

RESOLVING DISPUTES BETWEEN CONSUMERS AND BUSINESSES

調停消費者與營商者之間的糾紛

One of the Council's most important functions is helping consumers seek redress through conciliation, whereby disputes are resolved through mutually acceptable agreements. This role has become especially prominent in the past year, with the COVID-19 pandemic bringing significant disruption to different marketplaces and changes in consumption patterns. While the Council is not a law enforcement agency and does not hold any investigative powers, it maintains close liaison with the authorities to combat unscrupulous trade practices by exchanging information and facilitating law enforcement action. The Council also actively monitors the marketplace and releases timely alerts to consumers.

消委會其中一個重要職能是透過調停方式，協助消費者尋求買賣雙方均可接受的和解方案。去年，2019 冠狀病毒病肆虐，市場及消費模式大受影響，消委會處理糾紛的角色更形重要。即使本會並非執法部門，亦沒有調查權力，本會仍然與有關部門保持緊密聯繫，並且配合執法行動，互通資訊，以打擊不良營商手法。同時，本會亦持續積極監察市場營商手法，適時向公眾發出消費警示。

Complaints and Enquiries

The Council received 64,528 enquiries and 28,590 complaints in 2020-21, representing a 6% decrease and 8% increase year-on-year (YoY) respectively. Among the complaint cases, 14,066 (49%) involved services and 14,524 (51%) were related to goods. A significant growth in the use of eForm was noted as a result of social distancing measures and the temporary closure of Consumer Advice Centres during the pandemic. Complaints sent via the Council's website accounted for 74% (21,044 cases) of the overall complaint cases received, compared with 68% (18,049 cases) in 2019-20. Enquiries were still predominantly made via telephone (90%).



投訴及諮詢

在 2020-21 年度，本會共接獲 64,528 宗消費諮詢及 28,590 宗消費投訴，按年分別下跌 6% 及上升 8%。投訴個案當中，14,066 宗 (49%) 涉及服務，14,524 宗 (51%) 與貨品有關。由於疫情期間實施社交距離措施，以及本會的諮詢中心曾一度關閉，透過網上投訴表格提交的投訴有明顯增加，佔總投訴 74% (21,044 宗)，較 2019-20 年度的 68% (18,049 宗) 為高。此外，以電話查詢繼續是消費諮詢的主要渠道，佔總諮詢 9 成。

Overview

Complaints related to “Medical & Health Devices” leapt from ninth in 2019-20 to the leading category in 2020-21, with 4,116 cases recorded. Almost 97% of these (3,972 cases) were related to face masks, a staggering increase of almost 5.6 times when compared with the 604 cases in 2019-20. “Late / Non-delivery / Loss” contributed to a sizeable share of complaints (69%) in face mask related cases, the upswing a result of delayed shipment or non-delivery to customers as traders were overwhelmed by the unexpected surge in orders during the early stages of the pandemic. Complaints related to “Travel Matters” recorded 3,488 cases, placing as the second most common category in 2020-21. This was mainly due to thwarted travel plans in the wake of the COVID-19 pandemic, which started in February 2020.

As the pandemic persists, the “stay-at-home economy” has propelled the popularity of online shopping, resulting in a total of 11,728 complaints recorded in 2020-21, attributing to 41% of the overall complaints. It also represented a sharp increase of 72% in complaint cases when compared with that of the previous year. Among them, 33% were related to Medical & Health Devices, mainly regarding “Late / Non-delivery / Loss”, “Price / Charges Dispute” and “Sales Practices” related to face masks. Another 20% were on Travel Matters, mostly related to “Variation / Termination of Contract”, “Price / Charges Dispute” and “Shop Closure”.

In addition, owing to the suspension of face-to-face lessons, complaints regarding “Education Matters” showed a significant increase of 71% with 801 cases recorded. “Wedding Services” complaints increased almost 1.8 times with 238 cases, stemming mainly from the rescheduling of wedding services and the termination or variation of service contracts as a result of social distancing restrictions.

More positively, the Council’s overall success rate in resolving these cases saw an uptick from 62% to 67% YoY (See Fig.4) owing to an above-average success rate in the handling of Travel Matters (82%) and Medical & Health Devices-related complaints (73%).

With social unrest extending into the first half of 2020-21, coupled with the outbreak of COVID-19 from the beginning of the year, business activities and consumer transactions were severely affected, making conciliation even more difficult as traders became less willing to settle the case in the face of declining revenue. In general, if traders refused to settle a case, the complainant would be advised to seek redress via alternative channels such as legal action.

Top 5 Complaint Categories

1. Medical & Health Devices

Complaints relating to medical and health devices reached a record high of 4,116 cases, representing a YoY increase of 422%. In this category, almost 97% (3,972 cases) were related to face masks, as traders were overwhelmed by the unexpected surge in orders from customers in the early stages of the pandemic, resulting in delayed shipment or non-delivery. The remaining 100-odd complaints were related to “Massage Chairs / Sofa / Products”, “Medical Aids” and “Infra-red Devices”. Among all the complaints, “Late / Non-delivery / Loss” accounted for 67%, while another 28% were related to “Price / Charges Disputes” (11%), “Sales Practices” (10%), and “Quality of Goods” (7%).

概覽

有關醫藥及健康設備的投訴由 2019-20 年度的第 9 位躍升至 2020-21 年度的第 1 位，共錄得 4,116 宗投訴。當中約 97% (3,972 宗) 與口罩相關，比去年度的 604 宗大幅增長約 5.6 倍，個案主要涉及延誤 / 沒有送貨 / 遺失 (69%)。個案數字上升與疫情初期，商戶接收大量訂單後延誤送貨或未能供貨有關。旅遊事務的相關投訴則有 3,488 宗，於 2020-21 年度排第 2 位，主要因為消費者自 2020 年 2 月起受疫情影響而未能按原定計劃出遊。

疫情持續，「宅經濟」促使網上零售盛行，本會於 2020-21 年度共接獲 11,728 宗與網購相關的投訴，佔總投訴 41%，較去年度大幅增加 72%。當中 33% 與醫藥及健康設備相關，投訴主要是涉及與口罩相關的延誤 / 沒有送貨 / 遺失、價格爭議及營商手法問題。另外 2 成是與旅遊事務相關的投訴，大部分涉及更改 / 終止合約、價格 / 收費爭議及結束營業。

此外，由於暫停面授課程，進修相關的投訴顯著上升 71%，共錄得 801 宗。不少婚禮服務亦因實行社交距離措施而改期，導致需更改或終止服務合約，故與婚禮服務有關的投訴上升近 1.8 倍，共錄得 238 宗。

可喜是，鑑於調停旅遊事務及醫藥及健康設備相關投訴的成功率高於平均水平，分別為 82% 及 73%，令本會的整體調停成功率由去年度的 62% 提升至 67% (見圖 4)。

隨著 2019 年的社會事件延續至 2020-21 的上半年度，加上冠狀病毒病疫情於年初爆發，經濟活動及消費交易均大受影響，商戶收入減少，解決糾紛的意欲相對降低，令調停工作變得更為困難。一般而言，如商戶拒絕就個案與消費者達成共識，本會建議消費者透過其他渠道追討，例如採取法律行動。

首 5 位消費投訴類別

1. 醫藥及健康設備

有關醫藥及健康設備的投訴數字創紀錄新高，錄得 4,116 宗，較上年度上升 422%。其中有關口罩的投訴個案佔近 97% (3,972 宗)，因為疫情初期訂單數量急劇上升令商戶不勝負荷，出現延誤運送或沒有送貨的情況。餘下一百餘宗的投訴分別與按摩椅 / 沙發 / 產品、醫療輔助用品和紅外線設備有關。於整個醫藥及健康設備類別中，有關延誤 / 沒有送貨 / 遺失的投訴佔 67%，而另外有 28% 投訴分別涉及價格 / 收費爭議 (11%)、營商手法 (10%) 及貨品質素 (7%)。

2. Travel Matters

There were 3,488 travel-related complaints, representing a YoY drop of 8%. With the global aviation and travel industries brought to a standstill by the pandemic, consumers' travel plans were seriously disrupted and complaints related to air tickets showed a 42% YoY rise, accounting for over 85% of the complaints in this category. Tour-related complaints plunged by 83%, with 70 cases recorded. Among all travel-related complaints, the key areas of contention were "Variation / Termination of Contract" (53%), "Price Disputes" (30%) and "Shop Closure" (10%). While some airlines or travel agents agreed to cancel the trips or refund consumers in the wake of COVID-19, delays in the refund process caused further dissatisfaction to those affected.

3. Telecommunication Services

Complaints against telecommunication services ranked third with a total of 2,230 cases recorded, a YoY drop of 17%. The types of service mainly involved mobile phone services (49%) and internet services (27%). The disputes largely involved mobile and fixed-line telephone charges (36%), quality of services in respect of poor reception and customer support (22%) and sales practices in promoting new service plans (17%).

2. 旅遊事務

有關旅遊事務的投訴錄得 3,488 宗，比去年同期下跌 8%。全球航空及旅遊業受到新冠疫情影響而停擺，消費者的外遊計劃因而被打亂。此類別的投訴逾 85% 與機票相關，按年上升 42%。另一方面，與外遊旅行團相關的投訴急跌 83%，僅錄得 70 宗。旅遊事務投訴主要與更改 / 終止合約 (53%)、價格爭議 (30%) 及結束營業 (10%) 有關。雖然因應新冠疫情，有部分航空公司及旅行社同意取消行程或向消費者退款，惟退款程序延誤亦令受影響的消費者更為不滿。

3. 電訊服務

電訊服務的投訴位居第 3 位，共錄得 2,230 宗，較上年度下跌 17%。服務主要包括流動電話服務 (49%) 及互聯網服務 (27%)，而爭議主要涉及流動和固網電話收費 (36%)，其次是關於接收欠佳及客戶支援服務不足的服務質素問題 (22%)，以及推銷新服務計劃的營商手法 (17%)。

Fig. 1 Complaint Trends in the Past 3 Years

圖 1 過去 3 年接獲的投訴數字

Year 年份	2018-19	2019-20	2020-21
Total number of complaints 投訴個案總數	25,326	26,545	28,590
YoY changes 按年變動	-	+5%	+8%

Fig. 2 Top 10 Consumer Complaints by Industry in 2020-21

圖 2 2020-21 年度首 10 位涉及消費投訴的行業

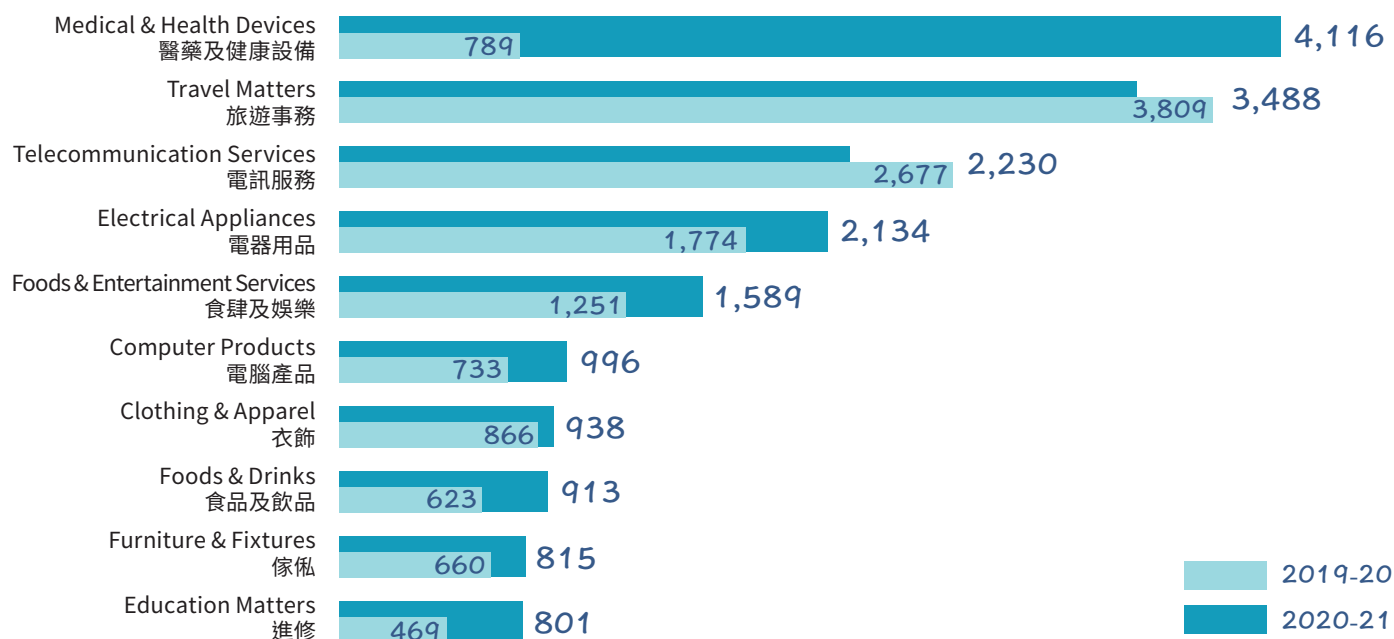


Fig. 3 Nature of Consumer Complaints in 2020-21

圖 3 2020-21 年度之投訴性質

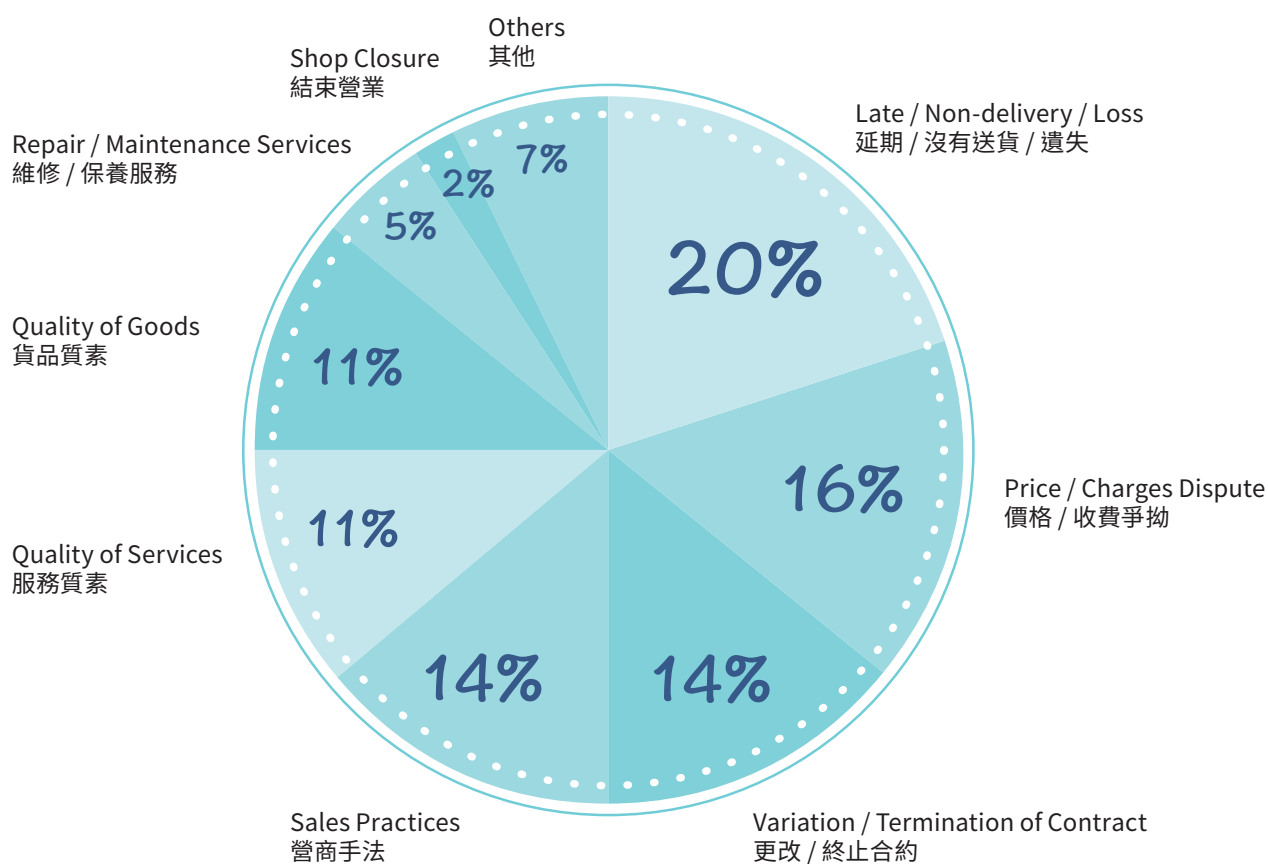


Fig. 4 Resolution Rate of Cases with Pursuable Grounds in 2020-21

圖 4 2020-21 年度調停成功率

Total number of cases received 投訴總數	28,590
Number of cases with pursuable grounds ⁶ 可跟進的投訴個案 ⁶	21,140
Number of cases in progress 仍在跟進中的個案	3,031
Number of cases resolved 獲得解決的個案	12,200
Resolution rate 調停成功率	67%

⁶ 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案件。

4. Electrical Appliances

The fourth highest complaint category was electrical appliances, rising 20% from the previous year with 2,134 cases received – probably a result of people spending more time at home during the pandemic. The top 3 most complained-about appliances were the same as last year, namely television sets (14%), air-conditioners (13%) and washing machines (11%). Concerns about the “Quality of Goods” (30%) and “Repair / Maintenance Services” (28%) accounted for more than half of the complaints.

5. Food & Entertainment Services

Food and entertainment services recorded 1,589 complaint cases, a 27% YoY upsurge which placed it as the category attracting the fifth most complaints. Restaurants (27%), fast food outlets (14%) and public performances (4%) were the most common subjects of complaint, relating mainly to “Price Disputes” (18%) and “Quality of Services” (17%). Owing to the surge in demand for online food delivery services during the pandemic, complaints in this area soared by almost 2.2 times, from 144 cases in the previous year to 456 cases in 2020-21.

Trends of Consumer Complaints

Economic Impact of the COVID-19 Pandemic and Trends Prediction

2020-21 was an unprecedented year overshadowed by the coronavirus pandemic, which has brought significant changes to people's daily lives, consumer behaviour and spending patterns. Looking ahead, despite public anticipation of control of the pandemic as vaccinations start picking up momentum worldwide, the prospect of economic recovery in 2021-22 is still hard to predict. It is highly dependent on factors such as the emergence of variant strains, the effectiveness of vaccines, the resumption of individual and business activities, and the recovery of international commerce and travelling.

However as the pace of recovery pans out, clear changes have been observed in consumer behaviour and spending patterns that seem likely to continue in the post-pandemic era. Online shopping has become more prevalent and increasingly versatile. Constrained by the anti-epidemic measures, including working from home, social distancing and restricted travel, people have tended to spend more time at home and shift their spending patterns from shopping at brick-and-mortar shops to online platforms. It can be foreseen that online transactions for consumer goods, food delivery, medical supplies and home entertainment will continue to grow. In line with this, complaint cases related to online shopping swelled 72% YoY to 11,728 cases in 2020-21, with the biggest growth (698%) seen in medical and health devices, mainly involving surgical masks and sanitisers.

In the area of travel, however, it may take some time for public confidence to be restored, even after the pandemic has been completely contained and the protective effects of vaccinations start to kick in worldwide. Once this happens, tourist complaints and disputes related to travel matters can be expected to surge in the coming years.

4. 電器用品

電器用品的投訴位居第4，共接獲2,134宗，按年上升20%，這或與疫情期間市民較長時間留在家中有關。接獲投訴最多的3類家電與上年度相同，分別為電視機（14%）、冷氣機（13%）和洗衣機（11%）。當中逾半投訴涉及消費者對貨品質素（30%）及維修/保養服務（28%）的不滿。

5. 食肆及娛樂

食肆及娛樂相關的投訴數字位列第5，共錄得1,589宗投訴，較上年度顯著上升27%。投訴主要與餐廳（27%）、快餐店（14%）及公眾娛樂表演（4%）有關，當中主要涉及價格爭議（18%）及服務質素（17%）。疫情下市民對外賣點餐平台服務需求大增，以致2020-21年度相關的投訴飆升至456宗，對比上年度144宗升近2.2倍。

消費投訴的趨勢

2019冠狀病毒病疫情對經濟的影響及投訴趨勢預測

2020-21年度在前所未有的疫情陰霾下致令市民的日常生活、消費行為及模式帶來重大改變。展望將來，儘管公眾期盼隨著全球密鑼緊鼓地進行疫苗接種，疫情能早日結束，然而，經濟復甦的前景取決於多種因素，於2021-22年度仍然難以預測，例如變種病毒的出現、疫苗的成效、個人及經濟活動的恢復和國際商貿及旅遊的復甦。

隨著復甦步伐展開，但因疫情而明顯改變的消費行為和模式，或可能會於疫情後持續。網上購物愈趨盛行及多樣化，加上受限於在家工作、社交距離及旅遊限制等防疫措施，市民傾向留在家中，使消費模式從實體商店消費轉為網上購物，可預視消費品、外賣點餐、醫療用品及居家娛樂的網上交易將會持續上升，而有關網上購物的投訴數字於2020-21年度已上升72%至11,728宗，當中以醫藥及健康設備錄得最大升幅（698%），其中主要包括外科口罩及消毒用品。

在旅遊方面，即使疫情完全受控及疫苗開始在全球產生保護作用，公眾或許仍需要一段時間重拾信心。然而當市民對外遊恢復信心，預計有關旅遊的投訴及爭議會於未來數年上升。

