

Toy shop owner convicted of engaging in commercial practices involving misleading omission

A toy shop owner was sentenced to carry out 150 hours of community service by Eastern Magistrates' Courts today (December 23) following earlier conviction for engaging in commercial practices involving misleading omission in the course of selling toy models, in contravention of the Trade Descriptions Ordinance (TDO). He was also ordered to offer a total of \$1,200 in compensation to the victim involved and to pay court costs of \$500.

Hong Kong Customs earlier received information alleging that a toy shop owner had engaged in unfair trade practices in the sale of toy models through a social media platform page.

An investigation revealed that the owner sold five types of toy models through the page and claimed that the goods were in stock but did not reveal the inventory status of the goods to the consumers. Eventually the owner failed to provide the relevant goods to the consumers after receiving initial payment.

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

Under the TDO, any trader who engages in a commercial practice that omits or hides material information or provides material information in a manner that is unclear, unintelligible, ambiguous or untimely, or fails to identify its commercial intent and as a result causes, or is likely to cause, an average consumer to make a transactional decision commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

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).