

Two fitness centre directors cum salespersons imprisoned for conspiracy to engage in aggressive commercial practices

Two directors cum salespersons of a fitness centre were sentenced to three weeks' imprisonment today (November 12) after earlier convictions of conspiracy to engage in aggressive commercial practices in the course of selling fitness services, in contravention of the Trade Descriptions Ordinance (TDO), at West Kowloon Magistrates' Courts. They were also ordered by the court to pay a compensation of \$28,500 in total to the victim of the case.

Hong Kong Customs earlier received information alleging that the staff members of a fitness centre in Mong Kok had engaged in unfair trade practices when selling fitness services, and coerced a customer to procure a personal fitness trainer contract.

After an investigation, it was revealed that staff members of the fitness centre had lured the victim to sign an agreement for procuring a personal fitness trainer plan by asking her to complete a questionnaire. The two directors cum salespersons involved in the case later pressured the victim to provide her bank account information and balance and to make an instant payment for the contract by means of cash and bank account transfer.

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

Under the TDO, 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 TDO to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).