

[Fitness salesperson receives 15-month jail term in heaviest-ever penalty for TD0 case](#)

A salesperson and a fitness trainer of a fitness centre were sentenced today (October 4) after conviction for engaging in aggressive commercial practices, in contravention of the Trade Descriptions Ordinance (TD0), at Eastern Magistrates' Courts. They were sentenced to immediate imprisonment for 15 months and nine months' imprisonment suspended for two years respectively. The duo were also ordered by the court to pay compensation of \$1,600 to the victim. The 15-month imprisonment is the heaviest sentence ever for a case of unfair trade practice since the TD0 was amended in July 2013.

Hong Kong Customs welcomes the sentences, saying that a clear warning has been made and a considerable deterrent effect has been imposed on unscrupulous practitioners.

The department earlier received a report alleging that a salesperson and a fitness trainer of a fitness centre in Causeway Bay had engaged in unfair trade practices in the supply of fitness services.

Investigation revealed that the salesperson and the fitness trainer used aggressive commercial practices to coerce the customer into procuring fitness club membership and personal training lessons. They tempted the case's young victim with a free gift and took him from the street to the fitness centre. Inside the centre, the victim was lured to sign fitness plan agreements. The duo then pressured him to make payment with his credit card and bank card.

Criminal prosecutions were initiated subsequent to evidence collection by Customs. The trainer pleaded guilty at Eastern Magistrates' Courts earlier.

Customs reminds traders to comply with the requirements of the TD0. Consumers are also reminded to procure services from reputable shops.

Under the TD0, any trader commits an offence of engaging in aggressive commercial practices if harassment, coercion or undue influence is used to impair the consumer's freedom of choice or conduct in relation to the product concerned, causing the consumer to make a transactional decision. 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 TD0 to Customs' 24-hour hotline 25456182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).