



# 「優質旅遊服務」計劃介紹冊子 QTS Scheme Booklet

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# 1 Introduction

As part of its on-going efforts to elevate service standards in Hong Kong's tourism industry, the Hong Kong Tourism Board ("HKTB") has established a Quality Tourism Services Scheme (the "QTS Scheme" or "the Scheme").

Officially launched by the HKTB on 25 November 1999, the QTS Scheme is a service certification programme whereby retailers and restaurants providing quality tourism services that have fulfilled a prescribed set of assessment criteria will be certified as QTS merchants under the Scheme. The QTS Scheme was further expanded in November 2006 to cover visitor accommodation. The prescribed set of assessment criteria is formulated by a professional consultant. Comments and views gathered through consultation with the trade and also through visitor surveys are duly incorporated in the formulation of the assessment criteria and the development of the Scheme.

QTS merchant is entitled to display the Quality Tourism Services decal ("QTS Decal") as an identification of its QTS status and recognition of its pledge for provision of quality tourism services to its customers.

# 2 Objectives

As the first quality service stamp of its kind for the tourism service industry in Hong Kong, the Scheme aims to:

- a. assist visitors and local customers to identify quality tourism service providers;
- b. give recognition to those applicant merchants who meet the prescribed standard of service quality;
- c. assist service providers to conduct self-assessments and to identify areas where there are inadequacies in performance so that continual improvements can be made;
- d. strengthen the capability of all service providers to achieve value-added performance in support of the tourism industry; and
- e. elevate Hong Kong's tourism service standards in order to strengthen Hong Kong's reputation as a "Shoppers' Paradise" and the "Culinary Capital of Asia".

# 3 Benefits of joining the Scheme

Every QTS merchant is entitled to use the QTS Decal and enjoy the following privileges and benefits:

- a. instant identification and recognition as a merchant that has pledged to provide quality services in accordance with a set of prescribed criteria;
- b. entitlement to use the QTS Decal, a symbol of the quality service provider looked for by both visitors and local customers;
- c. access to global marketing and promotional opportunities under HKTB's worldwide marketing campaigns;
- d. an Assessment Report compiled by a professional consultant, as a benchmark of standards achieved;
- e. inspiration for staff to follow a unique set of good business and operational practices by referring to the assessment checklist;
- f. ability to identify areas of performance requiring improvements and to initiate continual improvements;
- g. incentive to maintain quality services in view of unannounced visits conducted under the Scheme; and
- h. eligibility for membership of the Quality Tourism Services Association (trade name of the Association of Better Business & Tourism Services) whose key objectives are to encourage and promote the provision of quality tourism services, uphold quality service standard of its members, and provide a forum for discussion and sharing on matters pertaining to the service sector.
- i. QTS visitor accommodation will further enjoy priority recommendation to visitors through the HKTB Visitor Centres.

## **4 QTS Committee, QTS Sub-Committee and QTS Secretariat**

The Quality Tourism Services Committee (“QTS Committee”) has been established as the governing body to provide strategic input and advice on the development of the Scheme; to approve assessment criteria, rules, complaint handling policy and pricing policy of the Scheme; and to handle appeals from merchants. The Chairman of the QTS Committee is the HKTb Chairman. Members of the QTS Committee include key representatives from government, business, tourism and other relevant organisations.

Reporting to the QTS Committee is the Quality Tourism Services Sub-Committee (“QTS Sub-Committee”) tasked to review and recommend assessment criteria, scheme rules and complaint handling policy and changes thereto; to approve and, where considered appropriate, suspend or terminate QTS merchant status; to review and endorse complaint reports under the complaint handling policy; and to analyse complaints as a means to enhance assessment criteria and scheme rules.

The HKTb also acts as the QTS Secretariat responsible for the administration of the Scheme.

## **5 Rules of the Scheme**

### **5.1 Target sectors**

Currently, any retail shop, restaurant, or visitor accommodation which satisfies the basic requirement in Section 10.1 can apply to the QTS Secretariat for QTS Scheme certification.

Other tourism-related services may be considered for inclusion in the QTS Scheme in later phases.

### **5.2 Application kit**

Application kits, which comprise a QTS Scheme Booklet, an Application Form and relevant Assessment Checklists for retail shops, restaurants, and visitor accommodation are available for download from the PartnerNet website: <https://PartnerNet.hktb.com>.

Applicant merchants are required to complete the Application Form and conduct a self-assessment in accordance with the relevant Assessment Checklist. The completed Application Form and the Assessment Checklist, together with the application fee and supporting documents, should be sent to the QTS Secretariat.

### **5.3 Chain or franchise outlets**

#### **a. Retail shops and restaurants:**

Applications to become QTS merchants by chain or franchise businesses should be submitted by the head office or the franchisor instead of by the individual or franchisee outlets. The QTS Scheme certification will be given to all outlets of the chain or franchise business of the applicant merchants, provided that the samples selected for professional assessment meet the prescribed criteria of the QTS Scheme. However, if any one of the outlets, present or future, is found violating any requirement of the Scheme, the QTS Scheme certification will not be granted or will be revoked in respect of the entire chain or franchise business. If any one of the outlets, present or future, is subject to suspension in accordance with Section 5.10, the QTS Scheme certification for the entire chain or franchise business will also be suspended.

#### **b. Visitor accommodation:**

For visitor accommodation

- i. trading under the same brand/trade name in different premises; and/or
- ii. trading under the same brand/trade name with multiple licences in the same registered premises,

the applicant must include all such visitor accommodation premises in the application for certification and each premises of the applying visitor accommodation must pass the self-assessment and meet the prescribed criteria of the QTS Scheme before the application will be processed. QTS certification will be given to all visitor accommodation premises of the chain business of the applicant if each of the premises meets the prescribed criteria of the Scheme. If any one premises of the visitor accommodation is found to be in violation of any requirement of the Scheme, QTS certification will not be granted or will be revoked from the entire chain business. If any one premises of the visitor accommodation is subject to suspension in accordance with Section 5.10, the QTS Scheme certification for the entire chain business will also be suspended.

#### **5.4 Professional assessment**

The HKTb has commissioned a professional consultant to conduct professional assessments of and site visits to applicant merchants.

The professional consultant uses a set of prescribed criteria to assess applications. The assessment includes a comprehensive evaluation of the Assessment Checklist and one or more site visits (informed and/or unannounced). Also considered is information included in the Application Form and information relating to the application and the applicant merchant. The time required for processing an application is six to twelve weeks following the submission of the application and full supporting documents to the QTS Secretariat.

If the results of the assessments meet the prescribed criteria, the professional consultant will recommend the applicant to the QTS Sub-Committee for granting of QTS status. All applicants, whether successful or not, will be given a copy of their Assessment Report.

#### **5.5 Application results**

Successful applicants will become certified QTS merchants. Each QTS merchant (and each of its outlets, if any) will be given a QTS Decal and a QTS Certificate.

Those applicant merchants who fail to meet the prescribed assessment criteria will be given a Corrective Action Form detailing the improvements that need to be made. Such action must be taken and completed within one month to the satisfaction of the QTS Sub-Committee; otherwise, the application will be treated as unsuccessful. The QTS Sub-Committee may, however, extend the said one month period in accordance with Section 8.

Unsuccessful applicant merchants will receive a copy of their Assessment Report and be informed of the reasons for their failure to qualify. Advice on how to upgrade their service quality will also be provided.

An unsuccessful applicant merchant aggrieved by the decision of the assessment may appeal in writing in accordance with Section 5.11 within one month from the date on which it is notified that its application is unsuccessful.

#### **5.6 Site visits**

The professional consultant appointed under the QTS Scheme will conduct site visits (informed and/or unannounced) to all QTS merchants during the year to ensure that their standards are maintained.

Any QTS merchant who has fulfilled all the following two criteria is eligible for the waiver of formal assessment:

- a. has been a QTS-accredited merchant for 10 consecutive years or over; or
- b. has passed the formal assessment in its previous QTS Scheme certification year with scores equal to or greater than 800.

However, in each and every case, the professional consultant will conduct formal assessment in alternate years to confirm that the merchant's quality service standard has been maintained.

Should the visits uncover any failings, a Corrective Action Form will be issued, in appropriate cases, to the QTS merchant concerned detailing the remedial action that needs to be made. In such cases, unless the remedial action is taken and completed to the satisfaction of the QTS Sub-Committee within one month of notification, the QTS status of the merchant will be terminated. The QTS Sub-Committee may, however, extend the said one month period in accordance with Section 8.

### **5.7 Complaints handling mechanism**

All complaints lodged against QTS merchants will be investigated promptly by the QTS Secretariat, and in normal circumstances, the investigation results will be provided to the complainant within one month of the complaint.

Unannounced visits may be conducted as part of the investigation. Each investigation is evaluated and rated based on the nature and frequency of the complaint, and the way in which the QTS merchant concerned handles the complaint. Substantiated complaints will be submitted to the QTS Sub-Committee for review and judgement. The QTS Sub-Committee may take into account findings of the unannounced visits and the opinion provided by the professional consultant in the assessment of the complaints and the judgement ultimately.

Any QTS merchant aggrieved by the judgement of the QTS Sub-Committee in respect of any complaint may appeal in accordance with Section 5.11 in writing within one month from the date on which it is notified of the judgement.

### **5.8 Complaints rating system**

#### **a. Complaint rating mechanism**

- i. All consumer complaints received by HKTB will be centralised to the QTS Secretariat for direct handling, and subsequently to the Consumer Council for further handling if needed;

- ii. When necessary, the QTS Secretariat will conduct mystery visit with reference to the scenario and content of the complaint, in order to assess if the case is substantiated and to monitor the performance of the QTS accredited merchants effectively;
- iii. If the case is substantiated, the QTS Secretariat will submit it to the QTS Sub-Committee for confirmation, after which points will be recorded to the merchant;
- iv. If the case is not substantiated, no points will be recorded;
- v. Substantiated complaint cases will be rated according to the below "Rating Criteria of Complaint Rating System" (i.e. its nature, severity and the frequency of occurrence in the past 12 months);
- vi. Merchants must ensure co-operation with the QTS Secretariat in handling and investigating complaint cases and resolving them satisfactorily and promptly;
- vii. The points recorded to the merchant outlet will be cumulated for 12 consecutive months from the date of its first complaint occurred. To monitor the performance of the accredited merchant effectively, the points recorded will be used for internal reference, and a written warning will be issued to the merchant concerned, or its QTS status will be revoked according to circumstances; and
- viii. According to the cumulated points of the merchant recorded in the 12 consecutive months, the QTS Secretariat will take the following actions:
  - If the cumulative points reach 5 or above, a warning letter will be issued to the merchant concerned, and its service level will be closely monitored.
  - If the cumulative points reach 8 or above, the QTS status of the merchant concerned will be revoked immediately.

b. Rating Criteria of Complaint Rating System

i. Score sheet of complaint nature

Grade	Key factors to be considered	Predetermined nature of complaints	Result
Critical	<p>a. The grading of the nature of the complaints listed in the right column is considered as critical</p> <p>b. Other considerations:</p> <ul style="list-style-type: none"> <li>• Intentional or unintentional</li> <li>• Impact on QTS Scheme</li> </ul>	<p>a. Use of sales malpractices, for example:</p> <ul style="list-style-type: none"> <li>• Use of bait-and-switch tactics</li> <li>• False or misleading representation on product / price</li> <li>• No intention to supply goods</li> <li>• Use of coercion / harassment</li> </ul> <p>b. Unacceptable quality of services, for example:</p> <ul style="list-style-type: none"> <li>• Use of foul language</li> <li>• Occurrence of discrimination</li> </ul> <p>c. Unacceptable quality of goods / food (with hazard), for example:</p> <ul style="list-style-type: none"> <li>• Selling or supply of fake or used goods</li> <li>• Occurrence of hygiene problem</li> <li>• Selling or supply of unsafe goods</li> </ul>	Maximum of 5 points to the outlet
Major	<p>a. The grading of the nature of the complaints listed in the right column is considered as major</p> <p>b. Other considerations:</p> <ul style="list-style-type: none"> <li>• Intentional or unintentional</li> <li>• Impact on QTS Scheme</li> </ul>	<p>a. Unacceptable quality of services, for example:</p> <ul style="list-style-type: none"> <li>• Impolite behaviour / attitude</li> <li>• Service level not up to specified standard</li> </ul> <p>b. Unacceptable quality of goods / food (without hazard), for example:</p> <ul style="list-style-type: none"> <li>• Selling or supply of old stock</li> <li>• Partial delivery of goods / selling or supply of damaged goods</li> <li>• Occurrence of hygiene problem</li> <li>• Selling or supply of unsafe goods</li> </ul> <p>c. Disputes over prices (price indication / price quotation / wrong charge)</p>	Maximum of 2 points to the outlet
Minor	<p>a. The grading of the nature of the complaints listed in the right column is considered as minor</p> <p>b. Other considerations:</p> <ul style="list-style-type: none"> <li>• Is it an isolated case?</li> <li>• Is expectation of individual customer of the merchant being met?</li> </ul>	<p>a. Unacceptable quality of services, for example:</p> <ul style="list-style-type: none"> <li>• Poor communication</li> <li>• Poor language skills</li> <li>• Late delivery</li> <li>• Exchange / refund dispute</li> <li>• Poor table arrangement</li> <li>• After-sales service not up to specified standard</li> <li>• Dispute on promotion / discount</li> <li>• Dispute on trade-in items</li> <li>• Not open on time according to business hours</li> <li>• Repair / maintenance problem</li> </ul>	Maximum of 1 point to the outlet
Not substantiated	<p>a. Anonymous complaint, and no action can be taken</p> <p>b. Rumours without evidence</p> <p>c. Investigation confirms that the merchant is not at fault</p> <p>d. Investigation concludes that the complaint case is not substantiated</p> <p>e. Lack of evidence</p>	Not applicable	For record and to be placed under close monitoring list

ii. Score sheet of complaint recurrence

<b>Recurrence of complaint case</b>	<b>Frequency</b> (based on the date of last complaint received)	<b>Result</b>
Complaint occurred at the same outlet of the merchant (same nature)	Within the past 12 months	Extra 2 points will be added to the outlet
Complaint occurred at the same outlet of the merchant (different nature)	Within the past 12 months	Extra 1 point will be added to the outlet

## 5.9 Renewal

The QTS Scheme certification is valid for one year and is subject to renewal on an annual basis, unless it is terminated or suspended before the expiry.

Applications for renewal of QTS status must be made two months prior to the expiry date. To apply for renewal, merchants must complete and return to the QTS Secretariat a prescribed renewal application form together with the renewal fee (as determined by the QTS Committee). No applications for renewal will be processed if the QTS status of the merchant is subject to suspension in accordance with Section 5.10.

Any QTS merchant who has fulfilled all the following two criteria is eligible for the Auto-Renewal (provided that its QTS status is not suspended or terminated at any time before its expiry):

- a. straight pass at first-time or renewal assessment with scores equal to or greater than 850; and
- b. since the last assessment of the QTS merchant, there has been:
  - i. no major change in ownership, directorship and management;
  - ii. no major change in product category, business scope and operation;
  - iii. no addition or relocation of shops, restaurants, or visitor accommodation premises as appropriate; and
- iv. no substantiated complaint.

Under the Auto-Renewal arrangement, the QTS status will be renewed automatically on the expiry of the current term, provided that, in each and every case, the professional consultant will conduct an unannounced visit within two or three months from the date of the receipt of renewal application which confirms that quality standards have been maintained.

Should the unannounced visit uncover any failings, a Corrective Action Form will, where considered appropriate, be issued to the QTS merchant concerned. In such case, unless the remedial action is taken and completed to the satisfaction of the QTS Sub-Committee within one month of notification, the QTS status of the merchant will be terminated. The QTS Sub-Committee may, however, extend the said one month period in accordance with Section 8.

The QTS status of any merchant who fails to follow the renewal procedure set out above will be terminated after the expiry date.

## 5.10 Suspension and termination of QTS status

The QTS Sub-Committee may, at its sole and absolute discretion, terminate the QTS status of a merchant found to have committed any of the following acts:

- a. refusing or neglecting to comply with the prescribed criteria of the QTS Scheme;
- b. refusing or neglecting to comply with the judgement of the QTS Committee and/or the QTS Sub-Committee;
- c. failing to comply with the Rules of the Scheme;



- d. failing to comply with the Terms and Conditions of the Scheme;
- e. failing to comply with the regulations and guidelines governing the use of the QTS Decals, QTS Logo and QTS Collaterals;
- f. behaving in a manner which jeopardises or damages or in the opinion of the QTS Sub-Committee or the QTS Committee (as the case may be) likely to jeopardise or damage the reputation or interests of the QTS Decal, the QTS Scheme, the QTS Committee, the QTS Sub-Committee or the HKTB;
- g. ceasing or threatening to cease to carry on its business or operation;
- h. being adjudicated bankrupt; or facing a winding-up order; or against whom bankruptcy or winding-up proceedings have been instituted; or facing action by creditors under the provisions of any Ordinance of the Hong Kong Special Administrative Region (HKSAR) relating to bankruptcy or insolvency;
- i. failing to obtain or maintain a business registration licence and/or other permit(s) or licence(s) relating to its business that is/are required under the law;
- j. change in its business, operation, financial condition, ownership, directorship or management which may, in the opinion of the QTS Sub-Committee or the QTS Committee (as the case may be), materially and adversely affect the ongoing business operation of the merchant or the merchant's ability to provide quality tourism services and perform its other obligations under the Scheme in general;
- k. any information and document supplied by the merchant in relation to or incidental to its application, renewal or appeal under the Scheme is inaccurate or incomplete; or any representation, warranty or statement which is made (or deemed to have been made) by the merchant in its application, renewal or appeal under the Scheme is inaccurate, incomplete or misleading; and/or

- l. default or negligence by the QTS merchant or its directors, shareholders and management in complying with any applicable laws and regulations which may, in the opinion of the QTS Sub-Committee or the QTS Committee (as the case may be), materially and adversely affect the ongoing business operation of the merchant or the merchant's ability to provide quality tourism services and perform its other obligations under the Scheme in general.

A QTS merchant which has had its QTS status terminated may reapply for QTS status 24 months after the termination, subject to the fulfilment of the Scheme requirements and all assessment criteria. The QTS Sub-Committee or the QTS Committee in the case of appeal may, at its sole and absolute discretion, shorten the said 24 months period if the merchant can prove, to the satisfaction of the QTS Sub-Committee or the QTS Committee (as the case may be), that all required remedial actions have been taken and completed within the designated period and that the merchant can fulfil the Scheme requirements, all assessment criteria and such other conditions deem appropriate by the QTS Sub-Committee or the QTS Committee. The QTS Sub-Committee or the QTS Committee in the case of appeal reserves the right for final decision.

The QTS Sub-Committee may suspend the QTS status of a merchant if it has reasonable grounds to believe that the QTS merchant has committed any of the foregoing acts, or the merchant is subject to any closure order or enforcement action of any government department, competent authority or agency relating to area or subject matter which is, in the opinion of the QTS Sub-Committee, of concern to the public and the QTS Scheme. The QTS status of the merchant will be determined in accordance with the judgement and finding of the government department, competent authority or agency. If the QTS Sub-Committee or the QTS Committee (as the case may be) has actual knowledge that such judgement is subject to appeal, the QTS Sub-Committee or the QTS Committee (as the

case may be) may take into consideration the finding of the appeal in the determination of the QTS status of the merchant. Suspension shall continue until it is lifted by the QTS Sub-Committee or the QTS Committee (as the case may be) or the termination, expiry or non-renewal of the QTS status of the merchant in accordance with the Rules of the Scheme. No application for renewal will be processed if the QTS status of the merchant is subject to suspension.

Any QTS merchant aggrieved by a decision of the QTS Sub-Committee to suspend or terminate its QTS status may appeal in writing to the QTS Committee in accordance with Section 5.11 within one month from the date on which it is notified that its QTS status is suspended or terminated.

### **5.11 Appeal**

The QTS Committee handles appeals from QTS merchants who are not satisfied with the decision of the QTS Sub-Committee arising from:

- a. consumer complaints lodged within six (6) years of occurrence of the event leading to the complaint against the QTS merchant provided that the merchant was a QTS merchant both at the time of occurrence of the event and at the time of the hearing of the appeal;
- b. unsuccessful application or renewal application by merchant; and
- c. suspension or termination of QTS status of merchant.

Merchants must submit their appeal, containing the grounds of appeal together with particulars of evidence in support of and confined to the appeal, to the QTS Secretariat within one month from the date on which they are notified of the decision of the QTS Sub-Committee, failing which, the appeal will not be accepted.

Appeal shall be determined through hearing by the QTS Committee unless the merchant shall choose otherwise. Merchant has the right to make representation either orally or in writing or both to the QTS Committee. Any written representation shall reach the QTS Secretariat for circulation to the QTS Committee at least seven (7) days before the date fixed for hearing/meeting.

Site visits (informed and/or unannounced) may be conducted as part of the investigation. The QTS Committee will re-assess all the information provided and, where appropriate, interview the parties concerned and take into account findings of any site visits, opinion of the professional consultant and the representation of the merchant before making its decision.

If the appeal merchant is still not satisfied with the decision of the QTS Committee, the appeal merchant may seek external redress and appeal to an arbitration body in Hong Kong within one month from the date of notification of the decision of the QTS Committee in accordance with the relevant rules and regulations adopted by the Scheme including but not limited to the following provisions:

- a. the arbitration body is based in the HKSAR;
- b. only one arbitrator will be appointed;
- c. domestic arbitration rules or such set of rules governing the arbitration as the arbitrator may determine will apply; and
- d. all costs incurred in the arbitration will be solely borne by the appeal merchant.

The decision of the arbitration body shall be final.

Section 5.13 shall continue to apply during the period of appeal to the QTS Committee and the arbitration body. If the appeal shall be successful, the QTS status of the merchant will be determined in accordance with the finding of the appeal.

### **5.12 Withdrawal from the Scheme**

Any QTS merchant that wishes to withdraw from the QTS Scheme and give up its right to use the QTS Decal and other benefits of the Scheme must notify the QTS Secretariat in writing. No refund of fees will be made.

### **5.13 Consequences of suspension, termination or withdrawal of QTS status**

Upon the suspension, termination or withdrawal of QTS status for any reason, the QTS merchant concerned must immediately and unconditionally:

- a. cease to use the QTS Decal, QTS Logo and Collaterals and other benefits of the Scheme in any manner as the QTS Secretariat may direct;

- b. cease to hold itself out in any way as a QTS merchant or service provider;
- c. return to the QTS Secretariat, or otherwise dispose of, or destroy, as the QTS Secretariat may direct, all QTS Decals, QTS Certificates and other logos, insignias, emblems, badges, literature and items relating to the QTS Scheme; and
- d. allow the QTS Secretariat to make such publication or announcement as it may deem appropriate regarding the suspension, termination or withdrawal (as the case may be) of the merchant's QTS status.

#### **5.14 Use of QTS Decals / QTS Logo / Collaterals**

The QTS Logo is a registered certification mark of the HKTB. Only QTS merchants are authorised to use QTS Decals, QTS Logo and Collaterals and they must comply with the "Regulations of the QTS Logo", "Guidelines for Use of the QTS Logo" and "Guidelines for Use and Display of the QTS Decal / Collateral" which are distributed to QTS merchants upon certification.

#### **5.15 Representations and warranties**

QTS applicants and merchants represent and warrant to the HKTB, the QTS Secretariat, the QTS Committee and the QTS Sub-Committee that all information and data (including without limitation the self-assessment results) supplied or to be supplied to the QTS Secretariat in their application, renewal or appeal applications under the Scheme are true, accurate and complete. QTS applicants and merchants shall disclose fully in writing to the QTS Secretariat all information relating to such applications which they know or should reasonably know and which is relevant or material for the purpose of assessment by the QTS Sub-Committee or the QTS Committee (as the case may be).

#### **5.16 Indemnity**

QTS merchants shall indemnify and keep the HKTB, the QTS Secretariat, the QTS Committee, the QTS Sub-Committee, the QTS Scheme and their agents fully and effectually indemnified against any loss, damage, claim or

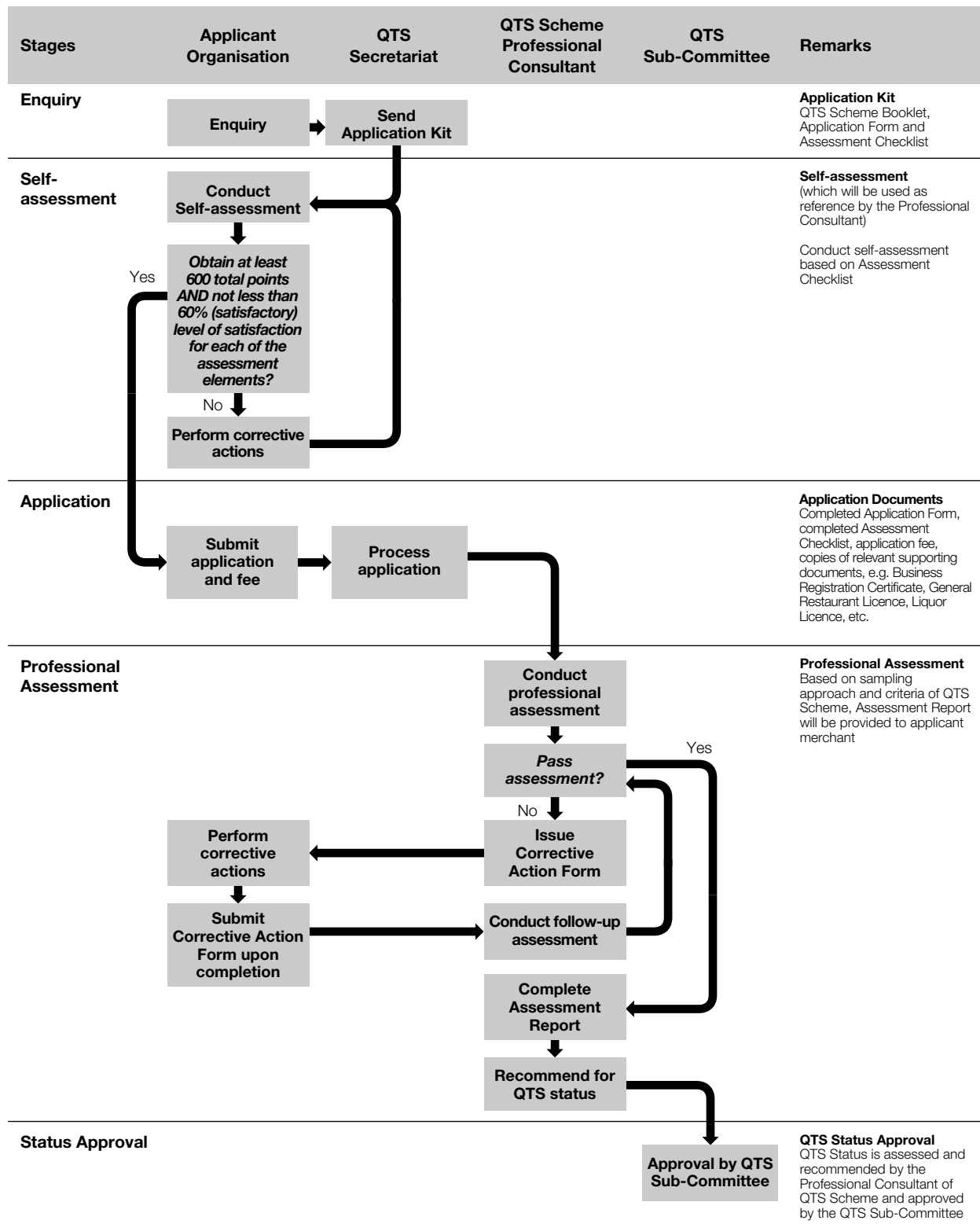
liability of whatever nature or kind whether or not resulting from negligence of the HKTB, the QTS Secretariat, the QTS Committee, the QTS Sub-Committee or their agents which they or any one or more of them may incur or suffer directly or indirectly arising from, in connection with or as a result of any default or negligence by QTS merchant in complying with the Rules or the Terms and Conditions of the Scheme, the judgement of the QTS Committee and QTS Sub-Committee and the Regulations and Guidelines governing the use of QTS Logo, Decals and Collaterals; or as a result of any dispute between QTS merchant and its customers; or any claim or complaint made by its customers, or otherwise as a result of the merchant being a QTS merchant or as a result of the publication or announcement made by the QTS Secretariat in accordance with Section 5.13; or any of the representations, warranties or declarations made by the QTS merchants being untrue, inaccurate, incomplete or misleading. This provision shall survive suspension, termination or withdrawal of QTS status.

#### **5.17 Non-liability and waiver**

None of the HKTB, the QTS Secretariat, the QTS Committee, the QTS Sub-Committee, the QTS Scheme and their agents shall accept any responsibility or liability whatsoever in relation to any dealings between QTS merchants and their customers, or otherwise arising as a result of the merchants being QTS merchants or their suspension or cessation to be QTS merchants or as a result of the publication or announcement made by the QTS Secretariat in accordance with Section 5.13. This provision shall survive suspension, termination or withdrawal of QTS status.

In consideration of the consent of the HKTB for the QTS applicants and merchants to apply to join the QTS Scheme and, subject to assessment, to grant them QTS status, QTS merchants and applicants agree to expressly, unconditionally and absolutely waive all their rights of any claims against the HKTB, the QTS Secretariat, the QTS Committee, the QTS Sub-Committee, the QTS Scheme and their agents, whether in relation to the Scheme or otherwise.

# 6 Certification process



# 7

## Terms and Conditions

### 7.1 General Terms and Conditions applicable to all QTS merchants

QTS merchants are required to comply at all times with the Terms and Conditions of the Scheme as adopted by the QTS Committee from time to time. The existing Terms and Conditions of the Scheme include, but not limited to, the following:

- a. ensure continual improvement in their services provided to visitors and local customers alike;
- b. ensure that all their staff are fully aware of and observe the assessment criteria, Terms and Conditions of the Scheme and the Rules of the Scheme at all times;
- c. ensure compliance with the “Regulations of the QTS Logo”, “Guidelines for Use of the QTS Logo” and “Guidelines for Use and Display of the QTS Decal / Collateral”;
- d. ensure co-operation with the QTS Secretariat in handling and investigating complaint cases and resolving them satisfactorily and promptly;
- e. comply with the judgement of the QTS Committee and the QTS Sub-Committee;
- f. ensure that their pricing policies are fair and honest; and their prices reflect the value of the products and services provided to visitors and local customers; and
- g. comply with all laws and regulations applicable to their business and operation, including but not limited to:
  - i. possession of all valid permits and licences required or necessary in connection with the conduct of their business and activities;
  - ii. responsible for obtaining any additional permits and licences that may be required;
  - iii. compliance with relevant safety and hygiene regulations;
  - iv. compliance with relevant fire safety laws and regulations;
  - v. compliance with relevant trade descriptions laws and regulations;
  - vi. no fake goods are sold;
  - vii. no infringement of any intellectual property rights; and
  - viii. no misrepresentation of product or advertising information.

### 7.2 Special Terms and Conditions applicable to QTS visitor accommodation

QTS visitor accommodation shall also comply with the following special terms and conditions:

- a. the actual number of guestrooms available for rental should not be greater than the number of rooms registered under their licences;
- b. referring guests to non-QTS certified visitor accommodation is prohibited;
- c. charging rate and policy of additional services and facilities must be clearly put in writing and provided to guests upon booking and confirmation. Visitor accommodation should not offer any other services not written as above;
- d. the QTS Certification for visitor accommodation is strictly limited and confined to provision of visitor accommodation. The QTS Certification for visitor accommodation does not extend to any other business operations and/or provision of ancillary facilities (including but not limited to restaurants, shops, saunas and massage establishments) within the visitor accommodation premises although the QTS Sub-Committee may as it sees fit take into account any matters relating to the aforesaid business/ facilities in assessing the application for certification of visitor accommodation; and
- e. QTS Logo / QTS Decal / Collateral shall only be displayed in areas as set out in the “Regulations of the QTS Logo”, “Guidelines for Use of the QTS Logo” and “Guidelines for Use and Display of the QTS Decal / Collateral” and shall not be used/displayed in any other areas of any business operations or ancillary facilities within the visitor accommodation premises.

HKTB reserves the right to amend the QTS Scheme Terms and Conditions at any time and from time to time without prior notice to or consultation with the QTS Scheme applicants or accredited merchants.

## 8 Assessment criteria

The assessment criteria are basically those contained in the Assessment Checklist. However, the HKTB, the QTS Secretariat, the professional consultant, the QTS Sub-Committee and the QTS Committee are entitled to take other criteria or factors into account if they consider them to be relevant.

In addition, it is a condition to the on-going certification under the Scheme that the merchant shall meet the basic requirements set out in Section 10 and shall not commit any act set out in Section 5.10 at all times during the period of certification.

While due diligence check (including site visits on informed or unannounced basis) may be conducted by the QTS Secretariat for investigation purpose, it remains the obligation of the merchant to prove to the satisfaction of the QTS Sub-Committee or the QTS Committee in the case of appeal that all such basic requirements set out in Section 10 are fulfilled and the merchant has not committed any act set out in Section 5.10.

Where Correction Action Form is issued to the relevant merchant under the Scheme, the QTS Sub-Committee or the QTS Committee in the case of appeal may, at its sole and absolute discretion, extend the period within which the merchant is obliged to complete the required remedial actions under the Scheme if the merchant can prove, to the satisfaction of the QTS Sub-Committee or the QTS Committee (as the case may be), that all required remedial actions have been started within the designated period and there are genuine practical difficulties in completing all such remedial actions within the original prescribed period of time. Where grace period is granted, it may be subject to conditions deemed appropriate by the QTS Sub-Committee or the QTS Committee.

## 9 Fees

There are two payments related to the QTS Scheme — the initial application fee and the annual renewal fee.

The charges, based on the number of outlets (and also number of premises and rooms in the case of visitor accommodation), are shown in the Schedule of Fees.

The application fee includes the assessment fee and the first year's annual fee, while the annual renewal fee includes the re-assessment fee and the annual fee.

All fees are payable upon submission of an application and are non-refundable.

## 10 Application information

### 10.1 Who can apply

#### a. Retail shops and restaurants:

Retailers and restaurants applying for QTS certification shall possess the following prerequisites:

- i. in general circumstances, have been operating continuously for more than six months in Hong Kong;
- ii. properly registered with the HKSAR Government and hold all valid permits and licences required or necessary in connection with the conduct of their business and activities;
- iii. have no substantiated complaint record with relevant competent authorities in relation to their business and activities for at least 12 months preceding application, or the entire servicing period of the business, whichever is the shorter;
- iv. must accept walk-in customers; and
- v. no event, litigation, arbitration or administrative proceeding which may, in the opinion of the QTS Sub-Committee or the QTS Committee (as the case may be), materially and adversely affect the business, operation, financial condition, ownership, directorship or management of the merchant, or the ongoing business operation of the merchant or the merchant's ability to provide quality tourism services and perform its other obligations under the Scheme in general, is in progress or pending or, to the best of the knowledge, information and belief of the merchant, is threatened against the merchant or any of its business.

b. Visitor accommodation:

Visitor accommodation service providers applying for QTS certification shall possess the following prerequisites:

- i. a valid tourist guesthouse licence issued by the Office of the Licensing Authority of the Home Affairs Department in accordance with the Hotel and Guesthouse Accommodation Ordinance (Cap. 349);
- ii. premises submitted for certification under the Scheme must be properly registered with the Licensing Authority of the Home Affairs Department and as appeared in the tourist guesthouse licence of the applicant; and where the premises entailed ancillary facilities such as restaurants, liquor consumptions, karaoke, etc. in business operation, such facilities must possess valid licences/permits issued by relevant authorities as required under the laws of Hong Kong;
- iii. all such registered and licensed premises must be properly insured against public liability for death and bodily injury with an aggregate limit at all times of no less than HK\$10,000,000 per accident and in aggregate during the continuance of the certification under the Scheme;
- iv. should not offer hourly rental service for their guest rooms;
- v. have been continuously operating in the tourist guesthouse business for more than three months in Hong Kong;
- vi. must comply with all laws and regulations applicable to tourist guesthouse business;
- vii. have no substantiated complaint record with relevant competent authorities in relation to their business and activities for at least 12 months preceding application; or the entire servicing period of the business, whichever is the shorter;
- viii. must accept booking made by individual visitor as well as group booking; and
- ix. no event, litigation, arbitration or administrative proceeding which may, in the opinion of the QTS Sub-Committee or the QTS Committee (as the case may be), materially and adversely affect the business, operation, financial condition, ownership, directorship or management of the merchant, or the ongoing business operation of the merchant

or the merchant's ability to provide quality tourism services and perform its other obligations under the Scheme in general, is in progress or pending or, to the best of the knowledge, information and belief of the merchant, is threatened against the merchant or any of its business.

## 10.2 How to apply

The following documents and fees should be submitted to the QTS Secretariat:

- a. completed QTS Scheme Application Form;
- b. completed QTS Scheme Assessment Checklist;
- c. a crossed cheque for the appropriate amount of application fee made payable to the "Hong Kong Tourism Board";
- d. copies of valid Business Registration Certificate(s) and relevant licence(s) and permit(s); and
- e. certificate of third party liability insurance in the case of visitor accommodation.

The above documents and application fee should be submitted to:

QTS Merchant Recruitment and Marketing Team  
c/o Hong Kong Economic Times Limited  
**6/F Kodak House II, 321 Java Room, North Point, Hong Kong**

Tel: +852 2880 2885

Fax: +852 2590 7239

Email: [qtsml@hket.com](mailto:qtsml@hket.com)

## 10.3 Where to obtain the application kit

Application kits, which comprise the QTS Scheme Booklet, Application Form and relevant Assessment Checklist, are available for download from the PartnerNet website: <https://PartnerNet.hktb.com>.

While every effort has been made to ensure the accuracy of this information, Hong Kong Tourism Board accepts no responsibility for any errors or omissions.

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