

First successful prosecution of renovation company and its staff member for engaging in wrongly accepting payment

A renovation company and a male staff member of the company were convicted of engaging in wrongly accepting payment, in contravention of the Trade Descriptions Ordinance (TDO), on March 14 at West Kowloon Magistrates' Courts. The renovation company was fined \$30,000 on the same day while the male staff member was sentenced to 80 hours of community service order today (March 28). This is the first successful prosecution in which a trader had wrongly accepted payment in the sale of renovation service.

Hong Kong Customs earlier received information alleging that a male staff member of a renovation company had engaged in unfair trade practices in the sale of demolition service.

After investigation, it was revealed that during a site inspection, the male staff member was aware that the materials of the rooftop structures were under statutory control and a notice was required to be submitted 28 days prior to the commencement of the works. However, at the time of accepting payment from two consumers, the staff member promised to complete the works on a schedule which would last for less than 28 days. The staff member eventually failed to complete the demolition works on schedule.

Customs reminds traders to comply with the requirements of the TDO and consumers to procure services at reputable shops.

Under the TDO, any trader commits an offence if at the time of acceptance of payment, the trader intends not to supply the product or intends to supply a materially different product, or there are no reasonable grounds for believing that the trader will be able to supply the product within a specified or reasonable period. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected violation of the TDO to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).