

Hong Kong Customs special operation combats unfair trade practices by fitness centre

Hong Kong Customs has mounted a special operation codenamed "Stormbreaker" since mid-May to combat unfair trade practices by fitness centres. One case of alleged aggressive commercial practices in the course of selling fitness services, in contravention of the Trade Descriptions Ordinance (TDO), is now under investigation. A total of over \$900,000 was involved in the service contracts, which is a record amount for one single case involving unfair trade practices by a fitness centre detected by Customs since the TDO was amended in July 2013. Three persons have been arrested so far.

Customs officers earlier received information alleging that staff members of a fitness centre in Mong Kok imposed undue influence and used aggressive commercial practices when selling fitness services to a customer, forcing the customer to procure the fitness services.

Subsequent to an in-depth investigation, Customs officers took enforcement action from May 22 to yesterday (May 25), resulting in the arrest of one director and two salespersons of the fitness centre whose ages range between 22 and 38.

Operation "Stormbreaker" is ongoing.

The Group Head (Unfair Trade Practice Investigation), Ms Suzette Ip, said at a press conference today (May 26) that Customs will continue to pay close attention to the operation mode and market dynamics of the fitness industry to combat unfair trade practices by fitness centres.

She reminded traders that they must comply with the requirements of the TDO. Consumers are also reminded to procure services from reputable shops, and stay vigilant if they are told to pay by gift card or cash voucher of another shop. They must also firmly refuse to sign any document and make any payment if they do not intend to make a purchase.

Under the TDO, any trader 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 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, Customs pledges that it will continue its stringent enforcement actions against unscrupulous traders.

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).