealing "relative" and substituting "relative/

former spouse";

(ii) by adding "(in the case of a relative)" after "Relationship with the infant/deceased".

Dr. James KUNG

Chairman,

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Fund Management Board

15 December 1998

Explanatory Note

Section 1 modifies the presentation of the definition of "relative".

2. Section 2 extends the coverage of "relevant expenses" so that a former spouse of an outbound traveller or a relative of the traveller residing outside Hong Kong may be granted an ex gratia payment in respect of the traveller.

3. Section 3 makes consequential amendments to relevant application forms.