

Government gravely concerned about sudden closure of Brilliant Education

In response to media enquiries, a Government spokesman today (July 31) expressed grave concern about the sudden closure of Brilliant Education and stated that appropriate actions had been taken.

Upon receiving enquiries and requests for assistance from parents of students of the school concerned regarding tuition fee refund on July 25, 2023, the Education Bureau (EDB) immediately contacted the person-in-charge of the school, who indicated at that time that the school had not ceased operation and it operated as usual on July 26, 2023. Subsequently, the EDB received further enquiries and requests for assistance. The school announced its closure on July 29, 2023.

The EDB confirmed that a centre of the school located in Kowloon City District is not registered under the Education Ordinance (Cap. 279). The other five centres located in Hong Kong East district have been registered under the Education Ordinance as private schools offering non-formal curriculum (hereafter referred to as PSNFCs). The EDB will follow up with the non-compliance of the Kowloon City Centre in a serious manner in accordance with the Education Ordinance.

The EDB issues circular memoranda to schools every year, distributes leaflets to parents and students through schools, and broadcasts announcements in the public interest on television and radio to remind students and parents of the points to note on choosing PSNFCs (including tutorial schools). The EDB reminds members of the public to be mindful of their rights and interests when enrolling in these programmes, including paying tuition fees on a monthly basis instead of in a lump sum.

The Hong Kong Customs immediately set up a dedicated team to follow up and contact all informants to enquire about the details of each case after receiving reports. Customs also tried to contact the person-in-charge and staff members of Brilliant Education to conduct follow-up investigations.

When handling reports concerning sudden business suspension or cessation of a trader hence failing to provide consumers with prepaid goods or services, Customs investigates in the direction of the offence of wrongly accepting payment under section 13I of the Trade Descriptions Ordinance (TDO), including the operation situation of the trader concerned before business suspension is announced. Customs takes into account the actual situation and relevant evidence of each individual case in order to ascertain whether the case is in contravention of the TDO. Should there be any violation of the TDO, Customs will take immediate enforcement actions to protect the lawful interest of consumers. Customs reminds traders to comply with the requirements of the TDO. Consumers are also reminded to procure services at reputable shops and keep the transaction receipts and related

records, which can become basic information in case a complaint is lodged in the future. Members of the public may report any suspected violations of the TDO to Customs' 24-hour hotline 2545 6182, its dedicated crime-reporting email address (crimereport@customs.gov.hk) or online form (eform.cefs.gov.hk/form/ced002/).

The Consumer Council stated that for payments made with credit card, consumers may try to request the credit card issuer to apply on their behalf to the merchant's bank for a refund of the unused amount of the pre-payment. However, whether the amount can be successfully recovered depends on a number of factors including date of payment and payment by instalments. On the other hand, if a liquidator has been appointed by the merchant, the consumer may register as a creditor with the liquidator.

As at 6pm on July 31, Customs and the Consumer Council received 219 and 63 relevant reports respectively, involving about \$1.83 million and \$0.66 million. The Government spokesman again urged other consumers who have purchased the services concerned to contact Customs and/or the Consumer Council as soon as possible.