

Hong Kong Customs combats unfair trade practices by fitness centre

Hong Kong Customs today (April 27) arrested a staff member of a fitness centre suspected of applying false trade descriptions and engaging in aggressive commercial practices in the course of selling fitness services, in contravention of the Trade Descriptions Ordinance (TDO).

Customs officers earlier received information that a staff member of a fitness centre in Kowloon Bay falsely claimed to a customer that the membership fee could be settled by monthly instalments when selling a permanent fitness membership. However, the customer found that the fitness centre charged the whole membership fee in one go when settling the payment and then made a request to cancel the transaction. Nevertheless, the staff member said the customer could not be able to continue using another membership procured earlier if the transaction was cancelled.

At last, the customer paid around \$12,000 to procure a 40-month fitness membership under the coercion of the staff member, who was suspected of applying a false claim to the payment method as well as imposing undue influence and using aggressive commercial practices to force the customer to procure the fitness service.

After investigation, Customs officers today arrested a 32-year-old woman suspected to be in connection with the case. Investigation is ongoing.

Customs reminds traders to comply with the requirements of the TDO and consumers to procure services at reputable shops. Consumers should firmly refuse to sign any documents if they do not clearly know the content and price of the service to be provided, or have no intention to purchase the service.

Under the TDO, any person who in the course of any trade or business applies a false trade description to any services commits an offence. Any trader also commits an offence of engaging in aggressive commercial practices if harassment, coercion or undue influence is used to impair a consumer's freedom of choice or conduct, causing the consumer to make a transactional decision. The maximum penalty upon conviction for each of the above offences is a fine of \$500,000 and imprisonment for five years.

Stressing its priority given to consumer rights protection and zero tolerance for unfair trade practices by fitness centres, Customs pledges that it will continue its stringent enforcement action against unscrupulous traders.

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