ADVOCATING A FAIR MARKETPLACE AND LEGAL PROTECTION FOR CONSUMERS

倡議公平市場和消費者的法律權益

For over half a century, the Council has been a leading advocate for a safe, fair and sustainable marketplace that benefits both consumers and traders. This essential role is accomplished through regular in-depth studies on topical consumer issues, and proactive submissions of views and recommendations in response to Government and industry consultations to advocate fair competition, good trade practices and a robust legal framework to protect consumer rights. Decades of effort have resulted in the establishment of industry codes of practice, amendments to current laws, and the introduction of new legislation to strengthen consumer protection. In keeping up with the times, the Council's advocacy has also progressed with paradigms such as e-commerce, artificial intelligence, virtual assets, and digital transformation.

逾半世紀以來，消委會一直致力倡議安全、公平和可持續發展的市場，擔當為消費者與商界締造雙贏局面的重要角色。本會定期就不同熱門消費議題進行深入研究，並積極回應政府及業界的諮詢，為促進公平競爭、良好營商手法，以及完善消保法律框架提出意見及建議。經過多年努力，本會促成業界制定營商守則、修改現行法規，以至訂立多條新法例，多管齊下加強保障消費者權益。本會的倡議工作亦與時俱進，議題擴展至電子商務、人工智能、虛擬資產及數碼轉型等新興消費範疇。

Healthcare

Price Transparency of Private Healthcare Services

With an ageing population and rising life expectancy, Hong Kong faces a significant increase in healthcare service demand and expenditure, alongside an imbalance between the public and private healthcare sectors. Given the variability of medical costs due to the unique and personalised nature of such services, compounded with information asymmetry arising from healthcare professionals' possession of greater medical knowledge than patients, the Council undertook a comprehensive study titled *"Price Transparency in Healthcare: Fostering Consumer Trust and Value"*, aiming to empower consumers when using private healthcare services and foster greater consumer trust in the private healthcare sector.

醫療

私營醫療服務的價格透明度

隨著人口高齡化及預期壽命持續增長，香港正面臨醫療服務需求及開支大幅上升，以及公私營醫療系統失衡的問題。醫療服務屬獨特及個人化服務，因此病人支付的醫療費用也不盡相同。此外，醫療人員較病人擁有更豐富的醫學知識，造成資訊不對稱。有見及此，本會進行了一項題為《信心與價值：提升醫療價格透明度》的深入研究，旨在保障消費者使用私營醫療服務時的權益，並提升他們對私營醫療系統的信心。

Visit https://www.consumer.org.hk/en/advocacy/study-report/private_healthcare_services_study or scan the QR code to read the full report of *"Price Transparency in Healthcare: Fostering Consumer Trust and Value"*

請瀏覽 https://www.consumer.org.hk/tc/advocacy/study-report/private_healthcare_services_study，或掃瞄二維碼閱讀《信心與價值：提升醫療價格透明度》報告全文。

Published in March 2025, the study adopted a mixed-method approach[8] to examine the **concerns** and **pain points** experienced by consumers throughout the patient journey in using private healthcare services:

研究報告於 2025 年 3 月發表，採用綜合研究方法[8]探討消費者在使用私營醫療服務過程中的**疑慮**和**痛點**：

8. The mixed-method approach comprised (i) a consumer survey targeting patients of PHs and DPCs; (ii) in-depth user interviews with patients; (iii) a trader survey targeting PHs and DPCs; (iv) desktop research and phone enquiries; (v) pre- and post-study engagements with stakeholders; (vi) analysis of the Council's complaint cases; and (vii) review of price transparency regulatory regimes in selected markets.
綜合研究方法，包括：(1) 以私家醫院和日間醫療中心的病人為對象的消費者問卷調查；(2) 與病人進行深入訪談；(3) 以私家醫院和日間醫療中心為對象的商家問卷調查；(4) 桌面研究及電話查詢；(5) 在研究前後與持份者進行交流；(6) 分析消委會接獲的投訴個案；以及 (7) 檢視選定市場的價格透明度監管制度。

5 recommendations were put forward for enhancing price transparency and fostering greater consumer confidence in Hong Kong's private healthcare sector:

本會提出了以下 5 項建議以提升私營醫療服務的價格透明度及加強消費者對私營醫療界別的信心：

Recommendation 1 - Improve Consumers' Accessibility to Price Information with a Search Tool
建議 1：通過搜尋工具便利消費者獲取價目資料

- Day procedure centres (DPCs) to provide online price information
  日間醫療中心在網上提供價目資料
- Government to develop presentation guidelines on price lists and HBS to increase consistency
  政府就收費表和過往收費統計數據的呈現方式提供指引，以提高一致性
- Government to develop a centralised historical price indexes database with proper search functions:
  由政府建立過往收費指數中央資料庫，並配備合適的搜尋功能：
  - Timeliness 適時性
  - Detailedness 詳盡性
  - Readability 易讀性

Recommendation 2 - Promote the Use of Packaged Charges
建議 2：推廣使用醫療套餐

- Government to provide guidelines for designing and marketing medical packages
  政府為醫療套餐的設計和推廣提供指引
- PHs/DPCs to introduce more packages for different levels of medical conditions
  私家醫院／日間醫療中心推出更多適合不同病情的醫療套餐
- Government to work with the trade (including medical and insurance sectors) and develop a common coding mechanism for the treatments to facilitate comparison among healthcare facilities, as well as doctor-patient communication
  政府聯同業界（包括醫療及保險界別）建立一套通用於醫療機構的療程編碼機制 ，方便比較不同醫療機構的套餐及協助醫患溝通

Recommendation 3 - Require the Provision of a Clear and Written Budget Estimate
建議 3：要求提供清晰和書面的服務費用預算

- PHs/DPCs to provide written and detailed budget estimates to patients prior to undergoing treatments
  私家醫院／日間醫療中心在進行療程前，以書面形式向病人提供詳盡的服務費用預算
- Government to provide clear guidelines on:
  政府就以下措施訂立清晰指引：
  - Disclosure of identities of anaesthetists and other specialists, and valid period for the estimate
    披露麻醉科醫生和其他專科醫生身分及服務費用預算有效期
  - Timeframe in issuing revised estimate
    提供修改服務費用預算的時限

Recommendation 4 - Enhance the Current Regulatory Framework on Price Provision, and Complaint Handling Mechanism on Price Matters
建議 4：優化現行關於提供價目資料的監管框架及處理收費爭議的機制

- PHs/DPCs to develop guidelines on:
  私家醫院／日間醫療中心就以下範疇訂立指引：
  - Accountability of provision and explanation of information to patients
    釐清向病人提供及解釋資料的責任
  - Enhancing service quality of consumer-facing staff
    加強前線員工的客服技巧和質素
- Government to gather feedback from users of PHs/DPCs on the reasons and challenges for lodging complaints regarding price issues for continuous improvement
  政府向曾使用私家醫院／日間醫療中心服務，並就相關收費提出投訴的使用者收集意見，了解箇中原因並持續作出改善
- PHs/DPCs to enhance accessibility of complaint channels and mechanisms regarding price issues
  私家醫院／日間醫療中心就收費事宜建立更便利消費者的投訴渠道及機制
- When Government considers regulatory actions, to include non-compliances with price transparency measures to ensure industry governance
  政府在考慮規管行動時，加入針對違反收費透明度措施，以監察行業合規情況

Recommendation 5 - Strengthen Consumer Education Through Multi-channels and Collaborative Efforts
建議 5：多方合作加強消費者教育

- Government to promote price transparency measures
  政府廣泛推廣收費透明度措施
- Government to educate consumers about their right to information
  政府教育消費者了解自己享有的知情權
- Consumers to follow the 5 questions to enquire with healthcare providers before treatments (including necessity of the treatment, risks/side effects, alternatives, consequence of not conducting the treatment, and costs)
  消費者在接受治療前，向醫療服務提供者提出 5 條問題（包括治療的必要性、風險／副作用、替代方案、不接受治療的後果、成本支出）

Considering the significant relevance of private healthcare price transparency to consumers, the study's findings and recommendations received great attention from the media and stakeholders, which were mostly positive and supportive. The Council is pleased to note that the Government is preparing for the consultation exercise on exploring legislation for private healthcare price transparency, taking into account the content of the study report and the operational experience of the Pilot Programme for Enhancing Price Transparency for Private Hospitals, with plans to consult the relevant sectors in 2025. In the way forward, the Council will continue to advocate for the adoption of the study's recommendations and maintain its efforts in public education and industry monitoring.

鑑於私營醫療服務的價格透明度與消費者息息相關，本研究的結果及建議引起媒體及持份者的廣泛關注，而大部分反應正面及予以支持。本會樂見政府正籌備探討私營醫療價格透明度立法的諮詢工作，而當中亦參考了本研究報告的內容及「提高私家醫院收費透明度的先導計劃」的運作經驗，並計劃在 2025 年向相關業界進行諮詢。展望將來，本會將繼續推動落實本研究的建議，並持續進行公眾教育及業界監察的工作。

Finance and Investment

Enhancements to the Banking Ordinance

In its submission to the Hong Kong Monetary Authority's (HKMA) consultation on proposed enhancements to the Banking Ordinance (BO), the Council sought to ensure the changes could keep abreast of global developments in the banking sector and enhance consumer protection.

While supporting the proposal of engaging skilled persons to provide flexibility for the Monetary Authority (MA) to seek assistance in performing his functions under the BO, the Council suggested that the MA should particularly consider engaging cybersecurity experts and climate risk specialists, to foster the sustainability of the banking sector. The HKMA should also draw up guidelines over the appointment of skilled persons and auditors, and consider incorporating into the BO to require them to report to the MA on matters that may risk the interests of banking consumers.

Regarding other proposed amendments, the Council:

- Sought clarification from the HKMA on whether imposing a 7-year time limit of the prohibition on persons from acting as employees of Authorized Institutions would weaken its gatekeeping power;
- Urged the HKMA to publish guidelines via readily accessible and consistent channels to ensure Authorized Institutions and the public would not miss crucial information; and
- Suggested the HKMA explore the inclusion of other important conditions, in addition to "public interest", for initiating the resolution of financial institutions, such as the interests of persons affected (e.g. depositors).

Regulation for Over-the-Counter Trading of Virtual Assets

The Council provided views to the Financial Services and the Treasury Bureau on the legislative proposals to regulate over-the-counter (OTC) trading of virtual assets (VA). In consideration of the risks of money laundering/terrorist financing and fraud associated with VA OTC trading, the Council supported widening the regulation of VA activities by bringing in VA OTC services under a new licensing regime.

The Council provided principle-based suggestions to enhance the proposed regime from a consumer protection perspective, which include:

- Ensuring stringent oversight and enforcement are in place to avoid potential abuse of regulatory loopholes;
- Actively monitoring the market development and ascertaining the need to update the definition of VA OTC activities;
- Covering temporary custody/escrow services as part of the transaction process with specific requirements in aspects such as duration and protection measures;
- Specifying requirements in terms of disclosure, reporting and alerting, complaint handling, risk management, record keeping and advertising with reference to those in the regulatory regime for VA trading platforms;
- Providing further instructions regarding the transitional period and renewal process in the future;
- Intensifying public education; and
- Keeping pace with international development.

金融及投資

優化《銀行業條例》

香港金融管理局（金管局）就《銀行業條例》的建議優化措施進行諮詢，本會提出意見，致力確保相關改動能緊貼全球銀行業的發展，並加強消費者保障。

本會支持聘用具相關技能人士的建議，以賦予金融管理專員（「專員」）彈性，在相關人士協助下，履行其在《銀行業條例》下的職能，並同時建議專員尤應考慮聘用網絡安全專家及熟悉氣候風險的專業人士，以促進銀行業的可持續發展。金管局亦應就具相關技能人士及核數師的委任制訂指引，並考慮在《銀行業條例》中規定他們須向專員報告可能影響銀行客戶利益的事宜。

關於其他建議修訂，本會提出：

- 要求金管局釐清為條文中禁止個人擔任認可機構僱員的規定設下 7 年時限，會否削弱其把關能力；
- 促請金管局透過便捷且一致的渠道刊登指引，以確保認可機構及公眾不會錯過任何重要資訊；及
- 建議金管局在研究啟動處置金融機構的條件時，除「公眾利益」外，加入其他重要考慮條件，例如受影響人士（如存戶）的利益。

規管虛擬資產場外交易

本會就規管虛擬資產場外交易的立法建議向財經事務及庫務局提供意見。鑑於虛擬資產場外交易牽涉洗錢／恐怖分子資金籌集及詐騙等風險，本會支持設立虛擬資產場外交易服務發牌制度，以擴大對虛擬資產活動的監管。

為提升該擬議制度，本會從消費者保障的角度提供了原則性建議，包括：

- 確保嚴謹的監管和執法，以防監管漏洞遭濫用；
- 積極監察市場發展，適時提出更新虛擬資產場外交易活動的定義；
- 涵蓋作為交易流程一部分的臨時保管／暫存服務，並在保存期限、保障措施等方面列出具體要求；
- 參考虛擬資產交易平台的規管制度，訂明披露、匯報及提示、投訴處理、風險管理、紀錄保存及廣告宣傳等方面的規定；
- 就過渡期及將來的續期安排提供進一步指引；
- 加強公眾教育；及
- 與國際發展保持一致的步伐。

Artificial Intelligence

Enhancement of the Copyright Ordinance Regarding Protection for Artificial Intelligence (AI) Technology Development

The Commerce and Economic Development Bureau and the Intellectual Property Department proposed the enhancement of the Copyright Ordinance (CO) regarding the protection for artificial intelligence (AI) technology development.

The Council supported the authorities' effort in reviewing the CO to ensure Hong Kong's current copyright regime keeps up with the times. The Council provided principle-based considerations when enhancing the CO from a consumer protection perspective, which include:

- Reviewing the scope and duration of copyright protection of AI-generated works to keep up with the rapid advancements in technology;
- Developing clear enforcement guidelines based on court judgments around the globe to give lucid directions in the lawful use of AI; and
- Setting guidelines to ensure machine accuracy in identifying copyright owners' preference of opting out from text and data mining.

The Council believes that enhancing transparency of AI models and AI-generated content is crucial to protect consumers' right to know. Measures such as indicating content sources, adding watermarks or labels on AI-generated content, and enhancing the traceability of AI works, could facilitate consumer-users in identifying AI-generated works. Meanwhile, different jurisdictions had different regulatory approaches towards copyright issues, which increased the difficulty in enforcement. The Council suggested that collaboration with international counterparts is indispensable when considering the enhancement of the CO. The Council also considered it fundamental to put in educational efforts to ensure that the public and technology industry have adequate knowledge of the relevant regulations while developing or adopting AI.

The issue of copyright and AI is still a topic of ongoing debate among experts, policymakers, and stakeholders globally. The Council will continue to monitor the global momentum of regulatory developments for insights into catalysing technological progress while the interests of creators and consumer-users would be well protected.

人工智能

完善《版權條例》以保障人工智能技術發展

商務及經濟發展局和知識產權署提出完善《版權條例》以保障人工智能技術發展。

本會支持當局著力檢視《版權條例》，以確保本港現行的版權制度與時俱進。就完善《版權條例》，本會從保障消費者的角度提出是次檢視所需的原則考量，包括：

- 檢視人工智能生成作品的版權保護範圍和期限，以跟上一日千里的科技發展步伐；
- 根據國際間法院的判決來制定清晰的執法指引，為如何合法使用人工智能提供明確的方向；及
- 訂立指引以確保人工智能機器能準確辨識版權擁有人「選擇退出」文本及數據開採的意願。

本會相信提升人工智能模型和人工智能生成內容的透明度對保障消費者的知情權必不可少。為方便消費者用戶識別人工智能生成作品，創作者可標明內容來源，在人工智能生成的內容附加水印或標籤，增強人工智能作品的可溯源性。與此同時，不同司法管轄區監管版權問題的方式不一，增加了執法難度。本會建議在考慮完善《版權條例》時，必須與國際相關組織保持緊密合作交流。本會亦認為，在開發或採用人工智能的同時，必須加強教育工作，確保大眾和科技行業對相關法規有充分的了解。

版權及人工智能仍然是全球專家、政策制定者和持份者熱議的議題。本會將繼續監察國際間的監管發展，以深入了解如何在推動科技發展的同時，充分保障創作者和作為消費者的用戶的權益。

Auto-fuel Price Monitoring

The auto-fuel retail prices in Hong Kong, being one of the most expensive in the world, have long been of concern to the public. In the past year, the Council continued to closely monitor the auto-fuel market, in particular the pricing and information dissemination. Through collating and publishing auto-fuel prices and discount information to the public, the Council strove to enhance information transparency of the market, facilitating smart comparison by consumers and fostering fair competition.

Since the launch of the revamped "Oil Price Watch" website and mobile application in November 2020, the website and application recorded about 9.27 million and 10.3 million accumulative page views respectively as of the end of March 2025, of which about 2.48 million and 1.62 million page views were recorded in the year under review (i.e. April 2024 - March 2025). As for the "Oil Price Watch" application, the cumulative number of downloads since its launch increased by around 15% to 108,221 downloads in the year under review.

Looking ahead, the Council will continue to closely monitor the auto-fuel market and urge oil companies to improve the transparency and accessibility of price and discount information for the benefit of consumers.

車用燃油價格監察

本港油價位處於全球油價排行榜前列的位置，長期備受公眾關注。過去一年，本會繼續密切監察車用燃油市場，特別是價格及資訊發布方面。本會透過整理及向公眾發布油價及優惠資訊，提升市場資訊透明度，便利消費者精明「格價」，促進公平競爭。

自 2020 年 11 月推出全新的「油價資訊通」網站及手機應用程式以來，截至 2025 年 3 月底，網站及手機應用程式分別錄得約 927 萬及 1,030 萬的累計瀏覽次數。當中本報告年度（即 2024 年 4 月至 2025 年 3 月）錄得的瀏覽次數分別為 248 萬及 162 萬。至於「油價資訊通」手機應用程式，其累計下載次數達 108,221 次，較上一個報告年度錄得約 15% 增長。

未來，本會將繼續密切監察車用燃油市場，並促請油公司優化油價及優惠資訊的透明度，確保消費者能容易獲取相關資訊。

Industry Codes of Practice

As stipulated in the Consumer Council Ordinance, the Council plays a vital role in collaborating with industries and developing codes of practice. The Council established the Laundry Code in 2015 and Jewellery Code in 2017, in collaboration with the laundry industry and retail jewellery industry associations respectively. To ensure ongoing effectiveness, the Council continued to conduct annual meetings with relevant trade associations to assess the implementation of the Codes and keep track of the latest industry developments. With the ongoing development of the jewellery industry, the first revision of the Jewellery Code was launched in March 2025 to address the latest changes in legal requirements and promote industry integrity in business operations in the digital era.

行業營商守則

根據《消費者委員會條例》，本會擔當與業界合作及制訂行業營商實務守則的重要角色。本會分別於 2015 年及 2017 年與洗衣業及珠寶零售業商會攜手制訂了《洗衣業營商實務守則》及《珠寶零售業營商實務守則》。為確保守則行之有效，本會持續與相關行業商會舉行年度會議，以檢視守則的實施情況，並跟進最新行業發展。隨著珠寶業的發展，《珠寶零售業營商實務守則》在 2025 年 3 月完成首次修訂，以應對最新法例要求，並促進業界在數碼時代下誠信經營。