



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

IMPORTANT

DIRECTIVE

Issue Date: 15 June 2007

Ref: BOD166/15/06/07

**Reservation of air-plus-hotel packages
Resolution No. 166
(Directive category: Outbound)**

There have been consumer complaints filed with the TIC about travel agents not providing accurate information on whether the air-plus-hotel packages they have booked are subject to confirmation or how much time is needed in order to wait for confirmation. To enhance communication between members and consumers and reduce conflicts between them, the Board of Directors resolved at its 12 June 2007 meeting that:

Members shall specify the following on the receipt of air-plus-hotel packages:

1. whether the package is “confirmed” or “subject to confirmation”; or
2. any other words which can accurately and clearly convey the same meaning of “confirmed” or “subject to confirmation” if members choose to use words other than “confirmed” or “subject to confirmation”.

Rules governing air-plus-hotel packages which are “subject to confirmation”:

1. members shall work out a confirmation date which is agreed by their customers;
2. members shall specify such a date on the receipt;
3. if members are unable to provide such packages at the originally agreed price and by the confirmation date, they shall refund the money paid by their customers within three working days without having to pay any compensation; and
4. members shall handle such packages in accordance with the above rules irrespective of whether the date on which their customers make a booking or the confirmation date mentioned above falls within seven days prior to departure.

Rules governing air-plus-hotel packages which are “confirmed”:

1. If members are unable to provide such packages on which they have merely collected deposits, they shall notify their customers as such at least seven days prior to departure (excluding the day of departure) in accordance with the existing rules governing cancellation of package tours. Otherwise, they shall offer to pay within three working days each customer 15% of the price of the relevant package but not exceeding HK\$1,000 as compensation. This rule also applies to bookings made by customers which fall within seven days prior to departure.
2. If members are unable to provide such packages for which they have collected full payment, they shall handle such situations in accordance with the existing rules governing cancellation of package tours guaranteed to depart:
 - a. according to Directive No. 135, which is about cancellation of package tours guaranteed to depart, members shall offer to pay within three working days each customer 15% of the price of the relevant package but not exceeding HK\$1,000 as compensation for failure to fulfil their guarantee;
 - b. if members notify their customers of their failure to provide the package less than seven days prior to departure, members shall offer to pay within three working days each customer another 15% of the price of the relevant package but not exceeding HK\$1,000 as compensation. In other words, a total of 30% of the price of the relevant package but not exceeding HK\$2,000 shall be offered; this rule also applies to bookings made by customers which fall within seven days prior to departure;
 - c. if such packages are cancelled because of reasons beyond their control, members need not pay their customers any compensation; and
 - d. the definition of “reasons beyond control” is given in Directive No. 136.

If members need to revise any agreements signed by their customers, they are advised to put down the revisions in writing in order that written documentation can be provided in case of possible disputes.

This Directive takes immediate effect.

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



Joseph Tung
Executive Director