



十月中在台灣九份發生的旅遊車意外，再次凸顯了責任保險對會員旅行社的重要。雖然議會一直在研究可否為會員集體購買責任保險，但過去兩三年間出現了一些無法控制的因素，像九一一事件、沙士等等，令這

個方案實行的機會變得頗為困難，但議會仍在不住研究其他方案(詳見通告 C846)。這事已引起政府的關注，希望早日能有解決辦法。

最近有幾名會員向保險業監理處舉報，指旅行社售賣旅遊保險涉嫌違反《保險公司條例》。議會於是向保險業聯會和保險業監理處查詢，得悉旅行社只分發小冊子而沒有提供意見的話，不屬於條例規定下的保險代理人。但旅行社假如收取保費，又或者就總合約作文書準備並傳遞相關證書，則屬於保險代理人的工作範圍。議會現正與有關部門磋商，爭取維持現時的做法；即使不能維持，也希望可讓旅行社職員考取只能售賣旅遊保險的資格。

早陣子因為有入境旅行團入住渡假屋而引起公眾和會員關注。議會深入調查後，證實香港接待社在得知沒有酒店房間後已即時知會深圳的中介旅行社，但對方鑒於難以退團，因此要求香港接待社設法幫助，最後並同意團隊入住渡假屋。深圳的中介旅行社已承認安排失當，香港的接待社無須為事件負上任何責任(詳見通告 C855)。希望會員與國內或外地的旅行社交易時，切記簽訂合約；假如行程有任何更動，必須向對方詳細說明。

關於飛機乘客離境稅的問題，議會雖然與政府持續商討了好幾年，但政府一直堅持只支付行政費給航空公司，並要求旅行社自行與航空公司協商解決問題。議會已要求香港航空公司代表協會向政府解釋，旅行社收取離境稅也有一定的工作量，並且涉及財務負擔，希望政府同樣支付行政費。TC

董耀中

The tour coach crash in Jioufen, Taiwan, in mid-October has once again pushed the issue of liability insurance for travel agents to the foreground. Although the TIC has been studying whether it is viable to purchase collective liability insurance for members, a number of uncontrollable factors such as the event of 11 September and the SARS outbreak happening during the past two to three years have made such a method quite difficult to be implemented. Nevertheless, the TIC is still studying other possibilities (see C846 for details). The issue has already aroused the Government's concern and it is hoped that a solution will soon be found.

Recently, several members have reported to the Office of the Commissioner of Insurance that members selling travel insurance were suspected of violating the Insurance Companies Ordinance. The TIC then contacted The Hong Kong Federation of Insurers and the Commissioner Office, and was informed that distribution of brochures without advice would not fall within the legal definition of an insurance agent. However, collection of insurance premiums or clerical preparation and delivery of certificates against a master contract by members would be deemed to be carrying out the activities of an insurance agent. The TIC is negotiating with the relevant authorities to see whether the current practice can be maintained, and if it cannot, whether it is feasible to help travel agency staff to qualify for selling travel insurance only.

Some while ago, the public and members alike were concerned about inbound tour groups having been arranged to stay at holiday camps. After a full investigation, the TIC has established that the Shenzhen intermediary agents concerned, despite having been notified by their receiving agents that hotel rooms were not available, still requested them to help arrange accommodation for the tours, which could hardly be cancelled, and finally consented to have the tour groups stay at holiday camps. The Shenzhen agents have already admitted their mistakes and the Hong Kong agents need not be responsible for the incident (see C855 for details). Members are advised to sign contracts with their mainland or overseas partners, and clearly explain to them if there is any change to the itinerary.

Although discussion about Airport Passenger Departure Tax (APDT) has been going on between the TIC and the Government for several years, the Government's position has not nudged a bit, namely that it will only pay an administrative fee to the airlines and that travel agents should negotiate with the airlines on their own. The TIC has already requested the Board of Airline Representatives to explain to the Government that collection of APDT by travel agents will also increase their workload and financial burden and that it is hoped the Government will pay an administrative fee to travel agents as well. TC

Joseph Tung