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本函檔號 *Our Ref.* : LM(3) to TC CR T1/22/2/26/5 Pt.8
來函檔號 *Your Ref.* : CB4/BC/5/16

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22 November 2018

Ms Shirley Chan
Clerk to Bills Committee on Travel Industry Bill
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Chan,

**Bills Committee on Travel Industry Bill
Submission from a member of the public**

Thank you for your letter dated 15 November 2018. Our reply is as follows.

The new regulatory regime of the travel industry will be underpinned by three pillars, i.e. (a) primary legislation; (b) subsidiary legislation (such as regulations on licence conditions and prescribed requirements); and (c) directives, codes of conduct as well as guidelines administratively formulated and issued by the Travel Industry Authority (TIA). Certain criminal offences targeted against major unscrupulous acts will be set out in the primary and subsidiary legislation. Offenders on conviction will be liable to a maximum punishment of a fine and imprisonment, and those that are licensees will also be subject to disciplinary proceedings. Licensees that contravene only directives, codes of conduct or guidelines will be subject to disciplinary proceedings. The powers of TIA will be subject to appropriate checks and balances and its decisions in disciplinary proceedings against licensees are subject to appeal.

The Government and the Bills Committee have engaged in detailed deliberation to ensure an appropriate licensing and regulatory ambit of the new regulatory regime. Having considered the deliberation, the Government will move Committee Stage Amendments (CSAs) to refine

certain requirements in the Travel Industry Bill (e.g. lifting the requirement of mandating a travel agent to carry on business at suitable premises, with a view to catering for travel agents' different modes of business operation). The Government believes that the Bill, with the CSAs incorporated, will live up to the policy objectives of enhancing the professionalism of the travel trade and fostering the healthy long-term development of the travel industry. It should also be noted that measures contained in the Bill are specific to the travel industry. Whether they merit being implemented in other industries fall beyond the scope of the Bill, and shall require separate consideration in the context of those industries concerned.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Polly Tang', written over a horizontal line.

(Miss Polly Tang)
for Commissioner for Tourism

c.c. D of Adm (Attn.: Miss Michelle Choi)
DoJ (Attn.: Mr Michael Lam & Mr Jonathan Luk)