

# Chairman's Message

## 主席的話

The consumer rights and protection landscape has changed beyond recognition since the establishment of the Consumer Council in the 1970s. Today's consumers are far more self-empowered, yet some are still vulnerable. With one-third of our population now being over 60, the need to strengthen protection for elderly consumers has become a critical task. Meanwhile, the exponential growth of online transactions presents us with unprecedented challenges, bringing new business practices which require a completely different and multi-pronged approach to educating consumers and safeguarding their interests.

The number and complexity of scams that online consumers encounter are growing by the minute. The same undesirable trade practices seen in the traditional marketplace are also present in online transactions, but with additional risks to the integrity of consumers' personal data. The ultimate goal of the Council is to bring about a safe and trustworthy digital shopping environment that is mutually beneficial to consumers and traders.

自消費者委員會於上世紀70年代成立以來，本港消費維權的生態面貌已變得截然不同。時至今日，雖然消費者更懂得自我保護，但部分人士仍處於弱勢。今天香港人口約有三分之一為60歲或以上，突顯年長消費者保障工作的重要性。與此同時，急速增長的網上交易亦製造了前所未見的挑戰。這些新穎的營商模式，本會要以嶄新及多管齊下的方法來教育和維護消費者權益。

網上詐騙的個案不斷上升，而案件內容亦愈見複雜。網上交易除了出現在傳統市場上常見的不良營商手法外，個人資料被盜用或外洩的風險亦有所增加。故此，為消費者和業界締造一個雙贏、安全和可信賴的數碼購物環境，是本會一直以來的最終目標。



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In the year under review, unfair trade practices continued to be observed in the traditional marketplace, with complaints received by the Council once again rising, notably from unscrupulous and high-pressure sales tactics in fitness centres and beauty services. One of the cornerstones of consumer rights protection is regulatory enforcement. When complaints of undesirable trade practices are received, the Council will use its power to sanction traders, including naming and reprimanding, if deemed appropriate. Coupled with the advocacy of a mandatory cooling-off period, the Council aims to mitigate malpractices and foster a win-win for all – the traders who will amass loyal consumers, the consumers who will receive quality products and services, and Hong Kong which will retain its regional edge as a preferred shopping destination.

In April 2018, the Council published the “Report to Advocate Mandatory Cooling-Off Period” to strengthen consumer protection by calling for the introduction of a mandatory cooling-off period in Hong Kong. A sectoral approach was recommended covering contracts for unsolicited off-premises transactions, distance sales, fitness and beauty services and time share arrangements. The Government responded positively and launched a 3-month public consultation in January 2019. Subject to the outcome of the consultation, the Government plans to introduce the relevant bill to the Legislative Council in the 2019-20 session. The Council looks forward to the early passage of this legislation, which will be an effective deterrent to unfair trade practices and help create a fairer and healthier consumer marketplace for Hong Kong.

Given the city’s ageing population, the Council sees the necessity to scale up its efforts in protecting elderly consumers in our community. An ageing society can contribute to social and economic progress, as longevity also brings new opportunities for development in the “silver economy” including health and nutrition, leisure and well-being, financial services and education. However, the physical and cognitive deterioration of elderly consumers places them in a less advantaged position, making them vulnerable to unfair trade practices.

Our report “Advocacy of Building an Age-friendly Consumption Environment”, published in October last year, showed that the majority of elderly consumers in Hong Kong remain socially active with substantial consumption power, yet there are limited choices of products suited to them in the market, and they might be vulnerable to unscrupulous trade practices. It also revealed that nearly 1 in 4 elderly consumers encountered unpleasant experiences in consumption in the past year such as dishonest retailers, insufficient information about goods/services or the sudden closure of retail stores.

年內，傳統市場上的不良營商手法仍屢見不鮮，相關的投訴數字再度上升，當中尤以健身中心及美容服務的高壓銷售手法最受關注。本會相信，監管執法是保護消費權益的基石之一。如接獲嚴重不良營商手法的投訴，本會將按不同需要行駛職權制裁不良商戶，包括點名譴責。本會亦積極推動落實強制性冷靜期以遏止不當營商行為，最終締造多贏局面—讓商戶建立忠誠的顧客群，消費者又能獲得優質的產品和服務，而香港更可保持購物天堂的地區優勢。

2018年4月，本會發表《倡議設立強制性冷靜期》的研究報告，建議冷靜期涵蓋不同行業和範疇，包括非應邀合約、遙距合約、健身及美容服務合約和時光共享合約。政府對本會建議反應正面，並於2019年1月展開為期3個月的公眾諮詢。根據諮詢結果，政府計劃在2019至2020年度向立法會提交有關法案。本會期望法例可盡早通過，有效遏制不良營商手法，促進本港建構一個更公平和健康的消費市場。

香港人口不斷高齡化，本會深明需要加大力度保障社區內的年長消費者。高齡化社會一方面帶來「銀髮經濟」的新機遇，包括有助休閒與健康、金融服務及教育等行業的發展；不過另一方面，年長消費者在生理和認知上逐步衰退，令他們較易受到不良營商手法的侵害。

去年10月，本會發表《風險或機遇—共建長者友善消費環境的研究》，發現雖然長者的社交生活依然活躍，而且具有相當消費力，但市場上適合他們的產品和服務有限，同時他們較易成為不良營商手法的受害者。研究結果亦顯示，約四分之一長者在調查前的一年內曾遭遇不快的消費經歷，包括商戶不誠實、產品或服務資訊不足、商戶突然結業等等。

We hope the findings of this report will help arouse public concern to address the drawbacks faced by our elderly consumers, and foster opportunities of creating a vibrant “silver market”. In particular, leadership from the Government is essential to embrace consumer protection as part of its holistic approach in formulating elderly-related policies. For example, we recommend studying the needs of elderly consumers, and raising awareness among businesses and other stakeholders of accommodating these needs.

Each year hordes of students from Hong Kong travel abroad for education; however, the vast amount of overseas study information available in the market, the search process for institutions and courses, as well as the subsequent application procedures, often prove cumbersome for students and their parents.

The Council’s report “Are Students Protected? An In-depth Look Into Overseas Education Advisory Services”, published in June 2018, was the first detailed study into this business sector. It revealed that certain so-called “consultants” providing education advice services were in fact acting as the agents for overseas institutions, hence might not truly be working in the best interests of consumers to help them make the right choice. It also uncovered a lack of information transparency in the industry and the absence of contractual obligations for such advisory services, which greatly hampers consumers’ efforts to seek redress when needed. The Council calls on the industry to enhance its transparency, strengthen its code of conduct and accreditation of consultants, promote the use of service contracts and introduce a complaint redress mechanism to safeguard consumer rights and interests.

With technological advancement and tourism development bringing rapid expansion in cross-boundary transactions, the Council has been active in forging ties with consumer organisations across boundaries. During the year, the Council signed 20 Memoranda of Understanding (MoUs) with our counterparts in the Mainland to exchange intelligence on consumer issues and strengthen mutual support for the resolution of consumer disputes. Also in June 2018, in our efforts to promote better protection for outbound travellers, we signed a MoU with the National Consumer Affairs Centre of Japan after a year of liaison and preparation. This is the second MoU the Council has signed with a non-Mainland counterpart, following an agreement with the Korea Consumer Agency the year before. More MOUs and regional collaboration will be developed to enhance dispute resolution in Asia.

Technology is also bringing rapid evolution to the consumption environment. Digital innovations continue to move at lightning speed, transforming the nature of shopping and altering how consumers interact and transact with product and service providers, as well as with each other. Consumer choices in this information-intensive, choice-rich environment can be impaired by challenges relating to misleading or high-pressure business practices, or by security system loopholes in the businesses. A number of high-profile data leakage incidents have clearly signified the urgent need to tighten regulatory requirements on data security and privacy protection.

本會期望研究結果可引起社會大眾對長者友善消費議題的關注和討論，並將人口高齡化帶來的風險，轉化為機遇，開創蓬勃的「銀髮經濟」。其中，由政府牽頭促進長者友善的消費環境，對建構全面的長者關愛政策尤為重要。本會建議深入了解年長消費者的需要，並提升商界及其他持份者對長者友善消費的意識，配合所需。

香港每年有許多學生負笈海外升學，市場上因而充斥大量相關升學、揀選學校及課程、以至隨後申請程序的資訊，對學生及家長來說是花多眼亂，不知從何入手。

消委會於2018年6月發表題為《學生有保障？細看海外教育諮詢服務》的研究報告，是首個針對此行業的詳細研究。報告揭示坊間不少標榜為「顧問」的升學諮詢服務商，實為海外教育機構的中介人，故其升學建議是否從學生的需要或利益出發，成為疑問。另外，研究發現有關行業的資訊透明度不足，亦缺乏諮詢服務的相關合約條款讓消費者有需要時可爭取賠償。本會促請業界提升透明度，強化業內營商守則及行業顧問之認證制度，並引入服務合約及投訴機制，維護消費者權益。

隨著科技進步和旅遊業發展，跨境交易同時亦急速增長，故此本會一直與跨境的消保組織維持緊密聯繫。年內，本會與內地同業簽署20份合作協議，針對不同消費議題作交流，加強雙方解決消費糾紛的決心與相互支持。此外，經過一年磋商和籌備，本會於2018年6月與日本國民生活中心簽署合作協議，為外遊旅客提供更周全的消費保障。這是本會繼2017年與韓國消費者院簽署合作協議後，第二度與非內地的消保組織簽訂同類協議。本會期望日後簽訂更多合作協議及發展地區性合作，以解決亞洲區內的消費爭議。

消費環境因應科技發展而迅速轉變，數碼革新以光速持續演化，為購買模式帶來翻天巨變，同時亦改變了消費者與商品及服務供應者之間的互動和交易模式。身處資訊泛濫、選擇繁多的消費環境，消費者隨時因牽涉誤導、高壓營商行為或商業保安系統的漏洞，而損害權益。本港曾發生數宗備受關注的資料外洩事故，清晰反映收緊資料安全及私隱保障的規管已迫在眉睫。

While digitisation has opened up new opportunities, they should not be embraced to the detriment of consumers who are often not fully aware of their rights, or the remedies available when their rights are infringed. The Government, regulators and the industry need to ensure consumers have access to clear information and education about converged services so they can make informed choices. Proper regulations, the industry's self-discipline, as well as consumer education, can encourage a healthy digital marketplace where consumers and traders can exchange products and services with confidence – but these have to be proportionate and sufficiently flexible to accommodate future innovation.

Consumer trust breeds loyalty, which helps sustain businesses and ensure the success of both traditional and digital marketplaces. Like consumer protection agencies in many other jurisdictions, the Council must continue to keep abreast of the latest development in trade practices and consumption behaviour, given the major challenges the digital age poses to the effective protection of consumer rights in our society.

Looking ahead, the Council has finalised a 3-year strategic plan covering 2019-22, which encompasses 6 major goals guiding the development and direction of its consumer protection work. Notably, the Council will continue to strengthen its capabilities in consumer protection to meet the needs and challenges of the digital consumption environment. Dedicated advocacy work in areas that pose significant and long-term impact to consumers, as well as in safeguarding the interests of youth and elderly consumers, is also our priority in consumer empowerment. With regard to information dissemination, the Council will maintain its commitment to providing impartial and credible information to facilitate more informed and greener consumption. We will also make efforts to explore more effective means of reaching young consumers online by reviewing the development plan and content strategy of the Council's digital platforms.

Finally, I wish to take this opportunity to thank our Council members, our Chief Executive and our staff for their dedication and commitment. I must also pay tribute to past Chairmen, Council members and ex-colleagues who have made invaluable contributions in the past four-and-a-half decades to build a strong foundation for the Council and establish very strong public trust in the work we do. I am most honoured to be appointed as Chairman of the Council on the year of its 45<sup>th</sup> anniversary. I shall endeavour to ensure that the Council will continue to perform its duty with tenacity, moving resolutely with the times to safeguard consumer rights and interests in the years ahead.



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數碼化不斷開創更多新機遇，但不能因此損害消費者的權益。消費者身處其中，往往不清楚自身權益或一旦權益受損時可獲得的補償。政府、監管機構及業界均應確保消費者獲得清晰的資訊及相關教育，讓他們作出知情的消費選擇。恰當的法例規管及行業自律，同時配合消費者教育，有助建立一個健康的數碼市場，讓消費者和營商者進行可信賴的產品和服務交易。有關做法需循序漸進及具備足夠彈性，以配合未來的創新發展。

取信於消費者不單會培養忠誠度，同時亦有利企業持續營運，以成功兼顧傳統及數碼市場。消委會必須跟其他司法管轄區的消保組織攜手向前，了解營商手法及消費行為的最新發展，以應對數碼世代所帶來的各種挑戰，有效保障消費權益。

展望將來，本會已訂下2019至22年的3年工作計劃，發展藍圖確立6大目標，勾劃消委會未來的發展及工作方向。值得注意的是，本會將繼續強化保障消費者的力量，以應對數碼消費環境帶來的需要和挑戰。另外，對消費者有深遠影響的政策倡議，以及有效守護青少年及年長消費者權益的工作，兩者均是本會加強消費者自我保護能力的首要任務。至於傳播訊息方面，本會將秉持承諾，繼續提供公正可靠的資訊，推動消費者作出更知情及更環保的選擇，並透過審視數碼平台的資訊內容發布及發展策略，積極發掘更多有效網上途徑，接觸更多年輕消費者。

最後，本人希望藉此機會感謝本會各委員、總幹事及全人對本會工作的熱誠及付出，同時感謝歷任主席、所有前委員及前全工，在過去四十五年來無私奉獻，為消委會奠下穩健根基，獲得公眾支持，深得民心。本人十分榮幸能夠在消委會成立45周年之際獲委任為主席，並期望於未來的日子確保本會繼往開來，堅決守護消費權益。



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