

## 議會置業一勞永逸 基金貸款千載未逢

### Time is different and loan is not to be expected

**話**說二十年前，政府制定《旅行代理商條例》，規定外遊旅行社必須領取牌照。怎料發牌制度有欠周全，實施未及兩載，竟出現重大危機。政府於是尋求業界援手，幾經磋商，終於在一九八八年修訂條例，除原有發牌制度外，引入行業自律監管機制，並由議會執行。議會於是規定外遊旅行社必須將團費的百分之一，以印花費形式注入新成立的「香港旅遊業議會儲備基金」(儲備基金)，以保障旅客。議會的營運開支則以實報實銷方式向儲備基金支取。

時光荏苒，轉眼幾度春秋；這次雙層監管制度十分成功，議會可謂功不可沒。惟上世紀八九十年代，物業市場異常興旺，租金連年飆升，儲備基金理事會眼見自律監管成效卓著，而議會辦公室的租金又需由儲備基金支付，為長久計，貸款予議會購置辦公室方為一勞永逸之策。

儲備基金於是在一九九三年二月，向議會貸款港幣二千零二十九萬六千九百二十元，以購買現時的辦公室。同年九月，政府成立「旅遊業賠償基金」(賠償基金)取代儲備基金，並全盤接收後者的資產與債務，是以議會本來向儲備基金借貸的款項，才變成恍若由賠償基金提供而已。

嚴格而言，賠償基金並未貸款予議會；貸款的是儲備基金。現在事過境遷，當年情況料難再現，兼且礙於條例所限，賠償基金恐亦不會有任何貸款之舉了。TIC



**W**hen the Travel Agents Ordinance was enacted 20 years ago, it was intended to regulate outbound travel agents through a licensing regime. In less than two years, however, the regime ended in a serious crisis because of its inherent weaknesses, which prompted the Government to seek industry assistance. After much discussion, the Government amended the Ordinance in 1988 to introduce self-regulation enforced by the TIC on top of the licensing regime. Outbound agents were required by the TIC to pay a levy equal to 1% of the tour fares to the newly set up TIC Reserve Fund (TICRF) to provide protection for travellers. And to finance self-regulation, the TICRF would reimburse the TIC for its operating expenses.

Several years soon elapsed and the two-tier regulatory system was very successful, a credit to the TIC. During the 1980s and 1990s, the exuberant property market had pushed the rentals upwards and upwards. In view of the success of self-regulation and the fact that the rental of the TIC's Executive Office was paid out of the TICRF, the Board of the TICRF considered that lending money to the TIC to acquire an office could solve the rental problem once and for all.

Thus, the TICRF lent HK\$20,296,920 to the TIC in February 1993 in order for the latter to purchase its current office.

In September that year, the Travel Industry Compensation Fund (TICF) was set up to replace the TICRF by taking over all its assets and liabilities, which made it look like as if the TICF had offered a loan to the TIC.

Strictly speaking, the TICF did not arrange a loan for the TIC; the loan was given by the TICRF. Now that the situation has completely changed and the Ordinance has clear stipulations regarding the use of its reserves, it would be most unlikely that any loan would ever be made by the TICF again. TIC