



Guidelines on the handling of cases involving 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:

	Pledge breached	Maximum demerits for 1st violation within 2 years	Maximum demerits for 2nd violation within 2 years	Maximum demerits for 3rd or any subsequent violation within 2 years
1.	Compelling visitors to make purchases	30	30	30
2.	Refusing to offer a refund before intervention by the TIC	15	30	30
3.	Violating regulations about refunds in the refund protection scheme	15	30	30
4.	Refusing to allow the public to freely access its premises or refusing to allow personnel of the TIC or law-enforcement agencies to conduct	15	30	30



	inspections throughout business hours			
5.	Failing to check the Tourist Guide Pass of each tourist guide who takes tour groups to the shop	15	30	30
6.	Refusing to provide the TIC with information about the receiving agents, the tourist guides and the time when tour groups enter and leave the shop	15	30	30
7.	<p>- Under the Refund Protection Scheme (Registered Shops) for Mainland China's Inbound Tour Group Shoppers, the front of the receipt not printed with the phrases: “香港旅遊業議會入境旅客服務熱線：(852)2807 0707” [Inbound tourist service hotline of the Travel Industry Council of Hong Kong: (852)2807 0707] and “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)] in accordance with the rules ^{Note 1} 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 phrases: “香港旅遊業議會入境旅客服務熱線：(852)2807 0707 Inbound tourist service hotline of the Travel Industry Council of Hong Kong: (852)2807 0707” and “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 ^{Note 2} stipulated by</p>	10	15	25



	the TIC from time to time			
8.	The receipt not legible or not clearly listing details of the sold items ^{Note 3}	10	15	25
9.	The receipt or voucher not stating information about the company such as its name, address, telephone number, etc	10	15	25
10.	Mentioning the TIC, the Government or the Hong Kong Tourism Board for promotional purposes without prior written approval	10	15	25
11.	- Under the Refund Protection Scheme (Registered Shops) for Mainland China's Inbound Tour Group Shoppers, failing to post in prominent places (including at least the entrance and the cash register) inside the shop the Chinese version of the poster about the refund protection scheme provided by the TIC - Under the Refund Protection Scheme (Registered Shops) for Overseas Inbound Tour Group Shoppers, failing to post in prominent places (including at least the entrance and the cash register) inside the shop the Chinese and English versions of the poster about the refund protection scheme provided by the TIC	10	15	25
12.	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	5	10	20
13.	Not making a refund within seven days after receiving the item returned	5	10	20

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 and date of giving the demerits, together with the name of the relevant receiving agent, 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. If the registration of a registered shop is suspended or revoked, its name, address, contact telephone number and the reason for and date of suspension or revocation of registration will be posted on the TIC website for two years, after which time they will be deleted.
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.

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.

2. The quorum for meetings of the 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. Panel meetings shall be chaired by the convenor of the Committee.

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) or the TIC Executive Office.



Note 1:

The rules stipulated by the TIC regarding the phrases: “香港旅遊業議會入境旅客服務熱線：(852)2807 0707” [Inbound tourist service hotline of the Travel Industry Council of Hong Kong: (852)2807 0707] and “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 refund protection scheme.

(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
		 公司印章 Company stamp		
			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)
香港旅遊業議會入境旅客服務熱線：(852)2807 0707

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



香港旅遊業議會

TRAVEL INDUSTRY COUNCIL
OF HONG KONG

Incorporated with limited liability

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Rooms 1706-1709, Fortress Tower,
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電話 Phone: (852) 2807 1199

傳真 Fax: (852) 2510 9907

網址 Website: <http://www.tichk.org>

電郵 E-mail: office@tichk.org

Note 2:

The rules stipulated by the TIC regarding the phrases: “香港旅遊業議會入境旅客服務熱線：(852)2807 0707 Inbound tourist service hotline of the Travel Industry Council of Hong Kong: (852)2807 0707” and “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 refund protection scheme.

(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
		 公司印章 Company stamp		
			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)

香港旅遊業議會入境旅客服務熱線：(852)2807 0707

Inbound tourist service hotline of the Travel Industry Council of Hong Kong: (852)2807 0707

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



Note 3:

The following details of the sold items shall be listed on invoices or receipts:

Details of the sold item	Remarks
i. Name of the sold item, date of sale and price of the sold item	-
ii. Place of manufacture / origin	If the registered shop does not know the place of manufacture / origin, it shall state "place of manufacture / origin unknown" on the invoice or receipt.
iii. Model number	If the sold item does not have any model number, the registered shop need not state it on the invoice or receipt.
iv. Repair and maintenance services	This requirement is only applicable to electronic products, audio-visual products, and watches and clocks. If there are repair and maintenance services for the sold item, the registered shop shall state on the invoice or receipt the address(es) and telephone number(s) of the place(s) where such services are available; if there are no repair and maintenance services for the sold item, the registered shop shall state "no repair and maintenance services" on the invoice or receipt.
v. Functions	Functions listed in the user manual of the sold item are taken as the reference. If the sold item does not have any function, the registered shop need not list them on the invoice or receipt.
vi. Accessories	If the sold item does not have any accessories, the registered shop need not list them on the invoice or receipt.
vii. Fineness, weight and/or descriptions of the sold item	This requirement is only applicable to jewellery (details to be listed on the invoice or receipt are subject to the types of the jewellery).

Please note that:

1. Registered shops which sell digital audio players, digital camcorders, digital cameras, mobile phones, portable multimedia players, fei cui and natural fei cui, diamonds, gold and gold alloy, platinum, etc shall comply with the requirements of the Trade Descriptions Ordinance (Cap. 362) and its subsidiary legislation. For details of the statutory requirements, please refer to the Government's web page at <http://www.legislation.gov.hk/eng/home.htm>. If any registered shops are suspected of



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- violating the law, the TIC will refer their cases to the Customs and Excise Department.*
2. *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.*
 3. *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.*

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