



RESOLVING DISPUTES BETWEEN CONSUMERS AND BUSINESSES

調停消費者與營商者之間的糾紛

The Council seeks redress for consumers by means of conciliation through which disputes are resolved between consumers and traders by mutually acceptable agreements. Complaints are a useful source of information which may sometimes lead to the issue of timely alerts to the public about trade malpractices while enabling law enforcement agencies to take relevant actions.

消委會致力調停

消費者與營商者之間的糾紛，以求達致雙方滿意的和解方案。由消費者投訴個案中所獲得的資料，不但有助本會適時向公眾發出有關不良營商手法的消費警示，亦有助相關執法部門採取適當行動。

Complaints and Enquiries Received

Complaints and enquiries are received via telephone, fax, correspondence or the internet. During the year, 87% of all enquiries were received by telephone, while 54% of complaints were lodged in writing or via the internet.

Complaints Statistics Breakdown

During the year, a total of 101,560 enquiries and 29,547 complaints were received, representing a 6% decrease in the number of complaint cases compared with 31,334 in 2013-14.

Although the Council is not a law enforcement agency and it does not possess any investigative powers, the Council was able to achieve a high resolution rate of complaint cases by means of conciliation: at 73% of cases with pursuable grounds in 2014-15 (See Fig 4). For cases where traders refused to settle or offer redress, the complainants were advised to seek redress via other channels, including civil action⁶.

投訴及諮詢

本會透過電話、傳真、書信及互聯網接收消費者的諮詢及投訴。本年度接獲的諮詢有87%來自電話；投訴方面則有54%透過書面及互聯網提出。

消費投訴統計

本年度本會共接獲101,560宗消費諮詢及29,547宗消費投訴。相對2013-14年度共接獲31,334宗投訴個案，輕微下跌6%。

雖然本會並非執法部門，並沒有調查權力，在2014-15年度有73%可跟進的個案，經本會調停獲得解決(見圖四)。對於商號拒絕協商或和解的個案，本會會建議投訴人考慮循其他途徑解決或提出民事訴訟⁶。

FIG.1 COMPARISON OF COMPLAINTS IN THE PAST 3 YEARS

圖一 過去三年接獲的投訴數字

Year 年份	2012-13	2013-14	2014-15
Total number of complaints 投訴個案總數	26,955	31,334	29,547

⁶ See Appendix 6 for contact information of Consumer Advice Centres. 消費者諮詢中心的聯絡資料見附錄六。

FIG.2 TOP TEN CONSUMER COMPLAINTS ON INDUSTRIES IN 2014-15

圖二 2014-15年度首十位消費投訴行業

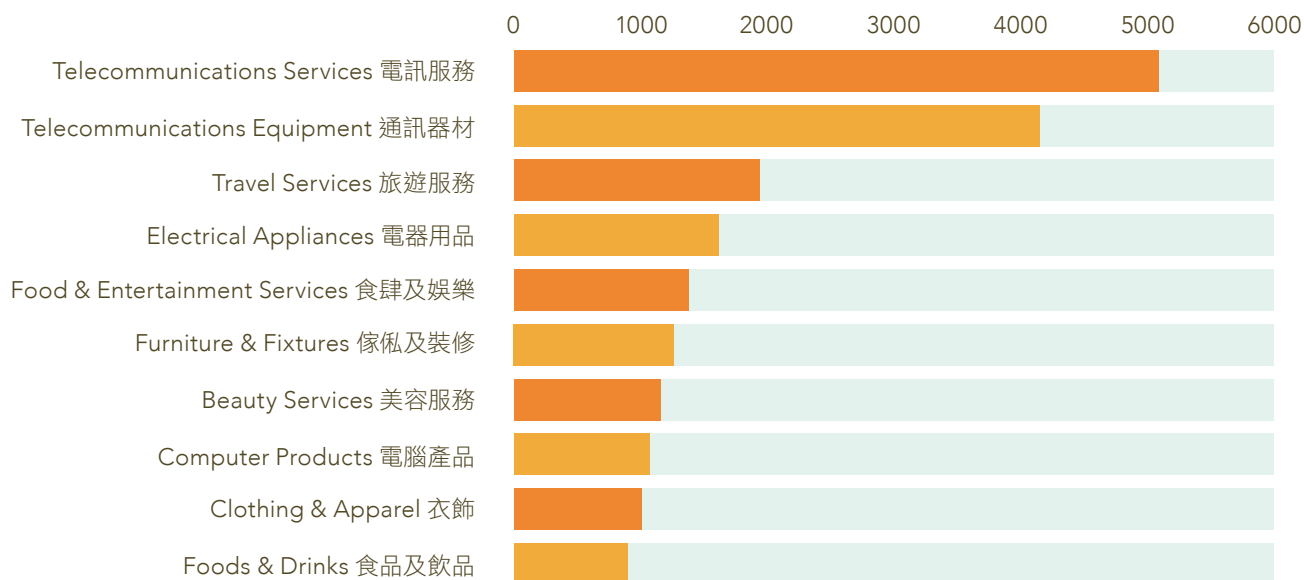


FIG.3 NATURE OF CONSUMER COMPLAINTS IN 2014-15

圖三 2014-15年度投訴性質

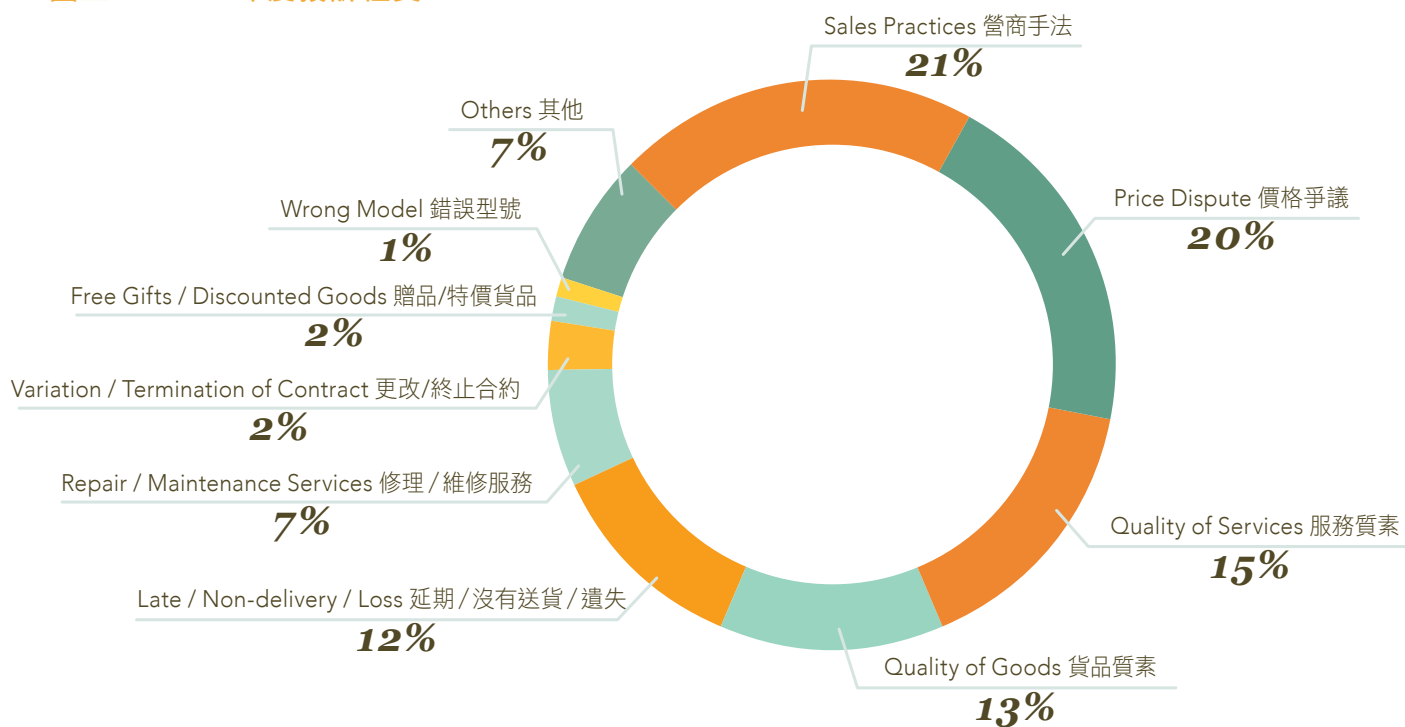


FIG.4 RESOLUTION RATE OF CASES WITH PURSUABLE GROUNDS IN 2014-15
圖四 2014-15年度調停成功率

Total number of cases received 投訴總數	29,547
No. of cases with pursuable grounds 可跟進的投訴個案 ⁷	20,622
No. of cases in progress 仍在跟進中的個案	1,545
No. of cases resolved 獲得解決的個案	13,894
Resolution rate 調停成功率	73%

Top Five Consumer Complaints

1 Telecommunications Services

Despite a significant drop of 23% over the preceding year, telecommunications services continued to be the top category receiving the most complaints with 5,091 cases in 2014-15. The bulk of the complaints were related to disputes concerning fees and charges (57%) and the quality of services (19%).

2 Telecommunications Equipment

Complaints relating to telecommunications equipment came second with a hefty rise of 79% from 2,325 cases in 2013-14 to 4,152 cases in 2014-15. Nearly 96% of the complaints (3,974 cases) involved mobile phones, including 2,361 cases of consumer dissatisfaction over the pre-order sales of a newly launched smartphone in high demand. The nature of the complaints was mainly about sales tactics (1,657 cases) and late or non-delivery of products (1,053 cases).

3 Travel Services

Travel services came third as disputes related to travel services rose year by year and recorded 1,941 cases, an increase of 19% compared with that of 2013-14. Disputes regarding airline services and air tickets drew 743 cases and 619 cases, representing an increase of 67% and 15% respectively. Sea cruise cases recorded an increase close to threefold from five cases last year to 23 cases this year. Complaints were mostly about price disputes (593 cases), quality of services (543 cases) and late/non-delivery of services (408 cases) which included flight delay and cancellation.

4 Electrical Appliances

Electrical appliances came fourth with 1,614 cases, a slight drop of 6% over the year before. Quality of goods (38%) and repair and maintenance (32%) were the main areas of disputes within this category.

5 Food And Entertainment Services

The number of complaints in relation to food and entertainment services remained in the top five categories with 1,381 cases, although it witnessed a drop of 12% compared with that of 2013-14. Service quality (414 cases), sales practices (288 cases) and charge disputes (273 cases) were the major areas of customer dissatisfaction.

首五位消費投訴

1 電訊服務

有關電訊服務的投訴於2014-15年錄得5,091宗，較去年下跌23%，但仍繼續居於榜首。大部分投訴涉及收費爭議（57%）及服務質素（19%）。

2 通訊器材

第二位是通訊器材，共有4,152宗，其升幅十分顯著，較去年的2,325宗增加了79%。近96%的個案與手提電話有關（3,974宗），其中2,361宗個案涉及消費者不滿意一款熱賣的新型號智能電話的預售安排。這類別的投訴主要涉及銷售手法（1,657宗）及延遲/未能發送產品（1,053宗）。

3 旅遊服務

有關旅遊服務的投訴位列第三位，其投訴數字逐年上升，2014-15年共有1,941宗，較去年上升19%。針對航空公司服務及售賣機票的投訴分別為743宗及619宗，升幅分別為67%和15%。有關郵輪服務的投訴錄得三倍升幅，由去年5宗增加至23宗。投訴主要涉及價格爭議（593宗）、服務質素（543宗）及延遲/未能提供服務（408宗），當中包括航班延誤或取消。

4 電器產品

電器產品的投訴位列第四，共錄得1,614宗，較去年輕微下跌6%。此類產品的投訴主要涉及產品質素（38%）及維修服務（32%）問題。

5 食肆及娛樂服務

有關食肆及娛樂服務的投訴仍然維持於第五位，個案較去年下跌12%，共有1,381宗。主要引起消費者不滿的問題包括服務質素（414宗）、銷售手法（288宗）及價格爭議（273宗）。

⁷ Anonymous complaints, cases with insufficient information, and complaints outside the Council's terms of reference are in general non-pursuable. 匿名投訴、個案資料不足，及在本會工作範圍以外的投訴，在一般情況下屬未能跟進的個案。

Trends of Consumer Complaints

Online Shopping Disputes on the Rise

As online shopping has become part of people's daily life, complaints arising from this activity reached 5,403 cases, an increase of 52% over last year, and involving spending of over HK\$20 million. Most complaints stemmed from purchase of mobile phones (2,336 cases, up 497%) followed by online booking of air tickets and accommodation (1,102 cases, up 42%). Among these complaints, 35% involved sales practices (1,869 cases, up 365%) alleging that the terms and conditions of the online purchase were not clearly explained to or readily available for consumers at the time of placing orders. Disputes arising from late or non-delivery of goods or services purchased online recorded 1,797 cases, an increase of 30% and postal and courier services 43 cases, an increase of 115%.

While enjoying the convenience of internet shopping, consumers need to be vigilant of the terms and conditions of the offers to ensure their rights and obligations under the contract. The traders, on the other hand, are urged to build a sound online shopping mechanism and a fair transaction platform to boost consumer confidence.



消費投訴的趨勢

網上購物爭議顯著上揚

隨著網上購物成為人們生活的一部分，本會在本年度接獲5,403宗有關網上購物的投訴，較去年上升52%，涉及金額超過港幣2000萬。投訴主要源於網上訂購手提電話（2,336宗，上升497%），其次是網上預訂機票及酒店（1,102宗，上升42%）。當中35%的投訴涉及營商手法（1,869宗，上升365%），主要由於網上銷售條款不夠詳盡或交易時未能清楚向消費者展示銷售條款。另外，本年度牽涉延遲/未能發送產品及服務的個案有1,797宗（上升30%），有關郵寄及送遞服務的個案有43宗（上升115%）。

除了享受網上購物的方便，消費者亦須要加倍留意相關交易的條款細則，換句話說，自身的合約權利及責任。另一方面，本會亦促請商戶建立有效的網上購物機制及公平交易平台，以加強消費者的信心。

Double-digit Drop in Tourist Complaints

The Council received a total of 2,623 tourist complaints in 2014-15, a drop of 11% from the previous year. Complaints filed by Mainland tourists continued to be the overwhelming majority with 2,150 cases, albeit a 10% reduction compared to last year.

The more common tourist complaints were related to expensive Chinese herbs/ginseng (324 cases) and a sharp increase of 80% was recorded compared to last year. Medicine/health food (305 cases, down 34%) and telecommunications equipment (273 cases, down 14%) came second and third on the list. Most of the complaint cases involved sales malpractices (1,117 cases), representing 43% of all tourist complaints and an 11% increase over the past year.

To strengthen protection of consumer against unfair trade practices, the Council has been working closely with the Customs and Excise Department and exchanging updated information with it on trade practice related complaints.

旅客投訴錄得雙位數跌幅

本年度本會共接獲2,623宗旅客投訴，總數較去年下跌11%。儘管內地旅客的投訴較去年減少10%，其錄得的投訴仍然是壓倒性的大多數達2,150宗。

旅客投訴普遍涉及購買貴價的中藥材/人參（324宗），與去年比較，升幅為80%。成藥/保健食品（305宗，下跌34%）及通訊器材（273宗，下跌14%）則位列最多旅客投訴的第二和第三位。當中大部分，共有1,117宗投訴涉及商戶的銷售手法，佔總旅客投訴43%，升幅較去年多11%。

為打擊不良營商手法和加強消費者保障，本會與香港海關緊密合作，通報投訴資料和互換訊息。



The Council regularly releases complaint statistics to alert the public about shopping entrapment.

消委會不時公布投訴數字，讓公眾對消費陷阱有所警惕。



Naming of Malpractice Traders

In July 2014, an online shop selling infant products was named by the Council for malpractices. It was the first ever public naming against online sales tactics detrimental to consumer interests.

The Council had received over 91 consumer complaints against the trader, involving an amount of HK\$285,000, for partial or non-delivery of goods and undue delay or failing to provide full /partial refund for non-delivery of goods.

The naming exercise served as timely alert to consumers and deterrence to dishonest traders especially the online ones.

點名公布不良商店

本會於2014年7月，因一個售賣嬰幼兒用品的網站的不良營商手法，對其作公開譴責。這是本會首次就網上損害消費者利益的銷售行為而作出的點名行動。

本會共錄得91宗針對該網站的投訴，其不良手法包括未能或只部分交付訂購貨品、延誤退款或只退回部分或甚至未能退回任何款項，涉及金額達港幣285,000元。

公開譴責的目的是要向經營手法不當之商號，尤其網上經營者，發出阻嚇訊息，並向消費者提供適時警示。

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