

# The Consumer Council

## 消費者委員會

The Consumer Council is a statutory body established in 1974. Pursuant to the Consumer Council Ordinance (Cap 216), the Council's functions are to protect and promote the interests of consumers of goods and services and purchasers, mortgagors and lessees of immovable property by:

- a. collecting, receiving and disseminating information concerning goods and services and immovable property;
- b. receiving and examining complaints and giving advice to consumers of goods and services and purchasers, mortgagors and lessees of immovable property;
- c. taking such action as it thinks justified by information in its possession, including tendering advice to the Government or to any public officer;
- d. encouraging business and professional associations to establish codes of practice to regulate the activities of their members; and
- e. undertaking such other functions as the Council may adopt with the prior approval of the Chief Executive in Council.

### Membership of the Council

The Chairman, Vice-Chairman and Members are all appointed by the Chief Executive of the HKSAR for a term of service not exceeding two years. They may be reappointed upon expiry of their respective terms of office.

In the year under review, Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP, resigned from the Council as Chairman upon his appointment as Secretary for Transport and Housing on 1 July 2012. Prof. WONG Yuk-shan, BBS, JP was appointed to succeed Prof. CHEUNG on 1 January 2013.

Mr. William CHAN Che-kyong, Dr. Polly CHEUNG Suk-yeet, Prof. Ron HUI Shu-yuen, Mr. Philip LEUNG Kwong-hon and Mr. Michael LI Hon-shing, KSJ, BBS, JP retired from the Council. Mr. Godfrey LAM Wan-ho, SC, JP resigned on 10 January 2013 upon his appointment as Judge of the Court of First Instance of the High Court. Six new Members, namely, Ms. Grace CHAN

消費者委員會是法定組織，於一九七四年成立。委員會根據《消費者委員會條例》(第216章)，職責為保障及促進貨品和服務消費者、及購買、抵押及承租不動產人士的權益。其工作包括：

- a. 蒐集、接收及傳遞有關貨品、服務及不動產的資訊；
- b. 接收及審查貨品及服務的消費者投訴、以及不動產的購買人、按揭人及承租人的投訴，並向他們提供意見；
- c. 根據所得資料採取相應行動，包括向政府或任何公職人員提供意見；
- d. 鼓勵商業及專業團體制訂工作守則，規管屬下會員的活動；及
- e. 承擔任何經由行政長官會同行政會議審批的其他職能。

### 委員會委員

主席、副主席及各委員均由香港特別行政區行政長官委任，任期不超過兩年，但任期屆滿後可再獲委任。

年內，張炳良教授，金紫荊星章，太平紳士於二零一二年七月一日獲委任為運輸及房屋局局長而辭任本會主席一職，現任主席黃玉山教授，銅紫荊星章，太平紳士於二零一三年一月一日接任。

此外，陳志光先生、張淑儀醫生、許樹源教授、梁光漢先生及李漢城先生，英國聖約騎士勳章，銅紫荊星章，太平紳士卸任；林雲浩資深大律師，太平紳士於二零一三年一月十日獲委任高院原訟法庭法官後辭任本會委員。陳文宜女士、陳淑芳女士、梁少康博士、李健虎先生、沈孝欣醫生、黃錦輝教授，榮譽勳章加入委員會。委員會名錄見附錄一。

Man-Yee, Ms. Jo Jo CHAN Shuk-fong, Dr. Raymond LEUNG Siu-hong, Mr. Keith LIE Kin-fu, Dr. Karen SHUM Hau-yan and Prof. WONG Kam-fai, MH, joined the Council. A list of the Council Members is at Appendix 1.

The Council wishes to express its heartfelt thanks to Prof. the Hon. Anthony CHEUNG and the retired Members for their support, devotion and guidance. Special thanks are due to Prof. CHEUNG for his dedicated leadership, under which the Council had made significant advancement in enhancement of legal protection for consumers. Three key legislation, namely, the Competition Ordinance, the Residential Properties (First-hand Sales) Ordinance, and the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance had been passed in 2012. During his tenure, new initiatives, such as price surveillance, Shopsmart website for Mainland visitors and the 19th Consumers International World Congress, were brought to fruition. Under Prof. CHEUNG's support and advice, these initiatives had further reinforced Council's role in the promotion of consumer rights, in both the local territory and the international arena.

## Council and Committees

The Council meets bi-monthly. Committees and working groups are set up to examine specific areas of consumer concern for the Council. Apart from the efforts of Council's Members, the Council draws input from time to time from professionals of relevant disciplines as Co-opted Members in order to benefit from their specific expertise.

During the year under review, a Preliminary Working Group on Class Action was set up to give advice on the basic issues to be addressed by the Council or the Consumer Legal Action Fund regarding the proposed introduction of class action in Hong Kong. The Consumer Complaints Review Committee was merged into the Trade Practices Committee to form the Trade Practices and Consumer Complaints Review Committee.

Both the Working Group on Consumer Issues relating to Residential Property and the Advisory Group on Investment Strategy were dissolved. The former had completed its main task and the latter had its functions taken over by the Staff and Finance Committee for enhancement of the overall effectiveness of the Council's committee structure.

A list of Committees/Working Groups and their Members is at Appendix 3.

本會衷心感謝張炳良教授及各離任委員對本會的支持和貢獻，特別對張教授致深切謝意。在張教授的領導下，本會在加強消費者法律保護方面的工作取得重要成果。三條主要法例：《競爭條例》、《一手住宅物業銷售條例》及《商品說明（不良營商手法）（修訂）條例》，分別於二零一二年先後於立法會通過。此外，在張教授任內，消委會推出多項新的工作方案，例如價格調查、為內地旅客而設的「精明消費香港遊」網站、第十九屆國際消費者聯會全球會議等。在張教授的支持及指導下新方案進一步鞏固本會在香港及國際間推動消費者權益的角色。

## 委員會及小組

委員會每兩月召開會議，設有小組委員會及工作小組，專責處理特定消費者課題，並不時邀請外界專才加入各小組為增選委員，提供專業意見。

年內，委員會成立了集體訴訟初步研究工作小組，負責研究有關香港引入集體訴訟對委員會及對消費者訴訟基金的影響。此外，委員會亦把商營手法研究小組及消費者投訴審查小組合併為商營手法研究及消費者投訴審查小組。

委員會亦同時解散了住宅物業消費者問題工作小組及投資策略小組，前者已完成其主要任務，後者則把其功能轉交予人事及財務小組負責，以整合委員會整體結構，加強效率。

小組委員會及工作小組的成員名錄見附錄三。

## The Council Office

The Council Office, headed by the Chief Executive, has an establishment of 135 staff.

The Council Office operates with six functional divisions, namely the Resources Management and Administration Division, Complaints and Advice Division, Consumer Education Division, Legal Affairs Division, Public Affairs Division and Research and Trade Practices Division. The organisation chart of the Council Office is at Appendix 4.

The Consumer Council is an equal opportunities employer operating with due emphasis on sustainable development issues in support of environmental protection. In 2012-13, the number of disabled employees represented 0.7% of the Council Office's permanent establishment.

## Finance

The Council derives its income mainly from Government subvention. Other sources of income (about 5%) include proceeds from the sale of the Council's publications.

Total recurrent and non-recurrent expenditures for the year under review were \$86 million and \$7 million respectively.

The Auditor's Report and financial statements for the Council's accounts are at Appendix 5.

## 消委會辦事處

以總幹事為首的消委會辦事處共有職員135人。

消委會辦事處的工作，由六個部門推行：資源管理及行政部、投訴及諮詢部、消費者教育部、法律事務部、公共事務部、及研究及商營手法事務部。委員會的組織架構見附錄四。

消委會是提供平等機會的僱主，辦公室運作重視環境保護，本年度僱用的傷健職員，佔常額編制的0.7%。

## 財政

本會經費主要來自政府資助，其他收入(約5%)來自出版刊物等。

年內的經常及非經常開支分別為8,600萬元及700萬元。

核數師報告和各財務報表分別見附錄五。