

# 與不良手法長期艱苦拚鬥

## A long and hard struggle with malpractices

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圍繞內地來港旅行團的問題，真是一言難盡。

The problems surrounding inbound package tours from the mainland are a long story.

### 所謂的「零團費」

**本**刊早在一九九九年，就初次報導所謂的「零團費」問題了。在那之後三年，議會正式開始監管入境旅行社；之後十一年，一名導遊在旅遊車上責罵內地旅客的錄像片段在網上瘋傳；之後十六年，一名內地團體旅客在一家珠寶店外被毆打，其後身故。

「零團費」問題在一九九零年代末期初次出現時，並不是說內地旅客無須付出團費就可以參加旅行團到香港去（團費其實只是低於正常水平而已），而是指內地的組團旅行社不付任何接待費給本地接待旅行社。接待旅行社收不到報酬，唯有把團隊帶去購物，然後由零售店舖那裡收取佣金。由於接待這類旅行團獲利甚豐，接待旅行社其後需要向組團旅行社「購買」團隊，於是就出現「負接待費」旅行團了。

這些年來，旅客付給組團旅行社的團費不住減少，終於在幾年前變為「零」：旅客獲贈「旅遊券」後，可以免費參加前往香港的旅行團。從前以為不可能出現的「零團費」旅行團終於出現了。儘管發生了這種變化，但本地接待旅行社依舊靠購物佣金來收回成本，以及賺取豐厚利潤。

### 團體旅客可全數退款

議會於二零零二年獲授權監管入境旅行社，在那之前就已決定要把接待入境旅行團的零售店舖納入監管範圍，方法是要求那些店舖經旅行社向議會登記，並且承諾所有團體旅客都可以在購物後十四天內獲得全數退款。

退款保障計劃實施了十三年，經過了好幾次修

### So-called “zero-tour fees”

**T**he first time *The Voice* ran a story on the so-called “zero-tour fee” problem was in 1999, three years before the TIC officially began to regulate inbound travel agents, 11 years before a video clip showing a tourist guide scolding mainland visitors on a tour coach went viral on the Internet, and 16 years before the death of a group visitor from the mainland after having been beaten up outside a jewellery shop.

When the “zero-tour fee” problem first appeared in the late 1990s, it did not mean that mainland visitors did not need to pay any tour fees to join package tours to Hong Kong (the tour fees actually were merely lower than normal levels); rather, it meant that the mainland tour operators did not pay any reception fees to the local receiving agents. Since the receiving agents were not remunerated, they had to take the tour groups to shop and then receive commissions from the retail outlets. Package tours of this kind being very lucrative, the receiving agents later had to “buy” such tours from the tour operators, hence the emergence of “negative-reception fee” tours.

**Over the years, the tour fees that the travellers paid to the tour operators had kept lowering and finally were lowered to “zero” a few years ago: the travellers were given “travel coupons” for joining package tours for free to Hong Kong. What was once thought impossible - “zero-tour fee” tours - have finally come into being. Despite these changes, the local receiving agents have continued to rely on shopping commissions in order to recover their costs and make hefty profits.**

### Full refunds for group visitors

Even before it was authorised to regulate inbound travel agents in 2002, the TIC decided to put those retail outlets patronised by inbound tour groups under regulation too by requiring them to register with it through travel agents and promise to offer all group visitors full refunds within 14 days after purchase.

Since its introduction 13 years ago, this refund protection scheme has been amended several times, and with each amendment the registered shops have to promise to provide better protection for visitors. For example, in 2005, a demerit system was put in place, under which

訂，每次修訂都要求登記店舖承諾為旅客提供更多保障。例如：二零零五年，議會推出了記分制，任何登記店舖在兩年內因違反承諾而被記滿三十分的話，就會被撤銷登記資格；二零零七年，內地旅客的退款期由十四天大幅延長至六個月。

由明年一月起，退款保障計劃的新修訂就會生效(見「議會簡報」)。這次修訂，是要把《商品說明條例》等法例的要求納入計劃，使那些被法庭裁定違法的登記店舖，如案情非常嚴重，會被撤銷登記資格。

### 由導遊至「團長」

除了入境旅行社及接待團體旅客的店舖外，議會在二零零二年還著手監管導遊的操守。首先在二零零二年九月設立了導遊核證制度，規定所有入境旅行團的導遊都必須領取導遊證；接著在二零零三年頒佈《導遊作業守則》；然後在二零一一年推出記分制：所有接待內地旅行團的導遊，在兩年內因不當行為而被記滿三十分的話，導遊證就會被暫停或撤銷。

起初，導遊把旅行團帶到登記店舖後，會親自強迫旅客購物。但過了幾年後，大概是因為有些導遊被議會以行為不當而嚴加懲處吧，所以越來越多導遊會退居二線，由組團旅行社派出的隨團領隊負責下手。可是，由於議會會把涉及這些領隊的投訴個案轉交給內地旅遊部門，所以他們也開始退居二線了。

過去幾年，又出現了一個新趨勢：越來越多內地旅行團被所謂的「團長」強迫購物。表面上，「團長」不是由組團旅行社所指派，但工作卻和隨團領隊沒有兩樣，只是組團旅行社聲稱他們是團隊的一份子，於是內地旅遊部門就無法採取行動了。

低團費及零團費、零接待費及負接待費，以及與之關連的強迫購物等問題，全都盤根錯節，並沒有簡單方法可以解決。上文只是簡單勾勒了有關問題的概況，以及議會多年來推行的一些措施而已。議會既然無法獨力根治那些問題，唯有不斷推出新措施，繼續竭力而為下去。✎

an accumulation of 30 demerits by any registered shops within two years for breaches of their promises would result in revocation of their registration; and in 2007, the refund period for mainland visitors was greatly extended from 14 days to six months.

**The latest amendment to the scheme will take effect from January next year (see “Council Bulletin”). This time, the requirements under the Trade Descriptions Ordinance and other laws are included in the scheme so that any registered shops found by the courts to have violated the law will have their registration revoked if the violations are very serious.**

### From tourist guides to “tour chiefs”

Apart from inbound travel agents and retail outlets targeting group visitors, the TIC also began to monitor the conduct of tourist guides in 2002. First, the Tourist Guide Accreditation System was set up in September 2002, under which tourist guides providing reception services for inbound tour groups are required to obtain the Tourist Guide Pass. Second, the Code of Conduct for Tourist Guides was promulgated in 2003. Third, a demerit system for tourist guides providing reception services for tour groups from the mainland was introduced in 2011, under which the Tourist Guide Passes of those tourist guides who have accumulated 30 demerits within two years for misconduct will be suspended or revoked.

Initially, after taking package tours to the registered shops, tourist guides would force the group visitors to make purchases. But after several years, probably because some tourist guides had been severely penalised by the TIC for misconduct, the tourist guides increasingly took a back seat, and the outbound tour escorts sent by the tour operators to accompany the tour groups would do the dirty work. But since the TIC would report complaint cases which involved the tour escorts to the mainland tourism authorities, they, too, began to take a back seat.

**During the past few years, a new trend has emerged: an increasing number of tour groups from the mainland have been forced by the so-called “tour chiefs” to make purchases. On the face of it, those “tour chiefs” are not assigned by the tour operators, but what they do is no different from the work done by the accompanying tour escorts, except that the tour operators claim that they are just members of the tour groups, thus making the mainland tourism authorities unable to take action.**

Low- and zero-tour fees, zero- and negative-reception fees, and such related problems as forced shopping are so interwoven and complicated that there is no simple solution to resolve them. The above is no more than a brief sketch of these problems and some of the measures put in place by the TIC over the years. Unable to root out these problems on its own, the TIC cannot but keep rolling out new measures and continue its efforts to tackle them. ✎