

# **Consumer Council**

## **Study of Market Practice in the Textbook Industry**

1. This paper reports findings of the Consumer Council's study into market practices in the textbook industry. The Council has also proposed a number of recommendations in the light of the findings with a view to enhancing the efficient operation of the textbook industry.

### **BACKGROUND**

2. The study was conducted in response to a request expressed by the LegCo Panel on Education, regarding an allegation of a standard discount rate for the sale of textbooks, and the impact on parents of exorbitant textbook prices. During the course of the study, an additional allegation was made that publishers' donations of teaching equipment or other gifts to schools also impacted on the price of school textbooks. This practice has also been examined in the study.

3. The issues identified for consideration were:

- to what extent is the market practice of imposing a standard discount rate by booksellers affecting market competitiveness;
- to what extent is the practice by publishers of offering incentives to schools impairing market contestability; and
- what if any detrimental effects to the welfare of consumers/ schools arise from the above market practices.

4. To gather information from market participants at different levels in the textbook industry, the Council conducted three separate surveys with textbook publishers, booksellers and schools in the period of August - October 1998. Survey results are annexed to the paper (Annexes 1 - 3, Chinese version only). The Council also held in-depth interviews with representatives from the Hong Kong Professional Teachers' Union, the Anglo-Chinese Textbook Publishers Organisation, the Hong Kong Educational Publishers Association, and the Educational Booksellers' Association, and sought information from the Education Department. The survey results and the feedback from these parties form the core analysis of the paper.

5. This paper is limited to a study into the market practice of a standard discount rate and the offer of incentives in the textbook market. A more thorough study of the textbook industry examining market structure, barriers to entry, government educational policies relating to the periodical revamp of school curriculum, the procedures for the submission and the approval of textbooks, and the production and the selection processes of textbooks, has also been undertaken. A paper outlining the results of the study will be issued at a later date.

### **FINDINGS**

6. During the information gathering process, there were two market practices identified which in the Councils' view would most likely affect the extent of competition in the textbook market. These were:

- a standard discount rate imposed by booksellers; and
- the offer of incentives by publishers to schools.

### **Standard discount rate**

7. In the retail market, booksellers were alleged to have entered into a standard discount rate agreement to preclude individual bookstores from offering a discount rate beyond a prescribed level.

8. The Educational Booksellers' Association, in a letter of 13 December 1989 to the Council, acknowledged the existence of standard discount rate agreement. The relevant part of the letter read:

*"our Association did agree with effect from January 1, 1989, all secondary textbooks are retailed not more than 5% discount off the publisher's recommended retail price. Violation of this will be subject to disqualification from membership."*

9. During recent discussions with the Educational Booksellers' Association, we were told that the discount rate agreement was optional and adherence to the rate was not normal market practice.

10. In our surveys, most publishers and booksellers dismissed the suggestion of a discount price agreement in the textbook market. Only very few mentioned that there was some form of general understanding on discounts. Nevertheless, the survey results suggested that the general understanding does have some effect, as follows.

- About half of the respondents claimed to have been requested by the Educational Booksellers' Association to follow a standard discount rate in the sale of textbooks.
- Of the booksellers who responded to the Council's survey, about three-quarters of those that supplied secondary school textbooks offered 5% discount and all of them were members of the Educational Booksellers' Association.
- Only a small number of non-member booksellers gave more than 5% discount; several of them offered discount rates up to 10-15% for individual orders.

11. In a few cases, respondents claimed that if they were found offering discounts greater than that allowed, apart from being disqualified from membership of the Association, they would also encounter difficulties obtaining supply from individual publishers.

12. While it was observed that there were discounts on offer above the prescribed discount rate, there appeared to be a general understanding among booksellers to limit the discount rate to a maximum of 5%. In fact, at the time of our

field study, the Council found some notices displayed in certain bookstores making reference to a discount of 5% agreed upon by the membership of the Association.

### **Offer of incentives**

13. Since the choice of textbooks is not exercised by students or by their parents, publishers direct their marketing efforts to schools, with a view to securing a demand for their textbooks. There is no difficulty to be had with publishers pointing out the intrinsic benefits of their textbooks to schools. But allegations that publishers attempt to influence the textbook selection process by offering incentives such as providing complimentary teaching aids and other gifts to schools, suggest that:

- the efficient operation of the market may be impaired; and
- students and their parents may be paying higher prices for textbooks than would otherwise be the case.

14. The survey results showed that the majority (82%) of publishers and nearly all school respondents stated that it was common practice for publishers to provide complimentary teaching aids and sponsorships, and make donations (A breakdown of the incentives is listed in paragraph 17). Examples given were supplementary learning materials such as teacher manuals, progress charts, cassette tapes, and computer software. There were also other gifts to schools, or sponsorship of some extracurricular activities and events. Apart from these incentives, it is noted that there have been cases of schools requesting substantial additional number of copies of teachers' desk copies of textbooks and teaching manuals.

15. The publishers claimed that the incentives were made out of courtesy or in response to the schools' requests for sponsorship, as most schools did not receive sufficient subsidy from the government for teaching aids or other equipment. About 38% of the publishers who replied to the survey claimed that the incentives were offered voluntarily by them. The survey results also showed that 73% of publishers (which included some of those claiming the incentives were offered voluntarily) claimed they were responding to school requests only.

16. In the same vein, 68% of primary school respondents and 87% of secondary school respondents complained of insufficient funding from the government. Only 22% of primary schools and 13% of secondary schools considered that they received adequate resources from the government.

17. In this study, we have identified three separate categories of incentives. The first category should be regarded as a package linked with the use of textbooks. The second category, in our opinion, should be referred to as 'nice to have' items, in that they are not absolutely essential to students and not necessarily used in conjunction with textbooks. The last category takes up the other forms of sponsorships or donations to schools which are not directly related to the use of textbooks. Examples of the three categories are:

- Teaching aids - e.g. teacher manuals, cassette tapes, video tapes, laser discs, and computer software that assist in the use of particular textbooks.
- Equipment - e.g. cassette players, compact disc players, computers, CD-ROMs, overhead projectors, slide projectors, television sets, and wall charts that have general educational use.
- Sponsorships / Donations - e.g. scholarships, school magazine

advertisements, prizes and funding for school functions, banquets, installation of air conditionings, copiers, and public address systems, refurbishment of schools, subsidies, and gifts to schools.

18. The survey results showed that nearly all school respondents (100% of primary school and 98% secondary school respondents) claimed that they have been offered and received complimentary teaching manuals and desk copies of textbooks. With regard to other teaching aids, 95% of primary schools and 90% of secondary schools submitted that they received them. Only 38% of primary schools and 14% of secondary schools claimed that they accepted publishers' offers of teaching/school equipment that has general educational use. Only 5% primary schools and 12% secondary schools replied that they have received sponsorships or donations from publishers.

19. As to the motivation behind offer of incentives from publishers to schools, in terms of their appropriateness or otherwise, that is a matter beyond the scope of this paper.

### **Teaching aids**

20. Certain teaching aids, such as teacher manuals, come as a package with textbooks. The value of certain teaching aids cannot be arbitrarily dismissed. Some of the teaching aids might not be critical to the use of a textbook and could be substantiated by teaching materials developed by teachers or schools. Ultimately it is a matter for the school to decide whether the offer supports the primary responsibility of schools, which is to educate students to the best possible standard.

21. It has to be recognised that the costs of teaching aids would in some way eventually be passed on to the final prices paid by students and their parents for textbooks.

22. In view of this cost concern, the Council sought the view of schools as to separating the provision of textbooks from teaching aids. The idea is to separate the cost of these items from the cost of textbooks so as to reduce any unnecessary pass on effects to students. Only 22% of primary school respondents and 42% of secondary school respondents concurred with the idea. The primary concern of the majority was the financial constraint of bearing that additional cost and the fact that schools will need to look for extra resources to purchase the items if they are supplied separately. Most schools felt it was the responsibility of publishers to provide the items and that if schools had to bear the costs themselves, the inability to afford them might adversely affect the quality of instruction. Moreover, it was either impossible for most teachers to produce their own teaching aids, taking into account their work pressure; or difficult for schools to prepare teaching aids by themselves in view of financial constraints.

23. From the perspective of publishers, they might no longer have an incentive to produce teaching aids in particular, as stand-alone items, if they were to be separated from the textbooks. The reason is that the higher cost of supply through increased marketing activities and low volume, would mean that the prices schools had to pay for them would be higher than if the cost was subsumed into the cost of the textbook. Accordingly, schools may feel that the extra expense may not be worthwhile and demand for the teaching aids would be limited.

24. The Council is of the view that to resolve this issue it may be worthwhile for

the Education Department studying the costs of, and the utility of teaching aids. This would provide a basis for school management and the Government to gauge:

- how much the provision of teaching aids adds to the cost of textbooks;
- the extra resources required if the provision of teaching aids was separated from the supply of textbooks and schools or teachers had to produce them, rather than rely on publishers; and
- the extent to which the provision of teaching aids facilitates the teaching of students.

## **Equipment and sponsorships**

25. As noted previously, in addition to teaching aids, there are other items such as equipment, gifts or sponsorships that are provided by publishers as gesture of goodwill (ultimately for marketing purposes) and that also have an effect on the textbook prices.

26. The issue of publisher sponsorships or other incentives raises a concern as to the effect the practices have on new entrants, or on existing publishers that have to make counter offers when competing for supply of textbooks to schools. The practice of offering sponsorships or incentives could be viewed as a legitimate cost of marketing school textbooks, because of the benefit ultimately derived by schools in educating their students.

27. However, problems can arise where the extent and the nature of sponsorships or incentives are not immediately transparent. Where there is no transparency in terms of what form the provision of sponsorships or incentives takes, the practice would impair contestability due to the hidden nature of this cost of entry. Potential suppliers would be unaware of the range of items, in addition to textbooks, for which they were actually competing to supply.

## **Summary**

28. In summary, it must be conceded that there is a cost increase effect that teaching aids has on the final prices paid by students and their parents for textbooks. A profit-maximizing firm would seek to at least recover the costs in marketing its products. In fact it is incumbent on them, due to responsibilities owed to their principals or shareholders, that they do so. The costs of teaching aids would eventually be reflected in the final prices paid by students and their parents for textbooks generally.

29. As to the provision of teaching equipment, sponsorships or donations, the Council believes that this practice should also be as transparent as possible and the provision should be within an acceptable limit, so that competing publishers are aware of the possible costs of doing business. This transparency is also necessary in order that other interested parties within society in general are aware of the extent of payments to schools that could raise issues of conflict of interest.

30. The Council is aware that the Education Department and the Independent Commission Against Corruption (ICAC), together with the Hong Kong Professional Teachers' Union, have recently held a discussion on the offer of teaching aids or gifts in schools. Their aim is to construct clear definitions of teaching aids and gifts which schools can accept. At the time of completing this paper, we have not been able to obtain details of their study.

## RECOMMENDATIONS

31. Having regard to the results of the above study, the following measures are proposed for consideration.

- a) As it appears there is an implicit standard discount rate in existence which has some effect on pricing in the textbook retail market, attention of the Educational Booksellers' Association (and any other associations involved in the industry) should be drawn to the Government's May 1998 Statement on Competition Policy. That statement called on all businesses to cease existing, and refrain from introducing, restrictive practices that impair economic efficiency or free trade. Practices such as "*setting retail price minimums for products or services where there are no ready substitutes*" and "*price-fixing intended to distort the normal operation of the market*" were identified as conduct that should be examined, in this regard. The Educational Booksellers' Association should also be requested to ensure that there is no agreed discount rate amongst its member bookstores.
- b) Our study findings did not provide firm evidence of refusal of supply of textbooks by publishers to booksellers who did not comply with a minimum discount rate. Nevertheless, it is recommended that this matter be referred to the COMPAG for its perusal.
- c) The Education Department, the ICAC and schools should devise guidelines that differentiate between essential teaching aids and equipment, as well as sponsorship and donations, and set out an acceptable limit that schools can accept.
- d) The Education Department should undertake a study into the costs of, and the utility of various teaching aids. This is to gauge how much the provision of teaching aids adds to the cost of textbooks and what extra resources would be required if the provision of teaching aids was separated from the supply of textbooks.
- e) Teaching aids that do not come as a package, and other items of teaching equipment should be treated as separate items from textbooks. If they are unpaid, the schools should record these items as donations in a public inventory of donations. Alternatively, publishers could issue invoices for them as individual items.
- f) The Education Department should be requested to add the following provisions to their guidelines:

- i. Schools should record, in a public inventory of donations, made available for inspection on request to the public, any incentives received from suppliers in the form of goods or services such as teaching aids, equipment, sponsorship or other donations.
- ii. Acceptance of complimentary textbooks should be confined to teachers' desk copies as this would add costs to textbooks. Schools are encouraged to record additional complimentary copies in the public inventory of donations.

Consumer Council  
30 March 1999

## 附件（一）

### 教科書價格及市場運作研究 書局回覆結果

#### 1. 研究方法

於八月十三日，本會向 51 間書局發出問卷，並於八月底收回。本問卷的目的是為了解教科書零售市場內有否存在劃一折扣協議，及書局在營運方面的情況。當中有 32 間書局回覆，回覆率為 62.7%。

#### 2. 研究結果

##### 2.1 回覆者所屬商會

在回覆者中，有 21 間書局是教育圖書零售業商會的會員，另 11 間為非會員；非會員表示不加入商會原因主要是他們沒有時間、商會限制多及沒有用處。

##### 2.2 提供的折扣率

小學教科書方面，有 8 間書局表示提供九五折優惠，7 間提供九五折以上優惠。在中學教科書中，有 22 間書局提供九五折及 7 間提供多過九五折。

另外，於回應中，隸屬教育圖書零售業商會的書局均會以九五折出售中學書本。

##### 2.3 釐訂折扣時考慮的因素

有一半的書局（16 間）表示折扣是按成本釐訂；11 間表示是依據同行協定劃一折扣率；2 間表示是依據出版商建議；5 間則表示要視乎鄰近書局的折扣率。

##### 2.4 商會有否要求書局依據劃一折扣率出售課本

有 14 間書局（包括 8 間會員及 6 間非會員書局）表示商會有要求他們按劃一折扣率賣書。15 間則表示商會沒有作出要求。

##### 2.5 商會對會員的約束力

若不按劃一折扣率出售課本，有 3 間書局表示會被開除會籍；6 間表示會得不到課本供應（3 間會員及 3 間非會員）；另外，有 3 間表示會受警告。

##### 2.6 經營所遇困難

在回應的書局中，23 間書局表示教科書來貨遲，19 間表示教科書供應不足，2 間表示若提供多過九五折的優惠，會受到抵制；另有書局表示若售價低於協定價，部分出版社會終止向他們供應教科書、或以各樣理由拒絕與他們做生意；另有書局表示校方對他們苛索要求。



### 3. 總括結果

研究發現「教育圖書零售業商會」會員都以九五折出售中學課本，而部分非會員則以較多折扣出售中學課本，有些甚至提供八五折優惠。

至於商會有否制定「劃一九五折優惠」，書局未有一致的答案，34%書局表示折扣優惠是根據同行之劃一折扣協定，但也有 50%書局表示根據成本而釐訂。

## 附件（二）

### 教科書價格及市場運作研究 學校回覆結果

#### 1. 研究方法

從全港中、小學隨機抽樣取得 58 間中學及 50 間小學作研究分析用途。在九月四日向這些學校分別發出問卷，研究有關出版商附送教材的意見。直至十月七日為止，共收回 86 份問卷，回覆率達 80%（佔總百分比）。其中 49 份是中學（佔中學百分比 84.4%）及 37 份是小學（佔小學百分比 74.0%）。

#### 2. 研究結果

##### 2.1 附送教材

98%中學及所有小學均都表示出版商曾隨書附送教材、教具或其他物品給學校。

所附送項目的比率為：

	中學	小學
教師手冊/教師用書	98.0%	100.0%
教學軟件 （例如：錄音帶、錄影帶、電腦軟件等。）	89.8%	94.6%
教學硬件 （例如：電腦、電視機、雷射唱機、掛圖、高映機、幻燈機等。）	14.3%	37.8%
其他 （例如：贊助學校運動會、學生會活動、安裝冷氣機、裝修等。）	12.2%	5.4%

##### 2.2 學校對攤分教科書和教材費用的意見

除了兩間小學沒有表示意見外，8 間小學 (21.6%) 回覆表示贊成將教科書和教材的價格攤分，由學校負擔教材的費用，也有 27 間小學 (73.0%) 表示不贊成。中學方面，有 58.3% 學校表示不贊成。

不贊成的原因大致如下：

- 購買教材費用頗高昂，恐怕經費不足。
- 該類教材與教科書有關，理應由出版商負責提供給教師使用。
- 由於經費所限，會減低學校增添輔助教具的意慾和數量，影響教學效益。

- 會削減學校其他開支。
- 即使攤分，出版商也未必會將利益歸學生/家長。

### 2.3 教育署的資助

回覆者對教育署給予學校購買教材或教具的最高資助額的意見如下：

	中學	小學
非常足夠	---	5.4%
頗足夠	13.0%	16.2%
不足夠	69.6%	54.1%
非常不足夠	17.4%	13.5%
不適用/沒有作答	---	10.8%

### 3. 總括結果

對於將教材和教科書價格攤分，反對的比贊成的學校數目為多。學校不贊成要學校負擔教材費用，主要是學校經費不足，恐教材費用高昂，令學校打消增添教具意慾或會削減學校其他開支。有學校擔心即使攤分，出版商也未必將利益歸與學生。

另外，差不多所有回應的學校均表示出版商會隨書附送教材、教具或其他物品給他們，當中有教師手冊、教師用書、電腦軟件、硬件或贊助學校運動會等。

## 附件（三）

### 教科書價格及市場運作研究 出版社回覆結果

#### 1. 研究方法

在八月十三日，本會寄出80份問卷給教科書出版商，到九月二日為止收到41份回應。在這41份問卷當中，有7個出版商表示現在沒有出版教科書，因此，只有34個回應可作分析用途，回應率為46.6%。

本問卷從多方面著眼，旨在瞭解教科書市場是否有協定折扣率存在，及出版商是否以送禮手段向學校推銷課本的問題。

#### 2. 研究結果

##### 2.1 回應者所屬出版商會

在所有回應的出版社中，有12間是屬於香港教育出版商會、11間屬中英文教出版事業協會、4間同屬這兩個商會、5間不屬任何商會、有2間出版社並沒有註明其所屬商會。

##### 2.2 協定折扣價是否存在

有25間(74%)出版社均表示協定折扣並不存在，但另有6間表示存在，當中3間所指的是協定批發價、2間指協定零售價及1間表示「公價」；其餘3間出版社表示不清楚。

##### 2.3 協定折扣價是由誰定

有6間出版社回答這問題，答案各有不同，他們回應：教育圖書零售業商會，個別出版商，個別書局等都會訂出協定折扣，其中1間表示這是行業習慣「公價」。

##### 2.4 若書局以低於協定折扣價售書，出版商會有甚麼行動

有4間出版社表示出版商會不會採取行動，而另外有1間表示將向該書局限量供應教科書。

##### 2.5 商會對協定折扣價是否有約束力

有2間出版社表示商會沒有約束力，有一間表示只是勸導性。

##### 2.6 提供免費教學教材、教具或贊助活動

有28間(82%)出版商回應有向學校提供免費教學教材或贊助活動，6間表示沒有提供。提供的教材包括教師用書及手冊、教學進度表、評估課業、工作紙、圖咭、字咭、詞咭、習題庫、測驗庫、資料集，錄影帶、錄音帶、雷射影碟、電腦輔助教材；教具包括錄音機、雷射播放機（CD player）、電腦、多媒體唯讀光碟、高映機、幻燈機、電視

機、掛圖；贊助或捐贈方面包括獎學金、刊登校刊廣告、贊助學校活動或比賽的獎品、餐宴、安裝冷氣、影印機、廣播系統、裝修校舍、捐贈禮物等。

#### 2.7 提供免費教材或贊助活動的原因

- 13間(38%)表示是出版商主動提供及應學校要求
- 12間(35%)表示是應學校要求
- 1間表示是出版商主動提供

### 3. 總括結果

出版商對於主動或應學校要求提供免費教學教材或贊助活動上略有微言。就改善市場運作方面，出版商建議教署提供多方面的指引，包括限制學校可收受的贈品性質和贊助。

**Consumer Council**  
**Study of Market Practice in the Textbook Industry**

**Executive Summary**

1. This paper reports the findings of the Council's study into market practices in the textbook industry. The study was conducted in response to a request expressed by the LegCo Panel on Education, regarding an allegation of a standard discount rate for the sale of textbooks, and the impact on parents of exorbitant textbook prices. During the course of the study, an additional allegation was made that publishers' donations of teaching equipment or other gifts to schools also impacted on the price of school textbooks. This practice has also been examined in the study.

2. The Council's inquiries indicated that there was in fact an implicit standard discount rate in existence which has some effect on pricing in the textbook retail market<sup>1</sup>. Accordingly, the Council has recommended that the attention of the Educational Booksellers' Association (and any other associations involved in the industry) should be drawn to the Government's May 1998 Statement on Competition Policy. That statement called on all businesses to cease existing, and refrain from introducing, restrictive practices that impair economic efficiency or free trade. In this regard, practices such as "*setting retail price minimums for products or services where there are no ready substitutes*" and "*price-fixing intended to distort the normal operation of the market*" were identified as conduct that should be examined. The Council has also recommended that the Educational Booksellers' Association should be requested to ensure that there is no agreed discount rate amongst its member bookstores.

3. Information was also collected in regard to the allegations that publishers attempt to influence the textbook selection process by offering incentives such as providing complimentary teaching aids and other gifts to schools<sup>2</sup>. The Council's inquiries indicated that the majority of publishers and nearly all school respondents stated that it was common practice for publishers to provide such incentives. 100% of primary school and 98% of secondary school surveyed claimed that they have been offered and received complimentary teaching manuals and desk copies of textbooks. About 38% of the publishers surveyed claimed that the incentives were offered voluntarily by them, 73% of publishers claimed that they were responding to school requests only (which included some of those claiming the incentives were offered voluntarily). Three separate categories were identified.

4. The first category was regarded as a package directly linked with the use of textbooks, e.g. teacher manuals, and computer software that assist in the use of particular textbooks. The second category, were those items that they are not absolutely essential to students and not necessarily used in conjunction with textbooks, e.g. cassette players, compact disc players, computers, and wall

---

<sup>1</sup> On 13<sup>th</sup> August 1998, the Council randomly surveyed 50 booksellers and 32 of them responded.

<sup>2</sup> On 13<sup>th</sup> August 1998, the Council surveyed 80 textbook publishers and 34 of them responded. On 4<sup>th</sup> September 1998, we randomly surveyed 50 primary schools and 58 secondary schools, respectively 37 and 49 of them responded.

charts that have general educational use. The last category took the form of sponsorships or donations to schools which are not directly related to the use of textbooks, e.g. scholarships, school magazine advertisements, prizes and funding for school functions.

5. The Council considers that the value of certain teaching aids cannot be arbitrarily dismissed. Ultimately, it is a matter for the school to decide whether the offer supports the primary responsibility of schools, which is to educate students to the best possible standard. However, it has to be recognised that the costs of teaching aids, in addition to other forms of assistance would in some way eventually be passed on to the final prices paid by students and their parents for textbooks.

6. In view of this cost concern, the Council sought the view of schools. In particular, it sought views on the separation of textbooks from teaching aids in the first category of incentives. Only 22% of primary school respondents and 42% of secondary school respondents concurred with the idea. The primary concern of the majority was the financial constraint of bearing that additional cost and the fact that schools would need to look for extra resources to purchase the items if they were supplied separately. About 68% of primary school respondents and 87% of secondary school respondents complained of insufficient funding. Most schools felt it was the responsibility of publishers to provide the items and that if schools had to bear the costs themselves, the inability to afford them might adversely affect the quality of instruction.

7. From the perspective of publishers, there was a view that they might no longer have an incentive to produce manuals associated with textbooks in particular, as stand-alone items, if they were to be separated from the textbooks. The reason is that the higher cost of supply through increased marketing activities and low volume, would mean that the prices schools had to pay for them would be higher than if the cost was subsumed into the cost of the textbook.

8. The Council is of the view that to resolve this issue it may be worthwhile for the Education Department to study the costs of, and the utility of various teaching aids. This would provide a basis for school management and the Government to gauge how much the provision of teaching aids adds to the cost of textbooks. It would also indicated the extra resources required if the provision of teaching aids was separated from the supply of textbooks and schools or teachers had to produce them, rather than rely on publishers; and the extent to which the provision of teaching aids facilitates the teaching of students.

9. As to the other items such as equipment, gifts or sponsorships that are provided by publishers, this raises a concern as to the effect the practices have on new entrants, or on existing publishers that have to make counter offers when competing for supply of textbooks to schools. The practice of offering sponsorships or incentives could be viewed as a legitimate cost of marketing school textbooks.

10. However, ethical considerations apart, problems can arise for competitors in the market where the extent and the nature of sponsorships or incentives are not immediately transparent. Where there is no transparency in terms of what

form the provision of sponsorships or incentives takes, the practice would impair contestability due to the hidden nature of this cost of entry. Potential suppliers would be unaware of the range of items, in addition to textbooks, for which they were actually competing to supply.

11. Accordingly, the Council has recommended that:

- The Education Department, the ICAC and schools should devise guidelines that differentiate between essential teaching aids and equipment, as well as sponsorship and donations, and set out an acceptable limit that schools can accept.
- Teaching aids that do not come as a package, and other items of teaching equipment should be treated as separate items from textbooks. If they are unpaid, the schools should record these items as donations in a public inventory of donations. Alternatively, publishers could issue invoices for them as individual items.
- The Education Department should undertake a study into the costs of, and the utility of various teaching aids. This is to gauge how much the provision of teaching aids adds to the cost of textbooks and what extra resources would be required if the provision of teaching aids was separated from the supply of textbooks.

12. In addition, the Education Department should be requested to add the following provisions to their guidelines:

- Schools should record in a public inventory of donations, which is made available for inspection on request to the public, any incentives received from suppliers in the form of goods or services such as teaching aids, equipment, sponsorship or other donations.
- Acceptance of complimentary textbooks should be confined to teachers' desk copies as this would add costs to textbooks. Schools are encouraged to record additional complimentary copies in the public inventory of donations.

Consumer Council  
30 March 1999



# 消費者委員會

## 教科書市場經營手法研究報告

### 摘要

1. 消費者委員會應立法會「教育事務委員會」的要求，研究有關教科書銷售訂有指定折扣的傳聞，及書價高昂對家長的影響，本文總結研究的結果。在進行研究期間，加添另一研究課題 – 就是書商送給學校的教材/教具、贊助和捐獻對書價的影響。
2. 消委會發現教科書似乎有指定折扣，影響了教科書的零售市場<sup>1</sup>。消委會建議「教育圖書零售業商會」(及行業內其他商會)留意政府於一九九八年五月發表的「競爭政策綱領」，當中要求所有行業停止和避免「損害經濟效益或不利自由貿易的限制性經營手法」，如「為沒有現成代替品的產品或服務厘訂最低零售價」及「操縱價格以扭曲市場的正常運作」等經營手法。消委會建議「教育圖書零售業商會」宜確保會員不會協定折扣。
3. 有關書商向學校的饋贈，藉以影響教科書選擇的傳聞。消委會向學校、書商進行問卷調查<sup>2</sup>。結果顯示大多數書商和近乎全部有回覆的學校均承認，書商饋贈的情況十分普遍。所有回覆的小學及 98%中學皆表示他們曾接受書商饋贈教師手冊及教科書贈閱本。另 38%回覆的書商表示，送予學校的饋贈是出於他們自願的，有 73%書商則同時表示他們是應學校要求。饋贈可分為三類：
4. 第一類是與教科書連成一套的，例如教師手冊及輔助某教科使用的電腦軟件。第二類是對學生來說並非絕對必要，也毋須與教科書一起使用，例如唱機、小型音響系統、電腦、以及一般教育用途的掛圖。最後一類是提供贊助或捐贈，與學科和教科書沒有直接關係，例如獎學金、學校刊物廣告、學校活動的獎品和現金贊助，甚至送冷氣機、裝修等。
5. 消委會認為有些教材和教具確有一定的作用。最終是由學校決定這類輔助教材和教具是否有助於校方作育英才。不過，教材和輔助教具的制作成本最終還是要購買教科書的學生及其家長負擔。
6. 由於涉及價格問題，本會徵詢學校的意見，由校方付款購買教師手冊等輔助教材(第一類贈品)，只有 22%小學、42%中學回覆者贊成此建議。主要擔心增加學校的財政負擔。有 68%受訪小學及 87%受訪中學認為資源不足。這些教材/教具分開供應，校方便需要另覓資源。若校方無力負擔費用，恐怕影響教學素質。大多數學校認為書商有責任提供教材教具。

<sup>1</sup> 在 1998 年 8 月 13 日，本會抽樣調查 50 間書局，有 32 間書局回覆。

<sup>2</sup> 本會分別在 1998 年 8 月 13 日及 9 月 4 日，向 80 間書商發出問卷及抽樣調查 50 間小學和 58 間中學，有 34 間書商、37 間小學及 49 間中學回覆本會。

7. 書商意見認為，若輔助教材/教具，特別是教師手冊，分開出售，會減低書商的製作動機，原因是市場的需求不大，在市場上推廣這類產品，須額外的推廣費用，亦即是說，學校因而負擔的支出會更高(和一併計算在教科書內的成本比較)。

8. 消委會認為，教育署宜研究各類輔助教材和教具的制作費用和效用，從而讓政府和學校衡量因各類饋贈而令教科書增加的成本，亦可計算由學校或教師製作及負擔費用所需的額外資源；同時又可考慮這些教材對教學輔助的作用。

9. 書商提供的其他教具、饋贈或贊助，從市場競爭來看，成為新加入這行業者的入市障礙，同時令其他經營者不得不提供相應的饋贈來競爭，來爭取市場，這是亟須關注的問題。

10. 從書商角度來說，這類饋贈可視為是書商的合理的市場推廣成本。然而，當這些贊助或饋贈缺乏透明度時(饋贈些什麼、數量等)，容易產生問題。除了可能衍生的操守問題外，由於書商參加競爭的成本不明朗，會妨礙該行業的競逐性。有意加入這行業供應教科書的書商難以知道在教科書之外的饋贈情況，削弱了他們的競爭能力。

11. 為此，消委會提出以下建議：

- 由教署、廉政公署及學校三方合作制訂指引，區別各種輔助教材/教具的必須性、就各類對校方的贊助及捐獻，厘訂學校可以接受的限度。
- 書商可把必要的教材/教具(即與教科書連成一套的部份)和其他教材/教具分開處理，書商的饋贈，校方詳列於公開的捐贈冊內，作可供查閱的資料，或由書商向學校收取這類其他教材/教具的費用。
- 教署宜研究目前學校接受書商饋贈/贊助的實況，以衡量支付這類教材/教具所需的經費。

此外，教育署應在指引內加入以下規定：

- 學校應在公開的捐贈冊上列出由書商饋贈的任何物品，包括教材/教具，其他器材、贊助或捐贈等，供作可公開查閱的資料。
- 書商送予學校的教科書贈閱本數量越多，會增加書商的成本，從而影響教科書價格。書商的贈閱本，只能予教員使用。學校也應把額外的贈本紀錄於公開的捐贈冊內。

一九九九年三月三十日