



## Code of Conduct for Tourist Guides

### I. Objectives

Tourist guides play a pivotal role in Hong Kong's tourism industry. The objectives of this Code of Conduct are:

1. To ensure that tourist guides possess correct principles concerning their service, and fine professional qualities and ethics in order to provide the highest standard of service for visitors;
2. To encourage the continuing education and self-development of tourist guides;
3. To cultivate an earnest, responsible working attitude of tourist guides; and
4. To uphold the reputation of Hong Kong's tourism industry and tourist guides and to ensure sustained prosperity of the industry.

### II. Principles

1. Tourist guides shall strive to provide the highest standard of service in an honest and fair manner.
2. Tourist guides shall familiarise themselves with and act according to the provisions and spirit of this Code, all regulatory requirements of the Travel Industry Council of Hong Kong (TIC) applicable to their work as tourist guides and the conditions of issue of their Tourist Guide Pass.
3. Tourist guides shall understand their duties and be ready to contribute to the development of Hong Kong's tourism industry.

### III. Tourist guides' professional ethics

1. Provision of highest standard of service  
Tourist guides shall strive to provide visitors with the highest standard of service in accordance with the provisions of the travel service contract and the itinerary. The itinerary shall not be altered without the consent of the visitors and the travel agent concerned. If alteration is necessary because of emergencies or special circumstances, tourist guides shall seek approval from their travel agent and clearly explain the reasons for such alteration to the visitors.
2. Promoting a spirit of co-operation  
Tourist guides shall maintain a good and incorruptible working relationship with partners such as tour escorts and tour coach drivers, and the staff of all service providers such as attractions, hotels, restaurants and tour coach companies, to ensure that the services specified in contracts are provided at the highest level.
3. Abiding by the law  
Tourist guides shall abide by, and help visitors to understand and abide by, the laws of Hong Kong.



4. Compliance of professional ethics

Tourist guides shall adhere to professional ethics. When receiving visitors they shall:

- i. be dutiful, sincere, courteous and attentive;
- ii. speak and act cautiously, discreetly, and be objective in their attitude;
- iii. be knowledgeable about Hong Kong;
- iv. provide visitors with accurate information;
- v. respect the religious belief, customs and habits of visitors;
- vi. be punctual in performing duties;
- vii. not smoke in front of visitors and drink alcohol during work;
- viii. not gamble during work;
- ix. not sell illicit items to visitors or recommend them to buy such items;  
and
- x. not seize or take away or attempt to seize or take away the travel documents of visitors unless such an act is made on proper grounds and lasts for a reasonable time.

5. Appearance

Tourist guides shall dress properly to enhance their professional image. When performing their duties, they shall wear on their chest the Tourist Guide Pass issued by the TIC.

6. Promotion of the tourism industry

Tourist guides shall ensure sustained development of the industry by:

- i. always having regard first and foremost for the interests of visitors and the reputation of the Hong Kong tourism industry;
- ii. encouraging visitors to assist in protecting such tourism resources of Hong Kong as cultural and heritage sites, the natural environment and tourist attractions, and maintaining public hygiene and public order; and
- iii. acting as Hong Kong's tourism ambassadors and actively promoting tourism as well as other local industries for the benefits of Hong Kong's economy.

7. Principles on the acceptance of gratuities

- i. To maintain a professional image, tourist guides shall not collect gratuities by any coercive means, nor shall they exhibit dissatisfaction, provide sub-standard service or refuse to provide service because few or no gratuities are given.
- ii. Tourist guides shall follow their travel agents' policies concerning gratuities and shall not make use of any fraudulent acts to collect them.

8. Principles governing self-pay activities

- i. Tourist guides shall only arrange self-pay activities for visitors which are approved by their travel agent.
- ii. Tourist guides shall not compel visitors to join self-pay activities (including by such means as exerting group pressure or leaving visitors



- with no other choice), and shall allow visitors to choose freely whether to join such activities or not.
- iii. Prior to arranging any self-pay activities, tourist guides shall explain clearly to visitors the content, fees, safety and responsibility issues.
  - iv. Tourist guides shall make appropriate arrangements according to the instructions of their travel agent for those visitors who choose not to join self-pay activities.
  - v. When discharging their duties, tourist guides shall not engage in any activities other than those approved by their travel agent.
9. Principles governing shopping activities
- i. Tourist guides shall ensure that visitors understand their consumer rights, which include
    - the right to make or not to make purchases,
    - the right to obtain information on products and services,
    - the freedom to choose products and services, and
    - the right to complain, request their purchases to be exchanged or refunded.(TIC inbound tourist service hotline: (852)2807-0707)
  - ii. Tourist guides shall only arrange visits to those registered shops which are designated by their travel agent. These shops must be registered with the TIC through the travel agent concerned and undertake to provide full refunds to any dissatisfied visitors who return their purchases within six months (for mainland China's inbound tour group shoppers) / 14 days (for overseas inbound tour group shoppers). Tourist guides shall provide visitors with the information on six-month (for mainland China's inbound tour group shoppers) / 14-day (for overseas inbound tour group shoppers) full refund protection before arranging for them to patronise such shops.
  - iii. Tourist guides shall not in any way compel or attempt to compel visitors to make purchases, or mislead or attempt to mislead them into doing so.
  - iv. Tourist guides shall allow visitors to freely leave or enter registered shops, and shall not force them to remain inside the shops.
  - v. If visitors are feeling unwell, tourist guides shall immediately arrange for the visitors in accordance with their wishes to leave the shops or take a rest at other suitable places. If there is a need, tourist guides shall arrange for the visitors to see a doctor or call the ambulance service as soon as possible.
  - vi. Tourist guides shall not allow their service attitude to be affected nor shall they refuse to perform their duties because of visitors' unwillingness to purchase or the value of their purchases.
10. Tour-departure and other additional charges
- i. Tourist guides shall not in any way collect or collect for others, or attempt to collect or collect for others, even if acting on the instructions of the mainland tour operator, any additional charges from mainland



visitors on the grounds of their leaving the tour group in the middle of the trip, their age or occupation, etc, except for the fees necessitated by the participation in self-pay activities by the visitors.

- ii. Tourist guides shall not in any way collect or attempt to collect any additional charges from non-mainland visitors on the grounds of their leaving the tour group in the middle of the trip, their age or occupation, etc, except for the fees necessitated by the participation in self-pay activities by the visitors.

#### 11. Safety of visitors

- i. Tourist guides shall always attach top priority to the safety of visitors and remind them to be aware of their personal safety.
- ii. In case of any accidents or visitors feeling unwell, tourist guides shall help arrange immediate treatment for the visitors and seek assistance from their travel agent without delay. They shall report the case to the police if necessary.

#### 12. Acceptance of advantages

Tourist guides shall abide by Section 9 of the Prevention of Bribery Ordinance.

(An extract of the relevant Ordinance, the definition of “advantage” and examples of acceptance of advantages are appended to this Code.)

#### 13. Conflict of interest

Tourist guides shall avoid situations which may lead to an actual or perceived conflict of interest situation and report any unavoidable conflict of interest situations to their travel agents.

(Examples of conflict of interest situations are appended to this Code.)

#### 14. Handling of confidential information

- i. Tourist guides shall abide by the Personal Data (Privacy) Ordinance and shall not disclose the personal data of visitors without their consent.
- ii. Tourist guides shall not disclose any confidential information to anybody without authorisation from their travel agents.
- iii. Tourist guides who have access to or control of the above information shall at all times ensure its security and prevent any abuse or misuse of the information.

### **IV. Interpretation, enforcement and penalty**

This Code is promulgated by the TIC and shall be observed by all tourist guides. Enforcement and decisions on violations of this Code are made in accordance with interpretations by the Board of Directors of the TIC. The Board has the power to penalise persons found in breach of this Code and reserves the right to amend any provisions of this Code.



## Appendix

### (I) Extract of the Prevention of Bribery Ordinance:

#### Section 9

- (1) Any agent who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his –
  - (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or
  - (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,shall be guilty of an offence.
- (2) Any person, who, without lawful authority or reasonable excuse, offers any advantage to any agent as an inducement to or reward for or otherwise on account of the agent's –
  - (a) doing or forbearing to do, or having done or forborne to do, any act in relation to his principal's affairs or business; or
  - (b) showing or forbearing to show, or having shown or forborne to show, favour or disfavour to any person in relation to his principal's affairs or business,shall be guilty of an offence.
- (3) Any agent who, with intent to deceive his principal, uses any receipt, account or other document –
  - (a) in respect of which the principal is interested; and
  - (b) which contains any statement which is false or erroneous or defective in any material particular; and
  - (c) which to his knowledge is intended to mislead the principal,shall be guilty of an offence.
- (4) If an agent solicits or accepts an advantage with the permission of his principal, being permission which complies with subsection (5), neither he nor the person who offered the advantage shall be guilty of an offence under subsection (1) or (2).
- (5) For the purpose of subsection (4) permission shall –
  - (a) be given before the advantage is offered, solicited or accepted; or
  - (b) in any case where an advantage has been offered or accepted without prior permission, be applied for and given as soon as reasonably possible after such offer or acceptance,and for such permission to be effective for the purpose of subsection (4), the principal shall, before giving such permission, have regard to the circumstances in which it is sought.



## Section 2

“Advantage” means:

- (a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- (d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) the exercise or forbearance from the exercise of any right or any power or duty; and
- (f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e),

but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (10 of 2000), particulars of which are included in an election return in accordance with that Ordinance.

“Entertainment” means:

The provision of food or drink, for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provisions.

### **(II) Examples of acceptance of advantages:**

- a tourist guide accepting rebates from a retail shop as an inducement to or reward for recommending tourists to patronise the latter without first seeking permission from his/her travel agent; and
- a tourist guide accepting advantages from another travel agent as an inducement to or reward for introducing tourists to join the latter's tour packages without first seeking permission from his/her travel agent.

### **(III) Examples of conflict of interest situations:**

- a tourist guide has shareholdings either by himself/herself or his/her immediate family member(s) in another travel agent which competes with his/her travel agent; and
- a tourist guide is of close personal relationship with a retail shop with which he/she has business dealings on behalf of his/her travel agent.

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