



香港旅遊業議會
TRAVEL INDUSTRY COUNCIL
OF HONG KONG
Incorporated with limited liability

DIRECTIVE

Issue Date: 15 November 2004

Ref: BOD130/15/11/04

**Amendment to the Advertisement Control Regulations
Resolution No. 130**

The Board accepted, during a meeting held on 9 November, the proposal put forward by the Outbound Committee to add the following rule to the Advertisement Control Regulations:

“Advertisements for products claiming to be ‘travel packages’ shall state clearly all components of the products. Otherwise, the word ‘package’ or other terms to that effect shall not be used in advertisements.”

This Directive is to take effect on 1 December 2004. For details of the Advertisement Control Regulations, please refer to the attachment.

BY ORDER OF THE BOARD OF DIRECTORS
TRAVEL INDUSTRY COUNCIL OF HONG KONG

Joseph Tung
Executive Director

IMPORTANT

Advertisement Control Regulations

The definition of “advertisement”:

The word ‘advertisement’ means either paid or unpaid for communication, whether in cash or in kind, addressed to the public or a section of it, the purpose of which is to influence the opinions or behaviour of those to whom it is addressed with a view to advancing the sale of any particular product or service of any member, **and which includes information accessed via electronic means by the public or a section of it (including Internet users).**” (This definition is to take effect from 1 January 2005.)

A. General

1. Any member who wishes to publish the name or logo of TIC must obtain prior approval from the Council by submitting written application to the Executive Office, with the only exception of using the name or logo of TIC solely for the purpose of reflecting the membership of TIC.
2. A member shall not publicize the validity period of its travel agent’s licence in any of its advertising materials.
3. A member shall not include the name of another member in any of its advertising materials unless prior consent from that other member has been obtained.
4. All advertisements which are misleading or confusing, whether intentional or unintentional, should also be subject to investigation, compliance and punitive action.
5. Prior approval must be obtained from the TIC Executive Office for any member claiming he is “the number one”, “the best in Hong Kong”, “the sole agent” or “the sole representative”, etc... in such an advertisement. The claim must be substantiated with evidence. Members shall state clearly in the same position where the receipt of an award is advertised the name of the awarding institution and the adjudication period, using a font size not smaller than 50 per cent of that used for the title of the award.
6. All advertisements inserted by members must clearly specify whether they are meant for package tours or air passage fares. Members should clearly state in their advertisements the prices for all travel products such as package tours, air tickets and cruises.
7. **Advertisements for products claiming to be ‘travel packages’ shall state clearly all components of the products. Otherwise, the word ‘package’ or other terms to that effect shall not be used in advertisements.** (This regulation is to take effect from 1 December 2004.)

B. Ticket

8. If the advertisement is meant for air passage sales, members must indicate whether the fare is for one way or round trip, together with the full or abbreviated name or the logo of the relevant carrier(s). All passage fares so advertised should be based on adult fares. Other fares, including child and infant fare, must be placed together with the corresponding adult fare, and clearly so indicated. Besides, the size of which should be identical throughout.
9. Members shall ensure that all ticket fares advertised must be true and available to all clients.
10. All the wording and terms used in an advertisement relating to airfares must be in the same language as the advertising media.

C. Package Tour

11. If the advertisement is meant for package tour, the price, duration and the full or abbreviated name or the logo of the relevant carrier(s) should be clearly mentioned. The quoted tour price should be based on adult half-twin and economy class passage. If the tour price includes contents different from this standard, for example, business class/first class passage, single room, ocean view room or suite, etc, it should be clearly stated. If discounted tour prices are offered conditionally, such prices must be placed alongside their corresponding non-discounted tour prices (the font size for both kinds of prices must be identical), with the conditions for the discounts, including age, sex, etc, clearly stated.
12. A member shall clearly indicate in his advertisement the city from which the flight first departs for outbound package tours using non-direct flights. He shall also clearly indicate in his advertisement the mode of transportation for outbound package tours not involving air transportation. If the outbound package tour is not departing from Hong Kong, member shall state clearly the point of departure. All advertisements for **free package tours** and one day tours that commence and complete within the same day in a place outside Hong Kong must state clearly that such tours are not covered by the Travel Industry Compensation Fund and the Package Tour Accident Contingency Fund Scheme.
13. Under no circumstances shall a member advertise the offer of any form of refund or compensation.
14. Members shall not be allowed to advertise or promote solely or jointly with other company/companies/firm(s) to sell package tours below the prices registered with the Council, notwithstanding that any discount is borne by the other parties of the joint promotion.
15. Additional activities or programmes in connection with the content of the tour e.g. extra meals, sight-seeing, etc, can be included or added in the tour package. However, the monetary value of the programme cannot be advertised.

16. Any gift or present including lucky draw prizes in connection with a tour package must not be advertised with the exception of travelling bags, calendars, sun caps or travel accident insurance provided that the monetary value of these bags, calendars or caps are not mentioned. In addition, members must not advertise the provision to tour members of any forms of arrangements through which concessionary services or products can be obtained.

(15/11/2004)