

Bills Committee on Travel Industry Bill

**List of follow-up actions arising from the discussion
at the meeting on 11 April 2018**

At the meeting on 11 April 2018, the Administration was requested to provide the following information –

- (a) consider specifying the basis and circumstances (i.e. good cause) that the Tourism Industry Authority ("TIA") might on its own initiative authorize a person subject to a prohibition order to leave Hong Kong under clause 80(1);
- (b) whether vacancy in membership of non-trade members or their temporary absence would affect the validity of the proceedings of the disciplinary committee and the inquiry committees;
- (c) consider specifying the factors to be considered by TIA in removing a member of disciplinary committee from office in clause 89(1), having regard to similar practice adopted by the Insurance Authority ("IA") and the Securities and Futures Commission ("SFC");
- (d) consider amending clause 89(2) to include the reason(s) for removal in the written notice from TIA to the member of the disciplinary committee being removed from office;
- (e) review the drafting of clause 90 to reflect the legislative intent that the disciplinary committee was to consider cases of complaint or suspected misconduct referred by TIA from a broad perspective instead of conducting inquiries into particular cases;
- (f) the basis of requiring the disciplinary committee to act in accordance with the directions given by TIA under clause 91, and whether this would affect the independence/operation of the disciplinary committee. The Administration was requested to advise the legislation it had made reference to in drafting this clause, and address members' concern that TIA should duly respect the functions and decisions of the disciplinary committee;
- (g) whether a mechanism would be put in place for reviewing the decision of the chairperson of the disciplinary committee made under clause 98 that the case was trivial, frivolous, vexatious, misconceived or lacking in substance and was not to proceed further; and

- (h) a comparison of the proceedings of the inquiry committee under clause 105 with similar proceedings adopted by IA and SFC.

Council Business Division 4
Legislative Council Secretariat
26 April 2018