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立法會

《旅遊業條例草案》委員會主席 姚思榮議員, BBS

(經委員會秘書 陳向紅女士轉呈)

(傳真號碼：2840-0269)

立法會CB(4)551/17-18(01)號文件  
LC Paper No. CB(4)551/17-18(01)

傳真

姚主席：

### 就《旅遊業條例草案》提出修正案

繼本人於2018年1月12日來函就《旅遊業條例草案》提出修正案，現特來函提供載列在附件，經修訂的中、英文版修正案。

倘有查詢，請與議員助理（政策）余先生聯絡。

順祝  
台安



《旅遊業條例草案》委員會副主席  
陸頌雄

2018年1月29日

**委員會審議階段**

由陸頌雄議員動議的修正案

條次

建議修正案

37. 在建議的第 37 條，刪去該條，而代以 —

**“37. 展示旅行團的資料**

- (1) 持牌旅行代理商如為接載旅行團安排車輛，須以訂明方式，在該車輛上展示該旅行團的訂明資料。
- (2) 持牌旅行代理商如未有安排領隊陪同外遊旅行團，須以訂明方式，向旅行團團員展示訂明資料。
- (3) 任何持牌旅行代理商違反第 (1) 或 (2) 款，即屬犯罪，一經定罪，可處第 1 級罰款。”。

38. 在建議的第 38(2)條，刪去該條，而代以 —

“(2) 如任何人有以下情況，即屬擔任導遊：該人受僱於持牌旅行代理商，並按照正在為該代理商經營旅行代理商業務的另一人（不論該另一人是否持牌旅行代理商）的指示，為了向到港旅客提供任何導遊服務，陪同該旅客。”。

39. 在建議的第 39 條，刪去該條，而代以 —

**“39. 擔任領隊的涵義**

如任何人有以下情況，即屬擔任領隊：該人受僱於持牌旅行代理商，並按照正在為該代理商經營旅行代理商業務的另一人（不論該另一人是否持牌旅行代理商）的指示，為了向外遊旅行團的參與者在旅程期間提供照顧，陪同該旅行團。”。

164. 在建議的第 164 條，刪去該條第(1)款，而代以 —

- “(l) 訂明持牌旅行代理商如未有安排領隊陪同外遊旅行團，須以訂明方式，向旅行團團員展示訂明資料；
- (m) 訂明持牌旅行代理商須為受其指示提供導遊服務的導遊投購的保險；
- (n) 訂明持牌旅行代理商須為受其指示擔任領隊的人士投購的保險；
- (o) 概括而言，為更有效地貫徹第 2、3、4、5、6 及 7 部的目的，訂定條文。”。

附表 9 在建議的附表 9，第 1(4)(C)項，在“業界成員”之後，加入

—  
“，獲委任的業界成員中須有不少於 6 名旅行代理商的代表及 6 名導遊及領隊的代表。”。

Travel Industry Bill

**Committee Stage**

Amendment to be moved by the Honourable LUK Chung-hung

<u>Clause</u>	<u>Amendment Proposed</u>
37.	<p>By deleting the clause and substituting—</p> <p><b>“37. Display of information about tour group</b></p> <p>(1) If a licensed travel agent arranges a vehicle for transporting a tour group, it must display, in the prescribed way, the prescribed information about the tour group on the vehicle.</p> <p>(2) If a licensed travel agent has not arranged a tour escort to accompany an outbound tour group, it must display, in the prescribed way, the prescribed information to the participants of the tour group.</p> <p>(3) A licensed travel agent who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a fine at level 1.”.</p>
38.	<p>By deleting the clause and substituting—</p> <p>“(2) A person is employed by a licensed travel agency and to work as a tourist guide if the person accompanies a visitor to Hong Kong for the purpose of providing any guiding service to the visitor in accordance with the directions of another person who is carrying on the business of the agent (whether or not that other person is a licensed travel agent).”.</p>
39.	<p>By deleting the clause and substituting—</p> <p><b>“39. Meaning of working as tour escort</b></p> <p>A person is employed by a licensed travel agency and to</p>

work as a tour escort if the person accompanies an outbound tour group on a journey for the purpose of taking care of the participants of the tour group during the journey in accordance with the directions of another person who is carrying on the business of the agent (whether or not that other person is a licensed travel agent).”.

164. In the proposed section 164, by deleting subclause (l) and substituting—

- “(l) to prescribe the information to be displayed by a licensed travel agent, and the way in which the travel agent is to display the information if the travel agent has not arranged a tour escort to accompanies an outbound tour group;
- (m) to prescribe the insurance policy that a licensed travel agent must take out for a tourist guide who is providing guiding service in accordance with its directions;
- (n) to prescribe the insurance policy that a licensed travel agent must take out for a person who is working as a tour escort in accordance with its directions;
- (o) to provide generally for the better carrying out of the purposes of Parts 2,3,4,5,6 and 7.”.

Schedule 9. In the proposed section 1(4)(c), after “trade members”—

**Add**

“, appointed trade members must consist of not less than 6 individuals who are engaged in carrying travel agent business and not less than 6 tourist guides or tour escorts;”.