



## **Procedures for handling registered shops suspected of breaching pledges by the Committee on Shopping-related Practices**

### **I. Procedures for handling registered shops suspected of breaching their pledges**

1. Complaints filed by inbound group visitors concerning any registered shops suspected of breaching their pledges will be handled by the Committee on Shopping-related Practices.
2. The TIC Executive Office will notify in writing the relevant member and the registered shop, which shall give written representations within 14 days from the date of the written notification.
3. The information supplied by the complainant and the written representations from the registered shop will be submitted to the Committee on Shopping-related Practices in order to decide whether the complaint is substantiated.
4. For cases where registered shops refuse to offer a refund for such reasons as the purchased items being damaged or there being wear and tear because of use, the Committee on Shopping-related Practices may send the items to its expert panel for assessment. The expert panel consists of representatives from the relevant trades.
5. If the Committee on Shopping-related Practices considers that a registered shop has breached its pledges, the number of demerits to be given will be decided by making reference to the following demerit table:

	<b>Pledge breached</b>	<b>Maximum demerits for 1st violation within 2 years</b>	<b>Maximum demerits for 2nd violation within 2 years</b>	<b>Maximum demerits for 3rd or any subsequent violation within 2 years</b>
1.	Refusing to offer a refund before intervention by the TIC	10	20	30
2.	- Under the Refund Protection Scheme (Registered Shops) for Mainland China's Inbound Tour Group Shoppers, the front of the receipt not printed with the phrase: “六個月百分百退款保障(貨品必須沒有損壞，亦沒有	5	10	15



	<p>因使用而導致的損耗)” [Six-month, full refund protection (the purchased item shall be undamaged and there shall be no wear and tear because of use)] in accordance with the rules<sup>Note 1</sup> stipulated by the TIC from time to time</p> <p>- Under the Refund Protection Scheme (Registered Shops) for Overseas Inbound Tour Group Shoppers, the front of the receipt not printed with the phrase: “十四天百分百退款保障(貨品必須沒有損壞，亦沒有因使用而導致的損耗) 14-day, full refund protection (the purchased item shall be undamaged and there shall be no wear and tear because of use)” in accordance with the rules<sup>Note 2</sup> stipulated by the TIC from time to time</p>			
3.	The receipt not legible or not clearly listing details of the sold items <sup>Note 3</sup>	5	10	15
4.	Mentioning the TIC, the Government or the Hong Kong Tourism Board for promotional purposes without prior written approval	5	10	15
5.	Refusing to allow the public to freely access its premises throughout business hours	5	10	15
6.	The receipt or voucher not stating information about the company such as its name, address, telephone number, etc	5	10	15
7.	Not giving visitors an explanation of the Refund Protection Scheme (Registered Shops) for Mainland China's Inbound Tour Group Shoppers or the Refund Protection Scheme (Registered Shops) for Overseas Inbound Tour Group Shoppers	3	6	9
8.	Not making a refund within seven days after receiving the item returned	3	6	9



9.	Refusing to provide the TIC with information about the receiving agent	2	4	6
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6. The TIC Executive Office will notify the relevant member and the registered shop in writing of the decision of the Committee on Shopping-related Practices.
7. The TIC Executive Office will record the demerits according to the decision of the Committee on Shopping-related Practices or the Appeal Board.
8. Each record of demerits will be erased after two years from the day when the decision concerning such a record of demerits was made.
9. Whenever a registered shop is given any demerits, its name and address, the number of demerits given and the reason for giving the demerits, together with the names and addresses of the relevant receiving agent and the mainland tour operator, will be posted on the TIC website; the demerits will not be deleted from the website until two years later.
10. If a registered shop has accumulated 10 demerits, the TIC Executive Office will immediately issue a warning letter to it.
11. If a registered shop has accumulated 20 demerits, the TIC Executive Office will notify the Inbound Committee, the Mainland China Inbound Tour Affairs Committee and the members concerned of the situation.
12. If a registered shop has accumulated 30 demerits or above, the Committee on Shopping-related Practices will hold a meeting to determine whether to suspend or revoke its registration and whether members will still be allowed to arrange for visitors to patronise it.
13. If the Committee on Shopping-related Practices decides to suspend or revoke the registration of a registered shop and to forbid members to arrange for visitors to patronise it, the TIC will prohibit all members from arranging for visitors to patronise it. Members which continue to arrange for visitors to patronise it will be penalised. If a registered shop whose registration has been suspended continues to receive inbound group visitors, its registration will be revoked.
14. The registration of a registered shop will be revoked if it refuses to implement the decision made by the Committee on Shopping-related Practices or the Appeal Board (namely not offering a refund to the visitor concerned).
15. If there is a need, the TIC Executive Office will notify tourism organisations of various places of the demerit records of registered shops.



香港旅遊業議會

TRAVEL INDUSTRY COUNCIL  
OF HONG KONG

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## II. Committee on Shopping-related Practices

1. The majority of the members of the Committee on Shopping-related Practices shall be from outside the trade. Its convenor shall be an independent director and its deputy convenor a trade director.
2. The quorum for meetings of the disciplinary panel set up under the Committee on Shopping-related Practices for handling cases of suspected breach of pledges is, including the convenor or the deputy convenor of the committee, five members present. Seven members will be invited to each panel meeting on a rotation basis. Among those present at a panel meeting, non-trade members shall constitute the majority.
3. Disciplinary panel meetings shall be chaired by the convenor of the Committee or, in his/her absence, the deputy convenor.

## III. Appeals against decisions of the Committee on Shopping-related Practices

1. Any registered shop desirous of appealing against the Committee on Shopping-related Practices' decision shall within 14 days (from the day following the date of notification of the decision from the TIC Executive Office) give notice of appeal or apply for extending the period for lodging an appeal for an additional period of not more than 14 days in writing to the TIC. The notice of appeal shall be given with an appeal fee of HK\$1,000. The notice of appeal or application for extension of the appeal period shall be addressed to "TIC Executive Director". The Appeal Board will decide whether the appeal fee paid by the appellant is to be forfeited, or repaid to the appellant wholly or in part.
2. Details of the appeal procedures are available from the TIC website ([www.tichk.org](http://www.tichk.org)) or the TIC Executive Office.



Note 1:

The rules stipulated by the TIC regarding the phrase: “六個月百分百退款保障(貨品必須沒有損壞，亦沒有因使用而導致的損耗)” [Six-month, full refund protection (the purchased item shall be undamaged and there shall be no wear and tear because of use)] printed on the front of receipts (see sample below) are as follows:

1. The refund protection phrase shall be clearly printed in Chinese in a separate position on the front of receipts.
2. The Chinese version of the refund protection phrase shall be printed with a font size not smaller than 10 points.
3. Registered shops shall not print any provisions on receipts which are in contradiction to the above-mentioned phrase.

(Sample of receipt)

**XXX 百貨店**  
**XXX DEPARTMENT STORE**

香港北角英皇道 250 號北角城中心 XXXXX  
 XXXXX, Fortress Tower, 250 King's Road, H.K.

24 小時客戶熱線 Tel:(852)1234 5678

傳真 Fax:(852)1234 5670

日間 Tel:(852)1234 5679

網址 Web Site: <http://www.xxx.com.hk>

電郵 E-mail:123@xxx.com

**編號 NO.1234567**

**發票 Invoice**

日期 Date \_\_\_\_\_

貨號 No.	貨名 Item	數量 Quantity	單價 Unit Price	金額 Price
				
			合計 Total	

六個月百分百退款保障(貨品必須沒有損壞，亦沒有因使用而導致的損耗)

*Font size of Chinese characters shall not be smaller than 10 points*



Note 2:

The rules stipulated by the TIC regarding the phrase: “十四天百分百退款保障(貨品必須沒有損壞，亦沒有因使用而導致的損耗) 14-day, full refund protection (the purchased item shall be undamaged and there shall be no wear and tear because of use)” printed on the front of receipts (see sample below) are as follows:

1. The refund protection phrase shall be clearly printed in Chinese and English in a separate position on the front of receipts.
2. The Chinese and English versions of the refund protection phrase shall be printed with a font size not smaller than 10 points.
3. Registered shops shall not print any provisions on receipts which are in contradiction to the above-mentioned phrase.

(Sample of receipt)

**XXX 百貨店**

**XXX DEPARTMENT STORE**

香港北角英皇道 250 號北角城中心 XXXXX  
 XXXXX, Fortress Tower, 250 King's Road, H.K.

24 小時客戶熱線 Tel:(852)1234 5678

傳真 Fax:(852)1234 5670

日間 Tel:(852)1234 5679

網址 Web Site: <http://www.xxx.com.hk>

電郵 E-mail:123@xxx.com

**編號 NO.1234567**

**發票 Invoice**

日期 Date \_\_\_\_\_

貨號 No.	貨名 Item	數量 Quantity	單價 Unit Price	金額 Price
				
			合計 Total	

十四天百分百退款保障(貨品必須沒有損壞，亦沒有因使用而導致的損耗)

14-day, full refund protection (the purchased item shall be undamaged and there shall be no wear and tear because of use)

**Font size of Chinese and English characters shall not be smaller than 10 points**



Note 3:

*Details of the sold items included in, but not limited to, the following table shall be listed on receipts. Details of the sold items included in the following table shall be listed on receipts according to the TIC's requirements:*

<b><i>Audio-visual equipment / electrical appliances</i></b>	<b><i>Watches and clocks</i></b>	<b><i>Jewellery</i></b>
(1) <i>Name</i> (2) <i>Model number (as shown in user manual)</i> (3) <i>Place of manufacture</i> (4) <i>Functions</i> - (i) <i>image resolution, (ii) zoom ratios and (iii) aperture sizes for digital cameras</i> - <i>memory capacity for MP3/MP4/DVD players</i>	(1) <i>Name</i> (2) <i>Model number (as shown in user manual)</i> (3) <i>Place of manufacture</i> (4) <i>Components such as crystals, diamonds (total carat weight) and gold (fineness of gold content)</i> (5) <i>Functions</i>	(1) <i>Name</i> (2) <i>Source (e.g. diamonds from South Africa, gold from Italy, etc)</i> (3) <i>Weight, grade and fineness of the materials used</i>

*Please note that:*

- Under the Refund Protection Scheme (Registered Shops) for Mainland China's Inbound Tour Group Shoppers, the above details shall be printed on receipts in Chinese.*
- Under the Refund Protection Scheme (Registered Shops) for Overseas Inbound Tour Group Shoppers, the above details shall be printed on receipts in Chinese and English.*

March 2008