



# CONSUMER COUNCIL

**Annual Report**  
**消費者委員會年報**  
**2011-2012**

Hong Kong

香港

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# Foreword . 前言

This year saw the fruition of the Council's continuous efforts in championing better consumer protection legislation. Years of hard work has proved to be worthwhile with the passage of two pieces of important legislation at the time of writing this report, namely the Competition Bill and the Residential Properties (First-hand Sales) Bill.

The Council strongly believes that a fair and competitive marketplace would be of immense benefit to consumers, providing a wider choice of products and services possibly at cheaper prices and of better quality. Only if consumer interests are well protected could businesses survive and prosper in the long run. It is therefore most gratifying to see the Competition Bill finally enacted in June 2012, nearly 20 years after the Council first advocated such legislation in 1993.

For most consumers, residential property is likely to be the single most expensive and significant purchase in their life. The Council has been actively urging better regulation in the property sales market and our efforts can be traced back to the mid-1980s when we first took the lead in seeking a standard measurement method for saleable floor area of uncompleted flats. The passage of the Residential Properties (First-hand Sales) Bill in June 2012 is the result of years of persistent lobbying by the Council and is a historical breakthrough in protecting the consumer interests of potential buyers of private residential properties.

Recognising that disputes related to unfairness in consumer contracts are the root of many consumer complaints, the number of which is fast increasing in the service sector, the Council launched the report "Unfair Terms in Standard Form Consumer Contract" in April 2012. This Report proposes the adoption of fair terms in standard-form consumer contracts and the implementation of a cooling-off period to safeguard consumer rights. We are greatly encouraged by the positive response from the trades and the community, and hope that the drafting guidelines and sample contract which accompany the Report will help businesses review and improve their standard-form contracts for better consumer protection.

The Council welcomes the proposal put forward by the Law Reform Commission during the year to introduce a regime for class action to be implemented incrementally, starting with consumer cases. This will surely strengthen the role of the Council in administering the Consumer Legal Action Fund as a trustee since its establishment in 1994. The Council will actively engage in the ensuing discussions on this significant proposal.

消費者委員會一直爭取改善消費者保障法例，今年喜見成果。經多年努力，兩條重要的法例：《競爭條例》及《一手住宅物業銷售條例》在編寫這年報時，已獲通過。

本會深信公平及競爭的市場，可提供更多產品及服務給消費者選擇，價錢應較廉宜，品質亦可能較佳，令消費者獲益。長遠而言，消費者權益得到保障，企業方能生存及發展。本會於一九九三年首度促請立法保障市場競爭，《競爭條例》於差不多二十年後，即今年六月通過，本會深感欣慰。

對大部分消費者來說，住宅物業可說是一生中最昂貴及重要的交易。因此，本會致力爭取進一步監管物業銷售市場，並早於八十年代中，已率先尋求量度樓花實用面積的標準方法。立法會於二零一二年六月通過《一手住宅物業銷售條例》，實為本會多年持續推動的成果，是保障私人住宅物業買家消費權益的歷史性突破。

不少消費投訴源自不公平消費合約，當中涉及服務行業的投訴數目急速上升。有見及此，本會於二零一二年四月發表《公平條款 互利共贏》標準格式消費合約不公平條款報告，當中建議於標準格式消費合約中採納公平條款，及加入冷靜期，以保障消費者權益。我們很高興看到社會及商界的正面回應，並希望報告中的指引及合約範本，可協助企業從保障消費者權益角度，檢討及改善其標準格式合約。

本會歡迎法律改革委員會於年內提出的建議，以循序漸進實施的方式引入集體訴訟機制，並先由消費者個案開始。這肯定會加強本會自消費者訴訟基金在一九九四年成立起，以受託人身份管理基金的角色。本會將積極參與這項重要建議往後的討論。




In addition to the above achievements on the legislative front, we are aware that there is much to be followed up in collaboration with the Government and the business sector to ensure the successful implementation of the statutes. Writing at this point in time, we are also looking forward to the enactment of the Trade Descriptions (Unfair Trade Practices) (Amendment) Bill before the present legislature stands prorogued. If passed, the law will extend its coverage from sales of goods to service provisions and strengthen the existing consumer protection legislative framework against deceptive, misleading and unfair trade practices.

Meanwhile, the Council is confronted with an upsurge of consumer complaints relating to online group purchase which has become very popular in recent years following the rapid development in information technology. Consumer grievance mainly arises from traders' failure to deliver goods or services, often caused by the sudden closure of business or overselling of coupons. In response, the Council has been closely monitoring the market situation and stepping in at the early stage of emerging issues with a view to minimising the impact on consumers. We also caution consumers to be aware of the potential risks when shopping via internet and to take extra care when purchasing on line.

As a Member of the Executive and the Council of Consumers International, the Consumer Council continues to play an active role at the international arena. In the year under review, we strengthened our collaboration with the United Nations Conference on Trade and Development (UNCTAD) and provided exchange programmes for Lao and Ecuador. Visitors from these developing countries were introduced to all aspects of the Council's work. It is hoped that Hong Kong's experience can serve as a useful reference for the development of suitable consumer protection framework in their own countries.

In closing, I wish to take this opportunity to express my sincerest gratitude for the support and goodwill from the community at large, and from Government departments and the business sector in particular, to the work of the Council. My deep appreciation also goes to fellow Council Members for their valuable contribution, and to all Council staff for their hard work and perseverance. With faith in our important mission, the Council will continue to strive for excellence in meeting the challenges ahead for the best interest of consumers.



Professor Anthony Cheung  
Chairman, Consumer Council  
June 2012

我們於保障消費者法例方面取得以上成績，但深明仍需與政府及商界緊密合作跟進，以確保法例能夠成功落實。在撰寫此文時，我們期望立法會在今屆會期完結前通過《商品說明(不良營商手法)(修訂)條例草案》。修訂獲得通過後，法例涵蓋的範圍將由貨品擴展至服務，並會加強現行針對詐騙、誤導及不公平營商手法的法律框架。

隨着資訊科技快速發展，網上團購近年越趨普及。與此同時，有關團購的投訴數目急劇上升。消費者普遍不滿商戶未能依約提供服務或貨品，不少涉及商戶突然結業或換領券超賣的情況。我們密切監察市場情況，在問題出現的初期及時採取行動，以減低對消費者的影響。我們同時提醒消費者於網上購物時留意潛在風險及加倍小心。

作為國際消費者聯會理事會及執委會成員，本會繼續積極參與全球性消費者權益保障運動。本年，我們加強與聯合國貿易及發展會議合作，為老撾及厄瓜多爾兩個發展中國家提供交流活動，讓到訪官員認識本會在消費維權各方面工作，希望他們可借鏡香港的經驗，回國後推動適合其國家的消費權益保障框架。

最後，我衷心感謝社會各界、相關政府部門、特別是商界對本會的支持和鼓勵。我亦感謝各委員對本會工作的寶貴貢獻，及所有員工對消費權益工作的熱誠和努力。憑着堅定信念，本會定將精益求精，迎接未來的挑戰。



張炳良教授  
消費者委員會主席  
二零一二年六月



# Membership of the Consumer Council.

## 消費者委員會委員

### Chairperson 主席



Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP  
張炳良教授，金紫荊星章，太平紳士

### Vice-Chairperson 副主席



Mr. Ambrose HO, SC, JP  
何沛謙資深大律師，太平紳士

### Members 委員



Mr. William CHAN Che-kwong  
陳志光先生



Dr. David CHUNG Wai-keung  
鍾偉強博士



Mr. Wilfred LEE Yuen-kwong  
李元剛先生



Mr. Chapman CHAN Chor-man  
陳楚文先生



Prof. Ron HUI Shui-yuen  
許樹源教授



Mr. Philip LEUNG Kwong-hon  
梁光漢先生



Mr. Thomas CHENG  
鄭建韓先生



Mr. Bankee KWAN Pak-hoo  
關百豪先生



Mr. Michael LI Hon-shing, KSJ, BBS, JP  
李漢城先生，英國聖約翰騎士勳章，  
銅紫荊星章，太平紳士



Dr. Polly CHEUNG Suk-ye  
張淑儀醫生



Ms. Miranda KWOK Pui-fong  
郭珮芳女士



The Hon. Fred LI Wah-ming, SBS, JP  
李華明議員，銀紫荊星章，太平紳士

**Retired on 31 October 2011**

二零一一年十月三十一日卸任



Mr. Joe LAI Wing-ho  
黎榮浩先生



Ms. WONG Ka-chi  
王家慈女士



Ms. Amanda LIU Lai-yun  
廖麗茵律師



Mr. Alvin WONG Tak-wai  
黃德偉先生



Ms. Irene YAU Oi-yuen  
邱藹源校長

**Retired on 31 December 2011**

二零一一年十二月三十一日卸任



Mr. Raymond CHOY Wai-shek,  
MH, JP  
蔡偉石先生，榮譽勳章，太平紳士



Mr. Stanley SZETO Chi-yan  
司徒志仁先生



Prof. WONG Yung-hou, MH  
王殷厚教授，榮譽勳章

**Appointed on 1 November 2011**

二零一一年十一月一日履任



Mr. Samuel CHAN Ka-yan  
陳家殷大律師



Prof. Michael HUI King-man  
許敬文教授

**Chief Executive**  
總幹事



Ms. Connie LAU, JP  
劉燕嫻女士，太平紳士

**Appointed on 1 January 2012**

二零一二年一月一日履任



Ms. Amy FUNG Dun-mi  
馮丹媚女士



Mr. Godfrey LAM Wan-ho, SC, JP  
林雲浩資深大律師，太平紳士



Prof. Angela NG Lai-ping  
吳麗萍教授

**Deputy Chief Executive**  
副總幹事



Ms. Wendy LAM  
林婉梅女士



## Co-opted Members of the Consumer Council 消費者委員會增選委員



Mr. CHAN Ka-kui, BBS, JP  
陳家駒先生，銅紫荊星章，太平紳士



Mr. John CHIU Chi-yeung  
趙志洋先生



Ms. Constance CHOY Hok-man  
蔡學雯律師



Mr. Francis FONG Po-kiu  
方保僑先生



Mr. Andrew FUNG Wai-kwong  
馮煒光先生



Mr. Larry KWOK Lam-kwong,  
BBS, JP  
郭琳廣律師，銅紫荊星章，太平紳士



Mr. Daniel C. LAM, BBS, JP  
林濬先生，  
銅紫荊星章，太平紳士



Mr. Edmond LAM King-fung  
林勁豐律師



Dr. LAW Cheung-kwok  
羅祥國博士



Mr. Charles Peter MOK  
莫乃光先生



Ms. Bonnie NG Hoi-lam  
吳凱霖女士



Dr. Matthew NG, JP  
(up to 31.3.12)  
吳馬太醫生，太平紳士 (至 31.3.12)



Ms. Clara SHEK  
石嘉麗女士



Dr. Michael TSUI Fuk-sun  
徐福榮醫生



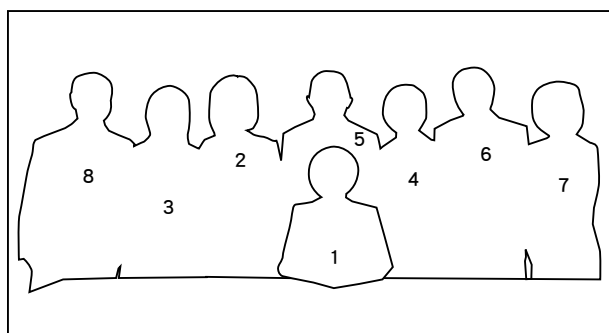
Ms. Marina WONG Yu-pok, JP  
(up to 31.03.12)  
黃汝璞會計師，太平紳士 (至 31.03.12)



Dr. Max WONG Wai-lun  
王慧麟博士



## Management Team of the Consumer Council 消費者委員會管理層



1. Chief Executive, Ms. Connie LAU, JP  
總幹事，劉燕卿女士，太平紳士
2. Deputy Chief Executive, Ms. Wendy LAM  
副總幹事，林婉梅女士
3. Principal Public Affairs Officer, Ms. Clara LI  
公共事務部首席主任，李少媚女士
4. Principal Research & Trade Practices Officer, Ms. Rosa WONG  
研究及商營手法事務部首席主任，黃蘊明女士
5. Head, Consumer Education Division, Mr. WONG Koon-shing  
消費者教育部總主任，王冠成先生
6. Head, Legal Affairs Division, Mr. Simon CHUI  
法律事務部首席主任，徐振景先生
7. Principal Complaints & Advice Officer, Ms. Sana LAI  
投訴及諮詢部首席主任，黎迪珊女士
8. Head, Administration & External Affairs Division, Mr. Joseph YOUNG  
行政及外事部總主任，楊卓廣先生



Presiding over the monthly press conferences on CHOICE publication — Mr. Ambrose HO, reminding parents to be mindful on the safety of folding tables; Prof. Ron HUI, reporting on the results of a safety test on single-hob induction cookers, and Mr. Philip LEUNG cautioning the use of Microneedle Therapy System tools, during the CHOICE press conference. 在《選擇》月刊記者會上何沛謙先生、許樹源教授及梁光漢先生分別呼籲家長留意家用摺疊安全、介紹小型單頭電磁爐的安全測試，以及提醒消費者慎用微針工具。



Mr. William CHAN, Chairman of Trade Practices Committee, naming a beauty salon for its repeated engagement in unscrupulous sales tactics, involving misrepresentation and high pressure sales. 商營手法研究小組主席陳志光先生點名公布一間美容院，重複以不當手法向消費者推銷美容服務，包括失實廣告及高壓手法推銷療程。







Winners of the Top Ten Consumer News for the Year of Rabbit competition and representatives of the annual event co-organizers posing for a group photo at the prize presentation. 兔年十大消費新聞頒獎禮後，各合辦機構代表與得獎人合照。



Winning recipients of the 11th Consumer Rights Reporting Awards with guests of the prize presentation. 第十一屆消費權益新聞報道獎得獎人與頒獎嘉賓合照。



Mr. Ambrose HO, Council's Vice-Chairman, welcomed the Report of the Steering Committee on Regulation of the Sale of First-hand Residential Properties by Legislation, and the relevant provisions in regulating of the sale of first hand residential properties at the press conference. 副主席何沛謙先生於記者會上歡迎「立法規管一手住宅物業銷售督導委員會」發表報告，建議立法規管一手住宅物業銷售。



Mrs. Cherry TSE, Permanent Secretary for Education, the officiating guest of the 12th Consumer Culture Study Award Ceremony, listening to the briefing of a winning team. 教育局常任秘書長謝潔貞女士擔任第十二屆消費文化考察報告獎頒獎典禮主禮嘉賓，正駐足欣賞冠軍作品。





Ms. Connie LAU, Council's Chief Executive, spoke at a forum on competition and consumer protection organised by UNCTAD at Geneva.

聯合國貿易及發展會議（UNCTAD）於日內瓦舉行競爭法研討會，總幹事劉燕卿女士代表本會於會上發言。



Council's Chief Executive, Ms. Connie LAU, attended the conferences organised by Organisation for Economic Co-operation and Development (OECD in Paris (left) and Tokyo (bottom), and delivered speeches.

總幹事劉燕卿女士分別出席於巴黎（左）及東京（下）舉行的經濟合作與發展組織（OECD）會議並發言。



In wake of shortage of supply of infant formula, the Council assisted the Macau Consumer Council and Government departments to liaise with the formula suppliers to ensure adequate supply.

澳門消費者委員會及政府部門透過本會協助，與奶粉供應商磋商嬰幼兒奶粉供應問題。







Representatives from National Development and Reform Commission visiting the Council.  
本會歡迎國家發展和改革委員會到訪。



Ms Flore-Anne MESSY, Principal Administrator of OECD, in a visit to the Council.  
經濟合作與發展組織(OECD)首席行政官Ms Flore-Anne MESSY到訪本會。

Council representatives paying visit to Singapore's Urban Development Authority to study the real estate information system in Singapore.  
本會代表到訪新加坡市區重建局，了解當地物業資訊系統。



Ms. Connie LAU sharing Council's view on achieving consumer rights through class action, at the consumer protection forum held in Shenzhen.  
總幹事劉燕卿女士在深圳舉行的消費維權論壇上，闡釋集體訴訟如何保障消費者。

Ms. Connie LAU delivering a talk on fair trade practices at Health Food Association's annual dinner.  
總幹事劉燕卿女士出席香港保健食品協會周年晚會，推廣公平營商手法。





本會主席張炳良教授在競爭法研討會上發言。  
Council Chairman Professor Anthony Cheung speaking at the competition forum.



The forum on competition law was well attended by representatives from trade and industry. 來自各業界和商會組織參與本會舉辦的競爭法研討會。



Ms. Connie LAU attending the event promoting the "Best Trade Practices In Hong Kong". 總幹事劉燕卿女士出席推廣「優質營商在香港」活動。



Visit of Government officials from Laos, Eduardo and Macau for capacity building programmes. 本會為老撾、厄瓜多爾及澳門政府代表提供能力發展培訓。





Mr. WANG Shi Qi (middle) of State Bureau for Letters and Calls visiting the Council.  
國家信訪局王石奇副局長(中)到本會交流。



Mr. Thomas CHENG, Chairman of the Council's Working Group on the Competition Bill, explaining to the press the significance for introducing Competition Law to Hong Kong.  
競爭條例草案工作小組主席鄭建韓先生，在記者會上闡釋引入競爭法對香港的重要性。



The pharmaceutical industry appreciated the Council's effort in fighting against counterfeit drugs.  
製藥業感謝本會參與打擊假藥的工作。

# The Consumer Council.

## 消費者委員會委員

The Consumer Council is a statutory body established in 1974. Pursuant to the Consumer Council Ordinance (Cap 216), the Council's functions are to protect and promote the interests of consumers of goods and services and purchasers, mortgagors and lessees of immovable property by:

- a. collecting, receiving and disseminating information concerning goods and services and immovable property;
- b. receiving and examining complaints and giving advice to consumers of goods and services and purchasers, mortgagors and lessees of immovable property;
- c. taking such action as it thinks justified by information in its possession, including tendering advice to the Government or to any public officer;
- d. encouraging business and professional associations to establish codes of practice to regulate the activities of their members; and
- e. undertaking such other functions as the Council may adopt with the prior approval of the Chief Executive in Council.

### Membership of the Council

The Chairman, Vice-Chairman and Members are all appointed by the Chief Executive of the HKSAR for a term of service not exceeding two years. They may be reappointed upon expiry of their respective terms of office.

In the year under review, Mr. Raymond CHOY Wai-shek, MH, JP, Mr. Joe LAI Wing-ho, Mr. Stanley SZETO Chi-yan, Ms. WONG Ka-chi, Prof. WONG Yung-hou, MH retired from the Council. Five new Members, namely, Mr. Samuel CHAN Ka-yan, Ms. Amy FUNG Dun-mi, Prof. Michael HUI King-man, Mr. Godfrey LAM Wan-ho, SC, JP and Prof. Angela NG Lai-ping joined the Council. A list of the Council Members is at Appendix 1.

The Council wishes to express its heartfelt thanks to the retired Members for their support, dedication and accrued contributions.

消費者委員會是法定組織，一九七四年成立。委員會根據《消費者委員會條例》(第216章)，職責為保障及促進貨品和服務消費者、及購買、抵押及承租不動產人士的權益。其工作包括：

- (a) 蒐集、接收及傳遞有關貨品、服務及不動產的資訊；
- (b) 接收及審查貨品及服務的消費者投訴、以及不動產的購買人、按揭人及承租人的投訴，並向他們提供意見；
- (c) 根據所得資料採取相應行動，包括向政府或任何公職人員提供意見；
- (d) 鼓勵商業及專業團體制訂工作守則，規管屬下會員的活動；及
- (e) 承擔任何經由行政長官會同行政會議審批的其他職能。

### 委員會委員

主席、副主席及各委員均由香港特別行政區行政長官委任，任期不超過兩年，但任期屆滿後可再獲委任。

年內，蔡偉石先生，榮譽勳章，太平紳士、黎榮浩先生、司徒志仁先生、王家慈女士及王殷厚教授，榮譽勳章卸任。陳家殷大律師、馮丹媚女士、許敬文教授、林雲浩資深大律師，太平紳士及吳麗萍教授加入委員會。委員名錄見附錄一。

本會衷心感謝各離任委員對本會的支持和貢獻。

## Council and Committees

The Council meets bi-monthly. Committees and working groups are set up to examine specific areas of consumer concern. The Council invites from time to time appropriate professionals of relevant disciplines as co-opted members in order to benefit from their expertise. A list of Committees/Working Groups and their members is at Appendix 3.

## The Council Office

The Council Office, headed by the Chief Executive, has an establishment of 135 staff operating in its headquarters, Consumer Advice Centres in various districts and the Consumer Council Resource Centre in Tsimshatsui.

The Complaints and Advice Division and the North Point Consumer Advice Centre are situated in Room 1410, 14/F, Kodak House II, 39 Healthy Street, North Point.

With dedicated Government funding, a Project Office operates in the same building as the Council Head Office in North Point to house the project team for price surveillance initiatives.

In the year under review, special funding was provided by the Commerce and Economic Development Bureau for extending one temporary post in Legal Affairs Division for three years in order to cope with the heavy workload.

The Council Office operates with six functional divisions, namely the Administration and External Affairs Division, Complaints and Advice Division, Consumer Education Division, Legal Affairs Division, Public Affairs Division, Research and Trade Practices Division. The organisation chart of the Council Office is at Appendix 4.

The Consumer Council is an equal opportunities employer operating with due emphasis on sustainable development issues in support of environmental protection. In 2011-12, the number of employees with disabilities represented 1% of the Council Office's permanent establishment.

## Finance

The Council derives its income mainly from Government subvention. Other sources of income (about 5%) include proceeds from the sale of the Council's publications.

The Auditors' Report and financial statements for the Council's accounts are at Appendix 5.

## 委員會及小組

委員會每兩月召開會議，設有小組委員會及工作小組，專責處理特定消費者課題，並不時邀請外界專才加入各小組為增選委員，提供專業意見。小組委員會及工作小組的成員名錄見附錄三。

## 消委會辦事處

以總幹事為首的消委會辦事處共有職員135人，分別在總辦事處及位於各區的諮詢中心及尖沙咀的消費者委員會資源中心工作。

投訴及諮詢部與北角諮詢中心則位於北角健康東街39號柯達大廈二期14樓1410室。

本會獲得政府撥款，在北角總辦事處的同一大廈內，設立了專門負責物價監察工作的臨時辦公室。

本會亦於年內獲得商務及經濟發展局撥款，延長法律事務部一個臨時職位三年，以應付繁重的工作量。

消委會辦事處的工作，由六個部門推行：行政及外事部、投訴及諮詢部、消費者教育部、法律事務部、公共事務部、及研究及商營手法事務部。委員會的組織架構見附錄四。

消委會是提供平等機會的僱主，辦公室運作重視環境保護，本年度僱用的傷健職員，佔常額編制的1%。

## 財政

本會經費主要來自政府資助，其他收入(約5%)來自出版刊物等。

核數師報告和各財務報表分別見附錄五。



# Forestalling & Mediating Disputes between Consumers and Businesses.

## 預防及調解消費者與經營者的糾紛

### WHY THIS IS IMPORTANT

Consumer satisfaction is important to the marketplace. To address consumers' concern speedily and effectively, the Council offers convenient channels for consumers to make enquiries and complaints. Apart from calling our hotline (Tel no: 2929 2222) or visiting our seven Consumer Advice Centres in person during office hours, consumers can contact us through our website, by post or fax around the clock. Council staff is well-trained to provide pre-shopping advice and help mediate disputes to bring about overall consumer satisfaction.

### Benefits derived from complaints handling

- resolving disputes between consumers and traders by mutually acceptable resolutions;
- empowering consumers through dissemination of information concerning goods and services;
- alerting the public of the trend of complaints relating to malpractices in the marketplace and formulating strategies to tackle them;
- improving trade practices by co-operation and coordination with law-enforcement authorities and trade associations to strengthen consumer protection; and
- enhancing consumers awareness of their rights

### WHAT WE HAVE DONE

#### Serving Consumers

In 2011 -12, we received

- 104 424 consumer enquiries (87% by telephone)
- 27 509 cases of complaints (48% in writing/through internet)

### 調解消費者投訴的重要性

心滿意足的顧客對市場是重要的。為了快捷和有效地處理消費者的問題，本會提供多個便捷的渠道讓消費者諮詢和投訴。除了利用熱線電話(2929 2222)和親身到本會的七個諮詢中心之外，消費者也可以用書信、傳真及網上投訴表格和我們聯絡。本會職員對於提供購物資訊和調解糾紛有充足訓練，可以為消費者提供全面的服務。

### 投訴及諮詢工作帶來的益處

- 調解消費者和商人之間的糾紛以達致雙方都同意的解決方法。
- 提供有關貨品和服務的資訊以增強消費者自保能力。
- 提醒公眾市場上不當經營手法的趨勢及制訂應對的策略。
- 與執法機構及商會聯繫及合作，以改善營商手法及加強消費者保障。
- 增強消費者對於消費權利的認識。

### 我們完成的工作

#### 為消費者服務

本年度共接獲：

- 104 424宗消費者諮詢 (87%為電話諮詢)
- 27 509宗消費者投訴 (48%為書面/經互聯網投訴)

## Mediating Consumer Complaints

A dedicated team of Complaints Officers is responsible for handling consumer complaints and mediating the disputes between the consumers and the traders in order to resolve the complaints to consumers' satisfaction.

### Complaints received: 27 509 cases

In 2011-12, a total of 27 509 consumer complaints was received, showing a slight decrease of 5% (or 1 405 cases) compared with the total of 28 914 cases in 2010-11.

### Telecommunications services (7 291 cases)

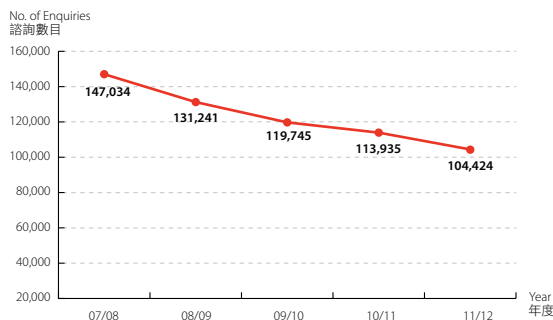
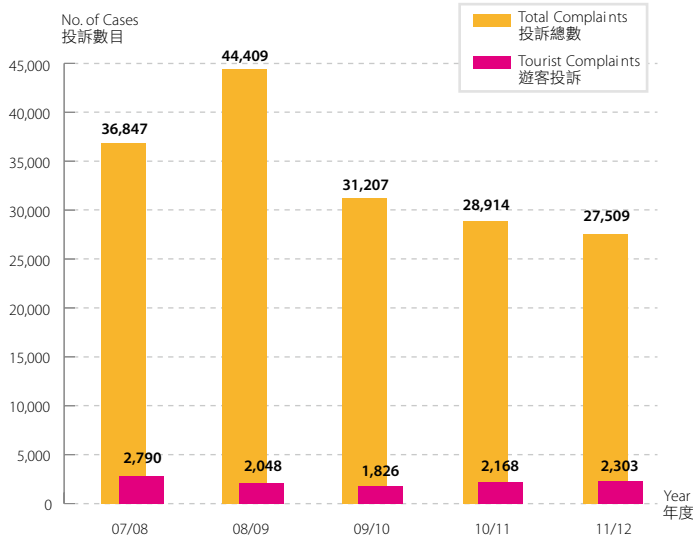
Remained on the top of the complaint list, it was glad to note that complaints on telecommunications services (7 291 cases) recorded a double-digit decrease of 14% compared with that of the previous year (8 470 cases). Disputes on fee/charges (47%) and quality of service (26%) were the main topics of complaints.

### Telecommunication Equipment (1 721 cases)

Complaints related to telecommunication equipment (1 721 cases) receded 16% this year after the sharp rise to 2 057 cases in 2010-11. Disputes on repair services (41%) and product quality (32%) of mobile phone sets accounted for over two-thirds of the complaints.

### Food and Entertainment Services (1 459 cases)

A significant increase of 73% (from 842 cases in 2010-11) was found in food and entertainment services, largely related to the problems of online group purchase. Over one-third of the complaints involved dining vouchers purchased via certain group buying websites that could not be redeemed due



## 調解消費者投訴

本會的投訴主任專責處理消費者的投訴，調解消費者與商人之間的紛爭，以求達致消費者滿意的解決方法。

### 投訴總數：27 509 宗

在二零一一至二零一二年度收到的投訴共有 27 509宗，比二零一零至二零一一年度的28 914宗減少5% (即1 405宗)。

### 電訊服務 (7 291宗)

有關電訊服務的投訴仍居榜首，錄得7 291宗，但對比去年的8 470宗，喜見減幅達14%。收費爭議(47%)及服務質素(26%)繼續是主要的投訴項目。

### 通訊用品 (1 721宗)

本年度有關通訊用品的個案，亦比二零一零至二零一一年度的2 057宗大幅下降16%至1 721宗。投訴主要涉及手提電話的維修服務(41%)及產品質素(32%)。

### 食肆及娛樂服務 (1 459宗)

由於網上團購出現問題，有關食肆及娛樂服務的消費投訴在本年度顯著上升73% (比對二零一零至二零一一年度的842宗)。超過三分之一的投訴涉及網上團購的餐飲券，因部份食肆倒閉或拒絕接受餐飲券，令消費者購入餐飲券後卻無法享用服務。

to restaurant closure or restaurant unwilling to honour the vouchers.

### Tourist Complaints: 2 303 cases

Tourist complaints have increased 6% from previous year while the total visitors arriving Hong Kong kept rising.

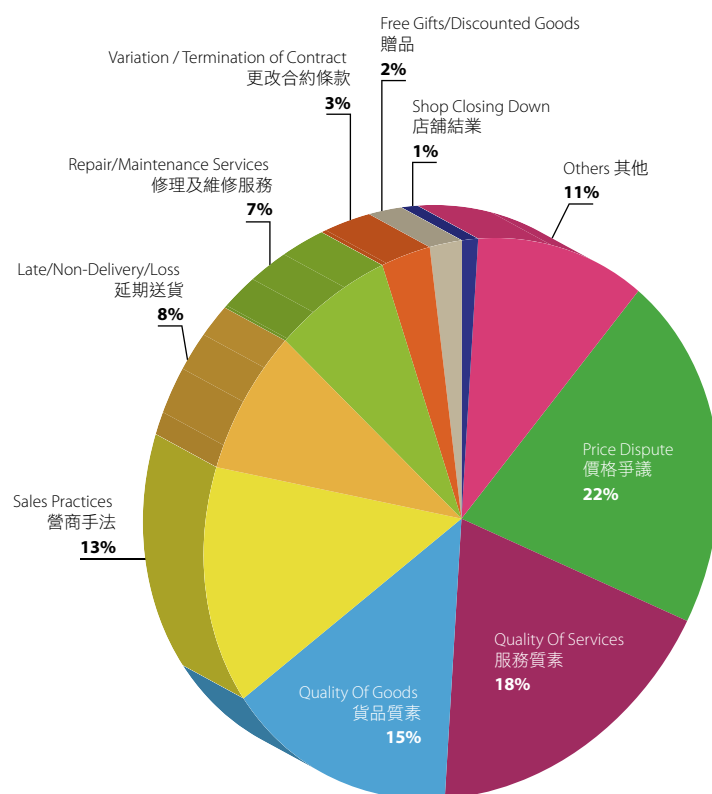
Most of the tourist complaints involved sales practices (28%), product quality (25%) and price disputes (16%) in relation to camera and lens, video camera, mobile phones, and watch and jewelry, which are the popular items on tourists' shopping list.

### 旅客投訴 (2 303宗)

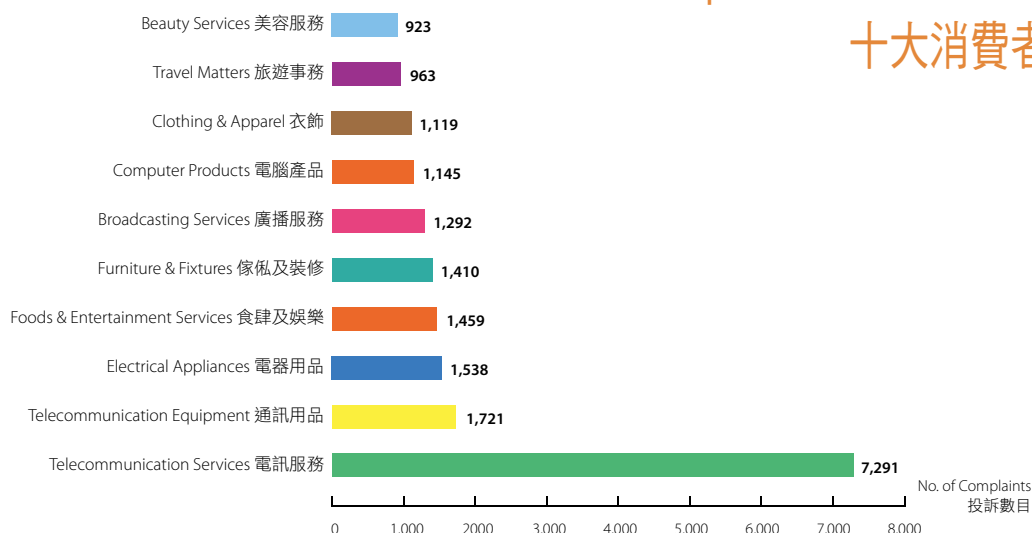
隨著訪港旅客的數量增長，本年度的旅客投訴也上升了6%。

旅客投訴多涉及攝影器材、電子產品、手提電話、珠寶和鐘錶等熱門貨品，及對銷售手法(28%)、產品質素(25%)及價格爭議(16%)的不滿。

### Nature of Consumer Complaints 消費者投訴性質



### Top Ten Consumer Complaints 十大消費者投訴





## Outcome

In 2011-12, the Council helped solve 75% of cases with pursuable grounds:

Total number of complaints received	27 509
Cases with pursuable grounds	21 456
Cases in progress	3 353
Cases resolved	13 589
Resolution rate	75.1%

As the Council is not a regulatory body, it may not always be able to persuade the traders to settle the complaints even though the Council considers the cases to be justifiable. On those justifiable occasions where traders refused to settle or provide solution to the dispute, Council staff suggested the complainants to file claims against the traders at the Small Claims Tribunal or the courts whenever appropriate. Consumers were also advised of other avenues in applicable cases.

## Overview

### Telecommunication and broadcasting services

Complaints on telecommunication services (7 291 cases) and on broadcasting services (1 292 cases) both recorded a double-digit decrease. The downward trend in both categories reflected the positive results of the continuous effort of the Council on consumer education and consumer alerts as well as the concerted actions taken by the regulatory authorities and the trades in reducing undesirable sales practices.

With the new Office of the Communications Authority coming into operation in April 2012, it is expected that consumer protection will be strengthened in both telecommunications and broadcasting services.

### Online group purchases

The surge of complaints about online group purchases warrants special attention. In the year 2011-12, a total of 1 214 related cases were received, compared to 13 cases in the previous year. Complaints ranged from those about beauty treatments, medical services, dining, to cosmetics and fashion products.

It is foreseen that the complaints in this area will keep rising due to the increased popularity of online purchases and the fierce competition among the industry players. Consumers are repeatedly reminded to check against the reliability of the group buying websites and the risk incurred in internet shopping.

## 成果

在二零一一至二零一二年度，可跟進的個案中達75%獲得解決。

投訴總數	27 509
可跟進的投訴個案	21 456
仍在調解中的個案	3 353
獲得解決的個案	13 589
調解成功率	75.1%

就可跟進的投訴，如店方拒絕合作，本會職員會在合適的情況下，建議投訴人到小額錢債審裁處或法院入稟向店方索償，亦會向投訴人提供其他適當的跟進渠道。

## 總結

### 電訊及廣播服務

電訊服務(7 291宗)及廣播服務(1 292宗)的投訴，均錄得雙位數字的減幅。這是消委會致力推動消費者教育，給予預警及監管當局與業界合作，減少不當銷售手法的成果。

此外，通訊事務管理局在二零一二年四月成立後，期望可加強就電訊及廣播服務方面的消費者保障。

### 網上團購

本年有關網上團購的投訴升幅令人關注，由去年的13宗激增至二零一一至二零一二年的1 214宗，增幅接近百倍。團購投訴主要涉及美容服務、醫療服務、餐飲、化妝品及衣飾等。

鑑於網上購物越趨普及，加上團購行業競爭加劇，預料有關網上購物的投訴會繼續上升。消委會再三提醒消費者，於網上購物前應考慮風險，並謹慎選擇信譽良好的購物網站。

# Advocating Best Practice and Competition in the Marketplace

## 倡議最佳營商手法及公平競爭

### WHY THIS IS IMPORTANT

In a market-based economy such as Hong Kong, the Council has a role to play in ensuring that best practice and competition in the marketplace bring desired effects of consumer satisfaction and economic efficiency, thereby benefiting consumer welfare – with lower prices, more choices and higher quality of products and services.

### WHAT WE HAVE DONE

The Council undertakes research and study on various aspects of marketplace behaviour to identify matters of concern to consumers as well as to encourage responsible trade practices and fair competition. The following major work was performed during the year under review.

#### Legislation to regulate the sale of first-hand residential properties

The Council submitted views to the Transport and Housing Bureau and the Legislative Council concerning the Residential Properties (First-hand Sales) Bill ('the Bill').

The Council was invited to participate as a member of the Steering Committee on Regulation of the Sale of First-hand Residential Properties by Legislation to provide views on the scope of the legislative framework. The Council is glad that the Bill included quite a number of its suggestions, including the urge for new legislation to extend the scope of coverage of first-hand residential properties, the establishment of an online property market information platform, shortening of the lead time for disclosing transaction information, as well as the requirements on show flats, dissemination of price lists and sales brochures.

As a whole, the Council fully supported the introduction of the new legislation and urged that the Bill be passed as soon as possible.

### 優良營商手法及公平競爭的重要性

香港是以市場主導的經濟體系，我們有責任通過市場的競爭及確保優良營商手法，令消費者滿意及達致理想的經濟效益，從而讓消費者得享較廉宜、較多選擇及更高品質的產品及服務。

### 我們完成的任務

本會就市場行為的不同方面進行研究，以認明影響消費者的問題，並鼓勵負責任的營商手法和公平競爭。以下為本年度內進行的主要工作。

#### 立法規管一手住宅物業銷售

本會向運輸及房屋局提交有關《一手住宅物業銷售條例草案》(草案)的意見。

本會很高興獲邀為「立法規管一手住宅物業銷售督導委員會」成員，提出對立法規管一手樓銷售的建議，而本會早前所提意見亦被納入有關草案中，包括擴大一手住宅物業的立法規管範圍、設立網上物業市場資訊平台、縮短物業成交資料的披露時間，以及加強規範示範單位、價單和售樓說明書的要求。

整體而言，本會全力支持以立法方式規管一手住宅樓宇的銷售，並促請政府盡快修訂需要修正的條文，早日通過此草案。

The Council believed that many provisions in the Bill, for example, the inclusion of relevant provisions in making any fraudulent misrepresentation, or disseminating false or misleading information relating to the sale of first-hand residential properties a criminal offence, would provide sufficient protection to the interests of home purchasers.

While the Council wholeheartedly supported the Bill, it made some suggestions for amendment, namely to define more clearly the proposed definition of first-hand residential properties, to impose a requirement on developers to offer all the units on price lists for sale, and to prohibit collection of money for reservation of units before the commencement of sales.

The Council also took the opportunity to request the Government to set a schedule for post-legislative review of the issues of providing internal floor area information, introducing 'cooling off right' in property transactions, reviewing mandatory provisions in agreements, and establishing a complaints handling mechanism for purchasers of residential properties.

## **Regulatory Framework of the Tourism Sector**

The Council responded to a consultation on the review of the operation and regulatory framework of the Hong Kong's tourism sector by the Tourism Commission of the Commerce and Economic Development Bureau.

The Council welcomes that the Government had taken on board its suggestion to review the self-regulatory structure of the tourism sector and put forward reform options of the regulatory framework of the tourism sector in the consultation paper.

In considering the best regulatory model to be put in place to cater for Hong Kong's situation and needs, the Council generally preferred introduction of a direct regulatory model – the option of setting up an independent statutory body to take over the overall regulation of the tourism sector.

The Council considered that tourist guides and tour escorts who provide tourism services, whether they are receiving inbound tours or outbound tours, should be more directly regulated with the introduction of licensing systems.

本會相信草案有很多條文，例如：將涉及一手住宅物業買賣而作出具詐騙成分的失實陳述、發布虛假或誤導資訊，定為刑事罪行，將可以讓準買家得到充份保障。

本會原則上支持訂立草案，但在回應文件中亦提出若干的提議，包括要求政府在草擬法例時，必須清楚釐訂「一手樓」銷售的定義、規定發展商發售公布在價單上的所有單位，以及禁止在單位正式開售前收取款項及預留單位。

本會亦建議政府訂立一個時間表，以便稍後檢討其他相關課題，例如：單位內籠面積、就物業交易設立冷靜期、檢討納入物業買賣合約的特定條款，以及設立處理有關物業買賣的投訴機制。

## **旅遊業運作和規管架構檢討**

本會回應了由商務及經濟局轄下的旅遊事務署發出有關「香港旅遊業的運作和規管架構檢討」的諮詢文件。

本會歡迎，政府採納其早前提出應檢討旅遊業自我規管模式的建議，並就旅遊業的規管架構推出改革方案，諮詢公眾意見。

在考慮哪一種規管模式最為切合香港的需要和情況，本會認為採用直接監管方式，即由獨立機構負責整體旅遊業的發牌和規管工作，較為可取。

此外，無論是負責出境或入境團的導遊和領隊，本會認為都須受到發牌制度的直接監管，以提高導遊及領隊的質素和專業性。



Apart from commenting on the desirability of an institutional revamp, the Council also urged that priority be given by the Government to urgently resolve problems arising from zero-fee or negative-fee tours where Mainland tourists joining those tours were forced to make purchases and the need of providing an independent appeal mechanism to handle appeals from travellers concerning disputes between travellers and travel agents.

## **Establishment of a Policyholders' Protection Fund**

The Council provided views to the Financial Services and the Treasury Bureau regarding the proposed establishment of a Policyholders' Protection Fund (PPF) in Hong Kong.

On the whole, the Council welcomed the establishment of a PPF to provide a safety net for better protection of policyholders' interest in the event of insurer insolvency and enhance public confidence in the insurance industry.

The Council urged that the regulatory standards and requirements for supervision of insurers should not be in any way relaxed notwithstanding the establishment of the PPF in Hong Kong.

Whilst pledging support for mandatory participation of all authorised insurers in the PPF to provide universal protection to policyholders, the Council considered it important to clarify if exemption from the PPF would be provided for an overseas insurer. In any case, consumers should be made aware of whether insurers they are dealing with or policies concerning them are eligible for protection.

As for the funding issue, the Council strongly supported that the cost of financing the PPF should be borne by insurers.

除提出改革規管架構的意見外，本會亦促請政府盡早處理「零負團費」旅行團內地旅客在港被迫購物的情況，以及設立獨立上訴機制處理旅客與旅行社之間的問題。

## **設立保單持有人保障基金**

本會向財經事務及庫務局提供有關擬在香港設立保單持有人保障基金的意見。

整體來說，本會歡迎設立「保單持有人保障基金」(保障基金)；當保險公司因財困倒閉時，保障基金可為保單持有人提供安全網，以及增強公眾對保險業的信心。

此外，本會認為，保障基金的設立，不會對保險公司的規管標準及要求不可因保障基金的設立而有所放寬。

就涵蓋層面方面，本會支持強制所有獲授權的保險公司，必須參與保障基金，為保單持有人提供全面的保障。此外本會認為，必須釐清海外保險公司會否獲豁免參與保障基金。若獲豁免的話，消費者須獲清楚告知向其銷售的保險公司或保單是否在保障範圍之內。

至於保障基金的經費來源，本會強烈支持保障基金向保險公司收取徵費。

## Regulation of Mandatory Provident Fund intermediaries

The Council gave views on the legislative proposals to enhance the regulation of Mandatory Provident Fund (MPF) intermediaries by the Financial Services and the Treasury Bureau.

The Council welcomed the Government's proposal to strengthen the protection of scheme members' interest through establishing a statutory regulatory framework for MPF intermediaries in Hong Kong.

To secure effectiveness, the Council urged that close cooperation and surveillance be carried out by the Mandatory Provident Fund Schemes Authority (MPFA) and the frontline regulators to monitor and deter any improper sales and marketing practices of MPF intermediaries upon the implementation of the Employee Choice Arrangement (ECA). On complaints handling, the Council considered that MPFA as the predominant regulator of MPF intermediaries should serve as the first contact point for scheme members to seek advice in relation to alleged misconduct of MPF intermediaries.

The Council is glad to note that there will be measures in place to ensure regulatory consistency and that the MPFA will receive all complaints on MPF sales and marketing activities as a one-stop shop to facilitate the handing of complaints.

As the proposed establishment of an e-platform for transfer of MPF benefits among MPF schemes would help minimise the costs associated with transfers of benefits, the Council urged the MPFA to explore with the MPF industry in lowering the MPF administration fees and further suggested that scheme members be allowed to access the e-platform to keep track of their fund transfer status. The Council is pleased to note that the possibility of developing another platform to facilitate enquiries from scheme members is under the consideration of MPFA.

## 強制性公積金中介人的規管

本會就財經事務及庫務局發出有關建議「加強規管強制性公積金(強積金)中介人的規管」諮詢文件，提供意見。

本會歡迎政府設立法定制度規管強積金中介人，加強保障強積金計劃成員的權益。

為確保有效規管，本會認為，強制性公積金計劃管理局(積金局)和前線規管機構應加強合作，以杜絕強積金中介人出現不當的強積金銷售及推廣活動，尤其是當「僱員自選計劃」推行後。在處理強積金計劃成員的投訴方面，本會認為，積金局作為所有強積金中介人領導規管機構的角色，為計劃成員的首個接觸點，應負責接收所有有關強積金中介人的投訴。

本會很高興當局將會採取多項措施以確保規管一致性，以及積金局將提供一站式接收投訴的機制，方便處理計劃成員所有有關強積金銷售和推廣活動的投訴。

此外，由於建議中的電子平台將有利強積金權益轉移至不同的核准受託人，相信會有助減低受託人處理計劃成員轉移權益的成本支出，因此本會促請積金局與業界商討減低強積金的相關行政費用，以及容許計劃成員透過電子平台查核轉移基金的狀況。本會歡迎積金局考慮研發另一個方便計劃成員查詢資料的平台。



## Supply and Marketing of Infant formulas

Frustrated by the surge in price and out-of-stock situation of infant formulas, consumers lodged 123 complaints to the Council in the first quarter of the year 2011. Among those complaints, 42 cases concerned with supply. The Council had responded swiftly by urging formula suppliers to ensure adequate and priority supply of infant formula to local consumers and to set up designated customer hotlines. As a result, the number of complaints on out-of-stock situation was down to seven for the rest of the year.

Also, the Council participated in the Department of Health's Taskforce for contribution to the development of the Hong Kong Code of Marketing of Breastmilk Substitutes.

## Forum on Competition Law and Policy

The Council's Chief Executive is member of the Government's Competition Policy Advisory Group.

In fulfilling its statutory role of facilitating constructive discussion and promulgation of pro-consumer policies, the Council organised a public forum in December 2011 to solicit their views on matters relating to the Competition Bill. Over 200 participants from different industries and trade associations attended the forum.

The Council actively participated in the discussion with the public and submitted its views to the Bills Committee on the Competition Bill on various issues such as (i) general approach of prohibitions; (ii) hard-core anti-competitive conducts; (iii) fair-share to consumer criterion in exclusion of any restrictive agreements; and (iv) exemption of statutory bodies.

## Responses to Consultation Papers

In addition to the above, the Council also commented on consultation papers released by the Government and others bodies on matters affecting the interests of consumers. A list of the submissions can be found at Appendix 6.

## 嬰幼兒奶粉供應和銷售

二零一一年首季，本會收到消費者因不滿奶粉價格上漲以及供應不足的投訴達123宗，當中，42宗涉及供應不足。本會迅速回應消費者訴求，與供應商磋商，確保有穩定及優先貨源提供予本地消費者，並建議供應商設立客戶熱線，當措施施行後，有關奶粉供應不足的投訴於二零一一年餘下三季(四月至十二月)，回落至只有七宗。

此外，本會為衛生署《香港母乳代用品銷售守則》專責小組的成員，就制定有關母乳代用品守則提供意見。

## 「競爭法：開創公平活力競爭市場」研討會

本會總幹事為政府的競爭政策諮詢委員會的成員。

為執行本會促進建設性討論以制定保障消費者政策的法定職能，本會於二零一一年十二月舉行了一個公眾研討會，就與《競爭條例草案》相關事宜蒐集意見，超過200位來自不同行業和工商組織的人士參加研討會。

本會積極與公眾討論並向立法會競爭條例草案委員會提交法案中各種事宜的意見，如(一)廣義規管反競爭行為；(二)嚴重反競爭行為；(三)協議豁除加入消費者公平分享利益原素；(四)法定機構的豁免安排。

## 對諮詢文件的回應

上述之外，本會亦就政府及不同團體的諮詢文件，有關影響消費者的課題，提供意見。詳情請參閱附錄六。

# Ensuring Product Quality and Safety.

## 確保產品質素及安全

### WHY THIS IS IMPORTANT

The Council conducts tests on consumer products to provide unbiased comparative test results for consumers to make rational choices, to alert them to product hazards and to induce improvements in product quality and safety. Major test items include safety, performance, ease of use, durability and environmental sustainability for most products.

Media coverage of testing results reach not only consumers in Hong Kong, but the neighbouring regions in the Mainland, as well as overseas Chinese who have access to Hong Kong's broadcast and printed news.

That explains why the Council's product testing reports are well sought after by consumers while at times received with mixed feelings by traders, depending on the ratings of their products in comparison with those of their competitors. This has in turn become an impetus for traders to improve their product and service quality.

### HOW THIS IS DONE

There are three different types of tests, firstly, those which are initiated and solely conducted with the Council's own resources. Most of these tests are conducted by accredited and independent laboratories in Hong Kong. In case local testing facilities do not meet the Council's requirements, appropriate overseas laboratories will be commissioned. Secondly, joint tests conducted by International Consumer Research and Testing (ICRT), an international consortium of more than 35 independent consumer organisations worldwide. As an active member, the Council has benefited from ICRT's joint tests through which utilisation of resources can be maximised and experience shared. Otherwise, the Council could not have provided Hong Kong consumers with latest test findings of short product life cycle products such as digital cameras and mobile phones regularly. Thirdly, the Council also actively co-operates with various local Government / statutory organisations. It should be noted that all test samples were sourced from reliable outlets in the market.

### 產品測試的重要性

本會進行產品測試，為消費者提供客觀、中肯的資訊，令他們注意產品的安全並作出適當的選擇。產品測試主要在產品的安全、效能、使用方便程度、耐用程度及對環境的影響等多方面作出評估。

本會的產品測試結果獲傳媒廣泛報道，除了為本港的消費者提供資訊外，鄰近的華南地區及海外能接觸本港新聞的華人，均能獲益。

正因如此，本會的產品測試報告相當受消費者重視，而商界的反應則較為複雜，多因應其產品與競爭對手產品的評分差距而定，同時，本會的測試有助推動製造商改善產品的質素及安全。

### 如何測試？

測試分三類，一是由本會獨立發起及進行的測試，費用及資源全由本會負責。此類測試由本會委託認可及獨立的測試機構進行，若本地未能提供所需的測試設施，便交由海外合適的實驗室測試。第二類是參與國際消費者研究及試驗組織(ICRT)的聯合測試，ICRT是包含世界各地超過35個消費者組織的協會，本會作為該會的活躍成員，參與其主辦的聯合測試，使資源得以充分利用，及與海外組織分享經驗，獲益良多。若沒有這些聯合測試，本會未必能定期為本港消費者提供包括數碼相機及手提電話等短產品生命周期產品的最新測試報告。第三類是本會積極與本地不同政府部門或法定團體的聯合測試。特別一提，所有測試樣本均從市場上可靠的零售點採集。



## WHAT WE HAVE DONE

In the year under review, 45 product testing reports were published in CHOICE. Findings in a number of tests indicated that not all products fully complied with relevant standards, e.g. International Electrotechnical Commission (IEC) standards, Mainland's Hygiene Standard for Cosmetics. Based on the findings, the Council notified the government regulatory bodies for follow-up action, and made proposals to the manufacturers and agents for product improvement. Over the years, the Council's product testing has proved to be an effective mechanism in enhancing quality and safety of products. A list of the tests conducted is at Appendix 9.

## HIGHLIGHTS OF TESTS

### Electrical Products

#### Test Revealed Exaggerated Claims in Performance of Dehumidifiers

The Council conducted a test to evaluate the performance and safety of 12 dehumidifiers on the market. Test results showed that in a standard environment, the daily dehumidifying capacities of three samples were below their claimed values where one model was found with dehumidifying capacity of 11.8% below its claim. The test also observed that a great majority of manufacturers were found to adopt a high temperature and high humidity test conditions in their favour to measure the dehumidifying capacity of their products. The Council was critical of this approach as it might not accurately reflect the indoor environment when the dehumidifier is operating with the windows closed. Manufacturers were urged to use a more realistic test condition to measure the dehumidifying capacity, such as the standard test condition laid down in the US American National Standards Institute/ Association of Home Appliance Manufacturers (ANSI/AHAM) standard for the compressor type dehumidifiers. It is the same standard test condition stipulated in the Mandatory Energy Efficiency Labelling Scheme of the Electrical and Mechanical Services Department which covers compressor type dehumidifiers.

As for energy efficiency, one sample failed to meet the requirements of the Mandatory Energy Efficiency Labelling Scheme of the Electrical and Mechanical Services Department (EMSD). Its measured energy efficiency was 13.9% below the claimed value, exceeding the acceptable tolerance set by the Scheme. After EMSD's follow-up, the model has been removed from the Labelling Scheme and is not allowed to be supplied

## 我們完成的任務

年內《選擇》月刊發表的產品測試報告達45個。多個測試的結果顯示，並非所有產品均符合相關標準規定，例如國際電工委員會(IEC)標準、內地《化妝品衛生規範》。根據測試結果，本會通知政府執法部門以便跟進，及建議製造商及代理商改善產品。長久以來，本會的產品測試證實是提升產品品質及安全的有效機制。產品試驗一覽表見附錄九。

## 試驗工作摘要

### 電氣產品

#### 測試發現抽濕機效能聲稱誇大

本會測試市面上12款抽濕機的效能及安全程度。測試結果顯示，在標準環境下，三款樣本的每日抽濕量比聲稱的數值低，當中一款的差異達11.8%。是次測試亦發現，絕大部分製造商採用有利於量度其產品抽濕量的高溫度及高濕度的測試環境。本會認為，這不能準確反映實際使用抽濕機時關上窗戶的室內環境，製造商應採用較真實的測試環境量度其產品的抽濕量，例如美國國家標準(ANSI/AHAM)對壓縮式抽濕機所採用的標準測試環境。這亦是機電工程署對壓縮式抽濕機的強制性能源效益標籤計劃所用的標準測試環境。

能源效率方面，一款樣本不符合機電工程署強制性能源效益標籤計劃要求，量得的能源效率比代理商早前呈交予機電署的數值低13.9%，超出強制性標籤計劃可接受的公差範圍。機電署跟進後，該型號已從標籤計劃被刪除，不得在本港供應。安全程度方面，一款樣本有部分位置的絕緣距離不足，增加意外觸電的風險。本會將測試結果交予機電署跟進。報告亦提供使用抽濕機時的安全要點。

in Hong Kong. On safety, one sample failed for inadequate insulation distances at some positions, which would pose potential hazards of electric shock. The Council had notified EMSD of the test findings for follow-up. Useful safety tips in the use of dehumidifiers were included in the report.

### Test on the iDTV Revealed Considerable Discrepancy in Performance

iDTV sets in market are more and more versatile these days. Apart from the standard feature of internal digital TV tuner, some also offer recording function and even 3D effect. The Council commissioned a specialised laboratory in Germany to conduct a performance test on 20 models of iDTV sets, 15 of them with 42-inch screen while five with 40-inch screen. Their retail prices ranged from \$3,999 to \$18,380.

The test evaluated the samples on picture quality, sound quality, ease of use, recording, versatility, special feature and energy efficiency. Five samples were found to have serious screen reflection problem due to their glossy display design. Four samples offered 3D effect, but with varied performance. Problems detected included flickering, crosstalk and grainy images. The sound quality of most samples was not satisfactory, probably due to the limitation of the very thin housing design where only weak speakers could be accommodated. Majority of the samples had video recording function providing instant or timer recording. Some were of more flexible designs, for instance during the time of recording, those models allowed switching to other channels of the same broadcast frequency, or playing back of old recordings. Since the test revealed that their performance varied vastly on different functions, consumers were advised to compare carefully before making the purchase.

### Be Smart When Choosing an Air Purifier

The Council conducted the safety and performance tests on 10 models of air purifiers, with prices ranging from \$629 to \$4,000. Four models were found to provide insufficient insulation protection while some plastic parts in four models had inadequate heat and flame retardant capabilities. For all tested models with claims of usable area, calculations based on the deduced Clean Air Delivery Rates (CADRs) showed that usable area was smaller than the claimed by 12% to 90%. The Council also found on the market models with plasma ion generators claimed to be able to suppress the activities of viruses, etc. However, one such sample without any HEPA filter was found



### iDTV測試·表現差異大

市售iDTV的功能越來越多樣化，除了有內置數碼電視廣播接收的基本功能外，部分更可錄影，甚至具備3D效果。本會委託德國實驗室測試20款iDTV性能，包括15款42吋屏幕及五款40吋屏幕樣本，價錢由港幣3,999至18,380元。

測試審視各樣本的畫質、音質、使用方便程度、錄影功能、多功能程度、特殊使用及省電程度。五款樣本由於採用鏡面設計，出現嚴重反光問題。四個樣本具備3D功能，但表現差異大。樣本出現的問題是呈輕微閃爍、互相干擾、或影像粗糙。大部分樣本的音質功能表現令人失望，主要原因是機身纖薄，只能內置小型揚聲器，影響質素。大部分樣本都擁有錄影功能，包括即時錄影或預校錄影。部分樣本的功能較為靈活，例如錄影期間，可轉換至其他相同廣播頻率的頻道，或播放較早前已錄影的片段。由於測試揭露不同功能上的表現有巨大差異，報告建議消費者在購買前細心比較。

### 精明選購空氣淨化機

本會測試十款售價由629至4,000元的空氣淨化機的安全和效能。測試發現四個型號的絕緣保護不足，亦有四個型號的塑膠物料的阻燃能力不及國際標準要求。按本會量得淨化速度推算的可使用面積，比有此聲稱型號的聲稱面積低，偏差由12%至90%。本會亦發現市面有些聲稱為「離子機」或「抗菌機」的空氣淨化機型號，其中一款沒有高效能過濾器的型號在測試中不能去除塵埃或煙霧，報告建議想清除煙塵的用戶須注意產品說明並比較型號的聲稱和構造。



inadequate in removal of dust or smoke. Users looking for remover of such contaminants should compare the description of the products by checking the claims and construction.

### Test revealed Potential Risks of some Induction Cookers

The Council and Electrical and Mechanical Services Department (EMSD) conducted a joint-test on safety of 15 models of induction cookers within the price range of \$150 to \$2,180. The Council further assessed smells and input power of the samples. In one model, it was found that users could touch the internal live parts through a small hole at the bottom. After follow-up by EMSD, the model was voluntarily recalled by the agent. On two other models, insulation distance across the fuse-link was found insufficient. Total Volatile Organic Compound (TVOC) concentrations were measured to give indication of smells emitted from induction cookers. Six samples did not emit significant levels of TVOC during operation, while two showed relatively higher levels of TVOC than others. Input power were also measured at the local voltage of 220V and compared to the claimed value. Four showed close matches, but the rest had power input comparatively lower than their marked power rating.

### Food Calling for Mandatory GM Food Labelling

In a study conducted by the Council on soy drinks, it was revealed that traces of genetically modified soy bean materials were found in some samples labelled with 'organic' and 'made with non GM soy beans' or similar claims.

50 samples including ready-to-drink and powder-form products were tested. Half of the tested samples were detected with GM materials, but mostly at trace amounts which are below the limit of quantification.

Among the samples detected with amounts of GM materials, none of them was labelled as 'genetically modified'. Four of them even contained quantifiable amount of GM component ranging from 0.2% to 1.1%. Out of these four samples, two bore the claims of 'Non-GMO'.

The Council urged the Hong Kong Government to enact the legislation for implementing mandatory GM food labelling system as soon as possible to ensure consumer rights for making an informed choice.

### 電磁爐測試發現危險

本會與機電工程署攜手測試15款售價由150至2,180元的「單頭」電磁爐的安全程度，本會更加入異味評審及量度輸入功率試驗。一個型號的底部設有蓋小孔，用戶打開蓋子後手指可觸摸內部帶電部分；經機電署跟進後，代理商自願回收該型號。另兩型號的保險絲兩端之間的絕緣距離不足。異味評審是量度總揮發性有機物濃度作比較，六個型號操作時沒有明顯釋出揮發性有機物，但兩個型號則量得較大釋放量。本會亦量度樣本在220伏特輸入電壓操作時的輸入功率，再與聲稱比較，四款的偏差較少，但其他樣本量得的數據均較其標示值低。

### 食品 建議制訂強制性基因改造食物標籤制度

本會的豆漿測試發現，聲稱「有機」或「非基因改造大豆製造」的樣本，檢出微量基因改造大豆成分。

50款樣本包括即飲和沖劑兩類產品。半數樣本檢出低於定量限的微量基因改造成分。

全部檢出含微量基因改造成分的樣本，均沒有標示「含基因改造成分」或相關字眼。其中四款的基因改造成分足以被定量，含量由0.2%至1.1%。這四款樣本中，兩款附「非基因改造」的標示。

本會期望港府盡快立法推行強制性基因改造食物標籤制度，保障消費者的知情權，讓消費者可憑標籤選擇合適的食品。

## Household Products

### Leaching of Contaminants Found in Melamine Tableware

The Council tested 39 models of melamine tableware including bowls, plates and chopsticks, with prices ranging from \$2 to \$50. The test revealed that nine models did not comply with the Mainland's hygienic standard.

Formaldehyde and melamine are commonly used in the manufacture of melamine tableware. Migration of formaldehyde was detected in five models and leaching of melamine monomer found in nine models.

Deficiencies in the production process might lead to excessive migration of contaminants from the tableware to food. The Council offered some tips for using melamine tablewares in the test report.

### Cleaning Power of Washing Balls No Better Than Plain Water

Washing balls were gaining popularity recently due to its green claims. Some of them claimed to replace detergents and no washing powder was needed. However, our test revealed that in general the cleaning power of washing balls was not significantly better than plain water.

The Council tested 13 powdered detergents and 10 liquid detergents, together with three washing balls. No significant difference in washing performance was found between powdered and liquid detergents. While powdered detergents performed better in keeping clothing bright, they caused greater discoloration when compared with liquid detergents.

Among the powdered and liquid detergents, seven models were found to contain phosphorus compounds with total phosphorus content ranging from 0.03% to 10.7%. The Council urged manufacturers to lower the phosphorus content in laundry detergents to minimise the possible impact on aquatic ecosystem.



## 家居產品

### 仿瓷餐具可能釋出污染物

消委會抽查市面上39款仿瓷餐具，包括飯碗或湯碗、餐碟及筷子，價錢由港幣2至50元不等。測試結果顯示，有九款產品未能符合內地的衛生標準。

甲醛及三聚氰胺是製造仿瓷餐具常用的原料。樣本中有五款檢出甲醛，九款檢出三聚氰胺單體。

製造過程中工序不完善可能導致製成的餐具釋出過量的甲醛或三聚氰胺單體，污染食物。報告亦提供了使用仿瓷餐具的小貼士。

### 洗衣球去污能力儼如清水

近年聲稱環保的洗衣球吸引了不少消費者購買使用。部分洗衣球更聲稱可代替洗衣劑或洗衣時毋須加入洗衣劑。不過，消委會的測試卻發現，洗衣球的去污能力與清水無明顯分別。

本會測試了13款洗衣粉、十款洗衣液和三款洗衣球。整體來說，洗衣球的功效與清水無明顯分別，而洗衣粉和洗衣液的清潔功效相若。洗衣粉保持衣物潔白表現較佳，但與洗衣液比較，引致衣物褪色問題較嚴重。

測試顯示，樣本中共七款洗衣粉和洗衣液檢出磷化合物，總磷含量由0.03%至10.7%。本會建議供應商盡量減少產品的磷含量，減低對水生生態可能構成的影響。



## Personal Care

### Prohibited Colourant Detected in Lip Gloss

The Council tested 37 brands of lip gloss with prices ranging from \$2 to \$230; among them one was found to contain a prohibited colourant CI 15585 (Pigment Red 53) at a level of 74.5 ppm. The use of CI 15585 had been banned for use in cosmetics in the Mainland, the United States and the European Union.

In addition, 25 models were detected with lead ranging in concentration from 0.043 to 0.91 ppm, and one of them was found to contain 0.068 ppm mercury while another contained 0.91 ppm arsenic. The level of heavy metals found in those samples was far below the limits set by the Hygienic Standard for Cosmetics of the Mainland, and therefore should be in theory safe to use.

Traces of the lip cosmetics might be ingested, and heavy metals are hence consumed. As such, consumers were suggested to wipe off the lip cosmetics before eating or drinking.

### International Comparative Tests

During the year under review, the Council also joined forces with consumer associations overseas and stepped up its collaborations with ICRT to conduct international comparative tests, including those on:

- \* Audio-visual and optical products – Blu-ray disc players, digital camcorders, digital compact cameras, headphones, interchangeable lens cameras, MP3 and PMP players, pocket camcorders.
- \* Computer and telecommunications products – internet security software, mobile phone handsets, printers, tablet PCs.
- \* Automobile and related products – car crash safety.
- \* Household and personal products – heart rate monitors, men's razors, non-stick frying pans, pressure cookers.
- \* Household appliances – NiMH battery chargers, steam ovens.

Among them, test reports on digital products, e.g. digital cameras and mobile phone handsets, were more popular among CHOICE magazine readers and visitors to the Council's ShopSmart website.

## 個人護理用品

### 一款唇彩驗出含禁用染色劑

本會測試了37款市面有售的唇彩及唇蜜，每支售價由港幣2至230元，測試發現一款唇彩含有禁用染色劑CI 15585（顏料紅53），含量為74.5 ppm。內地、美國和歐盟等地均不允許在化妝品中添加這種着色劑。

此外，25款唇彩檢出微量鉛，鉛含量由0.043至0.91 ppm，其中一樣本同時檢出微量水銀（0.068 ppm），另一樣本同時檢出微量砷（0.91 ppm）。在樣本中檢出的重金屬含量，仍遠低於內地《化妝品衛生規範》的標準上限，因此理論上仍屬安全。

使用含有重金屬的唇部化妝品，有機會因吞食小量化妝品而攝入重金屬，因此本會建議消費者考慮於飲食前先將唇部化妝品抹掉。

### 國際合作產品測試

年內，本會加強與國際消費者研究及試驗組織的合作，進行國際性比較測試，包括：

- \* 影音及光學產品—Blu-ray影碟播放機、數碼攝錄機、數碼輕便相機、耳筒、可換鏡頭相機、MP3及PMP播放機、輕便型攝錄機
- \* 電腦及通訊產品—上網保安軟件、電話手機、打印機、平板電腦
- \* 汽車及相關產品—汽車撞擊安全
- \* 家居及個人產品—心率錶、男士剃鬚刀、易潔鏟、壓力煲
- \* 家居設備—鎳氫電池充電器、電蒸爐

其中數碼產品如數碼相機及電話手機的測試報告，深受《選擇》月刊讀者及精明消費香港遊網站訪客的歡迎。

## In-depth Reports on Products and Health Issues

Apart from product tests, studies were also carried out on a wide range of consumer products to provide consumer information and, in some cases, to verify certain product claims.

The lists of product study reports and regular columns published during the year are set out in Appendix 10.

## Beware of Misleading Claims of Follow-up Formula

In a study on the beneficial claims made by follow-up formulas, it was revealed that some of them might have been exaggerated and misleading.

The ingredients studied were probiotic, prebiotic/soluble fibre, DHA (Docosahexaenoic Acid), AA (Arachidonic Acid),  $\beta$ -glucan, PhD (phospholipid) and partially hydrolyzed protein formula.

According to expert opinions, although individual studies did show certain beneficial effects in adding probiotics, prebiotics, soluble dietary fibre, DHA, AA in formulas for infants and young children, further research is necessary to confirm their clinical efficacy and whether they should be routinely added to infant formulas. Current CODEX standards do not stipulate these ingredients as essential ingredients in either follow-up or infant formulas.

As for  $\beta$ -Glucan, PhD (phospholipid) and hydrolyzed protein formula, there is insufficient evidence to prove the beneficial effects as claimed.

Experts also commented that the claims of prebiotic or soluble fibre being capable of alleviating the problem of constipation might be misleading. Parents should not change to other formula or choose formula with these ingredients simply to deal with bowel problem.

Breast-milk is the best food for babies, but if parents choose to feed their babies with formula, they should disregard the exaggerated claims when selecting a formula.

The Council urged the government to prohibit exaggerated and misleading claims made by formulas suppliers. In the long run, the government should consider establishing a local code

## 產品研究報告及健康問題

除產品測試外，本會還研究各類消費品，為消費者提供資訊及分析若干產品的聲稱是否屬實。

年內完成的產品研究報告及專欄一覽表見附錄十。

## 注意較大嬰兒配方誤導

本會研究較大嬰兒配方奶粉的聲稱，發現某些成分聲稱的益處，可能誇大及誤導。

研究的成分包括益生菌、益菌素/可溶性膳食纖維、DHA（二十二碳六烯酸）、AA（二十碳四烯酸）、 $\beta$ -Glucan（ $\beta$ -聚葡萄糖）、PhD（磷脂）和部分水解蛋白配方。

根據專家意見，雖然有個別研究顯示奶粉添加益生菌、益菌素/可溶性膳食纖維、DHA 和AA對嬰幼兒有益處，但仍需進一步研究才能証實其臨床效用，以及是否有需要常規性地加入奶粉。食品法典委員會現行的相關標準，並沒有將這些成分列為嬰幼兒奶粉的「必需成分」。

至於 $\beta$ -聚葡萄糖、磷脂及部分水解蛋白配方，沒有足夠證據證明其具有所聲稱的益處。

專家亦認為有關益菌素或可溶性膳食纖維可改善便秘問題的聲稱可能有誤導成分，父母不應因為排便問題或便秘而轉換奶粉，或因此而食用含以上成分的奶粉。

母乳是嬰兒的最佳食物，但若父母選擇以奶粉餵哺，選擇奶粉時不要受各式誇大廣告聲稱影響。

本會促請政府禁止以誇大或誤導的宣傳手法推銷奶粉。長遠而言，政府應參考世界衛生組織（世衛）《國際母乳代用品銷售守則》，制訂適用於本港的守則，規定不可向公眾作廣告宣傳奶粉，包括初生和較大嬰兒奶粉。

based on WHO's International Code of Marketing of Breast-milk Substitutes to regulate against advertising or promoting breast-milk substitutes, including infant formulas and follow-up formulas.

### Advocating Clear and Legible Nutrition Labels

The Council examined the legibility of nutrition labels of several dozens of pre-packaged food collected from supermarkets and bakeries, including biscuits, yoghurts, canned foods, chocolates, breads, cakes, etc.

Several observations were made from the samples studied: font size adopted was too small; spacing was not sufficient; printing quality was poor; lack of colour contrasts; background was confusing; characters in the label overlapped with other patterns/characters on the package.

According to the current Food and Drugs (Composition and Labelling) Regulations, prepackaged food shall be legibly marked or labelled with a list of nutrients. The definition of 'legible', however, is not stipulated.

The Council considers that food manufacturers should be responsible for providing clear and easy-to-read food information to consumers, including information on nutrient contents. With regard to the format of nutrition labels, the United States and European Union have set out clear regulations regarding font size, colour contrast, and line spacing on the labels.

To enhance the protection to consumers, the Council urged the Government to clearly define 'legible labels' in the legislation.

### Safety of Folding Tables Arouses Concerns Again

A folding table is a common potential household hazard. According to Consumer Goods Safety Ordinance, all folding tables are required to comply with the general safety requirements, and need to be equipped with safety locking devices to ensure the legs of the table will not accidentally fold up.

### 本會促清晰易讀營養標籤

本會在超市及麵包店搜集數十款預先包裝食物，包括餅乾、乳酪、罐頭食品、朱古力、麵包、蛋糕等，檢視營養標籤的可讀性。

就檢視的樣本，綜合觀察結果如下：營養標籤字體太小、字和字之間間距不足、印刷質素不理想、顏色對比度不足、背景顏色雜亂、字體重疊。

本港的《食物及藥物（成分組合及標籤）規例》規定，預先包裝食物須加上一個營養素的「可閱」標記或標籤。但規例沒有訂明「可閱」的定義。

本會認為，食物生產商有責任向消費者提供清晰及易讀的食物資料，包括營養素資料。就食物營養標籤的格式，美國和歐盟均有明文規定字體的大小、顏色對比及行距。

為加強對消費者的保障，本會建議政府應把食物標籤的「可閱性」定義納入法例規管。

### 摺檯安全再惹關注

摺檯是家居陷阱之一。根據《消費品安全條例》，所有摺檯均須符合一般安全規定，須有適當的安全鎖掣，以確保摺檯在翻轉後，不會意外摺合。



A fatal accident in which a two-year old boy was trapped by a folding table aroused concerns again. The Council conducted a random survey in the market to find out whether folding tables were equipped with safety locks. It was found that two models did not come with any safety devices. It also found that some small folding tables, though installed with safety devices, do not have necessary instruction labels on how to use the safety devices while in other cases user instructions or safety warnings were found missing.

The Council urged manufacturers or suppliers to improve the safety of the folding table and label the product with appropriate user instructions as a safety reminder to consumers. Consumers were advised to choose a sturdy folding table which had a reliable safety lock, and always activate the safety device.

### **Beauty Treatment of Microneedle Therapy System May Cause Bacterial Infection**

Microneedle Therapy System (MTS) became a popular beauty treatment. With the do-it-yourself MTS tools kit available on market, consumers could acquire one to conduct the treatment themselves. The Council cautioned beauty-conscious consumers of the use of MTS tools, which might not only result in bacterial skin infection, sharing the device might also transmit human immunodeficiency (HIV), hepatitis B and hepatitis C viruses.

The Council received 43 complaint cases regarding microneedle treatments from December 2007 to August 2011. More than 10 cases reported different levels of adverse skin conditions.

Under the voluntary listing system of medical devices maintained by the Department of Health, no microneedles device was listed as a medical device. The Council called for tightening the regulations on the provision of the relevant beauty devices and services.

一宗兩歲男童被摺檯夾死的致命意外再惹關注。本會隨機抽查市面出售的摺檯，是否配備安全鎖掣，結果發現有兩款摺檯，沒有任何安全鎖掣。部分小摺檯雖然配備安全鎖掣，但沒有標貼說明如何使用安全鎖，部分則沒有適當的使用須知或安全警告。

本會呼籲製造商或供應商改善摺檯的安全，標示適當的使用說明以提醒消費者安全使用摺檯，又提醒消費者選購結構穩固及備有可靠安全鎖掣的摺檯，以及使用時上鎖。

### **提防微針美容導致細菌感染**

坊間時興微針美容，自助式微針美容用品在坊間亦有售，消費者可輕易購得自行施用。本會提醒愛美一族，使用微針工具除了可能引致微生物感染，與人共用微針工具可能增加傳染愛滋病、乙型和丙型肝炎等病毒的機會。

本會自二零零七年十二月至二零一一年八月，共接獲43宗有關微針美容的投訴，其中超過十宗個案的投訴人指，於接受服務後，皮膚出現不同程度的不良反應。

根據衛生署的醫療儀器自願表列制度，暫未有微針工具表列為醫療儀器。本會認為有必要加強對有關美容工具及服務的管制。



## Health Ornaments and Utensils With Unsubstantiated Claims

Experts' comments were recapped in a report to remind consumers of various dubious claims of health ornaments and cups.

The health ornaments are in a variety forms such as bracelets, necklace and pendant. One expert doubted whether a small ornament can exert great physiological effects on the whole body. Another expert opined that the health claims of these products were written in vague terms and described feelings which are subjective in nature.

The ingredient claims were also examined. In one case, the product claimed to contain germanium but the report submitted by the supplier showed that the element was 'not detected'. In another case, a bangle presented as a product emitting negative ions was shown to contain a radioactive substance named thorium in the test report provided by the supplier. There are concerns over whether the radioactivity content of the product is within safety limits.

The promotional materials of various nano cups made claims of breaking clusters of molecules in water poured into it, producing special biological effects, making water inside the cups bear very strong energy, etc. However, experts opined that all pure water produces the same biological effects and that the strength and amount of hydrogen bonding among water molecules does not imply any mysterious energy in the water.

Consumers were advised to consult medical professionals first before trying out any health products.

## International Exchange

The Council pays special attention to the movement of unsafe products into Hong Kong and will request suppliers to recall any such products as appropriate. Through communication with other consumer organisations and foreign authorities, the Council receives a constant flow of information about unsafe products found outside Hong Kong.

## 無科學根據的健康飾物及餐具

本會再將專家對於健康飾物及水杯可疑聲稱的意見歸納起來，提醒消費者選購時要小心。

健康飾物有很多不同形態，例如手鐲、頸鍊及鍊墜。有專家質疑這些配戴在身上的小飾物，可對人體的生理反應會起多少作用。另一位專家指出，這類產品所聲稱的療效，使用如「覺得」，「感覺」等字眼，受主觀感受所左右，難以驗證。

此外，亦對產品的成分聲稱進行研究。有產品單張聲稱有關的健康飾物含銻，然而，供應商交予本會的產品測試報告卻標示銻含量為檢不出。在另一個案，一款手鐲產品聲稱能放出負離子，其供應商交予本會的產品測試報告顯示產品含有放射性物質鈾，令人擔心其放射性劑量是否在安全範圍。

研究發現市面上出售的納米水杯，聲稱用納米材料生產，可令飲用水的水分子間締結斷裂，增加水的營養生理功能，喝後容易被身體吸收及會產生「生物效應」，杯中水能量超強。然而本會諮詢的專家認為，任何純水都有「生物效應」，而水分子中氫氧成鍵的強或弱，並不表示水有甚麼神奇能量。

報告建議消費者如欲試用任何健康產品，應先諮詢專業醫護人員。

## 國際間交換資訊

本會積極監察有否危險產品在本地市場出現，並要求有關供應商進行回收。本會透過與外地消費者機構的聯繫，定期收到外地危險產品的資訊。

# Collecting Market Information on Services and Products

## 蒐集服務行業和消費品的市場資訊

### WHY THIS IS IMPORTANT

Hong Kong has developed into a service-oriented economy and consumers need information on a wide range of services. The Council conducts opinion surveys, market surveys and price surveys to collect information on services for the benefit of consumers.

Furthermore, the Council has, for many years, collected on a regular and systematic basis the prices of supermarket products and textbooks which are necessary goods for consumers, in order to monitor long term trends and identify issues of concern, if any, arising therefrom.

### WHAT WE HAVE DONE

#### Banking and Finance Beware of the Risks of Prepayment for Online Group Purchases

Consumers have embraced online group-buying for discounts on products and services but consumers are cautioned about the prepayment risks involved.

The Council examined online group purchase services and found that the online shoppers could be left vulnerable once the website operators fail to pay the merchant and run out of business, as the protection offered to consumers by these websites was scanty. Most of these website operators did not offer warranty or money-back guarantee of any kind in case the website goes out of business. In some cases, consumers were likely to face higher risks as the exemption clauses imposed by the websites specified clearly that the operators would accept no responsibility for loss caused by inaccurate information or errors.

Since there are no territorial limits to the operation of group-buying websites, and websites accessible to local shoppers may not necessarily have business registration in Hong Kong, consumers may have difficulty getting in touch with the website operator, or in pursuing legal action if problems arise.

### 蒐集市場資訊的重要性

香港經濟漸以服務業為主導，消費者對於不同服務的資訊需求很大。本會經常進行各項調查，包括貨品及服務用家經驗調查、市場調查及價格調查，供消費者參考。

此外，本會多年來一直定期及有系統地收集超級市場貨品和教科書等必需品的價格，以便評估長遠趨勢及提出消費者關注的問題。

### 我們完成的任務

#### 銀行及財務 網上團購的預繳風險

消費者享受網上團購帶來的優惠時，須留意所涉及的預繳風險。

本會檢視網上團購服務，發現團購網給予消費者的保障有限，若團購網站倒閉而「走數」，消費者或會蒙受損失。大部分團購網並沒有提及一旦網站關閉，可為消費者作出的退款及相關安排。部分團購網站的免責條款列明，不會負責因網站內的資料錯誤或不實而導致的損失，消費者因此可能要承擔更高風險。

由於團購網站的運作不受地域所限，而本地消費者可接觸到的網站也不一定要在香港作商業登記，問題一旦出現，消費者未必能夠聯絡團購網站或會有困難向網站進行法律行動。

報告建議消費者應評估網站的可靠性及可信性、確保網上付款安全及瞭解換購詳情及細則。



In the study, consumers were advised to evaluate the reliability and credibility of a website, ensure online payments are made safely and read the redemption instructions carefully.

### Dual Currency Credit Card Yearly Rates As High As Over 40% On Payment Default

The Council conducted a survey on dual currency and RMB credit cards. The study covered eight dual currency cards issued by seven card issuers and revealed that the related borrowing costs could be expensive. The interest rate of retail purchase among the cards could vary from the annualised percentage rate (APR) of 16.08% to 34.49%. The interest rates of cash advance in Hong Kong Dollars varied from 22.98% to 36.76%, while for the cash advance in Renminbi, the APR ranged from 20.53% to 37.52% plus a handling fee ranging from 3% to 4% of the loan.

Meanwhile, the Council had also surveyed six Renminbi credit cards, which could only be used on the Mainland. All of them provided an annual fee waiver, for the first one to three years, with the majority (five Renminbi credit cards) carrying a borrowing rate of APR exceeding 30%. The APR on the defaulted minimum payment of retail purchase or cash advance payment might be up to a maximum of 42.58% and 44.73% respectively.

In the report, consumers were advised that in case of card loss in Mainland China, card owners should report to the card centre immediately, instead of reporting to the Mainland bank or the Mainland branch of Hong Kong banks.

### Tax Loan Rates Up From Record Low

The Council conducted an annual survey on tax loans which covered 20 banks and financial institutions. The survey revealed that there was an upward trend in the annual percentage rates (APR). The rates quoted for ordinary customers rebounded to 2.31% to 10.81% in 2011, up from the record low of 1.75% to 9.76% in 2010. For instance, the average APR for a \$5,000 loan climbed 0.63% to 5.14%, and for a \$500,000 loan, the average APR rose 0.58% to 3.62%. Preferential customers or customers who used specific banking services might enjoy a better rate from 1.45% to 4.38% for a \$500,000 loan compared to an APR 2.31% to 6.30% for general customers.

In the report, consumers were suggested to shop around, read carefully the terms of tax loan schemes and compare the interest rate in terms of APRs for the best possible deal.



### 拖欠雙幣信用卡結欠 利息支出可高逾年息40厘

本會進行了雙幣及人民幣信用卡的調查，檢視七間發卡機構提供的八款雙幣信用卡，並發現雙幣信用卡的借貸利息成本可能高昂。不同信用卡之間的購物簽帳實際年利率由最低的16.08%至最高的34.49%不等。港幣帳戶的現金透支實際年利率則由最低的22.98%至最高的36.76%，而人民幣帳戶的現金透支實際年利率介乎20.53%至37.52%，另加3%至4%透支額的手續費。

此外，本會同時調查六張只能在內地使用的人民幣信用卡。這些人民幣信用卡均提供首年至三年的年費豁免期，而大部分(五款信用卡)的借貸實際利率高於30厘。被拖欠的購物簽帳及現金透支的實際利率或分別高達42.58%及44.73%。

報告內建議消費者，如在內地遺失雙幣信用卡或人民幣信用卡，卡戶須盡快致電信用卡中心報失，而非向內地銀行或本港銀行的內地分行報失。

### 稅貸息口由紀錄低位重拾升軌

本會進行了年度的稅務貸款調查，共涵蓋20間銀行及財務公司的資料，並發現各稅貸計劃的息率普遍上揚。適用於一般客戶的稅貸計劃，實際年利率由二零一零年的紀錄低位1.75%至9.76%，反彈至二零一一年的2.31%至10.81%。以借貸額港幣5,000元計，二零一一年市場提供給一般客戶的稅貸計劃，平均實際年利率為5.14%，比二零一零年上升0.63%。如借貸港幣50萬元，平均實際年利率為3.62%，比二零一零年上調0.58%。「特選客戶」或選用指定銀行服務的客戶可享較佳息口，借貸港幣50萬元的實際年利率由1.45%至4.38%，較一般客戶可享介乎2.31%至6.30%的息率，相對優惠。

調查亦建議消費者應貨比三家，細閱稅貸計劃的條款，並以實際利率來比較不同計劃，選擇最便宜的稅貸。

## Daily Living

### Annual Supermarket Price Survey

In the year under report, the Council continued its annual supermarket price survey on scan data of a basket of 200 items of commodities sold in three supermarket chains. The aggregate average price of the basket increased by 1.7% in 2010 compared to 2009. The findings showed that amongst the 12 categories of products, the prices for six categories, namely, milk powder / baby products & food, dairy food / eggs, candies / snacks, bread / cakes, hot drinks and alcoholic drinks increased by 0.2% to 8.7% in average prices respectively when compared to 2009. On the other hand, prices for the six remaining categories were down, ranging from -0.05% to -5.3%. They included canned food / prepacked soup, beverages, personal care products, staple food, non-staple food / sauces and paper/household cleaning.

### Textbook prices and expenditure surveys

According to the Council's annual survey on the price of commonly used school textbooks, the average increases on secondary and primary textbooks of the year were 3.8% and 4.3% respectively. The Council observed that while the issue of de-bundling of textbooks, teaching resources and learning materials had been discussed for quite a while, only a small number of textbooks listed in the Recommended Textbook List published by the Education Bureau offered independent prices for the textbooks and the related teaching resources. The Council is extremely disappointed at the slow progress made by the textbook publishers.

On the other hand, the average expenditure of primary school and secondary school textbooks this year increased 4.1% and decreased 3.5% respectively when compared with that of the previous year. The average textbook expenditures were \$2,110 and \$1,862 for primary and secondary schools respectively. The survey found that some primary schools had adopted electronic textbooks in Computer Literacy which costed less compared to the printed textbooks. In the secondary sector, a substantial drop of nearly 40% was found in the average expenditure of Form 6 (Senior Secondary 3) students, which substantially reduced the average textbook expenditure for secondary schools. The big drop was due to the fact that Form 6 became the last year of secondary education in the new academic structure, while in the past Form 6 had been the first year of Matriculation studies which required purchasing a large quantity of textbooks.

## 日常生活

### 年度超市價格調查

年內發表的超級市場價格報告，涵蓋三間大型超市200項貨品的掃描數據資料。二零一零年200項貨品的總平均售價較二零零九年上升了1.7%，調查的12大類貨品，六大類貨品在二零一零年的全年總平均售價，錄得由0.2%至8.7%的升幅，包括奶粉/嬰兒用品、奶類食品/雞蛋、糖餅/小食、麵包/蛋糕、即沖飲品和酒類飲品；另有六大類貨品錄得跌幅，由-0.05%至-5.3%，包括罐頭/濃湯、即飲飲品、個人護理用品、糧油食品、雜糧/調味，以及紙品/家居清潔用品。

### 教科書調查

本會年度的廣用教科書價格調查顯示，今年的中學及小學教科書價分別平均上升3.8%及4.3%。本會留意到縱使分拆課本、教材及學材的議題已討論多時，但仍只有少量列於教育局適用書目表內的教科書有提供課本及相關教材的獨立訂價。本會對教科書商在分拆訂價一事上進展緩慢感到非常失望。

另一方面，與去年相比，今年的小學及中學平均購書費分別上升4.1%及下降3.5%，而小學平均購書費為港幣2,110元，中學則為港幣1,862元。調查發現有小學於電腦科採用較印刷課本廉宜的電子書教學。中學方面，中六級（高中三年級）的平均購書費比去年大減近四成，亦大幅降低了中學整體的平均購書費。減幅是因為該年級是學生在新學制下修業的最後一年，而去年舊學制中六級的學生剛進入預科階段，因而需購買不少書冊。





## Keep Tabs on Pricy Bills for Mobile Data Roaming

In a survey on data roaming charges in eight countries / areas by six local service providers, the Council discovered that, even for the same country, tariffs might vary among operators. While local service providers might charge the same unit-based price, the bills might turn out differently as the minimum charge units as well as the charge units thereafter vary among service providers. Unexpected charges might also arise when the roaming network was automatically switched over to another one when coverage of the chosen network was not available.

All six local service providers surveyed in the study provided data roaming day passes, but these so-called unlimited day passes could have restrictions on the amount and types of data use. It was found that the Fair Usage Policy (FUP) was also applicable to the day passes, consumers might face suspension or restriction of the unlimited roaming service if the data roaming usage of the consumer was considered unacceptable. Given the limitations of these passes, the Council called on the service providers to amend the term 'unlimited' as it deviated from consumer expectations and might give rise to consumer disputes. Consumers were advised to check with the service providers the charges, terms and conditions for data roaming before departure. They may also consider buying a prepaid SIM card for the country to which they are traveling. If their Hong Kong based SIM cards are used overseas, consumers may minimise the chance of getting a bill shock by turning off the automatic update checking when it is not necessary, make sure the phone is not switched to GPRS or 3G services when using free Wi-Fi for data roaming, and set the network selection to a manual setting to avoid automatic switching to a network which charges more for roaming data.

## Opinion Survey on House Removal Service

The Council's opinion survey covering 1 202 respondents on house removal service operators showed that 61.3% of the respondents had cited reasonable charges as the major factor when choosing removal companies. As such, consumers were advised to acquire quotes from different removal companies for comparison and to invite the suitable company to conduct on-site inspection and ask for a written quotation. Since 36.4% of the respondents did not ask for receipts from the removal companies and some of them regarded written quotations as sufficient as receipts, the Council advised consumers in using house removal service should always ask for a receipt after the

## 手機數據漫遊費差異大

本會於一項涵蓋六間本地服務商於八個國家 / 地區提供的數據漫遊服務的調查內發現，即使在同一國家內，不同服務商的收費亦有不同。縱然本地服務商每個收費單位的收費一樣，帳單總數亦可因為最低收費單位及其後收費單位不同而有分別。當用戶選擇的網絡無法提供服務，而令手機自動轉用另一網絡進行數據漫遊時，更可能會令用戶大失預算。

調查中的六間本地服務商全部有提供數據漫遊日費計劃，但這些聲稱可供用戶於在一日內無限量使用數據的服務計劃，亦可在用量及數據用途上施加限制。本會又發現服務商的公平使用政策也適用於此類計劃，當用戶的數據用量超出服務商認為可接受的程度，原本無限的服務亦可能會受到暫停或限制。鑑於這些計劃的上述限制與消費者期望有出入，容易引起糾紛，本會呼籲服務商修訂計劃內「無限」的描述。本會建議消費者在外遊前先向服務商了解數據漫遊服務的收費及使用條款，消費者亦可考慮於當地購買預繳智能卡。如打算帶同在本地使用的智能卡到外地使用，用戶可暫停手機軟件不必要的自動更新功能，以減低帳單震撼的機會。當使用免費無線網絡上網服務(Wi-Fi)時，要留意裝置有否自動改以通用分組無線電服務(GPRS)或第三代移動通信技術(3G)上網。用戶亦可將手機設定為「手動」選擇網絡，避免「跳網」。

## 搬屋公司服務意見調查

此項調查共收回1 202個回覆，就搬屋服務營運商的服務提出意見。其中61.3%回覆者表示以合理收費為決定選用哪一間搬屋公司的主要考慮因素。因此，本會建議消費者應向多間搬屋公司要求報價作比較，選擇合適公司後宜邀請上門作現場視察及提供書面報價。36.4%回覆者表示，沒有要求搬運公司發出收據，有個別回覆者認為報價單已列出收費，毋須要求收據。本會建議搬運完成後應向搬運公司索取收據，因報價單並非付款證明。調查中有超過八成回覆者有給予搬運工



completion of the service as a written quotation is not a proof of payment. While more than 80% of respondents tipped the workers, some respondents encountered workers complaining that the removal fee was too low and therefore had to tip the workers. On this, consumers were advised to be alert for exceptional low service fee quoted by moving companies as their workers tend to demand more tips. The Council considers that the service fee should include all the remuneration for the workers, and removal companies should not assume tipping as part of their workers' income. Five removal companies with sufficient number of respondents were compared on whether their service fees and tipping policy were reasonable, the carefulness, efficiency and manner of their movers.

### Hiking Prices for Maternity Packages in Private Hospitals

The Council conducted a survey on maternity packages offered by 10 private hospitals. The survey revealed that charges for maternity packages offered by nine private hospitals, including items for maternal and baby care, increased substantially from May 2010 to November 2011. The maximum increase was almost 50%. Seven private hospitals adjusted their charges upward in 2011 while another two hospitals would increase the relevant prices in January and April 2012. Only one hospital had kept the package prices unchanged.

As compared with the survey conducted by the Council in 2010, the latest survey showed that the surge in prices for normal delivery (covering baby care) for local mothers varies from 6.5% to 48.9%, while caesarean section packages (covering baby care) have gone up from 2.8% to 45.4%, basing on the same room type and length of hospital stay. Some usual medical treatments during delivery of the babies were not included in the maternity packages in some private hospitals. Extra payments may be collected on items such as spouse attendance at time of delivery or caesarian section; fetal heart monitoring during labour; forceps delivery or vacuum extraction; or epidural analgesia during labour, etc. Furthermore, most private hospitals would impose a surcharge in different time slots for the use of the operation theatre in emergency situations, and for caesarean section at specific time (e.g. weekdays/weekends, regular/non-regular hours).

The Council urged all private hospitals to state clearly and in detail the terms of service in their maternity packages, so that consumers could better prepare their budget.

人小費，其中有回覆者表示，由於搬運工人抱怨搬運費太低，故此給予小費。因此本會建議消費者小心報價特低的公司，因為搬運工人可能會期望客人給予較多小費。本會認為，搬運費應包括所有給予搬運工人的報酬，搬運公司不應期望工人的薪酬由客戶給予小費作補貼。調查中有五間搬運公司有足夠的回覆者樣本作分析，報告比較了回覆者對收費和小費是否合理、搬運工人是否小心、搬運人員的服務效率和態度的評價。

### 私家醫院分娩套餐大幅加價

本會調查由十間私家醫院提供的分娩套餐收費，發現其中九間私家醫院在二零一零年五月至二零一一年十一月這一年半間大幅調高分娩套餐的收費（包括產婦及嬰兒護理項目），加幅最高近五成。七間私家醫院在二零一一年調高分娩套餐收費，另外有兩間則於二零一二年一月及四月加價，只有一間沒有調整價格。

與本會在二零一零年進行的調查比較，按相同住房級別、住院日數計，最新自然分娩套餐（包括嬰兒護理）收費加幅由6.5%至48.9%；剖腹分娩套餐（包括嬰兒護理）收費增幅則由2.8%至45.4%。而不少在分娩過程中會使用的服務，不一定包括在私家醫院的套餐收費內，部分項目可能另外收費，例如丈夫在產房或手術室陪產、使用胎兒監察器、使用產鉗或真空吸引器、或用硬膜外麻醉。另外，大多數私家醫院會按不同時段（如平日或週日、正常或非正常手術室時間），就使用手術室作緊急剖腹分娩和擇時辰剖腹分娩，收取附加費。

消委會呼籲私家醫院應清楚說明，分娩套餐內容及服務條款，增加收費的透明度，讓預約服務的消費者有所預算。



## Jeans Manufacturing and CSR

The Council published a report on the corporate social responsibility (CSR) performance of jeans brands and manufacturers. In the survey coordinated by the International Consumer Research & Testing (ICRT), 15 international jeans brands and jeans manufacturers of chain store brands were invited to take part. Some factories in Bangladesh, China, Italy, Morocco, Pakistan and Turkey were visited.

The study found that performance was unsatisfactory in the categories of 'Health & Safety' and 'Decent Hours of Work' and most of the production sites performed poorly in pollution reduction measures. The study also looked into safety measures adopted by manufacturers during sandblasting process in which jeans are sprayed with sand to create a used and old look. It found that sandblasting was carried out in three production sites and one of the production sites practised manual sandblasting. The workers had low awareness of the health and safety risks of such work process and there was no air quality monitoring in the facility. The report urged manufacturers and consumers to be aware of the health risks of traditional sandblasting process.

## Price survey initiatives

The Consumer Council continued to enhance price transparency of food and daily necessities through various price surveillance initiatives.

The Council continued to conduct its weekly price surveys and closely monitored a basket of 40 fast consuming goods and commodities at different retail outlets, including chained stores such as supermarkets and personal care stores, and individual stores such as drugstores and grocery stores. Five fresh food items from wet markets and major supermarket chains were also included in the survey for reference of consumers. Results of the surveys were enhanced with various discount analysis. Furthermore, observable trends found among outlets and pricing abnormalities were analysed.

Since 2008, Supermarket Pricewatch has been disseminating daily prices of products from four online supermarkets. In 2011, the efficiency of our website was further improved resulting in the further expansion of items being monitored by the website. The number of items was raised from about 800 in January 2011 to about 1 300 in February 2012. A simplified Chinese version of the website, catering for the needs of tourists from the Mainland, was implemented in the second half of 2011.

## 牛仔褲生產與企業社會責任

本會刊登了牛仔褲生產商企業社會責任的研究調查報告。調查由國際消費者研究及試驗組織統籌，共邀請15個國際牛仔褲品牌及連鎖店品牌的牛仔褲生產商參與。研究員並視察他們位於孟加拉、中國、意大利、摩洛哥、巴基斯坦及土耳其的工廠。

調查發現，在「員工健康及安全問題、工作時間」方面極需改善，大部分生產商在減低生產過程對環境的影響，表現仍然不理想。調查同時了解生產商對噴砂工人所採用的安全措施，噴砂處理可令牛仔布料看起來有破舊和褪色效果。結果發現有三間工廠有噴砂處理，而其中一間噴砂處理由人手操作，且工人的健康及安全意識較低，工廠亦沒有監測噴砂工場的空氣質素。報告亦呼籲生產商及消費者，關注傳統噴砂技術會導致工人的健康受損。

## 全方位價格

本會繼續進行食品和日用品的不同價格調查，以提高市場的價格透明度。

本會繼續進行「每週精明格價」，在不同零售店，包括大型連鎖超級市場、個人護理連鎖店、藥房/藥行、獨立超市及雜貨店，調查一籃子共40件日常消費商品的售價，另包括五件在超市及街市有售的新鮮食品價格調查。報告除比較區內不同零售店的貨品售價，還分析不同優惠和價格異常等問題。

自從二零零八年起，「網上格價一覽通」每天發放來自四間網上超市之貨品價格。在二零一一年，該網站的效率再作提升，令網站可以擴大監察的貨品數目。監察的貨品數目由二零一一年一月的約800件，增加至二零一二年二月的1 300件。網站的簡體中文版亦在二零一一年下半年開始運作，以配合來自內地旅客的需要。

# Disseminating Consumer Information.

## 提供消費者資訊

### THIS IS IMPORTANT

Consumer information plays an important role in the protection of consumer interests. It enables consumers to be vigilant for undesirable trade practices and aware of unsafe goods and services, which help them to exercise rational choices and further strengthen the concept of sustainable consumption. The Council will continue to disseminate consumer information through various channels to enhance public's knowledge towards consumer rights and foster the society to further support our work.

### WHAT WE HAVE DONE

#### Publication of CHOICE

Council's monthly magazine CHOICE provides a regular outlet of information, advice and viewpoints on all matters of interest to consumers. CHOICE reports in a comprehensive format the results and conclusion, with brandname information, of comparative product testing, and service assessment through surveys and in-depth studies. Regular columns of consumer interest dealing with such issues as health and nutrition, consumer complaints, hazardous products, environmental concerns, drug safety, investor education, and issues of global consumer concern are also included.

CHOICE does not accept any commercial advertising. In addition to copyright protection, Section 20 of the Consumer Council Ordinance strictly prohibits the exploitation of the Council's name or its research information for commercial and promotional purposes. Section 20 is essential for protecting the independence and impartiality of the Council in its evaluation of goods and services available to consumers in the market.

### 提供消費者資訊的重要性

消費者資訊對於保護消費者，和提高他們的自保能力都是極為重要。消費者若能充份掌握資訊，會較易洞悉不當的經營手法及危險產品，作出明智的消費選擇和深化可持續消費的概念。為此，本會透過不同方法發放消費者資訊，提高大眾對消費權益的認識，促使社會人士支持消費者權益保障工作。

### 我們完成的任務

#### 《選擇》月刊

本會出版的《選擇》月刊定期發放有關消費者權益的資訊、建議和意見。《選擇》詳列產品測試報告和產品資料，及評估服務質素的專題研究和調查，並有各類型的專欄，包括健康與營養常識、消費者投訴個案實錄、危險產品、環保課題、藥物安全、投資者教育及消費者關注的全球性議題等。

《選擇》月刊並不接受任何商業廣告。除了版權保障，《消費者委員會條例》第二十條列明，禁止任何人士以本會名稱或節錄月刊內容作商業及宣傳用途。該條文對保障本會在評定產品和服務時，可以持獨立和公正的立場，是十分重要的。



CHOICE has attracted immense media interest ever since its debut in 1976. A press conference is held to launch the publication of each and every issue of CHOICE, together with the distribution of a press release in both English and Chinese, and active assistance is also provided to meet media requests for additional coverage of articles of specific interest in all sectors of the media.

CHOICE magazine in print is available to the general public through sales of subscriptions and at retail outlets covering newsstands, supermarkets, convenience stores and bookshops throughout the territory. During the year 2011, the overall combined sales averaged 25 107 copies per issue, splitting quite evenly between subscriptions and retail sales.

### Multi-media CHOICE

CHOICE has the distinction of being one of the first consumer organisations to provide a diverse multi-media access for all – from print to internet online, fixed-line and mobile phone users.

We have embraced the new media to reach out to more consumers. Further to our efforts in providing online version in 2004 and extending the service to fixed line and mobile phone in 2006, the Council's latest initiative to reach out to the public is by developing e-CHOICE programme which is applicable to e-reading platforms of iOS and Android mobile device users.

In cooperation with a major internet service provider through the website (<http://choice.yip.com.hk>), the online CHOICE provides all of the reports in each current edition and an archive of back issues of CHOICE for access by all internet users, for viewing on annual subscription or per issue or per report basis. The demand for CHOICE Online has risen continually each year. Moreover, consumers are able to access a selected number of major tests and survey reports in CHOICE anytime and anywhere through PCCW Fixed-line Network and Mobile Services. An audio version and abridged text version for each report are also available for users.

自一九七六年創刊以來，《選擇》月刊一直廣受傳媒關注。每期月刊出版當日，召開新聞發布會和印發中英文新聞稿，介紹月刊內容，均為各媒體大篇幅報道，本會又積極協助不同媒體就個別專題的跟進報道，安排訪問，務求將報告內容傳達至社會每一角落。

月刊的銷售途徑分為訂閱和零售，兩者在二零一一年的總銷量平均為每期25 107冊。《選擇》訂戶約佔總銷量的一半，其餘則經由各區的報攤、超級市場、便利店和書店發售。

### 多媒體《選擇》月刊

《選擇》月刊是首個由消費者機構提供的多媒體資訊服務，由印刷本至互聯網、固網電話和流動電話都可取得資訊。

本會致力透過新媒體，將《選擇》月刊推廣至更多消費者，除了於二零零四年建立《選擇》網上版，於二零零六年把服務擴展至固網和流動電話用戶之外，《選擇》月刊最近更展開《選擇》電子化計劃，製作適用於iOS及Android平台的電子版本。

《選擇》月刊與一家互聯網服務供應商合作，透過黃頁網站(<http://choice.yip.com.hk>)向公眾提供《選擇》月刊每期的所有報告，同時設有月刊資料庫，所有上網人士都可瀏覽，分為一年訂閱收費，或以每期或每篇報告計算。數據顯示，越來越多上網人士在互聯網上搜尋消費者資訊。此外，消費者也可使用電訊盈科新世代家居固網和電訊盈科流動通訊，隨時隨地收看精選的測試和普查報告。為配合獨特的傳送模式，每段報告都備有濃縮版本及話音版本。

## Media Liaison

Media relations are actively fostered to advance the cause of consumer empowerment and protection. The Council is in daily contact with the mass media on all matters of consumer interest. Regular press conferences, news releases, briefings and interviews are arranged for all sectors of the media, contributing significantly to the widespread dissemination of consumer information and advice to the public. The role the media can play is much valued by the Council. It helps to heighten consumer awareness and understanding of the diverse range of functions and activities the Council performs in the protection and empowerment of consumers.

The inauguration of delivering press releases through Dow Jones & Company Inc in June 2011 has proven to be an effective way to establish close liaison with different parties regarding consuming issues. It is observed that the Council's press releases are welcomed by different professions and the retrieval comes from around the world.

## Consumer Rights Reporting Awards

The annual Consumer Rights Reporting Awards has gained increasing recognition of the news media as a coveted award for professional excellence. This year's Awards is the 12th organised by the Council in association with the Hong Kong Journalists Association (since 2000) and the Hong Kong Press Photographers Association (since 2007). A total of 175 entries were submitted for adjudication in the seven categories of print news (76), print features (47), television news (5), television features (17), radio news (9), radio features (7) and press photo (14), covering a wide spectrum of issues of consumer interest and concern.

The panel of adjudicators comprised: Professor Francis LEE, Associate Professor, School of Journalism and Communication, the Chinese University of Hong Kong; Mr. LAU Chi Kuen, Principal Lecturer, Department of Journalism, School of Communication, Hong Kong Baptist University; Mr. Joe LAM, Chairman, and Mr. Jacky POON, Vice-Chairman, of Hong Kong Press Photographers Association; Ms. SHUM Yee Lan and Ms Kaman CHEUNG, Executive Members of Hong Kong Journalists Association; Professor Anthony CHEUNG, Chairman, and Mr. Ambrose HO, Vice-Chairman, of Consumer Council.

The winning entries of the 2012 Consumer Rights Reporting Awards can be found in Appendix 12.

## 與傳播媒介的聯繫

本會積極建立與傳媒的聯繫，以達至推廣消費者教育和保障的工作，就各種消費者權益問題經常與傳媒保持接觸，包括定期的新聞發布會、新聞稿發布和專訪等，將本會的資訊和建議發放予公眾。本會十分重視傳媒的影響力，它們的報道讓市民認識本會在消費者保障方面多元化工作和活動，有助本會取得公眾支持。

道瓊斯公司由二零一一年六月開始發送本會新聞稿，讓消費者議題能透過此途徑與各方面保持緊密聯繫，本會的新聞稿備受全球各專業界別及訂戶歡迎。

## 消費權益新聞報道獎

每年一度的消費權益新聞報道獎已為新聞界廣泛認同，認為有助提升專業水平。報道獎由本會與香港記者協會及香港攝影記者協會分別於二零零零年及二零零七年開始合辦，已經踏入第十二屆。今年共有175份參賽作品競逐七個組別的獎項，分別是印刷新聞（報章及雜誌）（76份）、特寫（報章及雜誌）（47份）、電視新聞（5份）、電視特寫（17份）、電台新聞（9份）、電台特寫（7份）和新聞攝影（14份），參賽作品題材廣泛，包括消費者權益及消費者關心的議題。

報道獎的評判包括：香港中文大學新聞與傳播學院副教授李立峯博士；香港浸會大學傳理學院新聞系首席講師劉志權先生；香港攝影記者協會主席林振東先生；香港攝影記者協會副主席潘政祁先生；香港記者協會執行委員岑倚蘭女士及張嘉雯女士；消費者委員會主席張炳良教授和消費者委員會副主席何沛謙先生。

得獎名單見附錄十二。

## Top Ten Consumer News

The public concern over the issues of mainland pregnant women using local medical services was voted the top story in the Top Ten Consumer News election for the Year of the Rabbit. The event, in its eighth year, was organised jointly by the Council in association with News Channel of Hong Kong Cable Television, Radio Television Hong Kong and Hong Kong Economic Times, with Fan, Chan and Co. as the Honorary Auditor.

Members of the public were invited to select and vote for the top ten consumer news, out of a list of 20, which in their view were uppermost on the mind of consumers during the Year of the Rabbit in Hong Kong. It drew a total of 2 007 voters who cast their votes online or in print entry forms in the first half of January 2012. Full results and their vote count of the Top Ten Consumer News of the Year of the Rabbit, in their sequence, are as follows:

1. Influx of mainland mothers pushes up charges for maternity packages and squeezes local mothers out of private hospitals (2 007 votes)
2. Price hike of electricity higher than inflation (1 949 votes)
3. Earthquake and radiation leak in Japan led to panic buying of salt (1835 votes)
4. People suffer from hiking food prices (1 766 votes)
5. Chemical DEHP found in imported food products from Taiwan (1 617 votes)
6. Shortage of baby formula caused by cross borderers demand (1 358 votes)
7. Flooding in Thailand led to price increase in eggs and rice (1 243 votes)
8. Small retail shops selling products under recommended price complained about pressure imposed by supplier, demanded implementation of competitive law (1 216 votes)
9. Government sought public opinion on regulating privately run columbarium (1 177 votes)
10. Government suggests expanding plastic bag levy to all retails outlets (1 093 votes)

## 十大消費新聞揭曉

內地孕婦湧港產子被選為兔年十大消費新聞的第一位。十大消費新聞選舉已經第八年舉辦，由本會聯同有線新聞台、香港電台與香港經濟日報合辦，范陳會計師行為義務核數師。

在二十則備受消費者關注的新聞中，由公眾選出十大消費新聞。是次活動共有2 007名市民參加，在二零一二年一月上旬透過互聯網、傳真和郵寄方式投票。

「兔年十大消費新聞」選舉的結果和排名如下：

- (一) 內地孕婦湧港產子 私院加價港媽無位 (2 007票)
- (二) 兩電加幅高於通脹 (1 949票)
- (三) 日本地震後洩輻射引發消費日貨恐慌 中港現食鹽搶購潮 (1 835票)
- (四) 食物通脹颯 市民生活苦 (1 766票)
- (五) 台灣塑化劑風波 含致癌物食品流入港 (1 617票)
- (六) 水貨客搶購奶粉 本地家長叫苦連天 (1 358票)
- (七) 泰國洪災 米蛋價暴漲 (1 243票)
- (八) 小店廉售貨品疑遭欺壓 期競爭法立法促公平市場 (1 216票)
- (九) 政府計劃設發牌制 規管私營骨灰龕 (1 177票)
- (十) 政府建議膠袋徵費擴至所有零售店 (1 093票)



## The Shoppmart Website

Launched in 2007, the Shoppmart website ([www.consumer.org.hk/shoppmart](http://www.consumer.org.hk/shoppmart)) dedicated specifically to enhance consumer confidence and protection to Mainland visitors shopping in Hong Kong. Available in both traditional and simplified Chinese, the website “精明消費香港遊” offers a unique one-stop consumer service covering a broad range of products and topics of interest and concern to Mainland tourists. A main focus of the web is the provision of practical shopping information on a number of categories of goods most favoured by Mainland visitors. In terms of the download frequencies, the most favourable web content in the Year 2011 -12 was research reports of cosmetic products, digital cameras and shopping hints of mobile phones.

Further, the web also features useful consumer-related issues on, inter-alia, the differences in consumer culture and trade practices between Hong Kong and the Mainland, dining and sightseeing, money exchange and transportation, consumer safeguards and complaint channels, etc. It can be readily accessed via an extensive network of hyperlinks with the websites of consumer organisations in the Mainland, through the co-operation and assistance of the National Tourism Administration of The Peoples’ Republic of China and the China Consumers Association.

During the year, the content of the website was continually updated and expanded – amongst others, a total of 14 ‘Consumer Alerts’ and 17 abridged versions of CHOICE test and survey reports of particular interest to Mainland visitors were uploaded. So far, up to the end of March 2012, the cumulative hit rates of the website reached more than 102 million.

To gauge Mainland tourists’ views on the website content, design and browsing speed, the Council conducted an online survey in the year. It was revealed that most of the respondents found the content and design of the website useful and attractive. Base on the results of the survey, the Council will launch a revamp on Shoppmart in the coming year to further strengthen the content and functions of the website.

## 網站「精明消費香港遊」

二零零七年本會啟動為內地旅客而設的網站 — 精明消費香港遊([www.consumer.org.hk/shoppmart](http://www.consumer.org.hk/shoppmart))，旨在提高內地旅客在港消費的信心，以及加強保障他們的消費權益。網站備有繁體和簡體字版，為消費者提供獨有的一站式消費服務，內容覆蓋熱門商品及內地旅客關注和感興趣的課題。網站於二零一一至一二年的最受歡迎內容為化粧品、數碼相機研究報告、及手提電話消費錦囊。

此外，網站列出中港兩地一些有關消費文化和營商手法的差異，及飲食觀光資訊、貨幣兌換和交通、消費者保障和投訴途徑等。透過中國國家旅遊局及中國消費者協會的協助，網站得以超連結到內地各省市的消費者組織，方便內地消費者。

年內，我們不斷更新及擴充網站的內容 — 合共上載14個消費警示及17篇內地旅客特別感興趣的《選擇》月刊測試及普查報告精華版。截至二零一二年三月底，網站的累積點擊率超過一億二千萬次。

本會於年內透過網上調查，搜集內地旅客對網站內容、設計及瀏覽速度的意見，結果顯示大部分使用者認為網站內容實用，設計吸引。本會將根據調查結果，於來年更新網站，進一步強化網站內容及功能。

## Council's website: access to all

The Council's official website has taken the initiatives to cater for the needs of underprivileged groups. Hearing impaired consumers are now able to get access to the information of Supermarket Price Watch and Auto Fuel Price Calculator on Council's website through a 3G handset. The service is provided jointly with Hong Kong Lutheran Social Service. The hotline has been the top 5 telephone services used since its inauguration in March 2011.

It is the Council's commitment to improve the accessibility of the website to not just the hearing impaired, but also the visually impaired. The Council has been carrying out web page enhancement to accommodate their needs. Completed in midyear, the website has reached the AA standard stipulated in the Web Content Accessibility Guidelines (WCAG) developed by the World Wide Web Consortium (W3C).

## World Consumer Rights Day

The theme of this year's World Consumer Rights Day (WCRD) which falls on March 15 every year, is 'Our money, our rights: campaigning for real choice in financial services'. The campaign called for safe and fair financial services for all consumers. The WCRD drive was spearheaded by the Consumers International (CI) working with its members to build an international picture of the experience of consumer organisations and consumers in the area of financial services.

In support of the campaign, the Council compiled a report of typical consumer complaints which mainly involve fee disputes in the March issue (425) of CHOICE. Useful advice to consumers was also included.

The report revealed that despite the uncertain economic outlook and minimal deposit interest rates, banks in Hong Kong have been raising their service charges in recent years. Consumers not fully aware of various bank charges might have to pay more and disputes will be easily caused.

The report also touched on the following these two issues – the cost of using credit card for cash advances, the intermediary bank fees of remittance services.

## 本會網站：無遠弗屆

本會網站為弱勢社群的特別需要主動提供方便，弱聽人士現在可透過本會網站和3G手機，取得超市格價和油價計算機的資料。有關服務由本會及路德會合作推行，有關的熱線服務自二零一一年三月推出後，本會資訊是首五位最受歡迎的熱線服務。

在加強對弱聽人士服務之外，本會為照顧視障人士需要，於年內提升網站的無障礙瀏覽功能，並於二零一二年中完成有關計劃，本會的無障礙網頁已達致萬維網聯盟的《無障礙網頁內容指引》(W3C WCAG)的AA級別標準。

## 全球消費者權益日

每年三月十五日是國際消費者聯會（國際消聯）倡議的全球消費者權益日，今年主題定為「我們的金錢，我們的權利：爭取金融服務有真正的選擇」，呼籲為所有消費者提供安全及公平的金融服務。在國際消聯的領導下，促進國際間各消費者組織及消費者在金融服務方面的經驗。

為響應全球消費者權益日，本會在三月出版的《選擇》月刊（425期）刊載專題報告，報道常見的金融服務收費投訴個案，提醒消費者要注意的地方。

報告指出，在經濟前景不明朗及存款利率低的情況下，香港的銀行於近年仍不時調高收費，消費者若不注意銀行的收費，便可能需付出較高的費用，甚至出現收費爭拗。

報告涵蓋了信用卡透支收費，以及海外匯款所涉的代理銀行手續費這兩方面。

# Empowering Consumers through Education.

## 教育活動——加強消費者的自我保護能力

### WHY THIS IS IMPORTANT

Great importance is attached to the Council's consumer empowerment objective of which consumer education forms an integral part. Through a systematic programme for various target groups, participants acquired the necessary skills and know-how of rational consumption. Their awareness of the rights and responsibilities of being consumers was heightened as a result.

The Council has provided support to other organisations and educational institutes to enable them to run their own consumer education programmes. Tailor-made activities are designed to cater for three major target groups – namely young people, senior citizens and new immigrants. The latter two groups are more vulnerable to trade malpractices and in need of guidance.

### WHAT WE HAVE DONE

During the year, 215 educational talks, visits, workshops and seminars were organised for the above three target groups, as well as other interested parties such as teachers, parents, women and disadvantaged groups. Popular themes included consumer rights and responsibilities, consumer protection laws, consumer traps, sustainable consumption, consumer guides on health and safety issues as well as the purchase and subscription of telecommunications services, to meet the needs and concerns of the public.

The Council has also organised the Consumer Culture Study Award as well as teacher training programmes to promote consumer education in schools. In addition, the Council has been actively involved in promoting consumer education contents to be incorporated in local formal school curricula with great success. Council staff has worked closely with the Education Bureau (EDB) in the design and development of such curricula to enhance the effective delivery of knowledge and concepts pertaining to consumer education in various related subjects in Technology & Business, Social & Humanities key learning areas as well as Liberal Studies and moral and civic education, in primary and secondary schools.

### 消費者教育的重要性

本會一向極為重視提升消費者自我保護能力的教育工作。針對不同社群的需要，本會籌劃不同類型的消費者教育活動，讓他們認識消費者的權利和責任，從而成為明智的消費者。

為更有效推廣消費者教育，本會因應不同機構及院校的需要，提供協助及教材，讓他們可各自推行消費者教育活動。本會亦舉辦專為青少年、長者和新來港人士而設計的活動。長者和新來港人士因較易受不當經營手法影響，有必要加強他們的警覺性，以免墮入消費陷阱。

### 我們完成的任務

本會為上述三個目標社群，以及其他對象如教師、家長、婦女和傷健人士，全年共舉辦215項消費者教育活動，包括講座、參觀、工作坊和研討會等。主題包括消費者權益與責任、消費者保障法例、消費陷阱的自保法、可持續消費、健康和安全的消費、及電訊服務的選購指南等，以切合社會大眾的需要。

本會亦籌辦「消費文化考察報告獎」及教師培訓課程，在學校推廣消費者教育。本會與教育局一向緊密合作，共同發展適用於不同科目的課程，將消費者教育的知識和概念，有效融合於多個中小學正規學校課程之中，包括：科技教育和社會及人文教育學習領域，以及通識教育、德育及公民教育等，成績理想。



Education resource materials were also produced to facilitate trainers to conduct consumer education programmes on their own.

Several pilot programmes were further tested out during the year to explore opportunities and feasibilities in effective delivery of consumer education to better serve emerging needs as well as the needs of different sectors. These included education programmes and training courses for local third age persons and university students in Mainland China.

Staff training programmes and sharing sessions were also conducted for our Mainland and local counterparts to share experiences in designing and organising effective consumer education programmes in general and the Consumer Culture Study Award in particular.

These programmes were held both in the Consumer Council Resource Centre as well as local schools and other community centers to meet demands from different sectors of the society.

## **Enhancing Youth Awareness in Consumer Rights Consumer Culture Study Award**

The Award, jointly organised with the Education Bureau (EDB) for the thirteenth consecutive year, is the largest and most well-received territory-wide project-based learning programme designed for local secondary schools. Participants have to study a particular aspect of our local consumer culture, exploring the consumer attitudes, values and behaviours in Hong Kong. Over the years, the Award has been generating a fruitful collection of over 8 600 study reports based on first-hand data collected by students, and in turn, helped enrich the archives of studies on local consumer culture as well as the pool of teaching resources.

The finale of the 12th Study Award was marked by the Joint Award Presentation Ceremony with the 1st Third Age Persons Consumer Culture Study Award held on 26 July 2011 at Academic Community Hall of Hong Kong Baptist University. Officiated by Mrs Cherry TSE Ling Kit-ching, JP, Permanent Secretary for Education and attended by 700 guests, the Ceremony presented 56 awards to the 46 winning teams, with 7 major winning teams presented the major findings of their reports in various creative formats.

此外，本會亦製作各類教學資源材料，以協助導師自行策劃消費者教育活動。

去年本會繼續試行數項先導計劃以探討在本港和內地有效推行消費者教育的各種可能性和可行性，以應對不同社群和社會發展的新需要，其中包括為本地第三齡人士及內地大學生舉辦的教育課程與培訓活動。

此外，本會亦為本地及內地姊妹團體，主持員工交流培訓活動，以分享設計有效消費者教育活動及籌辦「報告獎」的成功經驗。

因應不同團體和機構的需要，這些活動除了在本會的資源中心，亦會於各學校及社區中心舉行。

## **提高年青人的消費權益意識 消費文化考察報告獎**

由本會及教育局合辦，以中學生為對象，迄今已舉辦了十三屆的「消費文化考察報告獎」，是本地學界最大型和最受歡迎的專題研習教育活動。參加同學自行挑選與本地消費文化有關的課題，探討消費者的行為、態度和價值觀等，並進行考察調查。歷屆完成的八千六百多份考察報告，都是同學實地考察所得到的第一手資料，為本地消費文化研究和消費者教育提供了豐富的參考資源。

第十二屆「報告獎」於二零一一年七月二十六日與「第一屆第三齡消費文化考察報告獎」共同舉行的聯合頒獎禮中完滿結束。頒獎禮假浸會大學大學會堂舉行，由教育局常任秘書長謝凌潔貞太平紳士主禮，共七百多名嘉賓出席。本屆頒發的56個獎項由46隊同學獲得。七隊主要得獎隊伍更以各種創新的形式為嘉賓匯報了作品的精髓。

The 13th Study Award was launched in September, 2011. 1 144 teams from 99 secondary schools took part in this year's Award. Amongst the participating schools, 8 schools joined for the first time while 61% of last year's schools continued in their participation this year. 99% of the participating teams successfully completed their studies. A list of the winners is at Appendix 13.

Introductory talks on consumer issues and how to conduct the study were organised for teachers and students, attracting over 700 participants to such sessions. It was through these talks and the subsequent active engagement of students in conducting the study that their understanding and awareness of consumer issues were enhanced and analytical ability strengthened.

107 workshops covering 26 thematic topics were organised for over 5 700 teachers and students as an extension activity of the Study Award. These workshops aimed at stimulating creativity, arousing interest on issues like consumer responsibilities, care and concern of the environment as well as exposing participants to concepts and skills in conducting and presenting consumer culture studies.

The Consumer Education Division was also invited to conduct School Workshop Days as a support and learning initiative for participating schools of the Study Award. A team of workshop hosts would conduct four to five different workshops in each session, providing chances of different exposure for the 200-strong students studying in the same form in a day's visit for each school. School Workshop Days were conducted for 19 schools in the year with positive response.

Advisory and consultation sessions conducted by staff was a newly introduced support initiative to teachers and students to help improve their project ideas and skills aiming to further improve the quality of the project studies. 53 such sessions were held in the year.

Pilot projects were successfully launched last year to extend the experiences of the Study Award in engaging local third age persons and Mainland students in conducting consumer culture studies as an empowerment initiative.

第十三屆「報告獎」於二零一一年九月展開，共有99間中學的1 144隊報名參加。當中，有8間中學為首次參加，上屆學校繼續參加率為61%。99%隊伍成功完成考察報告。本屆得獎名單見附錄十三。

本會特別為參加學校的老師和同學安排多次講座，講解各種消費問題及如何進行考察活動，吸引了逾700位師生出席。透過出席講座及主動參與考察，同學對各種消費課題有更深入的了解，分析能力亦大大提高。

為支援參加的學校及作為延展的學習活動，年內為超過5 700位老師及同學舉辦了107次，共26個不同專題的工作坊，以啟發同學的創意，提高他們對消費者責任、可持續消費等課題的認識，以及讓參加者掌握如何進行消費文化考察的概念和技巧。

應學校的邀請，本會於新學年繼續舉辦「學校工作坊日」。教育部的團隊於工作坊日，為每間參與學校同年級的二百多位學生，主持四至五個不同主題的工作坊，讓學生參與不同的工作坊以獲得不同的體驗和學習。年內共為19間中學舉辦了學校工作坊日，反應良好。

自去屆起，更新增由教育部團隊主持的「諮商面談會」，為各校提供更多的支援。活動透過對報告的意念和內容提出建議，協助同學提升作品的水平。本屆共舉辦了53次面談會。

本會亦會繼續探討為不同階層和在內地推行同類型活動的可能性。去年成功推行了供本地第三齡人士及內地學生參與的兩個「報告獎」試驗計劃，旨在讓更多不同階層的參加者，皆能透過消費文化的考察，提升自保維權的意識和能力，貫徹賦權消費者的理念。

## Youth Development Service Scheme

The Youth Development Service Scheme aims to provide an opportunity for the trained youth volunteer leaders learning more about consumer issues through involvement in Council's activities. Provided with comprehensive training and practice opportunities, these youth leaders took up tasks independently, such as presentations to community groups and production of educational materials. They are also actively involved in the running of various events and projects of the Consumer Education Division.

Currently, over 30 secondary students and university undergraduates are involved in the Scheme, with new recruits joining each year.

## Consumer Culture Study Award in Shantou University

This pilot programme, aiming to explore the feasibilities in organising similar programmes for Mainland students, was launched in September 2009 in Shantou University and was well-received by both the University and their students. This year, the Council continued to co-organise the Third Consumer Culture Study Award in Shantou University with its Student Affairs Office. Over 340 students forming 102 teams have enrolled in the programme to receive training pertaining to issues, concepts and skills in conducting consumer culture studies. Members of the previous winning teams were trained to become the organiser and trainer for the new round of the Award with impressive results.

The Award Presentation Ceremony of the 2nd Study Award was held on 12 November 2011 at Shantou University with Prof. Li Dan, Vice President of the University as officiating guest.

320 guests attended the Ceremony. Among them were over 40 principals and teachers from local secondary schools.

## Education Programmes for Vulnerable Groups For Senior Citizens

51 programmes were delivered to the senior citizens through joint efforts with social and community services organisations. Programmes were tailored to meet the special needs and consumption patterns of the senior citizens.

## 青年培訓服務計劃

「青年培訓服務計劃」旨在讓青年學員，通過參與協助籌辦消委會的教育活動，加深他們對保障消費者權益工作的認識。通過全面的訓練和實踐，參加計劃的青年學員積極參與本會推動消費保障的社區教育活動、製作教材，並協助推行本會不同的活動和計劃。

本年共有逾30位中學生及大學生參與此計劃，每年並不斷有新學員加入。

## 汕大學生消費文化考察報告獎

本會於二零零九年九月在汕頭大學試辦了首次在內地舉辦的「消費文化考察報告獎」，旨在探討和掌握在內地推行同類活動的可能性和經驗，活動深受汕頭大學校方及學生歡迎。今年本會與汕頭大學學生工作處合辦第三屆「汕大學生消費文化考察報告獎」，共有102隊超過340位學生報名參加，並接受了進行消費文化考察的相關議題、概念和技巧的培訓。上屆的得獎同學在培訓後，更肩負起本屆「報告獎」的大部份籌辦和教學工作，並得到十分理想的成績。

第二屆的汕大學生「報告獎」頒獎禮於二零一一年十一月十二日於汕頭大學舉行，由汕頭大學副校長李丹教授主禮。

320名嘉賓，包括四十多位來自當地中學的校長、老師出席了該頒獎禮，並交流了經驗。

## 協助弱勢社群的教育活動 長者的消費者教育活動

本會聯同各社工及社區服務機構，年內共為長者提供了51項教育活動。



The programmes were mainly on health and safety concerns in selecting and consuming products and services related to this particular cohort. These included health food and equipment, household appliances and dried seafood. Precautions from falling into common consumer traps including subscribing telecommunication services and contractual obligations in different payment methods were also popular topics.

### Third Age Persons Consumer Culture Study Award

The Third Age Persons Consumer Culture Study Award held last year as a pilot programme to engage more third age persons in the understanding and analysis of the local consumer culture. The 1st Study Award accomplished by presenting nine awards to the six winning teams, four major winning teams presented the major findings of their reports in the Joint Award Presentation Ceremony.

Based on the experience on the pilot programme and upon the requests from cooperating social services institutes, the 2nd Study Award was co-organised with five social services institutes and joined by 17 teams from 12 organisations.

Planning meetings, focus groups, briefing sessions and introductory talks were held before the official launch, while about 34 tailor-made comprehensive training programmes and consultation sessions were also conducted for the participants of this Award.

15 teams submitted their study reports in March 2012 providing the community a better understanding of the views and situations unique to third age persons in the consumption processes.

### For New Immigrants

Regular programmes including visits and talks were also conducted within the year for the new comers from Mainland to familiarise them with local consumer protection measures. Talks on employment traps were also arranged for newly arrived women whom were most susceptible to those malicious practices in question.

Specially designed consumer education programme was also conducted for new immigrant children. The programme aims to familiarise the children with the Council's work as well as the local consumer culture and consumer protection measures.

活動針對長者的特別需要和消費模式而設計。活動主題為長者消費經常面對的各種健康及安全問題，包括選購健康食品及器材、家居電器、海味等需留意的地方。其他包括如何預防墮入常見消費陷阱的介紹，例如選用電訊服務、不同合約付款方法等，均甚受長者歡迎。

### 第三齡消費文化考察報告獎

去年本會試驗推行「第三齡消費文化考察報告獎」，以促進第三齡人士對本地消費文化的了解和剖析。第一屆「報告獎」成績理想，11隊參加者中共有六隊獲頒發九個獎項，四隊主要得獎隊伍更於聯合頒獎禮上，以不同的形式，演繹了作品的精髓。

本會總結所得經驗，並應多個合作社會服務機構之邀，於本年度再次舉辦「第三齡消費文化考察報告獎」。第二屆第三齡「報告獎」由五個社會服務機構協辦，並有來自12個社會服務機構的17隊報名參加。

在活動正式推出前，已陸續舉行了多個計劃會議、聚焦小組及簡介會等。及後亦為參加者提供了近34項特別設計的培訓活動。

15隊參加者於二零一二年三月成功提交了報告。透過這些報告，可讓社會大眾對第三齡人士獨特的消費處境和觀點，有更清晰和確切的了解。

### 新來港人士的消費者教育活動

本會亦有定期舉辦參觀活動及講座，讓新來港人士了解本地的消費保障措施。鑑於新來港婦女常有墮入求職陷阱的情況，年內亦特別安排相關內容的講座，從而提升他們的自我保護能力。

本會亦特別設計了一項消費者教育活動予新來港學童參加，讓他們了解本會的工作及認識本地的消費文化及有關保障消費者的措施。

## For Disadvantaged Groups

Special education programmes have been developed to meet special needs of those disadvantaged groups such as students of mental disability and special education needs.

## Train the Trainers

### Community Involvement Service Scheme

Based on the successful experience of the Youth Development Service Scheme, another service scheme was also launched to involve interested women and third aged volunteers. These volunteers would be provided with systematic training on knowledge and skills in organising and conducting effective consumer education programmes. They would in return contribute their assistance in Council's education programmes and events.

## Training Programmes for Teachers on Consumer Education

Government's recent curricular reform responded favorably to the Council's call for incorporating consumer education in the wider school curriculum. Council staff have been invited to contribute in the design of new curricula to better incorporate consumer education concepts in school teaching.

To meet with the increasing demand, EDB had commissioned the Council to design and host several Teacher Development Courses such as the Teacher Development Course on Consumer Education for Technology Education Teachers in 2004-06; the Professional Development Programme for Liberal Studies: NSS Independent Enquiry Studies in the LS Curriculum in 2007; and in 2008 through 2010, Teacher Development Courses on Learning and Teaching PSHE KLA through The Consumer Education Perspective; the Teacher Professional Development Programme for NSS Learning and Teaching Strategies for the Technology and Living Curriculum Series: Action Planning for Quality Learning and Teaching in 2010; as well as Professional Development Programme for teachers on the new junior school Life and Society curriculum in 2012.

Upon EDB's initiation, a series of Teacher Training Seminars were organised for secondary school Economics teachers on the proposed legislation of Competition Law in early 2012.

## 傷健人士的消費教育活動

本會亦有為傷健人士設計特殊的教育活動，包括輕度智障及有特殊學習需要的學生等。

## 導師培訓

### 社區參與服務計劃

基於「青年培訓服務計劃」的成功經驗，本會推出另一服務計劃，讓有興趣的婦女及第三齡志願者，接受有系統的訓練，掌握有效籌辦消費者教育活動的知識和技巧，以便日後為本會推行的教育活動提供協助。

## 消費者教育教師培訓課程

政府接納了本會的倡議，在近年的課程改革中，將消費者教育納入多個中學科目之內。本會同工亦獲邀參與多項中學新課程的設計工作，將消費者教育的概念更有效地融合於學校課程之內。

鑑於學校對「消費者教育」的教師培訓需求日趨殷切，教育局亦已先後委託本會設計及主持多個教師培訓課程，包括：二零零四至二零零六年度，為「科技教育」教師而設的教師培訓課程；二零零七年的「新高中通識教育科獨立專題探究」培訓課程；二零零八至二零一零年的「個人、社會及人文教育學習領域的學與教：消費者教育角度」網上培訓課程；二零一零年，為新高中科技與生活科的教師而設的「新高中科技與生活課程學與教策略系列：邁向優質學與教一工作坊」；及二零一二年，為初中「生活與社會」教師而設的「生活與社會課程研討會系列：消費者教育近貌—透視消費處境 關懷生活文化」等。

本會亦應教育局邀請，於二零一二年初為中學經濟科教師就競爭法的制定舉辦一系列的教師培訓研討會。

### Staff Training for School Teachers

The Division has been invited to conduct Staff Development Programmes for teachers. This year, staff development programmes were conducted for Integrated Humanities teachers of CCC Fong Yun Wah Secondary School and Christian Alliance S C Chan Memorial College in January and March 2012 respectively. Consultation sessions were also held for schools especially on experience in conducting effective project learning programmes.

### Staff Exchange Activities

Experience sharing activities were also conducted for staff of sister organisations from Mainland.

### Training of University Students

The Division also coordinates and provides training opportunities for various local and Mainland universities which include Hong Kong Baptist University, Hong Kong Institute of Education, Hong Kong Shue Yan University and Shantou University.

### Teaching Resources Development

To assist trainers and teachers in conducting effective consumer education programmes, new teaching materials and tools are developed each year. Several teaching resources kits were also published over the years. These include coursewares, collections of teaching activities and workshop games, collections of consumer culture study projects. Most are commissioned by EDB and have been distributed freely to schools and social service institutes.

### Education Resources Kit on Project-based Learning for PSHE at Secondary Level

The Resources Kit, published in 2009 was commissioned by EDB. It aims to provide teachers with handy tools and successful examples in the training and learning through project studies in consumer culture.

### 教師專業發展工作坊

消費者教育部亦會應邀為各校主持教師專業發展活動。年內分別於二零一二年一月及三月獲中華基督教會方潤華中學及宣道會陳瑞芝紀念中學的邀請，為綜合人文科和專題研習科的老師主持培訓活動。本會亦有為不同中學就如何有效推行「專題研習」，提供意見。

### 同工交流活動

年內，本會為來自國內的同工主持有關消費者教育的員工交流培訓活動，以促進機構間的經驗交流。

### 大學生的培訓

消費者教育部亦有為本地及國內大學學生統籌和提供在本會實習和培訓的機會，包括：香港浸會大學、香港教育學院、香港樹仁大學及汕頭大學。

### 教學資源製作

為協助導師和老師推行有效的消費者教育活動，本會每年均編製不同類型的新教材，包括教學課程內容、教學活動、工作坊遊戲及消費文化考察報告等。近年，大部份的教材均由教育局贊助出版，並免費派發予全港學校和社會服務機構。

### 《個人、社會及人文教育科專題研習教材套》

這個教材套由教育局委託製作，已於二零零九年出版。教材套旨在從消費文化專題研習報告中，擷取其中適用於專題研習教與學的工具和成功例子，以協助教師的相關教學。



The Kit comprised of three major winning student project reports of the Seventh Consumer Culture Study Award as exemplary projects, together with adjudicators' views and comments; project team members' experience sharing; as well as over 30 workshop exercises and learning activities to demonstrate the Council's unique experiences in enhancing the teaching and learning of generic skills including but not limited to knowledge construction, creativity, critical thinking as well as communication and presentation skills.

The Kit had been sent to all local secondary schools and university libraries as well as education resource centres to enrich the pool of teaching materials in consumer education.

### Other Education Resources

The DVD-ROM containing the winning reports of Consumer Culture Study Award XII was produced and distributed to all secondary schools as a teaching resource. 3 000 copies were made and sent in the year.

Other educational resources included teaching kits on labelling and advertising, a consumer education resource kit for new immigrants. These were produced to meet the need and demand of schools and community organisations.

### Consumer Council Resource Centre

Located in Tsim Sha Tsui, the Council's Resource Centre was opened to service in October 2001. Facilities include a Consumer Advice Centre, a multi-purpose conference room equipped with audio-visual devices, and a resource library. Multimedia computers were installed giving visitors' access to the Council's web site and educational resources. Workshops, seminars and talks were held regularly in the Resource Centre. During the year, the Resource Centre attracted over 700 visitors from over a hundred community organisations and education institutes.

教材套以三個「第七屆消費文化考察報告獎」主要得獎作品作為範例，並加上評判對作品的評語、同學組員的經驗分享。教材套亦加入三十多個由本會設計的一系列獨特的工作坊練習和學習活動，以示範如何通過工作坊活動提升同學在知識建構、創意思維、批判思考、溝通傳意和表達技巧等的能力。

教材套已分發予全港中學及大學圖書館，以及各個教育資源中心，以豐富消費者教育的教學資源。

### 其他教學資源

本年共印製及派發了3 000片「第十二屆消費文化考察報告獎」得獎作品光碟予各中學，以供教師使用作教學資源。

本會亦製作有《包裝及標籤》和《認識廣告》兩集教材套，及為新來港人士編製的消費者教育小冊子。這些教材廣為學校及社區機構採用。

### 消費者委員會資源中心

位於尖沙咀的消費者委員會資源中心，設有消費者諮詢中心、配有多媒體設備的多用途會議室及資料中心。此外，還設有多媒體電腦，供訪客瀏覽本會網站及其他教育資源。資源中心全年共接待了超過700位來自百多間團體及教育機構的訪客。

# Improving Legal Protection.

## 加強法律權益保障

### WHY THIS IS IMPORTANT

Consumer rights should be protected by law. The Council kept abreast of developments in the law that may affect consumers' positions and welfare as users of goods and services. Also we took all the initiative to improve and protect consumers' legal rights by submitting our views in that regard to the Government and relevant bodies.

### WHAT WE HAVE DONE

#### Report on Unfair Terms in Standard Form Consumer Contract

The Council prepared a report on the unfairness of certain terms that might be found in some local standard form consumer contracts. The Report gave a detailed analysis on the unfairness with a number of examples of terms which contravene the requirement of good faith and/or cause significant imbalance in the contractual rights and obligations of the parties to the detriment of the consumers. The examples include, inter alia, terms that exclude or limit supplier's legal liability for personal injury of consumer resulting from the negligence of supplier which are in fact void under the law, and that give the supplier unilateral right to vary terms generally without specifying a valid reason. The Report also made recommendations to rectify the unfairness, arising from the terms and conditions stipulated in the consumer contracts.

To illustrate further, the Report proposed, with the beauty services as the subject industry, a set of guidelines on drafting standard form consumer contracts and a sample contract.

The Report has been published shortly after the reporting period.

#### Pyramid Schemes Prohibition Bill

In its submission, the Council expressed support to the Bill as it positively responded to the Council's call for plugging the loopholes of the then Pyramid Selling Prohibition Ordinance. The Council appreciated the following improvements proposed by the Bill to the regulatory regime of pyramid schemes, namely:

### 加強法律權益保障的重要性

消費者權益應受法律保障。本會一向關注影響消費者權益的法律發展。此外，本會向政府和有關機構表達意見，以改善及保障消費者的法律權益。

### 我們完成的任務

#### 標準格式消費者合約不公平條款報告

本會就本地標準格式消費者合約中的一些不公平條款撰寫了報告，該報告舉例說明這些條款違反誠信要求及/或導致合約雙方的權利及責任嚴重不平衡，損害消費者利益。例子包括卸除或限制供應商因其疏忽，導致消費者受傷所引起的法律責任，而實際上卻無法律效力的條款，以及供應商單方面修改合約而毋須給予正當理由之條款。此外該報告建議修正合約以確保公平的方法。

該報告亦以美容業為對象，建議一套草擬標準合約的指引及一份合約範本，進一步闡釋如何確保合約公平。

本會於本報告年度過後不久公布該報告。

#### 禁止層壓式計劃條例草案

在書面意見中，本會表示支持草案，因為它正面回應本會有關堵塞當時《禁止層壓式推銷法條例》的漏洞之意見。本會認同草案在規管層壓式計劃方面，所作出的以下改善建議：

- a) to expand the regulatory regime to all pyramid schemes regardless of whether they involve any marketing of goods or services;
- b) to enhance the clarity of the statutory definition of 'pyramid scheme';
- c) to spell out the principle that substance rather than form will count in determining whether a business is a pyramid scheme, and thus tackles evasion of the prohibition by trickery or disguise;
- d) to give guidance for determining 'whether the participation is entirely or substantially induced by the prospect held out to the new participant of entitlement to a recruitment payment', which is the key element of pyramid scheme;
- e) to strengthen the sanction by imposing criminal liability on a participant who has induced or attempted to induce another person to participate in the scheme;
- f) to forestall the tactics of evasion by imposing personal liability on the management of the schemes; and
- g) to empower the court to award compensation to victim of a scheme offence and thus take the burden of expensive litigation from him who may simply recover the compensation ordered as a civil debt.

The Bill was passed on 7 December 2011 and the Ordinance so enacted came into effect on 1 January 2012.

### Personal Data (Privacy) (Amendment) Bill 2011

The Council welcomed the Administration's initiative to strengthen the protection of data subjects as regards use or provision of personal data for direct marketing and sale of personal data. However, the Council found it unsatisfactory that under the Bill data subjects would be presumed to have consented to the said use, provision or sale, if they do not indicate objection in writing within the prescribed period. The Council submitted that express consent should be obtained from data subjects for the said use, provision or sale because such consent would be genuine.

The Council noted that the Bill required data users to provide a facility without charge through which data subjects may indicate in writing to the data user whether they object to the intended use or provision of their personal data for direct marketing or the intended sale of the data. However, there was no requirement that such a facility shall be reasonably accessible. The Council expressed concern that a data subject

- a) 擴大規管範圍至所有層壓式計劃，無論它們是否涉及貨品或服務的銷售；
- b) 給予「層壓式計劃」更加清晰的法定定義；
- c) 在斷定一個企業是否為層壓式計劃時，體現看重實質而非形式的原則，從而防範逃避規管的詭計或偽裝；
- d) 提供指引，協助斷定層壓式計劃中主要成份即：「參與有關計劃是否完全或在相當程度上由有人向新參與者顯示有機會獲得益所誘使的」；
- e) 對誘使或試圖誘使別人參與計劃的參與者加諸刑事責任，以加強制裁；
- f) 對計劃管理層加諸刑事責任，以防範其以詭計逃避法律責任；及
- g) 授權法庭判令，讓與計劃有關罪行的受害人獲得補償，這樣會減輕受害人在討回補償方面的法律支出，因為他可純粹以追討民事債項方式去討回頒令的補償。

法案於二零一一年十二月七日通過，而法例於二零一二年一月一日生效。

### 個人資料(私隱)條例修訂草案

本會歡迎政府為直接促銷方面使用或供應個人資料，及在個人資料銷售方面，加強對資料當事人的保護。然而，本會注意到在草案下，若資料當事人在指定期限內沒有書面表示反對，則假設同意上述的使用、供應或銷售，本會認為這是不理想的，故此建議應先取得資料當事人的明確同意才可進行上述的使用、供應或銷售，理由是這樣的同意會是真確的。

本會亦注意到草案要求資料使用人免費提供設施，使資料當事人可以書面方式向資料使用人表示是否反對其在直接促銷方面使用或供應個人資料，或銷售個人資料。然而草案沒有規定這設施必須是合理地易於使用的。本會表示擔心資料當事人可能會遭不合理的回應設施阻礙，以致不能行使其反對的權利。



might be hindered from exercising his right to object by an unreasonable response facility.

The proposed prohibition on disclosure of personal data without data subjects' consent was welcomed. The Council was also supportive of the proposed assistance to aggrieved data subjects to question the data user and to seek compensation from the data user through legal proceedings. The Council believed that legal assistance to aggrieved data subjects might help the establishment of legal principles regarding personal data protection.

### **The Draft Mediation Bill**

The Council regarded the Draft Bill as a significant step towards the setting up of a good platform for further development of mediation in Hong Kong. In its submission, the Council made a number of suggestions for improvement to the Draft Bill, for instance:

- a) that agreement to mediate through electronic communications should be included in the definition of 'agreement to mediate';
- b) that mediator should be required to be accredited because untrained and non-accredited mediators not only risk harm to the consumers they serve, but also the public confidence in mediation service;
- c) that a fair balance should be sought between the policy promoting effective mediation by requiring confidentiality and administration of justice, by providing for further exceptions to confidentiality of mediation communications;
- d) that the hearing of the leave application for admitting a mediation communication or part of it as evidence should be heard in chambers;
- e) that it should be provided that a person, before accepting an appointment as mediator, shall make reasonable inquiry to determine whether there are any known facts that are reasonably considered to be likely to affect the neutrality or impartiality of the mediation; and disclose any such known fact to the mediation parties as soon as practicable. If the person becomes aware of such a fact subsequent to the acceptance, he also has to disclose it as soon as practicable. Given that neutrality may be at risk, the person shall not accept or shall discontinue the service as a mediator unless the mediation parties agree otherwise.

本會對草案有關禁止在未經資料當事人同意的情况下披露個人資料的建議，表示歡迎，本會亦支持授權個人資料私隱專員協助受屈的資料當事人向資料使用人提問，以及透過法律程序追討賠償的建議條文。本會相信向受屈的資料當事人提供法律協助可有助建立個人資料保障方面的法律原則。

### **調解條例草案草稿**

本會認為草案草稿建立良好平台，為香港進一步發展調解服務邁出重要一步。在本會的書面意見中，本會就草案草稿提出若干建議：

- a) 經電子通訊的調解協議應包括在「調解協議」的定義中；
- b) 調解員的資格應予認證，因為未經訓練或認證的調解員不單止可會危害接受服務的消費者之利益，亦會損害公眾對調解服務的信心；
- c) 應就調解通訊的保密原則，制定多些例外情況，使到在要求雙方保密，以促進有效調解，以及秉行公正之間取得適當的平衡；
- d) 向法庭申請接納調解通訊或其中部分為證據的之聆訊，應在內庭處理；
- e) 應規定任何人士在接受擔任調解員的工作前，須作合理的調查，以斷定有否存在任何合理地認為相當可能影響調解的中立性或公正性的已知事實；並須在切實可行的範圍內盡快向調解雙方透露該已知事實。若在接受任命後才發覺這事實，亦須在切實可行的範圍內盡快透露。考慮到中立性可能受到影響，除非調解雙方另行同意，否則有關人士必須拒絕接受或停止提供調解服務。

## Public Consultation on the Legal, Privacy and Security Framework for Electronic Health Record (eHR) Sharing

The Council acknowledged that an effective eHR Sharing System may enable more timely treatment and diagnosis, reduce duplicative diagnostic tests and data collection; and thus, improve not only the personal care of patients but also the healthcare standard of the community at large.

Healthcare data security, as submitted by the Council, would be a primary concern of both patients and healthcare providers. Therefore, it would be appropriate to give them a choice to abstain from joining the proposed eHR Sharing System until they have confidence in its protective measures and mechanism. In this connection, the Council endorsed the proposal that patients and healthcare providers would participate in the proposed System on a voluntary basis.

Given the sensitive nature of healthcare data, the Council also supported the proposal that healthcare providers would be required to obtain the express and informed consent of patients for uploading their data and getting access to their eHR.

In principle, the Council was supportive of the prudent, restrictive and patient-oriented approach adopted by the proposed System. The Council agrees that a reasonable balance should be struck between protection of patients' data privacy and clinical needs of healthcare providers to access and share patients' health data for delivery of healthcare services, while maintaining the professional standard of healthcare. The Council endorsed the proposed provision of 'substitute decision maker' for minors or other patients who are unable to give an informed consent; and the proposed right of healthcare providers to access eHR data under exceptional circumstances (such as emergency) without the subject patient's consent.

To ensure correct diagnosis and clinical decisions, the Council agreed that the sharable scope of eHR should not be restricted by any device or provision on exclusion.

## 就電子健康記錄互通的法律、私隱及保安框架的公眾諮詢

本會同意一個有效的電子健康記錄互通機制可使治療和診症更加及時，減少重複的診症測試及資料搜集，這樣不單只改善病人的個人護理，還可提升社會整體的護理水平。

本會指出醫護資料的保密是病人與醫療服務提供者的主要共同關心事項，因此應給予他們選擇權，讓他們可在對電子健康記錄互通系統的防衛措施和機制產生信心時，才參與該互通系統。因此，本會接納讓病人和醫療服務提供者自願參與該系統的建議。

考慮到醫護資料的敏感性，本會亦支持有關醫療服務提供者須向病人取得明確和知情同意，才可上載或取覽其電子健康記錄之建議。

原則上本會支持建議中的互通系統所採取的謹慎、限制性和病人為本的方案。本會同意在保持醫療專業水平的同時，須在保障病人健康資料方面的私隱；與醫療服務提供者為進行醫護工作而取覽及分享病人健康資料的臨牀需要，兩者之間保持合理平衡。因此，我們支持為不能給予知情同意的未成年人及其他病人設立「代決人」，以及醫療服務提供者有權在例外情況下(如緊急事故)，未經有關病人同意，而取覽其電子健康記錄的建議。

為確保正確診斷和臨床決定，本會同意電子健康記錄的互通範圍不應受任何設置或免除條文限制。

The Council also agreed to the proposal that data kept in the proposed System can be used for public health research after de-identification under a stringent approval mechanism. In addition, the Council suggested that a mechanism should be put in place to monitor the use and retention of the data; and the possibility of such a use and the relevant procedures and safeguards should be stated clearly in the proposed information notice handed out to patients upon their enrolment in the proposed System.

The Council emphasised that the proposed notification of breach must be given timely and effectively to affected or potentially affected data subjects with advice on how they can protect themselves in the circumstances.

It was noted that under the Personal Data (Privacy) Ordinance (Cap 486) a data user's breach of the code of practice approved by the Privacy Commissioner of Personal Data would give rise to a presumption against the data user in any legal proceedings under the Ordinance, though such a breach is not a contravention of the Ordinance. Presumably, the proposed specific eHR legislation is to safeguard privacy of health data which are inherently and highly sensitive information. The Council submitted that the provisions regarding breach of code of practice issued by the proposed eHR Sharing System Operating Body should not be made less stringent than its counterpart stipulated in the Ordinance.

The Council agreed that new criminal offences should be introduced to provide stronger deterrent against unauthorised access to the proposed System with malicious intent.

On the other hand, the Council expressed concern over certain issues in relation to the legal status of manual healthcare records under the proposed eHR legislation.

本會亦同意互通系統保存的資料可在嚴謹的審批機制下，經排除身份識別後，用作公共衛生研究。然而，本會建議應設置機制，監察該些資料的使用和保存，而且當病人加入互通系統時，在給予病人的資料中，應清楚知會病人其資料有可能作此用途，以及有關使用的程序和保障。

本會強調建議中的違反通知必須及時及有效的給予受影響或可能受影響的資料當事人，並同時給予他們意見，使他們在有關情況下能夠保障自己。

在個人資料(私隱)條例(第486章)中，資料使用人違反經個人資料私隱專員批核的實務守則，縱使該違反並非有違該法例的條文，亦會構成對資料使用人在該法例下任何法律程序中下的一項不利假設。建議中有關電子健康記錄的特定法例，想必是保障本質上是高度敏感資料的健康記錄。本會認為在該建議法例中，有關違反由電子健康記錄互通系統營運機構所發出的營運守則的條文，應該跟個人資料(私隱)條例中的相應條文般同樣嚴格。

本會同意應訂立新的刑事罪行，對未獲授權並惡意取用電子健康記錄互通系統資料的行為，予以懲處，以增阻嚇。

另一方面，本會亦對在建議的電子健康記錄法例下，人手健康記錄的法律地位及相關議題，表達關注。



# Promoting Sustainable Consumption

## 推廣可持續消費

### WHY THIS IS IMPORTANT

The Council promotes and supports sustainable consumption through comparative product testing and dissemination of information which enables consumers to make environmentally friendly choices, and also encourages them to help conservation of natural resources and waste reduction.

### WHAT WE HAVE DONE

In comparative product testing, environmental parameters such as energy efficiency, recyclability of products and packaging materials, durability and emissions of volatile organic compounds are often incorporated with a view to informing consumers about the use of products and their impacts on health and the environment. We also send submissions to the Government to support initiatives in establishing legislations for environmental protection.

### Air Conditioner: High Price May not Translate into High Energy Efficiency

The Council tested 15 models of window-type room air conditioners with claimed cooling capacity of 5.0 kW to 5.3 kW. The results revealed that some models with the higher prices do not translate into higher energy efficiency.

Regarding cooling capacity, two thirds of the samples (10) were found to fall below their own claims, with the largest difference at about 5.1%. On energy efficiency, a difference of about 25% was found between the samples with the highest and lowest energy efficiency. In addition, three samples were found to have energy efficiency grades lower than that indicated on their energy labels. The Electrical and Mechanical Services Department was notified of the test findings for follow-up.

### Eco-designs of TVs

The Council joined consumer associations in Europe and published a research report on the eco-design of 12 models of television which included 32 inch or 42 inch CCFL (Cold Cathode Fluorescent Lamp) backlight LCD, LED (Light Emitting Diode) backlight LCD and plasma screen TV models.

### 推廣可持續消費的重要性

本會測試產品及發布資訊，推廣及支持可持續消費，幫助消費者選擇較環保的產品，以達到保護自然資源，減少廢物的目的。

### 我們完成的任務

我們的產品測試，也加進環境因素的評估，例如能源效率、產品及包裝的可循環再生性、耐用程度及會否釋出揮發性有機化合物等，藉以讓消費者知悉產品對環境及健康的影響。我們亦就政府的各種有關環境保護的提案發表意見以示支持。

### 冷氣機售價高未必反映能源效率佳

本會測試了15款窗口式冷氣機，它們聲稱的製冷量介乎5.0至5.3千瓦。測試結果顯示，部分價錢較貴的樣本未必有較佳的能源效率。

至於製冷量方面，有三分之二（十款）的樣本量得的製冷量數值，比其聲稱數值略低，其中差別最大的樣本，量得的製冷量比聲稱低約5.1%。能源效率最高的樣本與最低者比較，約節省25%電力。此外，根據本會的測試結果，三個樣本量得的能源效益級別，較其能源標籤上標示的級別為低。本會已將測試結果轉交機電工程署跟進。

### 電視機的環保設計

本會與歐洲消費者組織合作，刊登了12款32吋或42吋電視機的「環保設計」的研究及評估結果。當中樣本包括：熒光燈背光照明液晶電視機、LED背光照明液晶電視機及等離子電視機。

A television contains over 4 000 chemicals and some plasma TVs have a higher lead content. Chemical analysis conducted in the project also found that most of the models contained low level of phthalates and flame retardants. Manufacturers were urged to be wary of the use of these hazardous chemicals.

While most of the TVs were easy to dismantle, their screens contained hazardous substances and therefore the screen materials are seldom recycled or reused. Useful tips in protecting the environment were also included in the report.

### Submission on the Restriction of Sale of Energy-inefficient Incandescent Light Bulbs

The Council supported the launch of a mandatory scheme to restrict the supply of energy-inefficient incandescent light bulbs (ILBs). Lamps of higher energy efficiency would become more widely used as replacement by restricting the supply of ILBs.

We supported restricting the supply of non-reflector type ILB by phases through legislation. Non-reflector type ILBs of 25 watt or above which operates at a single phase electricity supply of nominal voltage of 220 volts should be covered in the initial phase of the scheme.

Aside from requiring importers or manufacturers of ILBs to submit product test reports and updated information to the Electrical and Mechanical Services Department at reasonable intervals, the Council suggested conducting surveillance checks/ tests to see if the energy efficiency of ILB products is as claimed.

Registered ILB products should carry appropriate labelling to enable consumers to identify them easily. An educational publicity drive should be launched before implementation of the scheme to raise awareness among the general public.

We also anticipated that more consumers would switch to use compact fluorescent lamps (CFLs). Though reducing the power consumption might have beneficial effect, the capacity of the treatment facility for disposed CFLs in Hong Kong may not be sufficient to cope with the increasing usage of CFLs and corresponding expansion in the treatment capacity was urged.

With the shortage of treatment facility, if CFLs were handled as normal garbage, mercury vapour might leak out and the potential health risk to rubbish-processing workers should not be overlooked.

電視機內含多達4 000種化學物，而部分等離子電視機樣本含鉛量較高。測試中對電視機內化學物的分析顯示大部分樣本含少量鄰苯二甲酸鹽及阻燃劑。本會呼籲業界繼續關注這些化學物的應用。

雖然大部分電視機都容易拆解，但由於屏幕部分大多含有毒物質，因此屏幕物料很少會循環再造或再用。報告亦提供了環保小貼士供消費者參考。

### 就《限制銷售能源效益較低的鎢絲燈泡》提出意見

本會支持政府推行強制計劃以限制能源效益較低的鎢絲燈泡的供應。當鎢絲燈泡的供應受到限制，更具能源效益的燈泡會更普及並廣泛地使用。

本會亦支持通過立法方式，分階段限制鎢絲燈泡的供應。強制計劃的首階段應涵蓋適用於標稱電壓伏特(220伏特)單相電源的25瓦特或以上的非反射型鎢絲燈泡。

除了要求鎢絲燈泡的供應商或生產商向機電工程署提供產品測試報告及最新資訊外，本會建議政府定期抽查及測試已註冊的產品，以確保已註冊的產品的能源效益符合標準要求。

已註冊的鎢絲燈泡型號須貼上標籤以便市民識別。在計劃實施前，應推行教育宣傳活動加強消費者的認知。

本會預料更多消費者會考慮轉用慳電膽，雖然能源效益會有所提升，但化學廢物處理中心的處理容量未必足以處理所有棄置的舊慳電膽，因此，須提升化學廢物處理的設施以應付需求。

在未有足夠化學廢物處理設施的情況下，舊慳電膽可能會被當作普通垃圾棄置，一旦碎裂便會釋出有毒的水銀，對處理垃圾的工人的健康影響不容忽視。

The Council called for promotion of alternative forms of energy-efficient lighting (for instance LED lamps) to enable consumers to make informed choices.

## Submission on Extension of the Environmental Levy Scheme on Plastic Shopping Bags

The Council provided views in response to the Public Consultation on Extension of the Environmental Levy Scheme on Plastic Shopping Bags (PSBs). If the Levy scheme was to be extended to cover all retailers regardless of their business scale, any adverse effect to small and medium enterprises in terms of increase in operational and administrative cost could be offset if the proposed 'retention by retailers' approach was adopted.

We cautioned against the possibility of retailers resorting to distribution of shopping bags of other materials (e.g. paper) to get around the requirement to collect the charge.

To ensure there would be no abuse of plastic bags, monitoring the distribution and use of plastic bags is desirable. It might be necessary to require some form of reporting by retailers so that the effect of the Levy Scheme in terms of money charged or reduction in the number of PSBs distributed can be tracked.

There was health ground to support having non-prepackaged food separately contained and the proposal to exempt PSBs that are directly and solely used for food hygiene purpose was reasonable. There might be misconceptions and confusions about the PSBs that would fit the criteria. Therefore, the exemption should be clearly defined.

Education in environmental protection needs have to be strengthened and the public should be made aware of the scope of the Levy Scheme and the long-term adverse effect of disposal of PSBs.

## Green Housekeeping

At the Consumer Council Office, every endeavour has been made to reduce energy and paper consumption through minimising copying, reusing paper, electronic transfer of information, the use of energy efficient and environmentally friendly office equipment and refraining from the use of materials which are harmful to the environment.

本會建議政府推廣高能源效益的照明替代產品，例如發光二極管(LED)燈，讓消費者能作出明智的選擇。

## 對《擴大塑膠購物袋環保徵費計劃》提出意見

本會就擴大《塑膠購物袋環保徵費計劃》公眾諮詢提供意見。如將塑膠購物袋徵費計劃擴展至所有零售商，不論其業務規模大小，若收集得來的徵費由零售商保留得到接納，將可抵銷對中小企在增加營運和行政開支方面帶來的負面影響。

本會指出須留意零售商有可能會派發其他物料的購物袋(例如紙造的購物袋)，以避開向消費者收取徵費的要求。

為確保塑膠購物袋不被濫用，有需要監察塑膠購物袋的派發和使用，或需要零售商作出某些記錄，例如以徵得的費用或減少派發塑膠購物袋的數量來追蹤徵費計劃的成效。

基於健康理由，本會認同沒有預先包裝的食物應分開裝載，而有關建議豁免直接盛載及基於食物衛生而用的塑膠購物袋屬可理解。為免引致誤解或混淆哪些塑膠購物袋適用於豁免範圍，有關方面必須清晰界定豁免的範圍。

當局也須加強環境保護的教育，讓公眾知曉徵費計劃的範疇及棄置塑膠購物袋所帶來的長遠不良影響。

## 環保辦公室

為求節省能源及減低紙張的消耗量，本會辦事處盡量減少影印、鼓勵員工雙面用紙、利用電子郵件傳達訊息，及使用慳電及環保的文儀器材，亦避免採用有害環境的物料。

# Representing the Consumer Voice and Networking.

## 消費權益「發言人」的角色及聯繫網絡

### WHY THIS IS IMPORTANT

Everyone is a consumer. Our efforts to promote consumer interests will become more effective when we work closely with other partners and stakeholders locally and overseas.

### WHAT WE HAVE DONE

Locally, we maintain close liaison with the Government through the Commerce and Economic Development Bureau (CEDB), which oversees consumer protection and competition policy and from the envelope of which 95% of our operating funds are derived.

Apart from the CEDB, Council's liaison with over 10 other bureaux and 30 Government departments are well established, facilitating our work in addressing specific consumer issues that fall within their purview. We also attach great importance to working with community groups, regulators, professional bodies and trade associations.

### Council's Representation on Other Bodies

Representatives of Council serve on a large number of public advisory committees and boards of regulatory or statutory bodies. We presented views from the consumer perspective in the regulation and monitoring of various business sectors, including financial, legal, food, electrical safety, real estate agent and telecommunications services as well as the tourist and insurance industries. By serving on relevant committees, Council representatives expressed consumer concerns and sought to enhance consumer protection relating to consumer health and safety, residential properties, financial and telecommunications services, regulating travel and estate agency business as well as environmental protection initiatives. Our views were formulated with first-hand knowledge of consumer needs acquired through surveys and direct contacts with consumers and traders. A full list of external committees and statutory bodies with representation by Council Members or staff is at Appendix 14.

### 消費權益「發言人」的角色及聯繫網絡的重要性

每個人都是消費者。本會深信，與本地及海外的伙伴機構或相關團體密切合作，能更有效地促進消費者權益。

### 我們完成的任務

本會透過負責保障消費者權益及競爭政策的商務及經濟發展局，與政府保持緊密聯繫；本會95%的經費經由該局劃撥。

委員會與超過10個政策局及30個政府部門維持良好合作關係，令消委會在處理與這些部門有關的消費問題時，更具成效。本會亦十分着重與地區組織、監管機構、專業團體及商會的合作關係。

### 消費權益「發言人」

我們的委員和職員是多個公眾事務諮詢委員會、監管組織及法定機構的成員，代表消費者向這些組織提供監管各行各業的意見。涉及的行業包括財經、法律、食品、電力安全、地產、電訊服務、旅遊及保險業等。本會並積極就消費者健康、安全、住宅物業、金融及電訊服務、監管旅行社、地產代理及環境保護等方面，提出與消費者息息相關的課題，加強保障消費者的權益。我們發表的意見，是經詳細研究及調查、直接從消費者取得的第一手資料而來，反映消費者的實際需要。有本會代表參與的外界委員會名單，見附錄十四。



## Close Liaison with Counterparts in the Mainland

Close liaison with the Council's counterparts in the Mainland (over 3 200 consumers associations in the whole country) is maintained through exchange of information, referral of complaints and receiving delegations from consumer associations and related bodies from different parts of the Mainland. During the year, 300 Mainland officials and delegates from consumer bodies visited the Council, including Mr. WANG Shi-qi, Deputy Secretary of State Bureau for Letters and Calls, who visited the Council in September 2011. Apart from experience exchange, training on consumer education with special focus on the Consumer Culture Study Award (CCSA) was arranged. During the summer of 2011, special training sessions were provided by the Council to winning students from the CCSA programme launched in Shantou University.

The Memorandum of Cooperation signed between the Council and the China Consumer Association in 2009 noted that high-level visits should be arranged for forging closer cooperation and experience exchange with its Mainland counterparts. Following the Memorandum, a Council Delegation Visit to Hangzhou was arranged in November 2011. The Delegation was led by the Council Chairman and joined by 5 Members and the Chief Executive. During its visit, it met with senior officials from the Administration for Industry and Commerce and Consumer Commission of Consumers' Rights and Interests of both the Zhejiang Province and the Hangzhou City. There had been extended exchange in the work of consumer protection between both sides, including the work relating to topical issues such as pre-payment consumption and unfair contract terms. Other organisations visited included Zhejiang Food and Drug Administration and Hangzhou Real Estate Information Centre.

During the year under review, Council's representatives actively attended seminars and activities held in the Mainland. On these occasions, speeches on various consumer-related topics were delivered. In August 2011, the Chief Executive was invited by the Jinlin Consumers Association to speak on consumer protection at the Signing Ceremony of the Memorandum of Understanding (MOU) for Co-operation between the Council and Jinlin. In September and December 2011, she attended and spoke respectively in the Seminar on Preventive Measures against Risks from Pre-payment Consumption organised by the Jiangsu Consumers Association and the Consumer Rights Protection Forum organised by 22 consumer organisations in Shenzhen.



## 與內地消費者組織緊密聯繫

我們與內地主要的消費者協會(全國共超過3 200個成員)緊密聯繫，互相交流資訊和轉介投訴個案，並不時接待來自各省市消費者組織和有關機構的訪港代表。年內到訪本會的內地消費者組織代表共300名，包括於二零一一年九月到訪本會的国家信訪局王石奇副局長。除了經驗交流外，本會亦為他們提供消費教育方面的培訓，特別以消費文化考察報告獎作為培訓重點。二零一一年夏天，本會為汕頭大學舉辦的消費文化考察報告獎得獎學生提供培訓。

二零零九年本會與中國消費者協會簽署了合作協議，當中建議加強本會與內地姊妹機構的高層互訪，促進合作及經驗交流。為此本會於二零一一年十一月組織杭州訪問團，由本會主席帶領五位委員及總幹事，訪問浙江省及杭州市工商行政管理局及消費者權益保護委員會，與該四個機構的高級官員會面，交流消保工作，包括一些兩地均關注的問題，例如預繳式消費及不公平合約條款等。此行代表團亦訪問了浙江省食品藥品監督管理局及杭州市房產信息中心。

本年度本會代表積極參與內地舉辦的研討會及活動，發表多篇觸及各種消費問題的演講。二零一一年八月，總幹事應吉林省消費者協會邀請，出席雙方簽署合作協議書儀式，發表關於消費者保障的演講。同年九月及十二月，總幹事分別出席江蘇舉辦的「海峽兩岸預付式消費風險防範機制」研討會及深圳廿二省市消費者協會舉辦的「消費維權論壇」，並發表演講。

With tourists from the Mainland topping the list of visitors to Hong Kong, the Council has taken a proactive role in ensuring shopping satisfaction of Mainland tourists. Since 2004, MOUs for Co-operation of Consumers' Rights and Interests have been signed with consumer associations in major cities/provinces in the Mainland, including Beijing, Guangdong Province, Tianjin, Shanghai, Shenzhen, Zhejiang Province, Fujian Province, Shantung Province, Heilongjiang Province, Chengdu, Macau, the Pan-Pearl River Delta Region, etc. The MOUs facilitate information exchanges and assistance in resolving consumer disputes among the regions.

Council's network in the Mainland has facilitated the dissemination of consumer information to the Mainland through the internet. Council's Shopsmart Website, which provides consumer information to Mainland visitors and is hyperlinked to 28 Mainland organisations, recorded a cumulative hit rate of over 102 million as at the end of 2011-12 since its debut in 2007.

## **Collaboration at Regional and International Levels**

The Council also keeps abreast of the global development of consumer movement by taking part in international fora on various consumer issues. It is an active member of the International Consumer Research & Testing (ICRT). The Council contributes ideas for joint tests that benefited all members sharing the test results and gains the benefit of lowering the test cost by sharing with other ICRT members.

In 2011-12, international events attended by Council's representatives included the United Nations Conference on Trade and Development Meeting on Competition Law and Policy, the G20/Organisation for Economic Co-operation and Development (OECD) Seminar on Financial Consumer Protection, the 12th Roundtable on Capital Market Reform organised by the OECD and the Asian Development Bank Institute, etc. In April 2011, Council's Vice Chairman and CE visited the Urban Redevelopment Authority and the Council for Estate Agencies of Singapore for better understanding of the operation of a property market information platform. Exchanges with overseas experts and consumer activists on these occasions enhanced the Council's foresight in overcoming emerging challenges in the ever-changing consumer market.

內地旅客佔訪港人數之冠，我們採取積極措施，確保內地旅客在港購物稱心滿意。自二零零四年起，本會先後與內地主要省市，包括北京市、廣東省、天津市、上海市、深圳市、浙江省、福建省、山東省、黑龍江省、成都市、澳門、泛珠三角區域等的消費者組織簽署合作協議。合作協議的簽訂有助促進各地之間的資訊交流及協助調解跨區消費糾紛。

本會在內地所建立的網絡，有助本會透過網站在內地發放消費者資訊。本會的「精明消費香港遊」網站為內地旅客提供消費資訊，網站現已超連結到28個內地省市的消費者組織的網址。自二零零七年啟動以來至本財政年度，網站累積點擊率超過一億二百萬。

## **地區及國際性合作網絡**

為掌握全球消費者運動的最新發展方向，本會積極參加涉及各種消費者問題的國際會議。作為國際消費者研究及測試組織的成員，本會主動建議新的測試產品和項目，與其他會員分享測試結果。透過聯合測試，與其他國際消費者研究及測試組織的成員共同承擔測試費用，有效減低測試成本。

年內本會代表出席的國際活動包括聯合國貿易及發展會議主辦的競爭法及政策會議、G20及經濟合作及發展組織主辦的金融業消費者保障研討會、經濟合作及發展組織與亞洲開發銀行研究院合辦的第十二屆市場改革圓桌會議等。二零一一年四月，本會副主席及總幹事訪問了星加坡的市區重建局及地產代理監管局，以了解當地地產市場資訊平台的運作模式。我們藉着這些會議及研討會，與外地專家及消費者組織代表交流及討論，令本會在面對多變的消費市場問題時，思維更具前瞻性。

## Consumers International

The Council is elected Executive and Council Member of the Consumers International (CI), a federation of consumer organisations comprising over 220 members from 115 countries. Consumers International has two main goals: to support and strengthen member organisations and the consumer movement in general and to represent consumer interests at global and regional levels, e.g. at the Codex Alimentarius Commission on food standards, Organisation for Economic Co-operation and Development (OECD), etc.

The Council takes an active and supportive role in CI. The Chief Executive attended the CI Council & Executive meetings in London and the CI Regional Meeting held in Kuala Lumpur.

## The 19th Consumers International World Congress 2011

During the year under review the Council, as a co-host with CI, was fully engaged in the planning and organisation work in preparation for the 19th Consumers International World Congress which was held in Hong Kong on 3-6 May 2011.

The Congress was successfully inaugurated and concluded, drawing a new record high of over 700 delegates and speakers from consumer organisations around the world, as well as trade and industries, academics, governments, NGOs and the media from over 80 countries / jurisdictions. It was also able to achieve a record high number of 135 delegates from a single country ever since in the history of CI.

## UNCTAD Capacity Building Programme

Upon request by the United Nations Conference on Trade & Development (UNCTAD), in 2010 the Council signed an MOU with it on co-organisation of regular exchange programmes for developing countries. The cooperation programme further fosters Council's role in promoting consumer rights in the international arena. As at the end of 2011-12, the Council has provided exchange programmes for five developing countries, including Bhutan, Botswana, the Republic of South Africa, Lao and Ecuador.



## 國際消費者聯會

本會是國際消費者聯會(國際消聯)的理事會及執委會成員(國際消聯共有220個會員來自115個國家)。國際消聯的兩大宗旨是：協助成員機構加強保障消費者權益的工作、及在國際和地區的層面上爭取制訂促進消費者權益的政策(例如：聯合國食品法典委員會制訂食品標準、經濟合作及發展組織等。)

本會積極參與及支持國際消聯的活動。本年度本會總幹事出席了在倫敦舉行的國際消聯委員會及行政會議、及於吉隆坡舉行的地區性會議。

## 二零一一年第十九屆國際消費者聯會全球會議

年內，本會作為協辦組織，與國際消聯合作，全力投入各項二零一一年五月三至六日於香港舉行的第十九屆國際消費者聯會全球會議的籌備工作。

全球會議成功舉辦，與會者及演講嘉賓共超過700人，創下大會紀錄。他們來自世界各地超過80個國家/地區的消費者組織、工商界、學術界、政府、非政府組織及傳播媒界。會議亦取得歷屆以來首次有單一國家派出135名代表出席的成績。

## 聯合國貿易及發展會議潛力發展計劃

本會接受聯合國貿易及發展會議的邀請，於二零一零年與該組織簽訂有關合作協議，合辦以發展中國家為對象的定期交流計劃。合作計劃進一步強化本會在國際社會中推廣消費者權益的角色。至本年度尾，本會已為不丹、博茨瓦納、南非共和國、老撾及厄瓜多爾五個國家提供了交流活動。

# Appendix . 附錄 2011 - 2012

## Membership of the Consumer Council

### 消費者委員會委員

#### Chairperson 主席

Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP 張炳良教授，金紫荊星章，太平紳士

#### Vice-Chairperson 副主席

Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

#### Members 委員

Mr. William CHAN Che-kwong 陳志光先生

Mr. Chapman CHAN Chor-man 陳楚文先生

Mr. Samuel CHAN Ka-yan (from 01.11.11) 陳家殷大律師 (由 01.11.11)

Mr. Thomas CHENG 鄭建韓先生

Dr. Polly CHEUNG Suk-yee 張淑儀醫生

Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)

Dr. David CHUNG Wai-keung 鍾偉強博士

Ms. Amy FUNG Dun-mi (from 01.01.12) 馮丹媚女士 (由 01.01.12)

Prof. Michael HUI King-man (from 01.11.11) 許敬文教授 (由 01.11.11)

Prof. Ron HUI Shu-yuen 許樹源教授

Mr. Bankee KWAN Pak-hoo 關百豪先生

Ms. Miranda KWOK Pui-fong 郭珮芳女士

Mr. Joe LAI Wing-ho (up to 31.10.11) 黎榮浩先生 (至 31.10.11)

Mr. Godfrey LAM Wan-ho, SC, JP (from 01.01.12) 林雲浩資深大律師，太平紳士 (由 01.01.12)

Mr. Wilfred LEE Yuen-kwong 李元剛先生

Mr. Philip LEUNG Kwong-hon 梁光漢先生

Mr. Michael LI Hon-shing, KSJ, BBS, JP 李漢城先生，英國聖約翰騎士勳章，銅紫荊星章，太平紳士

The Hon. Fred LI Wah-ming, SBS, JP 李華明議員，銀紫荊星章，太平紳士

Ms. Amanda LIU Lai-yun 廖麗茵律師

Prof. Angela NG Lai-ping (from 01.01.12) 吳麗萍教授 (由 01.01.12)

Mr. Stanley SZETO Chi-yan (up to 31.12.11) 司徒志仁先生 (至 31.12.11)

Ms. WONG Ka-chi (up to 31.10.11) 王家慈女士 (至 31.10.11)

Mr. Alvin WONG Tak-wai 黃德偉先生

Prof. WONG Yung-hou, MH (up to 31.12.11) 王殷厚教授，榮譽勳章 (至 31.12.11)

Ms. Irene YAU Oi-yuen 邱藹源校長



# Consumer Council

## Former Chairpersons and Vice-Chairpersons

### 消費者委員會 —— 歷屆主席及副主席

#### Year 年份

04/1974 - 03/1975  
七四年四月至七五年三月

04/1975 - 03/1980  
七五年四月至八零年三月

04/1980 - 10/1984  
八零年四月至八四年十月

10/1984 - 10/1988  
八四年十月至八八年十月

10/1988 - 10/1991  
八八年十月至九一年十月

10/1991 - 10/1997  
九一年十月至九七年十月

10/1997 - 07/1999  
九七年十月至九九年七月

09/1999 - 09/2005  
九九年九月至零五年九月

09/2005 - 06/2007  
零五年九月至零七年六月

#### Year 年份

04/1987 - 03/1989  
八七年四月至八九年三月

04/1989 - 10/1991  
八九年四月至九一年十月

10/1991 - 10/1993  
九一年十月至九三年十月

10/1993 - 10/1997  
九三年十月至九七年十月

10/1997- 10/2001  
九七年十月至零一年十月

10/2001- 10/2007  
零一年十月至零七年十月

#### Former Chairpersons 歷屆主席

Sir KAN Yuet-keung, CBE, JP  
簡悅強爵士，CBE，太平紳士

Dr. LO Kwee-seong, OBE, CBE, JP  
羅桂祥博士，OBE，CBE，太平紳士

Mr. Gallant HO Yiu-tai, JP  
何耀棟先生，太平紳士

Mrs. Selina CHOW LIANG Shuk-ye, GBS, JP  
周梁淑儀女士，金紫荊星章，太平紳士

Mr. Martin LEE Chu-ming, SC, JP  
李柱銘資深大律師，太平紳士

Prof. Edward CHEN Kwan-yiu, GBS, JP  
陳坤耀教授，金紫荊星章，太平紳士

The Hon. Anna WU Hung-yuk, GBS, JP  
胡紅玉議員，金紫荊星章，太平紳士

Prof. Andrew CHAN Chi-fai, SBS, JP  
陳志輝教授，銀紫荊星章，太平紳士

Prof. The Hon. K. C. CHAN, GBS, JP  
陳家強教授，金紫荊星章，太平紳士

#### Former Vice-Chairpersons 歷屆副主席

Mr. TANG Kwai-nang, BBS, JP  
鄧桂能先生，銅紫荊星章，太平紳士

Prof. Edward CHEN Kwan-yiu, GBS, JP  
陳坤耀教授，金紫荊星章，太平紳士

Mr. Justein WONG Chun, BBS, JP  
王津先生，銅紫荊星章，太平紳士

The Hon. Anna WU Hung-yuk, GBS, JP  
胡紅玉議員，金紫荊星章，太平紳士

Dr. John HO Dit-sang  
何秩生博士

Mr. Larry KWOK Lam-kwong, BBS, JP  
郭琳廣律師，銅紫荊星章，太平紳士

# Membership of Committees, Working Groups and Advisory Groups 小組委員

## Staff & Finance Committee 人事及財務小組

### Chairperson 主席

Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP 張炳良教授，金紫荊星章，太平紳士

### Vice-Chairperson 副主席

Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

### Members 委員

Mr. Chapman CHAN Chor-man (from 20.01.12) 陳楚文先生 (由 20.01.12)

Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)

Mr. Bankee KWAN Pak-hoo 關百豪先生

Mr. Philip LEUNG Kwong-hon 梁光漢先生

Mr. Alvin WONG Tak-wai 黃德偉先生

## Audit Committee 審核小組

### Convenor 召集人

Mr. Michael LI Hon-shing, KSJ, BBS, JP 李漢城先生，英國聖約翰騎士勳章，銅紫荊星章，太平紳士

### Members 委員

Dr. Polly CHEUNG Suk-yee 張淑儀醫生

Mr. Wilfred LEE Yuen-kwong 李元剛先生

### Co-opted Member 增選委員

Ms. Marina WONG Yu-pok, JP (up to 31.03.12) 黃汝璞會計師，太平紳士 (至 31.03.12)

## Competition Policy Committee 競爭政策研究小組

### Chairperson 主席

Mr. Thomas CHENG 鄭建韓先生

### Vice-Chairperson 副主席

Mr. Samuel CHAN Ka-yau (from 30.01.12) 陳家殷大律師 (由 30.01.12)

Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)

## Members 委員

- Mr. Samuel CHAN Ka-yan (from 15.11.11 to 29.01.12) 陳家殷大律師 (由 15.11.11 至 29.01.12)
- Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士
- Mr. Joe LAI Wing-ho (up to 31.10.11) 黎榮浩先生 (至 31.10.11)
- Mr. Wilfred LEE Yuen-kwong (from 11.01.12) 李元剛先生 (由 11.01.12)
- Mr. Michael LI Hon-shing, KSJ, BBS, JP 李漢城先生，英國聖約翰騎士勳章，銅紫荊星章，太平紳士
- The Hon. Fred LI Wah-ming, SBS, JP (from 10.01.12) 李華明議員，銀紫荊星章，太平紳士 (由 10.01.12)
- Mr. Stanley SZETO Chi-yan (up to 31.12.11) 司徒志仁先生 (至 31.12.11)

## Co-opted Member 增選委員

- Dr. LAW Cheung-kwok 羅祥國博士

## Legal Protection Committee 法律保障事務小組

### Chairperson 主席

- Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

### Vice-Chairperson 副主席

- Mr. Thomas CHENG 鄭建韓先生

## Members 委員

- Mr. William CHAN Che-kwong 陳志光先
- Mr. Samuel CHAN Ka-yan (from 15.11.11) 陳家殷大律師 (由 15.11.11)
- Ms. Amanda LIU Lai-yun 廖麗茵律師
- Mr. Alvin WONG Tak-wai 黃德偉先生

## Co-opted Members 增選委員

- Ms. Constance CHOY Hok-man 蔡學雯律師
- Mr. Edmond LAM King-fung 林勁豐律師

## Publicity & Community Relations Committee 宣傳及社區關係小組

### Chairperson 主席

- Prof. Ron HUI Shu-yuen (from 30.01.12) 許樹源教授 (由 30.01.12)
- Mr. Ambrose HO, SC, JP (up to 11.01.12) 何沛謙資深大律師，太平紳士 (至 11.01.12)

### Vice-Chairperson 副主席

- Mr. Philip LEUNG Kwong-hon (from 19.03.12) 梁光漢先生 (由 19.03.12)
- Prof. Ron HUI Shu-yuen (up to 29.01.12) 許樹源教授 (至 29.01.12)

## Members 委員

- Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)
- Dr. David CHUNG Wai-keung 鍾偉強博士
- Ms. Amy FUNG Dun-mi (from 28.01.12) 馮丹媚女士 (由 28.01.12)
- Mr. Wilfred LEE Yuen-kwong (up to 11.01.12) 李元剛先生 (至 11.01.12)
- Mr. Philip LEUNG Kwong-hon (up to 18.03.12) 梁光漢先生 (至 18.03.12)

Ms. Amanda LIU Lai-yun 廖麗茵律師

Prof. Angela NG Lai-ping (from 30.01.12) 吳麗萍教授 (由 30.01.12)

Ms. Irene YAU Oi-yuen 邱藹源校長

### Co-opted Members 增選委員

Ms. Clara SHEK 石嘉麗女士

Dr. Max WONG Wai-lun 王慧麟博士

## Research & Testing Committee 研究及試驗小組

### Chairperson 主席

Mr. Philip LEUNG Kwong-hon (from 30.01.12) 梁光漢先生 (由 30.01.12)

Prof. WONG Yung-hou, MH (up to 31.12.11) 王殷厚教授，榮譽勳章 (至 31.12.11)

### Vice-Chairperson 副主席

The Hon. Fred LI Wah-ming, SBS, JP (from 19.03.12) 李華明議員，銀紫荊星章，太平紳士 (由 19.03.12)

Mr. Philip LEUNG Kwong-hon (up to 29.01.12) 梁光漢先生 (至 29.01.12)

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Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

Prof. Ron HUI Shu-yuen 許樹源教授

Mr. Godfrey LAM Wan-ho, SC, JP (from 19.03.12) 林雲浩資深大律師，太平紳士 (由 19.03.12)

The Hon. Fred LI Wah-ming, SBS, JP (up to 18.03.12) 李華明議員，銀紫荊星章，太平紳士 (至 18.03.12)

Ms. WONG Ka-chi (up to 31.10.11) 王家慈女士 (至 31.10.11)

### Co-opted Members 增選委員

Dr. Matthew NG, JP (up to 31.03.12) 吳馬太醫生，太平紳士 (至 31.03.12)

Dr. Michael TSUI Fuk-sun 徐福榮醫生

## Trade Practices Committee 商營手法研究小組

### Chairperson 主席

Mr. William CHAN Che-kwong 陳志光先生

### Vice-Chairperson 副主席

Dr. Polly CHEUNG Suk-yeet 張淑儀醫生

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Ms. Amy FUNG Dun-mi (from 28.01.12) 馮丹媚女士 (由 28.01.12)

Prof. Michael HUI King-man (from 14.11.11) 許敬文教授 (由 14.11.11)

Mr. Bankee KWAN Pak-hoo 關百豪先生



Mr. Joe LAI Wing-ho (up to 31.10.11) 黎榮浩先生 (至 31.10.11)

Mr. Wilfred LEE Yuen-kwong 李元剛先生

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Prof. Angela NG Lai-ping (from 30.01.12) 吳麗萍教授 (由 30.01.12)

Mr. Stanley SZETO Chi-yan (up to 31.12.11) 司徒志仁先生 (至 31.12.11)

### Co-opted Members 增選委員

Mr. Andrew FUNG Wai-kwong 馮煒光先生

Ms. Bonnie NG Hoi-lam 吳凱霖女士

## Consumer Complaints Review Committee 消費者投訴審查小組

At least five Council Members drawn by roster 由最少五位委員輪流擔任

## Advisory Group on Investment Strategy 投資策略小組

### Chairperson 主席

Mr. Bankee KWAN Pak-hoo 關百豪先生

### Vice-Chairperson 副主席

Mr. Alvin WONG Tak-wai 黃德偉先生

### Members 委員

Ms. Miranda KWOK Pui-fong 郭珮芳女士

Prof. John CHAI Yat-chiu 查逸超教授\*

Prof. Angela NG Lai-ping 吳麗萍教授\*

\* Member of the Management Committee of Consumer Legal Action Fund 消費者訴訟基金管理委員會委員

## IT Expert Advisory Group 資訊科技專家諮詢小組

### Convenor 召集人

Mr. Philip LEUNG Kwong-hon 梁光漢先生

### Members 委員

Dr. David CHUNG Wai-keung 鍾偉強博士

### Co-opted Members 增選委員

Mr. John CHIU Chi-yeung 趙志洋先生

Mr. Francis FONG Po-kiu 方保僑先生

Mr. Charles Peter MOK 莫乃光先生

## **Task Force on CI World Congress 2011 (up to 01.06.11)**

### **二零一一年國際消聯全球會議專責小組 (至 01.06.11)**

#### **Convenor 召集人**

Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP 張炳良教授，金紫荊星章，太平紳士

#### **Members 委員**

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Mr. Michael LI Hon-shing, KSJ, BBS, JP 李漢城先生，英國聖約翰騎士勳章，銅紫荊星章，太平紳士

#### **Staff Member 職員**

Ms. Connie LAU Yin-hing, JP 劉燕卿女士，太平紳士

## **Working Group on Competition Bill 競爭條例草案工作小組**

#### **Chairperson 主席**

Mr. Thomas CHENG 鄭建韓先生

#### **Vice-Chairperson 副主席**

Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

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Mr. Alvin WONG Tak-wai 黃德偉先生

#### **Co-opted Members 增選委員**

Ms. Constance CHOY Hok-man 蔡學雯律師

Dr. LAW Cheung-kwok 羅祥國博士

## **Working Group on Consumer Council Resource Centre Building Management 消委會資源中心物業管理工作小組**

#### **Convenor 召集人**

Mr. CHAN Ka-kui, BBS, JP (Co-opted Member) 陳家駒先生，銅紫荊星章，太平紳士 (增選委員)

#### **Members 委員**

Prof. Michael HUI King-man (from 14.11.11) 許敬文教授 (由 14.11.11)

Mr. Daniel C. LAM, BBS, JP (Co-opted Member) 林濬先生，銅紫荊星章，太平紳士 (增選委員)

#### **Staff Members 職員**

Ms. Connie LAU Yin-hing, JP 劉燕卿女士，太平紳士

Ms. Wendy LAM Yuen-mui 林婉梅女士

Mr. WONG Koon-shing 王冠成先生

Mr. Joseph YOUNG 楊卓廣先生

## **Working Group on Consumer Issues relating to Residential Property** **住宅物業消費者問題工作小組**

### **Convenor 召集人**

Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

### **Vice-Chairperson 副主席**

Mr. William CHAN Che-kwong 陳志光先生

### **Members 委員**

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Mr. Thomas CHENG 鄭建韓先生

Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)

Mr. Joe LAI Wing-ho (up to 31.10.11) 黎榮浩先生 (至 31.10.11)

The Hon. Fred LI Wah-ming, SBS, JP (up to 10.01.12) 李華明議員，銀紫荊星章，太平紳士 (至 10.01.12)

Ms. Amanda LIU Lai-yun 廖麗茵律師

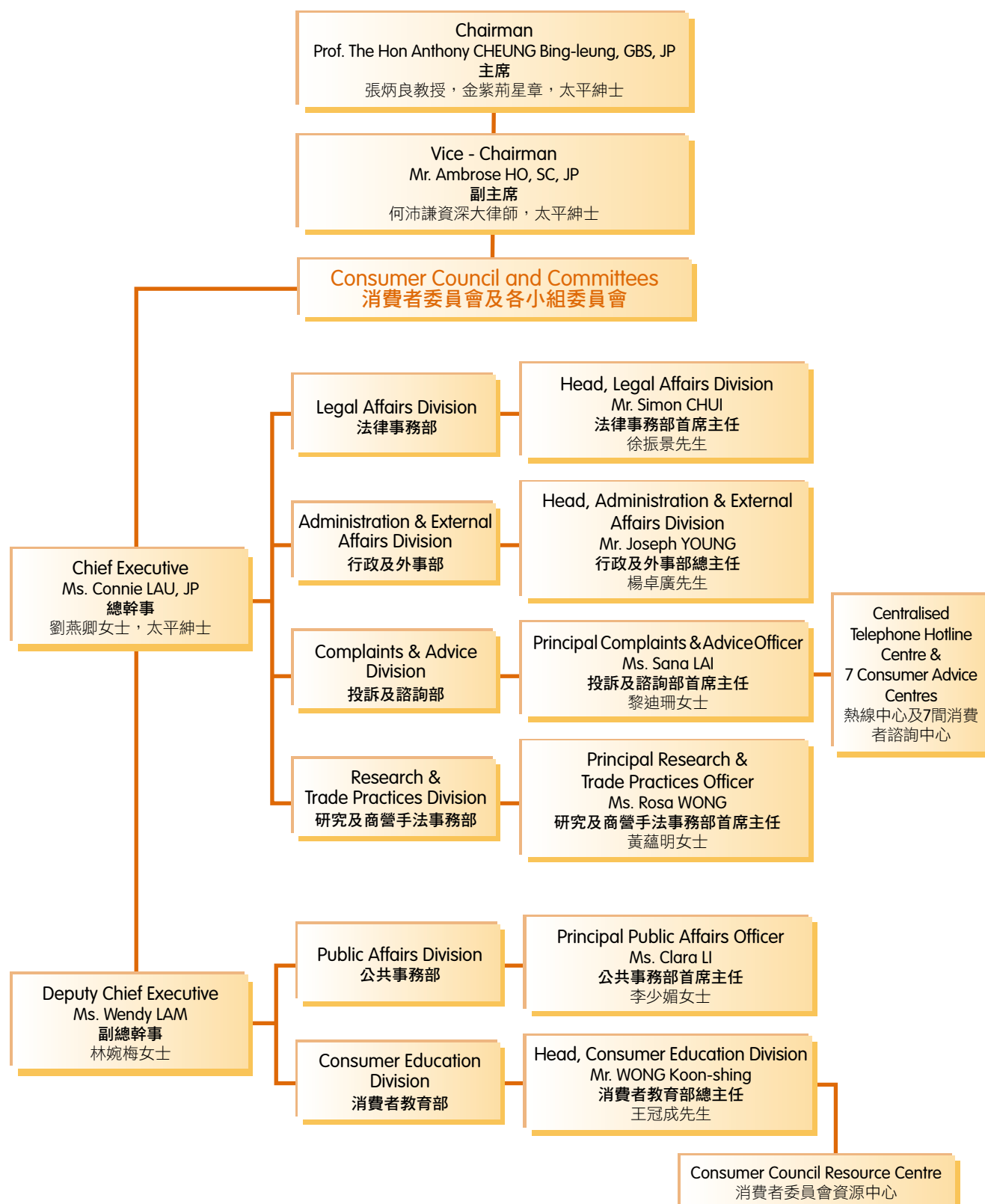
### **Co-opted Members 增選委員**

Mr. Larry KWOK Lam-kwong, BBS, JP 郭琳廣律師，銅紫荊星章，太平紳士

Mr. Daniel C. LAM, BBS, JP 林濬先生，銅紫荊星章，太平紳士

# Consumer Council and Office

## 消費者委員會及辦事處



### Renumeration for top three tiers of staff in the Consumer Council 消委會首三級職員薪酬

Chief Executive - Directorate Pay Scale Point D3 總幹事 - 首長級薪級表薪點 D3

Deputy Chief Executive - Directorate Pay Scale Point D1 副總幹事 - 首長級薪級表薪點 D1

Principal Officer / Head, Legal Affairs Division - Master Pay Scale Point 45 - 49 首席主任 - 總薪級表薪點 45 - 49



CONSUMER COUNCIL  
(Established in Hong Kong under the Consumer  
Council Ordinance)

Report and Financial Statements  
For the year ended 31 March 2012

CONSUMER COUNCILREPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2012

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INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF THE CONSUMER COUNCIL

(Established in Hong Kong under the Consumer Council Ordinance)

We have audited the financial statements of Consumer Council (the "Council") set out on pages 3 to 21, which comprise the statement of financial position as at 31 March 2012, and the income and expenditure account, statement of changes in equity and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

**Council's Members' Responsibilities for the Financial Statements**

The Council's members are responsible for the preparation of the financial statements that give a true and fair view in accordance with Hong Kong Financial Reporting Standards issued by the Hong Kong Institute of Certified Public Accountants, and for such internal control as the Council's members determine is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

**Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit and to report our opinion solely to you, as a body, in accordance with the agreed terms of engagement and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report. We conducted our audit in accordance with Hong Kong Standards on Auditing issued by the Hong Kong Institute of Certified Public Accountants. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance as to whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Council's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council's members, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF THE CONSUMER COUNCIL - continued  
(Established in Hong Kong under the Consumer Council Ordinance)

**Opinion**

In our opinion, the financial statements give a true and fair view of the state of the Council's affairs as at 31 March 2012 and of its surplus and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards.



**Deloitte Touche Tohmatsu**  
Certified Public Accountants  
Hong Kong  
16 July 2012



CONSUMER COUNCILINCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31 MARCH 2012

	<u>NOTES</u>	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Income</b>			
Government subvention		82,198,000	78,173,000
Non-recurrent projects subvention	6	12,550,526	7,450,109
Sales of "Choice" magazine	7	1,877,477	2,292,369
Administrative service income		2,047,000	1,934,000
Interest on bank deposits		255,730	95,351
Sundry income		220,730	372,977
		<u>99,149,463</u>	<u>90,317,806</u>
Less:			
<b>Expenditure</b>			
Staff costs	8	70,005,352	62,179,081
Testing and research		4,910,131	4,499,674
Non-recurrent projects expenses	9	10,702,985	5,454,066
Depreciation and amortisation for property, plant and equipment		3,662,058	3,614,967
Office equipment and maintenance		1,272,503	1,026,945
Office accommodation related expenses		2,483,133	2,379,839
Auditor's remuneration		141,100	135,700
Consumer education		479,169	457,656
Consumer international membership fees		326,715	318,511
Council member expenses		50,400	54,800
Interest expense on bank borrowing not wholly repayable within five years		30,032	32,373
International conferences and duty visits		372,627	191,834
Production and marketing cost of "Choice" magazine		1,740,450	1,747,464
Publicity and public relations		420,346	341,688
Other administrative expenses		2,547,291	1,794,383
		<u>99,144,292</u>	<u>84,228,981</u>
<b>SURPLUS FOR THE YEAR</b>		<u>5,171</u>	<u>6,088,825</u>

CONSUMER COUNCILSTATEMENT OF FINANCIAL POSITION  
AT 31 MARCH 2012

	<u>NOTES</u>	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Non-current assets</b>			
Property, plant and equipment	10	56,581,755	58,197,525
<b>Current assets</b>			
Debtors, deposits and prepayments	11	1,433,190	1,301,894
Loans and advances to staff	11	269,712	266,644
Amount due from Consumer Legal Action Fund	11	2,047,000	1,934,000
Bank balances and cash	12	43,643,388	43,928,895
		<u>47,393,290</u>	<u>47,431,433</u>
<b>Current liabilities</b>			
Subscriptions received in advance		724,667	633,756
Accounts payable and accrued charges	13	5,896,609	6,145,694
Provision for untaken leaves		4,615,538	3,791,099
Secured bank borrowing	14	355,672	355,672
Subventions received	15	16,100,299	18,467,779
		<u>27,692,785</u>	<u>29,394,000</u>
<b>Net current assets</b>		<u>19,700,505</u>	<u>18,037,433</u>
<b>Non-current liabilities</b>			
Secured bank borrowing	14	2,497,156	2,851,125
Subventions received	15	-	7,522,500
		<u>2,497,156</u>	<u>10,373,625</u>
		<u>73,785,104</u>	<u>65,861,333</u>
<b>Representing:</b>			
Leasehold property control account	16	54,044,335	53,869,352
Equipment control account	17	2,537,420	4,328,173
Designated fund for approved projects	18	6,898,316	5,469,894
Accumulated surplus		10,305,033	2,193,914
		<u>73,785,104</u>	<u>65,861,333</u>

The financial statements on pages 3 to 21 were approved and authorised for issue by the members of the Consumer Council on 16 July 2012 and are signed on its behalf by:



CHIEF EXECUTIVE

CONSUMER COUNCILSTATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 31 MARCH 2012

	<u>Leasehold property control account</u> HK\$	<u>Equipment control account</u> HK\$	<u>Designated fund for approved projects</u> HK\$	<u>Accumulated surplus (Deficit)</u> HK\$	<u>Total</u> HK\$
At 1 April 2010	55,324,257	3,780,006	4,768,665	(4,100,420)	59,772,508
Surplus for the year	-	-	-	6,088,825	6,088,825
Current year addition	-	2,708,229	1,030,284	(3,738,513)	-
Current year utilisation	<u>(1,454,905)</u>	<u>(2,160,062)</u>	<u>(329,055)</u>	<u>3,944,022</u>	<u>-</u>
At 31 March 2011	53,869,352	4,328,173	5,469,894	2,193,914	65,861,333
Surplus for the year	-	-	-	5,171	5,171
Current year addition	1,362,600	683,688	2,352,534	(4,398,822)	-
Current year utilisation	(1,187,617)	(2,474,441)	(924,112)	4,586,170	-
Transfer	<u>-</u>	<u>-</u>	<u>-</u>	<u>7,918,600</u>	<u>7,918,600</u>
At 31 March 2012	<u>54,044,335</u>	<u>2,537,420</u>	<u>6,898,316</u>	<u>10,305,033</u>	<u>73,785,104</u>

CONSUMER COUNCILSTATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 31 MARCH 2012

	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Operating activities</b>		
Surplus for the year	5,171	6,088,825
Adjustments for:		
Government subvention for addition of property, plant and equipment	(1,784,470)	(1,996,044)
Interest expense	30,032	32,373
Depreciation for property, plant and equipment	3,662,058	3,614,967
Interest income	(255,730)	(95,351)
Operating cash flows before movements in working capital	1,657,061	7,644,770
Increase in debtors, deposits and prepayments	(132,332)	(110,345)
Increase in amount due from the Consumer Legal Action Fund	(113,000)	(106,000)
Increase (decrease) in subscriptions received in advance	90,911	(114,805)
Decrease in accounts payable and accrued charges	(249,085)	(213,718)
Increase (decrease) in provision for untaken leaves	824,439	(177,104)
<b>Cash generated from operations</b>	2,077,994	6,922,798
Interest paid	(30,032)	(32,373)
<b>Net cash from operating activities</b>	2,047,962	6,890,425
<b>Investing activities</b>		
Interest received	256,766	101,696
Purchase of property, plant and equipment	(2,046,288)	(2,708,229)
New loans and advances to staffs	(248,665)	(266,644)
Repayments of loans and advances from staffs	245,597	240,015
<b>Net cash used in investing activities</b>	(1,792,590)	(2,633,162)
<b>Financing activities</b>		
Repayment of bank borrowing	(353,969)	(351,626)
Government subventions received for non-recurrent projects	10,209,000	8,029,560
Government subventions utilised for non-recurrent projects	(10,602,208)	(4,233,123)
Funds received for other non-recurrent Projects	850,146	664,685
Funds utilised for other non-recurrent Projects	(643,848)	(417,483)
<b>Net cash (used in) from financing activities</b>	(540,879)	3,692,013
<b>Net (decrease) increase in cash and cash equivalents</b>	(285,507)	7,949,276
<b>Cash and cash equivalents at beginning of the year</b>	43,928,895	35,979,619
<b>Cash and cash equivalents at end of the year,</b> represented by bank balances and cash	43,643,388	43,928,895



CONSUMER COUNCILNOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2012

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## 1. ORGANISATION AND ACTIVITIES

The Consumer Council (the "Council") is a body corporate with perpetual succession established under the Consumer Council Ordinance 1977 (Chapter 216, Laws of Hong Kong) for the purpose of protecting and promoting the interests of consumers of goods, immovable property and services. It is mainly funded by Government subventions. The Council is also appointed as trustee for the Consumer Legal Action Fund under a Deed of Trust for the purpose of offering financial assistance to consumers in seeking legal redress, remedies and protection.

The address of both the registered office and principal place of operation of the Council is 22nd Floor, K. Wah Centre, 191 Java Road, North Point, Hong Kong.

The Council is exempted from profits tax under the provision of section 87 of the Inland Revenue Ordinance.

The financial statements are presented in Hong Kong dollars, which is same as the functional currency of the Council.

As the Council is a non-profit making organisation, an income and expenditure account is prepared to account for the results of its operation.

## 2. APPLICATION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS ("HKFRSs")

In the current year, the Council has applied the following new and revised HKFRSs issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

Amendments to HKFRSs HKAS 24 (as revised in 2009)	Improvements to HKFRSs issued in 2010 Related Party Disclosures
Amendments to HKAS 32	Classification of Rights Issues
Amendments to HK(IFRIC) - Int 14	Prepayments of a Minimum Funding Requirement
HK(IFRIC) - Int 19	Extinguishing Financial Liabilities with Equity Instruments

The application of the new and revised Standards and Interpretations in the current year has had no material effect on these financial statements and/or disclosures set out in these financial statements.

CONSUMER COUNCIL

## 2. APPLICATION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS ("HKFRSs") - continued

The Company has not early applied the following new and revised Standards and Interpretations that have been issued but are not yet effective:

Amendments to HKFRSs	Annual Improvements to HKFRSs 2009 - 2011 Cycle <sup>1</sup>
Amendments to HKFRS 1	Government Loans <sup>1</sup>
Amendments to HKFRS 7	Disclosures - Transfers of Financial Assets <sup>2</sup>
Amendments to HKFRS 7	Disclosures - Offsetting Financial Assets and Financial Liabilities <sup>1</sup>
Amendments to HKFRS 9 and HKFRS 7	Mandatory Effective Date of HKFRS 9 and Transition Disclosures <sup>3</sup>
HKFRS 9	Financial Instruments <sup>3</sup>
HKFRS 10	Consolidated Financial Statements <sup>1</sup>
HKFRS 11	Joint Arrangements <sup>1</sup>
HKFRS 12	Disclosure of Interests in Other Entities <sup>1</sup>
HKFRS 13	Fair Value Measurement <sup>1</sup>
Amendments to HKAS 1	Presentation of Items of Other Comprehensive Income <sup>5</sup>
Amendments to HKAS 12	Deferred Tax - Recovery of Underlying Assets <sup>4</sup>
HKAS 19 (as revised in 2011)	Employee Benefits <sup>1</sup>
HKAS 27 (as revised in 2011)	Separate Financial Statements <sup>1</sup>
HKAS 28 (as revised in 2011)	Investments in Associates and Joint Ventures <sup>1</sup>
Amendments to HKAS 32	Offsetting Financial Assets and Financial Liabilities <sup>6</sup>
HK(IFRIC) - Int 20	Stripping Costs in the Production Phase of a Surface Mine <sup>1</sup>

<sup>1</sup> Effective for annual periods beginning on or after 1 January 2013

<sup>2</sup> Effective for annual periods beginning on or after 1 July 2011

<sup>3</sup> Effective for annual periods beginning on or after 1 January 2015

<sup>4</sup> Effective for annual periods beginning on or after 1 January 2012

<sup>5</sup> Effective for annual periods beginning on or after 1 July 2012

<sup>6</sup> Effective for annual periods beginning on or after 1 January 2014

The Council's members anticipate that the application of the above new and revised Standards and Interpretation will have no material impact on the results and the financial position of the Company.

## CONSUMER COUNCIL

### 3. SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared on the historical cost basis and in accordance with Hong Kong Financial Reporting Standards issued by the HKICPA. Historical cost is generally based on the fair value of the consideration given in exchange for goods. The principal accounting policies adopted are as follows:

#### Income recognition

Income is measured at the fair value of the consideration received or receivable and represents amounts receivable for goods sold and services provided in the normal course of business, net of discounts and sales returns.

- Sales of "Choice" and other publications are recognised when goods are delivered and title has passed.
- Sales of "Choice" on-line subscription are recognised when services are provided.
- Licence fee income for "Choice" on-line is recognised on a straight-line basis over the relevant lease term.

Interest income from bank deposits is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable.

#### Government subventions

Government subventions for recurrent projects are recognised when funds are appropriated by the Government.

Government subventions for non-recurrent projects are recognised as income over the periods necessary to match with the related costs which are intended to compensate on a systematic basis.

#### Capital contribution

Contribution of cash and capital assets by the government of HKSAR are accounted for as capital contribution and recognised in the appropriate equity account.

#### Property, plant and equipment

Property, plant and equipment are stated in the statement of financial position at cost less subsequent accumulated depreciation and accumulated impairment losses, if any.

Depreciation is recognised so as to write off the cost of items of property, plant and equipment less their residual values over their estimated useful lives, using the straight-line method. The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, with the effect of any changes in estimate accounted for on a prospective basis.

An item of property, plant and equipment is derecognised upon disposal or when no future economic benefits are expected to arise from the continued use of the asset. Any gain or loss arising on derecognition of the asset is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in the income and expenditure account.

## CONSUMER COUNCIL

### 3. SIGNIFICANT ACCOUNTING POLICIES - continued

#### Financial instruments

Financial assets and financial liabilities are recognised in the statement of financial position when the Council becomes a party to the contractual provisions of the instrument. Financial assets and financial liabilities are initially measured at fair value.

#### **Financial assets**

The Council's financial assets are classified as loan and receivables.

#### *Effective interest method*

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts (including all fees paid or received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) through the expected life of the financial asset, or where appropriate, a shorter period to the net carrying amount on initial recognition.

Interest income is recognised on an effective basis for debt instruments.

#### *Loans and receivables*

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. Subsequent to initial recognition, loans and receivables (including debtors, loans and advances to staff, amount due from the Consumer Legal Action Fund and bank balances) are carried at amortised cost using the effective interest method, less any identified impairment losses (see accounting policy on impairment loss on financial assets below).

#### *Impairment on financial assets*

Financial assets are assessed for indicators of impairment at each end of the reporting period. Financial assets are considered to be impaired where there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows of the financial assets have been affected.

Objective evidence of impairment could include:

- significant financial difficulty of the issuer or counterparty; or
- default or delinquency in interest or principal payments; or
- it becoming probable that the borrower will enter bankruptcy or financial re-organisation; or
- disappearance of an active market for that financial asset because of financial difficulties.



## CONSUMER COUNCIL

### 3. SIGNIFICANT ACCOUNTING POLICIES - continued

#### Financial instruments - continued

##### **Financial assets** - continued

##### *Impairment on financial assets* - continued

For financial assets carried at amortised cost, the amount of the impairment loss recognised is the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the financial asset's original effective interest rate. If, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed through income or expenditure account to the extent that the carrying amount of the asset at the date the impairment is reversed does not exceed what the amortised cost would have been had the impairment not been recognised.

##### **Financial liabilities**

Financial liabilities are classified in accordance with the substance of the contractual arrangements entered into and the definitions of a financial liability.

##### *Effective interest method*

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments (including all fee paid or received that form an integral part of the effective interest rate, transaction costs and other premium or discounts) through the expected life of the financial liability, or where appropriate, a shorter period, to the net carrying amount on initial recognition.

Interest expense is recognised on an effective interest basis.

##### *Financial liabilities*

Financial liabilities (including accounts payable and bank borrowing) are initially measured at fair value and subsequently measured at amortised cost, using the effective interest method.

##### **Derecognition**

The Council derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If the Council neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the Council continues to recognise the asset to the extent of its continuing involvement and recognises an associated liability. If the Council retains substantially all the risks and rewards of ownership of a transferred financial asset, the Council continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

CONSUMER COUNCIL

## 3. SIGNIFICANT ACCOUNTING POLICIES - continued

Financial instruments - continued**Derecognition** - continued

On derecognition of a financial asset in its entirety, the difference between the asset's carrying amount and the sum of the consideration received and receivable and the cumulative gain or loss that had been recognised in other comprehensive income and accumulated in equity is recognised in the income and expenditure statement.

On derecognition of a financial asset other than in its entirety, the Council allocates the previous carrying amount of the financial asset between the part it continues to recognise, and the part it no longer recognises on the basis of the relative fair values of those parts on the date of the transfer. The difference between the carrying amount allocated to the part that is no longer recognised and the sum of the consideration received for the part no longer recognised and any cumulative gain or loss allocated to it that had been recognised in other comprehensive income is recognised in the income and expenditure statement. A cumulative gain or loss that had been recognised in other comprehensive income is allocated between the part that continues to be recognised and the part that is no longer recognised on the basis of the relative fair values of those parts.

The Council derecognises financial liabilities when, and only when, the Council's obligations are discharged, cancelled or expire. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable is recognised in the income and expenditure statement.

Impairment

At the end of the reporting period, the Council reviews the carrying amounts of its assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of an asset is estimated in order to determine the extent of the impairment loss, if any. When it is not possible to estimate the recoverable amount of an individual asset, the Council estimates the recoverable amount of the cash-generating unit to which the asset belongs. Where a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual cash-generating units, or otherwise they are allocated to the smallest group of cash-generating units for which a reasonable and consistent allocation basis can be identified.

Recoverable amount is the higher of fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset for which the estimates of future cash flows have not been adjusted.

If the recoverable amount of an asset (or a cash-generating unit) is estimated to be less than its carrying amount, the carrying amount of the asset (or a cash-generating unit) is reduced to its recoverable amount. An impairment loss is recognised immediately in the income and expenditure statement.

Where an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. A reversal of an impairment loss is recognised immediately in income and expenditure account.

## CONSUMER COUNCIL

### 3. SIGNIFICANT ACCOUNTING POLICIES - continued

#### Leasing

Leases are classified as finance leases whenever the terms of the lease transfer substantially all the risks and rewards of ownership to the lessee. All other leases are classified as operating leases.

#### **The Council as lessee**

Operating lease payments are recognised as an expense on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed. Contingent rentals arising under operating leases are recognised as an expense in the period in which they are incurred.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

#### **Leasehold land and building**

When a lease includes both land and building elements, the Council assesses the classification of each element as a finance or an operating lease separately based on the assessment as to whether substantially all the risks and rewards incidental to ownership of each element have been transferred to the Council. The entire lease of the Council's land and building is classified as a finance lease and accounted for as property, plant and equipment.

#### Foreign currencies

In preparing the financial statements of the Council, transactions in currencies other than the functional currency (foreign currencies) are recorded in its functional currency (i.e. the currency of the primary economic environment in which the Council operates) at the rates of exchanges prevailing on the dates of the transactions. At the end of the reporting period, monetary items denominated in foreign currencies are retranslated at the rates prevailing on the end of the reporting period. Non-monetary items that are measured in terms of historical cost in a foreign currency are not retranslated.

Exchange differences arising on the settlement of monetary items, and on the translation of monetary items, are recognised in income and expenditure account in the period in which they arise.

#### Borrowing costs

All borrowing costs are recognised as and included in the income and expenditure account in the period in which they are incurred.

#### Retirement benefit costs

Payments to defined contribution retirement benefit plans are charged as an expense when employees have rendered service entitling them to the contributions.

CONSUMER COUNCIL

## 4. CAPITAL RISK MANAGEMENT

The Council is funded mainly by Government subventions. The Council members manage its funds to ensure that the Council will be able to continue as a going concern. The Council's overall strategy remains unchanged from prior year.

## 5. FINANCIAL INSTRUMENTS

## a. Categories of financial instruments

	<u>2012</u> HK\$	<u>2011</u> HK\$
Loans and receivables (including cash and cash equivalents)	46,367,315	46,634,599
Financial liabilities at amortised cost	7,543,288	8,093,156

## b. Financial risk management objectives and policies

The Council's major financial instruments include sundry debtors, loans and advances to staff, amount due from the Consumer Legal Action Fund, bank balances, accounts payable and bank borrowing. Details of these financial instruments are disclosed in respective notes. The risks associated with these financial instruments and the policies on how to mitigate these risks are set out below. The Council's members manage and monitor these exposures to ensure appropriate measures are implemented on a timely and effective manner.

Credit risk

The Council has no significant concentration of credit risk on debtors, and loans and advances to staff as the Council's members consider the amounts involved are insignificant.

The credit risk on deposits at banks is limited because the counterparties are banks with high credit ratings.

The credit risk arising from default in the payment by the Consumer Legal Action is limited as the counterparty is financially capable to pay.



CONSUMER COUNCIL

## 5. FINANCIAL INSTRUMENTS - continued

## b. Financial risk management objectives and policies - continued

Market risk*Foreign currency risk management*

Certain transactions of the Council are denominated in currencies set out below which are different from the functional currency of the Council, i.e. Hong Kong dollars, and therefore the Council is exposed to foreign currency risk. The carrying amounts of the Council's foreign currency denominated monetary assets and liabilities at the end of the reporting period are as follows:

	<u>Assets</u>		<u>Liabilities</u>	
	<u>2012</u> HK\$	<u>2011</u> HK\$	<u>2012</u> HK\$	<u>2011</u> HK\$
United States dollars	127,172	204,388	98,865	-
Euro	826,449	297,537	638,500	1,250,583

The following table indicates the approximate change in the Council's income and expenditure in response to reasonably possible changes in the foreign exchange rates to which the Council may have exposure at the end of the reporting period.

	<u>2012</u>		<u>2011</u>	
	Increase (decrease) in foreign exchange rates	Effect on income (expenditure) HK\$	Increase (decrease) in foreign exchange rates	Effect on income (expenditure) HK\$
United States dollars	3%	849	3%	6,132
	(3%)	(849)	(3%)	(6,132)
Euro	10%	18,795	10%	(95,305)
	(10%)	(18,795)	(10%)	95,305

In the opinion of the Council members, the sensitivity analysis is unrepresentative of the inherent foreign exchange risk as the year end exposure does not reflect the exposure during the year.

*Interest rate risk*

The Council's income and operating cash flows are substantially independent of changes in market interest rates. The Council's exposure to changes in interest rates is mainly attributable to its bank borrowing which bears interest at variable rates. The Council has a policy to place surplus funds with creditable financial institutions which offer the best rate on a short-term basis to service the bank loan interest payment. The Council's members continuously monitor the cash flow interest rate risk.

CONSUMER COUNCIL

## 5. FINANCIAL INSTRUMENTS - continued

## b. Financial risk management objectives and policies - continued

*Liquidity risk*

The Council is dependent on the government subventions. The Council members consider that the Council is exposed to minimal liquidity risk as the Government would provide subvention for the Council based on budgets prepared by the Council annually. The Council members also closely monitor the Council's cash flow position.

Bank balances comprise of demanded deposits with an original maturity of three months or less.

*Liquidity and interest rate table*

The following tables detail the Council's remaining contractual maturity for its non-derivative financial liabilities. The tables have been drawn up based on the undiscounted cash flows of financial liabilities based on the earliest date on which the Council can be required to pay.

	Weighted average effective interest rate %	6 months or less HK\$	6-12 months HK\$	1-5 years HK\$	Over 5 years HK\$	Total undiscounted cash flows HK\$	Carrying amounts HK\$
<b>2012</b>							
Accounts payable	-	4,690,460	-	-	-	4,690,460	4,690,460
Bank borrowing	0.99	192,000	192,000	1,536,000	1,052,008	2,972,008	2,852,828
		<u>4,882,460</u>	<u>192,000</u>	<u>1,536,000</u>	<u>1,052,008</u>	<u>7,662,468</u>	<u>7,543,288</u>

	Weighted average effective interest rate %	6 months or less HK\$	6-12 months HK\$	1-5 years HK\$	Over 5 years HK\$	Total undiscounted cash flows HK\$	Carrying amounts HK\$
<b>2011</b>							
Accounts payable	-	4,886,359	-	-	-	4,886,359	4,886,359
Bank borrowing	0.95	192,000	192,000	1,536,000	1,415,101	3,335,101	3,206,797
		<u>5,078,359</u>	<u>192,000</u>	<u>1,536,000</u>	<u>1,415,101</u>	<u>8,221,460</u>	<u>8,093,156</u>

## c. Fair value

The fair values of financial assets and financial liabilities are determined in accordance with generally accepted pricing models based on discounted cash flow analysis using prices from observable current market transactions.

The Council's members consider that the carrying values of financial assets and financial liabilities recorded at amortised cost in the financial statements approximate to their corresponding fair values.

CONSUMER COUNCIL

## 6. NON-RECURRENT PROJECT SUBVENTION

	<u>2012</u> HK\$	<u>2011</u> HK\$
Price surveillance project	4,169,472	4,432,678
World congress	5,387,483	682,355
Consumer Council resources centre enhancement project	526,439	-
Strengthening consumer protection project	7,710	44,369
35th anniversary activities	-	46,881
Enhancement of computer systems	1,252,036	1,001,409
Purchase of computer equipments	171,200	324,437
Granted for addition of leasehold property	-	396,100
Other non-recurrent projects	1,036,186	521,880
	<u>12,550,526</u>	<u>7,450,109</u>

## 7. SALES OF "CHOICE" MAGAZINE

Income from sale of "Choice" magazine, after deduction of printing, artwork, postage and promotion cost amounts to HK\$137,027 (2011: HK\$544,905).

## 8. STAFF COSTS

Staff costs include an amount of HK\$6,275,933 (2011: HK\$5,930,417) in respect of contributions to retirement benefits scheme.

## 9. NON-RECURRENT PROJECTS EXPENSES

	<u>2012</u> HK\$	<u>2011</u> HK\$
Price surveillance project	3,978,586	4,263,677
World congress	5,387,483	682,355
Consumer Council resources centre enhancement project	526,441	-
Strengthening consumer protection project	1,890	9,450
35th anniversary activities	-	46,881
Promotion of new legislation	45,000	34,220
Other projects	763,585	417,483
	<u>10,702,985</u>	<u>5,454,066</u>

CONSUMER COUNCIL

## 10. PROPERTY, PLANT AND EQUIPMENT

	Leasehold land and building in Hong Kong under long-term lease HK\$	Leasehold improvement HK\$	Office equipment HK\$	Computer equipment HK\$	Furniture and fixtures HK\$	Motor vehicle HK\$	Total HK\$
<b>COST</b>							
At 31 March 2010	62,638,435	6,110,651	1,273,669	7,290,916	581,158	247,291	78,142,120
Addition	-	-	222,735	2,405,929	79,565	-	2,708,229
At 31 March 2011	62,638,435	6,110,651	1,496,404	9,696,845	660,723	247,291	80,850,349
Addition	-	1,362,600	248,256	358,093	77,339	-	2,046,288
At 31 March 2012	62,638,435	7,473,251	1,744,660	10,054,938	738,062	247,291	82,896,637
<b>DEPRECIATION</b>							
At 31 March 2010	8,293,157	5,131,672	1,213,829	3,775,734	513,558	109,907	19,037,857
Provision for the year	894,373	560,533	111,626	1,911,743	54,262	82,430	3,614,967
At 31 March 2011	9,187,530	5,692,205	1,325,455	5,687,477	567,820	192,337	22,652,824
Provision for the year	875,972	311,645	172,870	2,184,795	61,822	54,954	3,662,058
At 31 March 2012	10,063,502	6,003,850	1,498,325	7,872,272	629,642	247,291	26,314,882
<b>CARRYING VALUES</b>							
At 31 March 2012	52,574,933	1,469,401	246,335	2,182,666	108,420	-	56,581,755
At 31 March 2011	53,450,905	418,446	170,949	4,009,368	92,903	54,954	58,197,525

The above items of property, plant and equipment are depreciated over their useful lives using the straight-line method, at the following rates per annum:

Leasehold land	Over the remaining term of the leases
Buildings	Over the shorter of their useful lives or the remaining term of the lease of land
Leasehold improvement	20%
Office equipment	33.33%
Computer equipment	33.33%
Furniture and fixtures	33.33%
Motor vehicle	33.33%

Leasehold properties with carrying value of HK\$13,351,081 (2011: HK\$13,625,370) are under mortgage to secure the bank loan of the Council. All the leasehold properties are under second mortgage in favour of the Government.

## 11. OTHER FINANCIAL ASSETS

Other financial assets included debtors, loans and advances to staff and management fee receivable from Consumer Legal Action Fund. The amounts are unsecured and interest-free. Except for the loans and advances to staff which will be settled by twelve monthly instalments, other amounts are repayable on demand.



CONSUMER COUNCIL

## 12. BANK BALANCES AND CASH

Bank balances and cash comprise cash and short-term deposits with an original maturity of three months or less and carry interest at market rates which ranged from 0.01% to 0.94% (2011: 0.01% to 0.98%) per annum.

## 13. ACCOUNTS PAYABLE AND ACCRUED CHARGES

Accounts payable are unsecured, interest-free and repayable according to the respective credit terms. The Council has financial risk management policies in place to ensure that all payables are paid within the credit timeframe.

## 14. SECURED BANK BORROWING

	<u>2012</u> HK\$	<u>2011</u> HK\$
Carrying amount repayable:		
On demand or within one year	355,672	355,672
More than one year, but not exceeding two years	359,394	360,711
More than two years but not more than five years	1,101,246	1,099,062
More than five years	<u>1,036,516</u>	<u>1,391,352</u>
	2,852,828	3,206,797
Less: Amounts due within one year shown under current liabilities	<u>(355,672)</u>	<u>(355,672)</u>
	<u>2,497,156</u>	<u>2,851,125</u>

The loan which is secured by the Council's properties with carrying value of HK\$13,351,081 (2011: HK\$13,625,370) bears interest at the lower of prime rate or 0.75% over the Hong Kong Interbank Offered Rate and will be repayable by monthly instalments, the last of which falls due in December 2019. The proceeds were used to finance the acquisition of a leasehold property.

CONSUMER COUNCIL

## 15. SUBVENTIONS RECEIVED

	<u>2012</u> HK\$	<u>2011</u> HK\$
Government subventions unexpended at the end of the reporting period for designated non-recurrent projects:		
Price surveillance project	1,621,581	1,841,913
World congress	3,879,427	5,058,910
Strengthening consumer protection project	821,398	829,108
35th anniversary activities	323,009	323,009
Enhancement of computer systems	2,496,490	2,739,556
Complaints interactive computer system	1,013,018	2,261,697
Unfair trade practice campaign	980,000	980,000
Consumer Council resource centre:		
leasehold improvement	256,244	256,244
enhancement project	73,559	-
air-conditioning system	156,400	211,600
Replacement of computers	25,800	1,045,800
Removal of storage devices	75,556	132,222
Office of the Communications Authority online price survey	29,957	52,423
Training program	752,860	-
Revamp of shopsmart website	54,000	-
Conference room refurbishment	952,000	-
Digitalisation of "Choice" magazine	165,000	-
Other projects	2,424,000	2,339,197
	<u>16,100,299</u>	<u>18,071,679</u>
Government subvention utilised for acquisition of leasehold property (note)	-	7,918,600
	<u>16,100,299</u>	<u>25,990,279</u>
Analysed for reporting purposes as:		
Current	16,100,299	18,467,779
Non-current	-	7,522,500
	<u>16,100,299</u>	<u>25,990,279</u>

## Note:

In line with the accounting policy applied for capital asset contribution from the government, the unamortised balance of subvention for the acquisition of leasehold property is transferred to accumulated surplus to offset the appropriation made previously from accumulated surplus to leasehold property control account.

CONSUMER COUNCIL

## 16. LEASEHOLD PROPERTY CONTROL ACCOUNT

The amount arises from capital contribution by the Government for the acquisition of leasehold properties and appropriation from general fund for subsequent purchase of capital assets reduced by depreciation of the related assets.

## 17. EQUIPMENT CONTROL ACCOUNT

The amount was appropriated from general fund in previous years for the acquisition of office equipment, computer equipment and furniture and fixtures and is reduced by depreciation of the related assets.

## 18. DESIGNATED FUND FOR APPROVED PROJECTS

The amount represents funds for current projects appropriated for the below designated activities not yet incurred by the end of the reporting period:

	<u>2012</u> HK\$	<u>2011</u> HK\$
Online "Choice" operation reserve	4,300,344	4,300,344
Office equipment and maintenance	245,438	245,438
Testing and research	2,352,534	924,112
	<u>6,898,316</u>	<u>5,469,894</u>

## 19. OPERATING LEASE COMMITMENT

At the end of the reporting period, the Council had commitments for future minimum lease payments under non-cancellable operating leases in respect of rented premises which fall due within one year amounting to HK\$339,070 (2011: HK\$331,890).

Leases are negotiated for an average term of one year, with fixed rental over the terms of the leases.

## 20. RELATED PARTY TRANSACTION

During the year, the Council recognised administrative fee income of HK\$2,047,000 (2011: HK\$1,934,000) for its administrative services and office support provided to the Consumer Legal Action Fund and recoup the expenses (comprising salary costs and attributable overhead) incurred as approved by the Staff and Finance Committee. Administrative fee receivable due from the Consumer Legal Action Fund is set out in the statement of financial position.

**消費者委員會**

(根據《消費者委員會條例》在香港成立)

報告書及財務報表

截至二零一二年三月三十一日止年度



消費者委員會

報告書及財務報表

截至二零一二年三月三十一日止年度

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## **獨立核數師報告**

### **致消費者委員會委員**

(根據《消費者委員會條例》在香港成立)

本核數師已完成審核消費者委員會(「委員會」)載於第 3 頁至第 21 頁的財務報表,包括二零一二年三月三十一日之財務狀況表,以及截至該日止年度之收支結算表、權益變動表及現金流量表,連同主要會計政策概要及其他說明性資訊。

### **委員會委員就財務報表之責任**

委員會委員須遵照香港會計師公會頒佈之香港財務報告準則編製真實且公平的財務報表,且實施其認為必要之內部監控,以使財務報表之編製不存在由於欺詐或錯誤而導致之重大錯誤陳述。

### **核數師之責任**

本核數師的責任是根據審核結果,對該等財務報表作出意見,並按照本行已同意的聘用條款的規定,僅向委員會作出呈報,除此之外,本報告並無其他目的。本核數師概不就本報告之內容,向任何其他人士負責或承擔法律責任。本核數師已按照香港會計師公會頒佈之香港審計準則進行審核工作。該等準則要求本核數師遵守道德規範,並策劃及執行審核工作,以合理確定該等財務報表是否不存在有任何重大錯誤陳述。

審核涉及執程序以獲取有關財務報表所載金額及披露資料的審核憑證。所選定的程序取決於核數師之判斷,包括評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述之風險。在評估該等風險時,核數師考慮與委員會編製真實且公平的財務報表相關之內部監控,以設計適當之審核程序,但並非為對委員會內部監控之效能發表意見。審核亦包括評價委員會委員所採用之會計政策之合適性及所作會計估計之合理性,以及評價財務報表的整體列報方式。

本核數師相信,所獲得之審核憑證已足夠和適當地為本核數師之審核意見提供基礎。

**獨立核數師報告**

**致消費者委員會委員—續**

(根據《消費者委員會條例》在香港成立)

**意見**

本核數師認為，該等財務報表已根據香港財務報告準則真實而公平地反映委員會於二零一二年三月三十一日的財務狀況及委員會截至該日止年度的盈餘及現金流量。

**德勤·關黃陳方會計**

**師行**

執業會計師

香港

二零一二年七月十六日

## 消費者委員會

## 收支結算表

截至二零一二年三月三十一日止年度

	附註	二零一二年 港元	二零一一年 港元
<b>收入</b>			
政府撥款		82,198,000	78,173,000
非經常性項目撥款	6	12,550,526	7,450,109
銷售《選擇》雜誌	7	1,877,477	2,292,369
管理費收入		2,047,000	1,934,000
銀行存款利息		255,730	95,351
雜項收入		220,730	372,977
		<u>99,149,463</u>	<u>90,317,806</u>
<b>減：</b>			
<b>支出</b>			
僱員支出	8	70,005,352	62,179,081
測試及研究費		4,910,131	4,499,674
非經常性項目	9	10,702,985	5,454,066
物業、機器及設備折舊及攤銷		3,662,058	3,614,967
辦事處設備及維修		1,272,503	1,026,945
辦事處有關費用		2,483,133	2,379,839
核數師酬金		141,100	135,700
消費者教育		479,169	457,656
國際消費者聯合會會員費		326,715	318,511
委員會委員開支		50,400	54,800
非於五年內悉數償還的銀行貸款之利息開支		30,032	32,373
國際會議及外訪		372,627	191,834
《選擇》雜誌出版及推廣費		1,740,450	1,747,464
宣傳及公關費		420,346	341,688
其他行政費用		2,547,291	1,794,383
		<u>99,144,292</u>	<u>84,228,981</u>
<b>本年度盈餘</b>		<u>5,171</u>	<u>6,088,825</u>



## 消費者委員會

## 財務狀況表

於二零一二年三月三十一日

	附註	二零一二年 港元	二零一一年 港元
<b>非流動資產</b>			
物業、機器及設備	10	56,581,755	58,197,525
<b>流動資產</b>			
應收賬款、按金及預付款項	11	1,433,190	1,301,894
提供予僱員的貸款及墊款	11	269,712	266,644
消費者訴訟基金的應付款項	11	2,047,000	1,934,000
銀行結餘及現金	12	43,643,388	43,928,895
		47,393,290	47,431,433
<b>流動負債</b>			
已收訂閱費		724,667	633,756
應付賬款及應計費用	13	5,896,609	6,145,694
未放取之有薪年假撥備		4,615,538	3,791,099
有擔保銀行貸款	14	355,672	355,672
已收撥款	15	16,100,299	18,467,779
		27,692,785	29,394,000
<b>流動資產淨額</b>		19,700,505	18,037,433
<b>非流動負債</b>			
有擔保銀行貸款	14	2,497,156	2,851,125
已收撥款	15	-	7,522,500
		2,497,156	10,373,625
		73,785,104	65,861,333
<b>折合：</b>			
租賃物業統制賬項	16	54,044,335	53,869,352
設備統制賬項	17	2,537,420	4,328,173
核准項目指定資金	18	6,898,316	5,469,894
累計盈餘		10,305,033	2,193,914
		73,785,104	65,861,333

載於第 3 頁至第 21 頁的財務報表已於二零一二年七月十六日獲消費者委員會委員批准及授權發佈，並由以下代表簽署：

總幹事

## 消費者委員會

## 權益變動表

截至二零一二年三月三十一日止年度

	租賃物業 統制賬項	設備 統制賬項	核准項目 指定資金	累計盈餘 (虧損)	合計
	港元	港元	港元	港元	港元
於二零一零年四月一日	55,324,257	3,780,006	4,768,665	(4,100,420)	59,772,508
本年度盈餘	-	-	-	6,088,825	6,088,825
本年度添置	-	2,708,229	1,030,284	(3,738,513)	-
本年度使用	(1,454,905)	(2,160,062)	(329,055)	3,944,022	-
於二零一一年三月三十一日	53,869,352	4,328,173	5,469,894	2,193,914	65,861,333
本年度盈餘	-	-	-	5,171	5,171
本年度添置	1,362,600	683,688	2,352,534	(4,398,822)	-
本年度使用	(1,187,617)	(2,474,441)	(924,112)	4,586,170	-
結轉	-	-	-	7,918,600	7,918,600
於二零一二年三月三十一日	54,044,335	2,537,420	6,898,316	10,305,033	73,785,104

## 消費者委員會

## 現金流量表

截至二零一一年三月三十一日止年度

	二零一二年	二零一一年
	港元	港元
<b>營運活動</b>		
本年度盈餘	5,171	6,088,825
就下列項目作出調整：		
就添置物業、機器及設備之政府撥款	(1,784,470)	(1,966,044)
利息開支	30,032	32,373
物業、機器及設備折舊	3,662,058	3,614,967
利息收入	(255,730)	(95,351)
於流動資金變動前之營運現金流量	1,657,061	7,644,770
應收賬款、按金及預繳款項之增加	(132,332)	(110,345)
消費者訴訟基金的應付款項增加	(113,000)	(106,000)
預收訂閱費增加（減少）	90,911	(114,805)
應付賬款及應計費用減少	(249,085)	(213,718)
未放取之有薪年假撥備增加（減少）	824,439	(177,104)
<b>營運中產生的現金</b>	2,077,994	6,922,798
已付利息	(30,032)	(32,373)
<b>來自營運活動中之現金淨值</b>	2,047,962	6,890,425
<b>投資活動</b>		
已收利息	256,766	101,696
購置物業、機器及設備	(2,046,288)	(2,708,229)
提供予僱員的新貸款及墊款	(248,665)	(266,644)
僱員付還的貸款及墊款	245,597	240,015
<b>用於投資活動之現金淨值</b>	(1,792,590)	(2,633,162)
<b>融資活動</b>		
償還銀行貸款	(353,969)	(351,626)
非經常項目所得之政府撥款	10,209,000	8,029,560
非經常項目所用之政府撥款	(10,602,208)	(4,233,123)
其他非經常項目所得之資金	850,146	664,685
其他非經常項目所用之資金	(643,848)	(417,483)
<b>來自（用於）融資活動之現金淨值</b>	(540,879)	3,692,013
<b>現金及現金等價物增加（減少）淨值</b>	(285,507)	7,949,276
<b>年初之現金及現金等價物</b>	43,928,895	35,979,619
<b>年末之現金及現金等價物， 以銀行結餘及現金列示</b>	43,643,388	43,928,895

## 消費者委員會

### 財務報表附註

截至二零一二年三月三十一日止年度

#### 1. 組織及活動

消費者委員會（「委員會」）是一間根據一九七七年《消費者委員會條例》（香港法例第 216 章）成立的永久性法定團體，目的為保護及促進商品、不動產及服務消費者權益。資金來源主要是政府撥款資助。委員會亦會根據信託聲明獲委任為消費者訴訟基金之信託人，目的是為消費者依循法律途徑尋求賠償、補償及保障。

委員會的註冊辦事處及主要營運地址為香港北角渣華道 191 號嘉華國際中心 22 樓。

委員會根據《稅務條例》第 87 章條款獲豁免繳納利得稅。

財務報表乃以港元呈列，同時，港元亦是委員會的功能貨幣。

鑒於委員會為非營利機構，編製收入及開支賬目旨在反映機構的營運結果。

#### 2. 採納新訂及經修訂香港財務報告準則（「香港財務報告準則」）

本年度內，委員會採用了由香港會計師公會（「香港會計師公會」）所頒佈的以下新訂及經修訂香港財務報告準則。

香港財務報告準則（經修訂）	對二零一零年頒佈之香港財務報告準則之改進
香港會計準則第 24 號（二零零九年修訂本）	關聯方披露
香港會計準則第 32 號（經修訂）	供股分類
香港（國際財務報告詮釋委員會）－詮釋第 14 號（經修訂）	最低撥款規定之預付款項
香港（國際財務報告詮釋委員會）－詮釋第 19 號	以股本工具清償財務負債

本年度採納新訂及經修訂準則及詮釋對該等財務報表及／或其所載的披露資料概無重大影響。



## 消費者委員會

### 2. 採納新訂及經修訂之香港財務報告準則（「香港財務報告準則」）－續

#### 新訂及經修訂的準則及詮釋已頒佈但尚未生效

本公司並未提前採納下列已頒佈但尚未生效之新訂及經修訂的準則及詮釋：

香港財務報告準則（經修訂）	對二零零九至二零一一年週期香港財務報告準則之年度改進 <sup>1</sup>
香港財務報告準則第 1 號（經修訂）	政府貸款 <sup>1</sup>
香港財務報告準則第 7 號（經修訂）	披露－財務資產轉讓 <sup>2</sup>
香港財務報告準則第 7 號（經修訂）	披露－抵銷金融資產及金融負債 <sup>1</sup>
香港財務報告準則第 9 號及第 7 號（經修訂）	香港財務報告準則第 9 號及過渡披露之強制性有效日期 <sup>3</sup>
香港財務報告準則第 9 號	金融工具 <sup>3</sup>
香港財務報告準則第 10 號	綜合財務報表 <sup>1</sup>
香港財務報告準則第 11 號	聯合安排 <sup>1</sup>
香港財務報告準則第 12 號	披露於其他實體之權益 <sup>1</sup>
香港財務報告準則第 13 號	公允價值計量 <sup>1</sup>
香港會計準則第 1 號（經修訂）	其他全面收入項目之呈列 <sup>5</sup>
香港會計準則第 12 號（經修訂）	遞延稅項－相關資產之收回 <sup>4</sup>
香港會計準則第 19 號（二零一一年經修訂）	僱員福利 <sup>1</sup>
香港會計準則第 27 號（二零一一年經修訂）	獨立財務報表 <sup>1</sup>
香港會計準則第 28 號（二零一一年經修訂）	對聯屬公司及聯營公司的投資 <sup>1</sup>
香港會計準則第 32 號（經修訂）	抵銷金融資產及財務負債 <sup>6</sup>
香港（國際財務報告詮釋委員會）－詮釋第 20 號	露天礦生產階段的剝離成本 <sup>1</sup>

<sup>1</sup> 於二零一三年一月一日或其後開始之年度期間生效

<sup>2</sup> 於二零一一年七月一日或其後開始之年度期間生效

<sup>3</sup> 於二零一五年一月一日或其後開始之年度期間生效

<sup>4</sup> 於二零一二年一月一日或其後開始之年度期間生效

<sup>5</sup> 於二零一二年七月一日或其後開始之年度期間生效

<sup>6</sup> 於二零一四年一月一日或其後開始之年度期間生效

委員會委員預期採納上述新訂及經修訂準則及詮釋，將不會對本公司的業績及財務狀況產生重大影響。

## 消費者委員會

### 3. 主要會計政策

財務報表乃按過往成本法並根據香港會計師公會所頒佈的香港財務報告準則編製。過往成本一般基於為換取貨物所給予的代價的公平價值。所採納的主要會計政策則詳列如下：

#### 收入確認

收入乃按已收或應收代價的公平價值釐定，是日常業務營運中銷售商品及提供服務之應收金額，扣除折扣及銷售退回。

- 《選擇》月刊及其他刊物的銷售額，於交付商品及移交所有權時確認。
- 《選擇》月刊網上訂購銷售額，於提供服務時確認。
- 《選擇》月刊的網上許可費收入按直線法於有關租賃期內確認。

銀行存款的利息收入以時間基準按尚餘的本金及適用實際利率計算。

#### 政府撥款

政府對經常性項目的撥款於政府劃撥資金時確認。

政府對非經常性項目的撥款在與他們原定的系統性補償的相關成本相匹配後，確認為如此匹配的有關期間的收入。

#### 認繳資本

香港特區政府認繳的現金及資本資產以認繳資本入賬，於適當之股本賬目中確認。

#### 物業、機器及設備

在財務狀況報表中，物業、機器及設備乃按成本減隨後累積折舊及累積減值虧損（如有）入賬。

折舊之計提乃以直線法核算，物業、機器及設備的成本扣除估計可用年限內的剩餘價值後計提折舊。於各報告期結束時，對估計可用年限、剩餘價值及折舊方法進行檢討，以便預先考慮估計出現的任何變動。

一項物業、機器及設備於出售時或預期繼續使用該項資產不會帶來未來經濟利益時予以註銷。資產註銷所產生的任何收益或虧損按該資產之出售收入與賬面值之間差額釐定，於收支結算表內確認。

## 消費者委員會

### 3. 主要會計政策 – 續

#### 金融工具

金融資產及金融負債於委員會成為該等工具合約條文的訂約方時在財務狀況表內予以確認。金融資產及金融負債在初步確認時按公平價值計算。

#### 金融資產

委員會的金融資產劃分為貸款及應收賬款。

#### 實際利率法

實際利率法為於相關期間計算金融資產之攤銷成本及分配利息收入之方法。實際利率是在金融資產的預計期限或（如適用）更短期限內，估計的未來現金收入（包括所有已付或已收的費用，而這些費用構成實際利率、交易成本及其他溢價或折讓的組成部分）準確貼現為初步確認時的賬面淨額所用的利率。

就債務工具而言，利息收入按實際利率確認。

#### 貸款及應收賬款

貸款及應收賬款是指回收金額固定或可確定，且未在交投暢旺的市場上市的非衍生金融資產。在初步確認後，應採用實際利率法以攤銷成本對貸款及應收賬款（包括應收賬款、貸款及僱員墊款、消費者訴訟基金的應付款項和銀行結餘）進行計算，並扣除已確認的減值虧損（請參閱以下會計政策中金融資產減值虧損條款）。

#### 金融資產的減值

金融資產評估在每個報告期結束時按減值指標進行。如有客觀證據顯示，因在金融資產初步確認後發生的一項或多項事件導致該金融資產的未來估計現金流量受到影響，該金融資產須予減值處理。

客觀證據顯示有減值必要的情形包括：

- 發行人或交易對手的重大財務困難；或
- 欠繳或拖欠利息或本金款項；或
- 借款人有可能陷入破產或金融重組；
- 或
- 該金融資產因財務困難而失去交投暢旺的市場。

## 消費者委員會

### 3. 主要會計政策—續

#### 金融工具—續

#### 金融資產—續

#### 金融資產的減值—續

就以攤銷成本列賬的金融資產而言，確認的減值虧損金額為該資產賬面值與按金融資產原實際利率折現的未來估計現金流量現值之間的差額。如果在隨後的期間減值虧損金額降低，而有關降低可客觀地與確認減值虧損後發生之事件相關聯，則之前已確認之減值虧損將透過收支結算表撥回，惟該資產於撥回減值該日之賬面值不超出倘並無確認減值原應有之攤銷成本。

#### 金融負債

金融負債是按照簽訂的合約安排主旨及金融負債的定義來進行分類。

#### 實際利率法

實際利率法為於相關期間計算金融負債之攤銷成本及分配利息開支之方法。實際利率是在金融負債的預計期限或（如適用）更短期限內，估計的未來現金付款（包括所有已付或已收的費用，而這些費用構成實際利率、交易成本及其他溢價或折讓的組成部分）準確貼現為初步確認時的賬面淨額所用的利率。

利息開支按實際利率確認。

#### 金融負債

金融負債（包括應付賬款及銀行貸款）初步以公平價值計算，隨後採用實際利率法以攤銷成本計算。

#### 撤銷

當從資產獲得現金流量的合約權利屆滿，或委員會轉讓金融資產及實質轉讓金融資產所有權的全部風險及回報時，金融資產被註銷。如委員會不轉讓或保留所有權的幾乎全部風險及回報，並繼續控制被轉讓資產，則委員會繼續在持續參與的範圍內確認資產，並確認相關的負債。如委員會保留被轉讓金融資產所有權的幾乎全部風險及回報，則委員會繼續就所得收益確認金融資產及抵押貸款。



## 消費者委員會

### 3. 主要會計政策—續

#### 金融工具—續

#### 撤銷—續

當撤銷一項金融資產的全部時，資產的賬面值與所獲代價、應收賬款及已經在其他綜合收入中確認並累積於股本中的累積收益或虧損金額之間的差額，會在收支結算表中予以確認。

當撤銷一項金融資產的部分時，委員會會按照繼續確認的部分與不再確認的部分於轉讓日期的相對公平價值，對金融資產先前的賬面值進行分配。分配至不再確認部分的賬面值與該部分所獲代價及向其分配的、已經在其他綜合收入中確認的任何累積收益或虧損金額之間的差額，會在收支結算表中予以確認。會按照繼續確認部分與不再確認部分的相對公平價值，對已經在其他綜合收入中確認的累積收益或虧損進行分配。

當且僅當委員會的義務被解除、註銷或屆滿時，委員會註銷金融負債。被註銷的金融負債的賬面值與已付及應付代價之間的差額於收支結算表內確認。

#### 減值

委員會於報告期完結時審查資產之賬面值，以決定是否有任何跡象顯示該等資產已經出現減值虧損。如果存在該跡象，則對資產的可收回金額進行估計，從而確定減值虧損（如有）的程度。如果無法估計某項資產的可收回金額，則委員會會估計該資產所屬的現金產出單位的可收回金額。如果可確認合理一致的分配基礎，則公司資產亦被分配至單個的現金產出單位，或被分配至可確認合理一致的分配基礎的現金產出單位的最小組合。

可收回金額為公平價值減銷售成本所得金額與使用價值中的較高者。當評估使用價值時，會採用可反映當前市場評估的貨幣時間價值的稅前貼現率，將估計的未來現金流量貼現為現值，而估計未來現金流量的資產的特定風險尚未作出調整。

如果估計資產（或現金產出單位）的可收回金額少於賬面值，則資產（或現金產出單位）的賬面值將減少為其可收回金額。減值虧損即時在收支結算表中予以確認。

若減值虧損隨後撥回，該資產的賬面值增加至其可收回金額之修訂估值，惟所增加之賬面值不得超過該資產於過往年度並無出現減值虧損而確認之賬面值。該撥回的減值虧損即時於收支結算表內確認。

## 消費者委員會

### 3. 主要會計政策—續

#### 租賃

如租賃條款將所有權的幾乎全部風險及回報轉讓予承租人，則租賃被歸類為融資租賃。所有其他租賃被歸類為營運租賃。

#### 委員會作為承租人

營運租賃付款按直線法於有關租賃期內確認為開支，除非其他系統性方法更能代表消費租賃資產所得經濟利益的時間模式。營運租賃下產生的或有租金被確認為招致租金的期限內的開支。

如收到租賃獎勵以訂立營運租賃，則該等獎勵被確認為負債。獎勵的總利益按直線法從租賃開支中扣減而予以確認，除非其他系統性方法更能代表消費租賃資產所得經濟利益的時間模式。

#### 租賃土地及樓宇

當租賃包含土地及樓宇部分時，委員會會根據各部分所有權附帶的幾乎全部風險及回報是否已轉讓予委員會，對各部分進行評定，並分別劃分為融資租賃或營運租賃。委員會的全部土地及樓宇租賃被歸類為融資租賃，並算作物業、機器及設備。

#### 外幣

在編製委員會財務報表時，以功能貨幣以外之貨幣（外幣）進行之交易均按交易日期之適用匯率換算為功能貨幣（即委員會營運之處主要經濟地區之貨幣）記賬。於報告期完結時，以外幣計值之貨幣項目均按報告期完結時之現行匯率重新換算。按外幣過往成本計算之非貨幣項目無需重新換算。

因結算貨幣項目及換算貨幣項目所產生的匯兌差額均於該期間的收支結算表內確認。

#### 貸款成本

所有貸款成本均確認為所發生期間的收支結算表的財務成本，並計入此項下。

#### 退休福利費用

就定額供款退休福利計劃支付的款項，在僱員提供服務並因此享有該供款的期間列為開支。

## 消費者委員會

### 4. 資本風險管理

委員會的資金主要來自政府撥款。委員會委員管理該筆資金，以確保委員會能持續正常營運，委員會的整體策略與上年保持一致。

### 5. 金融工具

#### a. 金融工具類別

	二零一二年	二零一一年
	港元	港元
貸款及應收賬款（包括現金及現金等價物）	46,367,315	46,634,599
以攤銷成本計量的金融負債	7,543,288	8,093,156

#### b. 金融風險管理目標及政策

委員會的主要金融工具包括雜項應收賬款、貸款及僱員墊款、消費者訴訟基金的應付款項、銀行結餘、應付賬款及銀行貸款。該等金融工具的詳情披露於各個附註。與該等金融工具有關的風險以及如何降低該等風險的政策載於下文，委員會委員管理並監察該等風險，以確保及時有效地實施適當措施。

#### *信貸風險*

由於委員會委員認為所涉金額並不重大，故委員會就其應收賬款以及貸款及僱員墊款並未面臨重大信貸風險。由於交易對方是有較高信貸評級的銀行，故銀行存款的信貸風險有限。

由於交易對方有足夠的經濟能力進行支付，故而因消費者訴訟基金拖欠付款而引起的信貸風險有限。

## 消費者委員會

### 5. 金融工具-續

#### b. 金融風險管理目標及政策-續

##### 市場風險

##### 外幣風險管理

委員會的某些交易是以下列貨幣（不同於委員會的功能貨幣-港幣）計值，所以委員會會面臨外幣風險。在報告完結時，委員會以外幣計值的貨幣資產及負債之賬面值如下：

	資產		負債	
	二零一二年	二零一一年	二零一二年	二零一一年
	港元	港元	港元	港元
美元	127,172	204,388	98,865	—
歐元	826,449	297,537	638,500	1,250,583

下表顯示委員會於報告期完結時因面臨外匯匯率合理的潛在變動的重大風險而產生的收入及開支變化情況。

	二零一二年		二零一一年	
	外匯匯率的升幅（降幅）	對收入（開支）的影響	外匯匯率的升幅（降幅）	對收入（開支）的影響
		港元		港元
美元	3%	849	3%	6,132
	(3%)	(849)	(3%)	(6,132)
歐元	10%	18,795	10%	(95,305)
	(10%)	(18,795)	(10%)	95,305

委員會委員認為，由於年度末的風險狀況並不反映整年的風險狀況，因此靈敏度分析並非外匯的固定風險表現。

##### 利率風險

委員會的收入及營運現金流量基本不受市場利率變動影響。委員會所面臨的利率變動風險主要來自其浮息銀行貸款。委員會的政策是將剩餘資金短期存放於可為委員會提供最佳回報的可靠金融機構，以償還銀行貸款利息付款。而委員會委員亦會持續關注現金流量的利率風險。



## 消費者委員會

## 5. 金融工具-續

## b. 金融風險管理目標及政策-續

流動資金風險

委員會營運依靠政府撥款。由於政府會根據委員會每年編製的預算撥款，因此，委員會委員認為委員會所面臨的流動資金風險已降至最低。委員會委員亦密切監控其現金流量狀況。

銀行結餘包括原訂期限為三個月或以內的活期存款。

流動資金及利率表格

下列表格詳細列出了委員會非衍生金融負債的剩餘合約到期時間。該等表格乃根據於委員會可能被要求付款之最早日期之金融負債未貼現現金流量編製。

	加權平均實 際利率	六個月或 以下	六至十二 個月	一至五年	五年以上	非貼現現金流 量總額	賬面金額
	%	港元	港元	港元	港元	港元	港元
<b>二零一二年</b>							
應付賬款	—	4,690,460	—	—	—	4,690,460	4,690,460
銀行貸款	0.99	192,000	192,000	1,536,000	1,052,008	2,972,008	2,852,828
		<u>4,882,460</u>	<u>192,000</u>	<u>1,536,000</u>	<u>1,052,008</u>	<u>7,662,468</u>	<u>7,543,288</u>
	加權平均實 際利率	六個月或以 下	六至十二 個月	一至五年	五年以上	非貼現現金流 量總額	賬面金額
	%	港元	港元	港元	港元	港元	港元
<b>二零一一年</b>							
應付賬款	—	4,886,359	—	—	—	4,886,359	4,886,359
銀行貸款	0.95	192,000	192,000	1,536,000	1,415,101	3,335,101	3,206,797
		<u>5,078,359</u>	<u>192,000</u>	<u>1,536,000</u>	<u>1,415,101</u>	<u>8,221,460</u>	<u>8,093,156</u>

## c. 公平價值

金融資產及金融負債之公平價值乃按照公認定價模式釐定，基於採用從目前市場交易觀察所得價格的貼現現金流量分析而確定。

委員會委員認為，財務報表中以攤銷成本記錄的金融資產及金融負債的賬面值接近其相應公平價值。

## 消費者委員會

### 6. 非經常性項目撥款

	二零一二年	二零一一年
	港元	港元
物價監察項目	4,169,472	4,432,678
世界大會	5,387,483	682,355
消費者委員會資源中心增強項目	526,439	-
加強保護消費者計劃	7,710	44,369
三十五週年活動	-	46,881
電腦系統優化	1,252,036	1,001,409
電腦設備的購買	171,200	324,437
添置租賃物業的撥款	-	396,100
其他非經常性項目	1,036,186	521,880
	<u>12,550,526</u>	<u>7,450,109</u>

### 7. 銷售《選擇》雜誌

在扣除印刷、版面設計、郵遞及推廣費用後，銷售《選擇》雜誌所得的收入是 137,027 港元（二零一一年：544,905 港元）。

### 8. 員工成本

員工成本包括款額為 6,275,933 港元（二零一一年：5,930,417 港元）的退休福利計劃供款。

### 9. 非經常性項目費用

	二零一二年	二零一一年
	港元	港元
物價監察項目	3,978,586	4,263,677
世界大會	5,387,483	682,355
消費者委員會資源中心增強項目	526,441	-
加強保護消費者計劃	1,890	9,450
三十五週年活動	-	46,881
新法規的推廣	45,000	34,220
其他項目	763,585	417,483
	<u>10,702,985</u>	<u>5,454,066</u>

## 消費者委員會

### 10. 物業、機器及設備

成本	香港長期租賃的	租賃物業裝修	辦公室設備	電腦設備	傢俬及裝置	機動車輛	合計
	租賃土地及樓宇						
	港元	港元	港元	港元	港元	港元	港元
於二零一零年三月三十一日	62,638,435	6,110,651	1,273,669	7,290,916	581,158	247,291	78,142,120
添置	-	-	222,735	2,405,929	79,565	-	2,708,229
於二零一一年三月三十一日	62,638,435	6,110,651	1,496,404	9,696,845	660,723	247,291	80,850,349
添置	-	1,362,600	248,256	358,093	77,339	-	2,046,288
於二零一二年三月三十一日	62,638,435	7,473,251	1,744,660	10,054,938	738,062	247,291	82,896,637
折舊							
於二零一零年三月三十一日	8,293,157	5,131,672	1,213,829	3,775,734	513,558	109,907	19,037,857
年度撥備	894,373	560,533	111,626	1,911,743	54,262	82,430	3,614,967
於二零一一年三月三十一日	9,187,530	5,692,205	1,325,455	5,687,477	567,820	192,337	22,652,824
年度撥備	875,972	311,645	172,870	2,184,795	61,822	54,954	3,662,058
於二零一二年三月三十一日	10,063,502	6,003,850	1,498,325	7,872,272	629,642	247,291	26,314,882
賬面值							
於二零一二年三月三十一日	<u>52,574,933</u>	<u>1,469,401</u>	<u>246,335</u>	<u>2,182,666</u>	<u>108,420</u>	<u>-</u>	<u>56,581,755</u>
於二零一一年三月三十一日	<u>53,450,905</u>	<u>418,446</u>	<u>170,949</u>	<u>4,009,368</u>	<u>92,903</u>	<u>54,954</u>	<u>58,197,525</u>

上述物業、機器及設備項目乃根據其可用年限以直線法按以下年率進行折舊：

租賃土地	依據租賃剩餘期限
樓宇	依據其可用年限的較短期限 或土地租賃的剩餘期限
租賃物業裝修	20%
辦公設備	33.33%
電腦設備	33.33%
傢俬及裝置	33.33%
機動車輛	33.33%

賬面值為 13,351,081 港元（二零一一年：13,625,370 港元）的租賃物業已抵押，作為委員會銀行貸款的擔保。所有該等租賃物業均以政府為受益人作出第二次抵押。

### 11. 其他金融資產

其他金融資產包括應收賬款、貸款及僱員墊款以及消費者訴訟基金的應付管理費。該等款項不設抵押，不計利息。除貸款及僱員墊款將透過十二個月的分期付款清償外，其他款項可隨時索還。

## 消費者委員會

### 12. 銀行結餘及現金

銀行結餘及現金包括現金和原訂期限為三個月或以內的短期存款，其利息根據每年由 0.01% 至 0.94%（二零一一年：0.01% 至 0.98%）的市場利率計算。

### 13. 應付賬款及應計費用

應付賬款不設抵押，不計利息且須根據各自信貸條件予以償還。委員會有適當的金融風險管理政策，可確保在信貸期限內支付全部應付款項。

### 14. 有擔保銀行貸款

	<u>二零一二年</u>	<u>二零一一年</u>
	港元	港元
應償還賬面金額：		
按要求即付或一年內	355,672	355,672
一年以上及兩年以內	359,394	360,711
兩年以上及五年以內	1,101,246	1,099,062
五年以上	1,036,516	1,391,352
	<u>2,852,828</u>	<u>3,206,797</u>
減：流動負債下的一年內到期應付金額	(355,672)	(355,672)
	<u>2,497,156</u>	<u>2,851,125</u>

委員會物業擔保所獲的貸款賬面值達 13,351,081 港元（二零一一年：13,625,370 港元），該貸款按最優惠利率或香港銀行同業拆出利率上浮 0.75% 的較低者利率計息，按月分期償還，最後一期於二零一九年十二月到期。所得受益用於購置一項租賃物業。



## 消費者委員會

## 15. 已收撥款

	二零一二年 港元	二零一一年 港元
於報告期完結時指定非經常項目之未使用的政府撥款：		
物價監察項目	1,621,581	1,841,913
世界大會	3,879,427	5,058,910
加強保護消費者計劃	821,398	829,108
三十五週年活動	323,009	323,009
電腦系統優化	2,496,490	2,739,556
投訴互動電腦系統	1,013,018	2,261,697
不公平的貿易實務活動	980,000	980,000
消費者委員會資源中心：		
租賃物業裝修	256,244	256,244
增強項目	73,559	-
空調系統	156,400	211,600
電腦更換	25,800	1,045,800
移除存儲設備	75,556	132,222
電訊管理局網上價格調查	29,957	52,423
培訓計劃	752,860	-
改進 shopsmart 網站	54,000	-
會議室翻新	952,000	-
《選擇》雜誌數字化	165,000	-
其他項目	2,424,000	2,339,197
	<u>16,100,299</u>	<u>18,071,679</u>
用於購置租賃物業的 政府撥款（附註）	-	7,918,600
	<u>16,100,299</u>	<u>25,990,279</u>
就呈報目的分析如下：		
流動	16,100,299	18,467,779
非流動	-	7,522,500
	<u>16,100,299</u>	<u>25,990,279</u>

## 附註：

按照適用於政府資本資產供款的會計政策，購置租賃物業之撥款的未攤銷餘額轉為累計盈餘，以抵銷先前提供的租賃物業統制賬項累計盈餘中的撥款。

## 消費者委員會

### 16. 租賃物業統制賬項

該款項來自於用於購置租賃物業的政府認繳資本及隨後購置資本資產的從一般基金的撥款，扣減相關資產的折舊。

### 17. 設備統制賬項

該款項為去年的一般基金撥款，用以購置辦公室設備、電腦設備以及傢俬及裝置，並扣減相關資產的折舊。

### 18. 核准項目指定資金

於報告期完結時的未付的現有項目資金為用於以下指定活動的撥付資金：

	<u>二零一二年</u> 港元	<u>二零一一年</u> 港元
網上《選擇》月刊營運儲備金	4,300,344	4,300,344
辦事處設備及維修	245,438	245,438
測試及研究費	<u>2,352,534</u>	<u>924,112</u>
	<u>6,898,316</u>	<u>5,469,894</u>

### 19. 營運租賃承擔

在報告期完結時，委員會在不可撤銷的營運租約下，就租用物業承擔的未來最低租賃付款到期。一年內款項達 339,070 港元（二零一一年：331,890 港元）。

租賃之平均期限協定為一年，且租賃期間的租金為固定租金。

### 20. 關聯方交易

委員會於年內就其向消費者訴訟基金提供的管理服務和辦公室支援，在扣除人事及財務委員會批准招致的費用（包括薪金成本及應佔間接費用）後，確認管理費收入為 2,047,000 港元（二零一零年：1,934,000 港元）。消費者訴訟基金應付行政費載於財務狀況表中。

# Consultation Papers Responded to by the Council (2011-2012)

## 回應諮詢文件

Legislative Council Education Panel on the Debundling of Textbooks and Teaching and Learning Resources for Pricing  
立法會教育事務委員會 — 課本、教材和學材分拆訂價 (11.04.11, 21.06.11)

Legislative Council Panel on Economic Development – Consultation on Review of the Operation and Regulatory Framework of the Tourism Sector in Hong Kong  
立法會經濟發展事務委員會 — 《香港旅遊業的運作和規管架構檢討》諮詢文件 (23.05.11)

Legislative Council Bills Committee on Competition Bill – Major Prohibitions provided for in the Competition Bill  
立法會《競爭條例草案》委員會 — 《競爭條例》主要禁止條文 (24.05.11)

Financial Services & the Treasury Bureau – Consultation on Proposed Establishment of a Policyholders’ Protection Fund  
財經事務及庫務局 — 《建議設立保單持有人保障基金》諮詢文件 (26.06.11)

Commerce and Economic Development Bureau – Consultation on the Review of the Operation Framework of the Tourism Sector in Hong Kong  
商務及經濟發展局 — 《香港旅遊業的運作和規管架構檢討》諮詢文件 (08.07.11)

Financial Services and the Treasury Bureau – Consultation on the Enhanced Regulation of Mandatory Provident Fund Intermediaries  
財經事務及庫務局 — 《加強對強制性公積金中介人的規管》諮詢文件 (08.07.11)

Department of Justice - Submission on Draft Mediation Bill  
律政司 - 《調解條例草案》(08.07.11)

Legislative Council Bills Committee - Submission on Pyramid Schemes Prohibition Bill  
立法會法案委員會 - 就有關〈禁止層壓式計劃條例草案〉提交的意見書 (15.07.11)

Legislative Council Bills Committee on Competition Bill 2010 - Submission on Guidelines on the First Conduct Rule  
立法會《2010競爭條例草案》委員會 — 就行為守則指引呈交的意見書 (20.07.11)

Legislative Council Panel on Environmental Affairs – Extension of the Environmental Levy Scheme on Plastic Shopping Bags  
立法會環境事務委員會 — 擴大塑膠購物袋環保徵費計劃 (20.07.11)

Organisation for Economic Co-operation and Development (OECD) – Draft G20 High-level Principles on Financial Consumer Protection  
經濟合作與發展組織 (OECD) - 20國集團(G20)的保障金融服務消費者的高層次原則草擬本 (26.08.11)

Office of the Telecommunications Authority – Guidelines for the Implementation of Fair Usage Policy (FUP)  
電訊管理局 — 實施公平使用政策的指引 (02.09.11)

Trade and Industry Department – APEC Non-binding Investment Principles ‘Corporate Social Responsibility’  
工業貿易署 - 亞太經濟合作組織(APEC)的「企業社會責任」非約束性投資原則 (16.09.11)

Hong Kong Monetary Authority – Financial Stability Board’s Consultation Document on Consumer Finance Protection (Report to the G20 Leaders)  
香港金融管理局 - 向金融穩定委員會提交保障金融消費者(20國集團領袖報告)的意見 (27.09.11)

Agriculture, Fisheries and Conservation Department – Proposals to Amend Schedule 2 of the Veterinary Surgeons Registration Ordinance  
漁農自然護理署 — 《獸醫註冊條例》(第529章)附表2的修訂建議 (02.11.11)

Environment Bureau – Restriction of Sale of Energy-Inefficient Incandescent Light Bulbs  
環境局 — 限制銷售能源效益較低的鎢絲燈泡 (11.11.11)

Legislative Council Bills Committee on Competition Bill – Amendments to the Competition Bill and the Guidelines on the Second Conduct Rule  
立法會《競爭條例草案》委員會 — 修訂《競爭條例草案》之建議和第三行為守則指引 (15.11.11)

Legislative Council Panel on Housing - The Proposed Legislation to Regulate the Sale of First-hand Residential Properties (the Bill)  
立法會房屋事務委員會 — 「規管一手住宅物業銷售建議法例」(草案) (05.01.12)

Transport and Housing Bureau – The Proposed Legislation to Regulate the Sale of First-Hand Residential Properties  
運輸及房屋局 — 規管一手住宅物業銷售建議法例 (28.01.12)

Food and Health Bureau - Submission to Public Consultation on the Legal, Privacy and Security Framework for Electronic Health Record Sharing  
食物及衛生局 - 電子健康記錄分享的法律，私隱及保安的框架 (20.02.12)

Legislative Council Bills Committee on Competition Bill – Exemption Arrangements of the Competition Bill  
立法會《2010競爭條例草案》委員會 — 有關《競爭條例草案》的豁免安排 (28.02.12)

Commerce & Economic Development Bureau – Copyright Protection in the Digital Environment Code of Practices pursuant to the proposed Section 88I of the Copyright Ordinance  
商務及經濟發展局 — 在數碼環境中保護版權《實務守則》(根據《版權條例(香港法例第528章)第88I條公布) (02.03.12)

Mandatory Provident Fund Schemes Authority – Withdrawal of MPF Benefits  
強制性公積金計劃管理局 — 提取強積金權益 (20.03.12)

Food and Health Bureau – Licensing Scheme for Private Columbaria  
食物及衛生局 - 就私營骨灰龕發牌制度的意見 (27.03.12)



# Consumer Advice Centres

## 消費者諮詢中心

### **Hotline Centre 消費者投訴熱線: 2929 2222**

Fax 傳真號碼 : 2590 6271

Website 網站 : <http://www.consumer.org.hk>

E-mail 電郵地址 : [cc@consumer.org.hk](mailto:cc@consumer.org.hk)

### **Hong Kong 香港區**

#### **a. North Point Consumer Advice Centre**

Room 1410, 14/F, Kodak House II

39 Healthy Street East

North Point

北角諮詢中心

北角健康東街39號柯達大廈二期14樓1410室

### **New Territories 新界區**

#### **a. Shatin Consumer Advice Centre**

Room 442, 4/F, Shatin Government Offices

1 Sheung Wo Che Road

Shatin

沙田諮詢中心

沙田上禾輦路1號 沙田政府合署4樓442室

### **Kowloon 九龍區**

#### **a. Shamshuipo Consumer Advice Centre**

G/F, Cheung Sha Wan Government Offices

303 Cheung Sha Wan Road

深水埗諮詢中心

長沙灣道303號長沙灣政府合署地下

#### **b. Tsuen Wan Consumer Advice Centre**

Room 105, 1/F, Princess Alexandra Community Centre

60 Tai Ho Road

Tsuen Wan

荃灣諮詢中心

荃灣大河道60號雅麗珊社區服務中心1樓105室

#### **b. Tsimshatsui Consumer Advice Centre**

G/F, Consumer Council Resource Centre

3 Ashley Road

Tsimshatsui

尖沙咀諮詢中心

尖沙咀亞士厘道3號

消費者委員會資源中心地下

#### **c. Yuen Long Consumer Advice Centre**

G/F, Yuen Long District Office Building

269 Castle Peak Road

Yuen Long

元朗諮詢中心

元朗青山道269號元朗民政事務處大廈地下

#### **c. Wong Tai Sin Consumer Advice Centre**

Unit 201, 2/F, Lung Cheung Office Block

138 Lung Cheung Road

Wong Tai Sin

黃大仙諮詢中心

黃大仙龍翔道138號 龍翔辦公大樓2樓201室

# Traders Named by Consumer Council 2011-2012

## 本會於2011 - 2012年點名公布的不良店舖

### 1. Modern Digital

Shop B, G/F Majestic House, 80 Nathan Road,  
Tsimshatsui, Kowloon

#### 時尚數碼

九龍尖沙咀彌敦道80號金鑾大廈地下B舖

### 2. Sunshine City

Portion A of shop 2, G/F Chung King Mansion,  
36 - 44 Nathan Road, Tsimshatsui, Kowloon

#### 日東公司

九龍尖沙咀彌敦道36號至44號

重慶大廈地下二號A舖

These two audio-video shops were publicly reprimanded for persistent adoption of bait-and-switch and misrepresentation sales tactics against the tourists. The Council is concerned about the unscrupulous sales tactics in the tourist areas which would jeopardise the image of Hong Kong as a world class city.

上述兩間位於尖沙咀的影音店，慣常以餌誘式及誤導手法，促使訪港遊客購買攝影及電子產品。消委會關注在旅遊區有店舖以不良銷售手法經營，這些情況有可能損害本港作為世界級城市的形象。

### 3. Q & A+ Health Spa

(a) Room 1620-1623, 16/F., Hollywood Plaza,  
610 Nathan Road, Mong Kok  
旺角彌敦道610號荷李活商業中心  
16樓1620-1623 室

(b) G/F., 20 Castle Peak Road, Yuen Long  
元朗大馬路20號地下

(c) Shop 16, Hung Hom Bay Centre,  
39 Po Loi Street, Hung Hom  
紅磡寶萊街39號紅磡灣中心16號舖

(d) Shop TSY60, Tsing Yi MTR Station  
青衣港鐵站一樓60號舖

The above four shops of the beauty salon was named for its repeated engagement in unscrupulous sales tactics, involving misrepresentation and high pressure sales.

上述美容院四間分店被公開譴責，重覆地以不當手法推銷美容服務，包括失實廣告及高壓手法推銷療程，誤導消費者。

# Product Testing Reports

## 產品試驗報告

### 1. ELECTRICAL & ELECTRONIC GOODS

#### 電氣及電子產品

- ◆ Battery Chargers 電池充電器
- ◆ Blu-ray Disc Players Blu-ray 播放機
- ◆ Compact Fluorescent Lamps 慳電膽
- ◆ Dehumidifiers 抽濕機
- ◆ Electric Air Purifiers 空氣清新機
- ◆ Electric Fans 電風扇
- ◆ Electric Food Steamers 電蒸籠
- ◆ Electric Pressure Cookers 電壓力煲
- ◆ Electric Water Heaters 電熱水爐
- ◆ Headphones 耳筒 \*
- ◆ Heart Rate Monitors 心率錶
- ◆ Integrated Digital TVs  
內置數碼電視廣播接收功能電視機
- ◆ Mobile Phone Handsets (3 updates, total 68 models)  
流動電話手機 (出版3次, 共68個型號) \* [2]
- ◆ Motion Sensing Game Console and Games  
Software 體感遊戲機及相關遊戲軟件
- ◆ MP3 Players and Portable Media Players  
MP3/PMP機
- ◆ Printers 打印機
- ◆ Single-Hob Induction Cookers 單頭電磁爐
- ◆ Steam Ovens 蒸爐
- ◆ Tablet PCs (2 updates, total 29 models)  
平板電腦 (出版2次, 共29個型號) \* [1]
- ◆ Washer Dryers 洗衣乾衣機
- ◆ Window Type Room Air Conditioners 窗口式冷氣機

### 2. PHOTOGRAPHIC EQUIPMENT & SOFTWARE 攝影器材及軟件

- ◆ Digital Camcorders and Pocket Camcorders  
數碼攝錄機 \*
- ◆ Digital Cameras (3 updates, total 105 models)  
數碼相機 (出版3次, 共105個型號) \* [3]
- ◆ Internet Security Software 網上保安軟件
- ◆ Smartphone Operating Systems 智能手機操作系統

### 3. FOOD & HEALTH FOOD PRODUCTS

#### 食物及健康食品

- ◆ Carboy Bottled Water 飲水機桶裝水
- ◆ Fake Deer Tendons 假冒鹿筋 \*
- ◆ Genetically Modified Materials in Soy Drinks  
豆漿基因改造成分測試 \*
- ◆ Microbiological Quality of Buns and Sandwiches  
麵包及三文治微生物含量

### 4. PERSONAL PRODUCTS 個人用品

- ◆ Lip Balms 潤唇膏
- ◆ Lip Glosses 唇彩
- ◆ Non-individually Packed Facial Masks  
非獨立包裝面膜 \*
- ◆ Razors 剃鬚刀

### 5. HOUSEHOLD PRODUCTS 家庭用品

- ◆ Melamine Tableware 仿瓷餐具
- ◆ Non-stick Frying Pans 平底易潔鑊
- ◆ Powdered Detergents, Liquid Detergents and  
Washing Balls 洗衣粉、洗衣液及洗衣球
- ◆ Traditional Pressure Cookers 壓力煲

### 6. CAR & CYCLING PRODUCTS

#### 汽車及單車產品

- ◆ Crash Test of Cars 汽車撞擊測試

### 7. OTHERS 其他

- ◆ Cigarettes 香煙

\* Published in Choice magazine and on Shopsmart website 刊載於《選擇》月刊及「精明消費香港遊」網站  
[ ] Figure inside bracket referred to number of publications on Shopsmart website 括弧內數字為「精明消費香港遊」網站刊登的次數

# Product Study Reports

## 產品研究報告

### 1. FOOD & NUTRITION 食品及營養

- ◆ Survey on Health Claims of Follow-up Formula  
較大嬰兒配方奶粉健康聲稱調查
- ◆ Legibility of Nutrition Labels 營養標籤清晰度
- ◆ Use of Nutrition Labelling among Students  
學童使用營養標籤的情況

### 2. HEALTH & BEAUTY 保健美容

- ◆ Drugs for Dementia 老年痴呆症藥物
- ◆ Drugs for Diabetes 糖尿病藥物
- ◆ Health Impact from Mobile Phone Radiations and Bluetooth Headsets  
手機輻射對健康的影響及藍牙耳機
- ◆ Health Product Claims 健康產品聲稱
- ◆ Labelling and Instruction Manuals of Proprietary Chinese Medicine 中成藥標籤及說明書
- ◆ Medications for Gastric Reflux 胃酸倒流的藥物治療
- ◆ Microneedle Therapy System (MTS) Beauty Treatment  
微針美容的風險
- ◆ Naming of Shops Involved in Selling Counterfeit Drugs 售賣「偽冒藥物」店舖名單 \* [1] / \*\* [7]
- ◆ Shaving Products 剃鬚護理用品
- ◆ Targeted Therapy 標靶藥物
- ◆ Treatments for Tuberculosis 肺結核的治療

### 3. COMPUTER, ELECTRICAL & ELECTRONIC PRODUCTS

#### 電腦、電氣及電子產品

- ◆ Digital TV Recorders 數碼電視錄影機
- ◆ Eco-design of TVs 電視機環保設計評估
- ◆ Electric Foot Spa Massagers 電動足浴盆
- ◆ Electric Steam Cleaners 蒸汽潔淨器
- ◆ Energy Labelling Requirements of Washing Machines and Dehumidifiers  
洗衣機及抽濕機的能源標籤規定
- ◆ Energy Saving Devices, Tools and Tips 節能家電
- ◆ Rice Cookers Scalding Hazards  
電飯煲蒸汽燙傷幼童

### 4. HOUSEHOLD PRODUCTS 家庭用品

- ◆ Baby Cribs 嬰兒床
- ◆ Extendable Window Wipers and Glass Cleaning Agents 伸縮抹窗棒及玻璃清潔劑
- ◆ Folding Tables 摺檯

### 5. PERSONAL PRODUCTS 個人用品

- ◆ Down Jackets 羽絨衣
- ◆ Quality of Sports Wear in the Mainland  
內地運動服質素

### 6. CAR & CAR PRODUCTS

#### 汽車及汽車用品

- ◆ Car Emissions and Eco Cars 汽車廢氣及電動車
- ◆ Electric Cars 電動車

\* Published in CHOICE magazine and on Shoptsmart website 刊載於《選擇》月刊及「精明消費香港遊」網站  
\*\* Published on Consumer Council website 刊載於消費者委員會網站

[ ] Figure inside bracket referred to number of publications on the said website 括弧內數字為相關網站刊登的次數

# Surveys and Service Study Reports

## 調查及服務研究報告

### **Market Surveys / Opinion Surveys / Price Surveys 市場調查 / 意見調查 / 價格調查**

- ◆ Annual Supermarket Price Survey 年度超市價格調查
- ◆ Health Claims of Follow-up Formula 較大嬰兒配方奶粉健康聲稱
- ◆ Data Roaming Charges for Mobile Phones 手機數據漫遊費
- ◆ Discontinued Aftersales Service - Notebook Computers 手提電腦售後服務
- ◆ Domestic Helper Insurance Plans 家傭保險計劃
- ◆ Dual Currency and Renminbi Credit Card Charges 雙幣及人民幣信用卡收費
- ◆ Investment-linked Assurance Schemes 投資相連壽險計劃
- ◆ Opinion Survey on House Removal Services 搬屋公司服務意見調查
- ◆ Private Hospital Maternity Packages 私家醫院分娩套餐
- ◆ Residential Phone Line Services 家居電話及電訊服務套餐
- ◆ Tax Loans 稅貸計劃
- ◆ Terms and Conditions of Pay TV Services 收費電視服務合約條款
- ◆ Textbook Expenditure Survey 購書費調查
- ◆ Textbook Price Survey 教科書價格調查
- ◆ Watch Maintenance Services 腕錶維修及保養服務
- ◆ Infant Formulae Price Survey 嬰兒奶粉價格調查

### **In-depth Studies 深入研究**

- ◆ Car Rental Abroad 自駕遊入門
- ◆ CNY Cleaning Services 大掃除清潔服務
- ◆ Complaints of Fee Disputes of Bank Charges 銀行收費投訴
- ◆ Extra Reward Schemes of Credit Cards 信用卡額外獎賞計劃
- ◆ Health Check Packages 健康檢查套餐
- ◆ Home Nursing Care Services 私家看護及家居護理服務
- ◆ Jeans Manufacturing and CSR 牛仔褲生產商企業社會責任
- ◆ Melanoma 黑色素瘤
- ◆ Minor Works Control System 小型工程監管制度
- ◆ Monthly Fund Investment Plans 銀行月供基金計劃
- ◆ Online group purchase services 網上團購服務



# 12th Consumer Rights Reporting Awards

## 第十二屆消費權益新聞報道獎得獎名單

### Category: News

#### 組別：新聞

##### Gold Award 金獎

食署夜搜佳寶總部抽驗

記者做雜工查真相

蔡淑儀、譚熾璧、李建人、黃文威

— 星島日報

##### Silver Award 銀獎

雲南銘禍危及供港菜場

覃純健、陳佩儀 — 明報

##### Bronze Award 銅獎

超市壓榨系列

張岳弢 — 蘋果日報

##### Merit Award 優異

嵐岸上網費管理費網綁違公契

陳志偉 — 明報

### Category: Features

#### 組別：特寫

##### Gold Award 金獎

港人投訴多 不炒人不罷休

問責意識抬頭 消委籲多包容

王嘉嘉、杜潔心 — 香港經濟日報

##### Silver Award 銀獎

血清美容 現毀容危機

歐陽玲、陳念慈、李詠珊 — 東周刊

##### Bronze Award 銅獎

平價體檢陷阱 婆婆腸癌延診

冼韻姬 — 香港經濟日報

##### Merit Award 優異

營養標籤 1/8 失實 零檢控

陳佩儀 — 明報

### Category: Television News

#### 組別：電視新聞

##### Gold Award 金獎

「超市欺壓代理商」系列

蕭洛汶 — 有線新聞

##### Silver Award 銀獎

發水教科書

陳詠琳、梁卓麒 — Now新聞台

##### Bronze Award 銅獎

的士司機揀客及不按錶收費涉違法

羅若安 — 電視廣播有限公司

### Category: Television Features

#### 組別：電視特寫

##### Gold Award 金獎

吃人的通脹

張慧敏、蔡千紅及星期日檔案製作

組 — 電視廣播有限公司

##### Silver Award 銀獎

大魚食細魚，細魚食……

潘達培 — 香港電台

##### Bronze Award 銅獎

通脹來了

盧珮珊、陳亮均、嚴敏璣

— 有線新聞

##### Merit Award 優異

內有文章

楊月芬 — 香港電台

### Category: Radio News

#### 組別：電台新聞

##### Gold Award 金獎

競爭法下小型店舖生存之道

張璟瑩 — 商業電台

##### Silver Award 銀獎

立法規管一手樓銷售

鍾慧儀 — 香港電台

##### Bronze Award 銅獎

新界村屋僭建風波令成交銳減

伍偉明 — 商業電台

### Category: Radio Features

#### 組別：電台特寫

##### Gold Award 金獎

營商立品系列

任順熙、崔蔚恩、李俊傑

— 香港電台

##### Silver Award 銀獎

消費檔案

林嘉瑜、陸宇光 — 香港電台

##### Bronze Award 銅獎

競爭法搗台

林嘉瑜、陸宇光 — 香港電台

### Category: Press Photo

#### 組別：新聞攝影

##### Gold Award 金獎

盲搶鹽

馬泉崇 — 蘋果日報

##### Silver Award 銀獎

iPhone 4S開售，

炒家與排隊買家爭拗大混戰

馮漢柱 — 香港經濟日報

##### Bronze Award 銅獎

耆英工展搶平貨

林雨燊 — 大公報

##### Merit Award 優異

日核泄輻射，輻射未至，

搶米恐慌先來

劉毓霖 — 香港經濟日報

# Winners of the Consumer Culture Study Award XIII (2011-2012)

## 第十三屆消費文化考察報告獎得獎名單

### Junior Division 初級組

Award 獎項	Topic 考察題目	School 學校
Winner 冠軍	《街頭促銷·速速消》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
Second 亞軍	《買，不由己？》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學
Third 季軍	《真係感興趣？》（探討香港中學生報讀興趣課程背後的原因）	China Holiness Church Living Spirit College 中華聖潔會靈風中學
Distinguished Awards 傑出作品獎	《有借冇還的紙巾》	Chiu Lut Sau Memorial Secondary School 趙聿修紀念中學
	《那些年屬於我們的小島》	Raimondi College 高主教書院
	《超市的詭計》	The ELCHK Yuen Long Lutheran Secondary School 基督教香港信義會元朗信義中學
The Best Topic Award 最佳選題獎	《那些年屬於我們的小島》	Raimondi College 高主教書院
Merits for the Best Topic Award 優異選題獎	《社會企業——尋找消費的出口》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
	《途中徒》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
	《有借冇還的紙巾》	Chiu Lut Sau Memorial Secondary School 趙聿修紀念中學
	《買，不由己？》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學

### Senior Division 高級組

Award 獎項	Topic 考察題目	School 學校
Winner 冠軍	《窮：窮？窮！》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學
Second 亞軍	《四朵「慳」花》	DMHC Siu Ming Catholic Secondary School 天主教母佑會蕭明中學
Third 季軍	《「唯旺角落」——旺角的獨白》	Cognitio College (Hong Kong) 文理書院（香港）
Distinguished Awards 傑出作品獎	《夢·想·居》	Good Hope School 德望學校（中學部）
	《綠識消費——消費文化與環保意識的關係》	St Paul's College 聖保羅書院

	《捨得·獲得·記得·懂得》	South Tuen Mun Government Secondary School 南屯門官立中學
	《「辛」移民》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學
The Best Topic Award 最佳選題獎	《「辛」移民》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學
Merits for the Best Topic Award 優異選題獎	《四朵「慳」花》	DMHC Siu Ming Catholic Secondary School 天主教母佑會蕭明中學
	《夢·想·居》	Good Hope School 德望學校(中學部)
	《捨得·獲得·記得·懂得》	South Tuen Mun Government Secondary School 南屯門官立中學
	《窮：窮？窮！》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學

### Special Mentions 特別嘉許 Junior Division 初級組

Topic 考察題目	School 學校
《會員卡的魔力》	Buddhist Ho Nam Kam College 佛教何南金中學
《「印」人入勝》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
《中國製造》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
《「筆」足》	Chiu Lut Sau Memorial Secondary School 趙聿修紀念中學
《一粒雲吞賣幾錢？》	Po Leung Kuk 1984 College 保良局甲子年中學
《探討20 - 40歲人士使用 信用卡消費的消費行為》	Shun Tak Fraternal Association Leung Kau Kui College 順德聯誼總會梁鉞琚中學
《探討香港青少年追逐蘋果產品 的潮流 —— Apple in 'my' Life》	Shun Tak Fraternal Association Seaward Woo College 順德聯誼總會胡兆熾中學
《「免費」？「收費」？ 一字之差》	South Tuen Mun Government Secondary School 南屯門官立中學
《網購，妄購？》	True Light Girls' College 真光女書院

### Special Mentions 特別嘉許 Senior Division 高級組

Topic 考察題目	School 學校
《我的紙皮札記》	Buddhist Tai Hung College 佛教大雄中學
《冒險樂完！》	Queen Elizabeth School 伊利沙伯中學

《買 → 埋 → 賣?》	St. Paul's Secondary School 聖保祿中學
《捕捉·隨想》	Wa Ying College 華英中學
《從無限出發看消費》	Carmel Pak U Secondary School 迦密柏雨中學
《搖滾少年的夢想》	Rosaryhill School 玫瑰崗學校
《收銀處處購物處》	Sing Yin Secondary School 聖言中學
《戀劇誌》	SKH Chan Young Secondary School 聖公會陳融中學
《一個人的世界》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學

### Special Mentions (Topic) 特別嘉許 (選題)

#### Junior Division 初級組

Topic 考察題目	School 學校
《入閘後，不忍口》	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
《「筆」足》	Chiu Lut Sau Memorial Secondary School 趙聿修紀念中學
《百元購物樂》	Delia Memorial School (Yuet Wah) 地利亞修女紀念學校 (月華)
《遊船「何」? (天星小輪在消費者心中的意義)》	Po On Commercial Association Wong Siu Ching Secondary School 寶安商會王少清中學

### Special Mentions (Topic) 特別嘉許 (選題)

#### Senior Division 高級組

Topic 考察題目	School 學校
《我的紙皮札記》	Buddhist Tai Hung College 佛教大雄中學
《媽媽的消費》	Carmel Bunnan Tong Memorial Secondary School 迦密唐賓南紀念中學
《今日倒左飯未?》	Po Leung Kuk 1984 College 保良局甲子年中學
《搖滾少年的夢想》	Rosaryhill School 玫瑰崗學校
《戀劇誌》	SKH Chan Young Secondary School 聖公會陳融中學
《調魅，調味?》	South Tuen Mun Government Secondary School 南屯門官立中學
《另一雙眼睛》	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學

## Anniversary Award 周年紀念獎

Teacher 指導老師	School 學校
任育貞老師	Po Leung Kuk 1984 College 保良局甲子年中學
何景慈老師	HKSYC & IA Wong Tai Shan Memorial College 香港四邑商工總會黃棣珊紀念中學
何翰庭老師	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
吳嘉欣老師	St Paul's College 聖保羅書院
吳潔媚老師	Sha Tin Government Secondary School 沙田官立中學
李寶光老師	Lok Sin Tong Ku Chiu Man Secondary School 樂善堂顧超文中學
周卓瑩老師	Pok Oi Hospital Chan Kai Memorial College 博愛醫院陳楷紀念中學
周敏儀老師	TWGHs Yow Kam Yuen College 東華三院邱金元中學
周曉昕老師	YCH Wong Wha San Secondary School 仁濟醫院王華湘中學
施富強老師	SKH Chan Young Secondary School 聖公會陳融中學
洪碧茜老師	Delia Memorial School (Yuet Wah) 地利亞修女紀念學校 (月華)
胡婉嫻老師	Po Leung Kuk 1984 College 保良局甲子年中學
張國威老師	Christian Alliance S C Chan Memorial College 宣道會陳瑞芝紀念中學
張惠儀老師	HHCKLA Buddhist Ma Kam Chan Memorial English Secondary School 香海正覺蓮社佛教馬錦燦紀念英文中學
楊流明老師	Po Leung Kuk 1984 College 保良局甲子年中學
趙維科老師	Po Leung Kuk 1984 College 保良局甲子年中學
歐淑賢老師	Carmel Pak U Secondary School 迦密柏雨中學
盧紹傑老師	DMHC Siu Ming Catholic Secondary School 天主教母佑會蕭明中學
鄭小寶老師	Tak Nga Secondary School 德雅中學
關健能老師	Po Leung Kuk 1984 College 保良局甲子年中學



# A List of External Committees Attended by Council Members and Staff

## 本會委員及職員參與的外界委員會

- ◆ Appeal Board Panel (Electricity Ordinance Cap. 406) 上訴委員會(電力條例第四百零六章)
- ◆ Commerce and Economic Development Bureau - Anti-Spamming Task Force 商務及經濟發展局 - 反濫發訊息工作小組
- ◆ Competition Policy Advisory Group 競爭政策諮詢委員會
- ◆ Customer Consultative Group of CLP Power 中華電力客戶諮詢小組
- ◆ Department of Health - Pharmacy and Poisons (Listed Sellers of Poisons) Committee 衛生署 — 藥劑業及毒藥 (列載毒藥銷售商) 委員會
- ◆ Department of Health - Taskforce on Hong Kong Code of Marketing of Breastmilk Substitutes 衛生署 — 香港母乳代用品銷售守則專責小組
- ◆ Department of Justice - Costs Committee 律政司 — 事務費委員會
- ◆ Disciplinary Tribunal Panel (Electricity) under the Electricity Ordinance (Cap. 406) 紀律審裁委員會(電力條例第四百零六章)
- ◆ Education Bureau - Task Force to Review Teaching and Learning Materials 教育局 - 學與教資源檢討工作小組
- ◆ Electrical & Mechanical Services Department - Appeal Board Panel under Energy Efficiency (Labelling of Products) Ordinance Cap. 598 機電工程署 - 上訴委員會能源效益(產品標籤)條例第五百九十八章
- ◆ Electrical & Mechanical Services Department - Electrical Safety Advisory Committee 機電工程署 - 電氣安全諮詢委員會
- ◆ Electrical & Mechanical Services Department - Task Force for Preparation of Legislative Proposals to the Lifts and Escalators (Safety) Ordinance 機電工程署 - 《升降機及自動梯(安全)條例》條例建議籌委工作小組
- ◆ Electrical & Mechanical Services Department - Task Force on the Mandatory Energy Efficiency Labelling Scheme 機電工程署 - 強制性能源效益標籤計劃工作小組
- ◆ Estate Agents Authority 地產代理監管局
- ◆ Estate Agents Authority – Finance and Strategic Development 地產代理監管局 - 財務及策略發展委員會
- ◆ Estate Agents Authority - Licensing Committee 地產代理監管局 — 牌照委員會
- ◆ Estate Agents Authority - Practice and Examination Committee 地產代理監管局 - 執業及考試委員會
- ◆ Financial Dispute Resolution Centre Limited - Board of Directors 金融糾紛調解中心有限公司 - 董事局
- ◆ Food and Environmental Hygiene Department, Centre for Food Safety - Task Force on Nutrition Labelling Education 食物環境衛生署, 食物安全中心 - 營養標籤教育工作小組
- ◆ Food and Health Bureau - Consultative Group on Voluntary Supplementary Financing Scheme 食物及衛生局 - 自願醫療輔助融資諮詢小組
- ◆ Food and Health Bureau - Expert Committee on Food Safety 食物及衛生局 - 食物安全專家委員會
- ◆ Food and Health Bureau - Health and Medical Development Advisory Committee - Working Group on Primary Care 食物及衛生局 - 健康與醫療發展諮詢委員會 - 基層健康護理工作小組
- ◆ Food and Health Bureau - Task Force on Primary Care Delivery Models of Working group on Primary Care 食物及衛生局 - 基層醫療服務模式專責小組
- ◆ Food and Health Bureau - Sub-group on Publicity and Communication of Working group on Primary Care 食物及衛生局 - 基層健康護理工作小組 - 宣傳及通訊專責小組

- ◆ Food and Health Bureau - Working Group on Legal, Privacy & Security Issues of the Steering Committee on eHealth Record Sharing 食物及衛生局 - 電子健康記錄互通督導委員會 - 法律、私隱及保安問題工作小組
- ◆ Home Affairs Department - Sub-committee on Property Management Companies 民政事務總署 - 物業管理公司小組委員會
- ◆ Home Affairs Department - Sub-committee on Property Management Practitioners 民政事務總署 - 物業管理從業員小組委員會
- ◆ Hong Kong Accreditation Service – Accreditation Advisory Board 香港認可處 - 認可諮詢委員會
- ◆ Hong Kong Accreditation Service – Task Force on Accreditation of Consumer Product Certification Bodies 香港認可處 - 消費品認證機構認可計劃專責小組
- ◆ Hong Kong Accreditation Service – Users of HKAS Accredited Services Liaison Group 香港認可處 - 認可服務用戶聯絡小組
- ◆ Hong Kong Accreditation Service – Working Party for Accreditation of Certification Bodies 香港認可處 - 認證機構認可計劃工作小組
- ◆ Hong Kong Accreditation Service – Working Party on Consumer Products Testing 香港認可處 - 消費產品測試工作小組
- ◆ Hong Kong Deposit Protection Board 香港存款保障委員會
- ◆ Hong Kong Federation of Insurers - Appeals Tribunal 香港保險業聯會 – 上訴裁判處
- ◆ Hong Kong Federation of Insurers - Insurance Agents Registration Board 香港保險業聯會 - 保險業代理登記委員會
- ◆ Hong Kong Council for Testing and Certification - Panel on Promoting Testing and Certification Services in Food Trade 香港檢測和認證局 - 食品檢測和認證服務推廣委員會
- ◆ Hong Kong Internet Registration Corporation Limited - Consultative and Advisory Panel 香港互聯網註冊管理有限公司 - 諮詢委員會
- ◆ Hong Kong Monetary Authority - Deposit-taking Companies Advisory Committee 香港金融管理局 - 接受存款公司諮詢委員會
- ◆ Innovation and Technology Commission – Panel on Promoting Testing and Certification 創新科技署 – 推動珠寶行業檢測和認證服務小組
- ◆ Insurance Advisory Committee 保險業諮詢委員會
- ◆ Insurance Claims Complaints Bureau - Insurance Claims Complaints Panel 保險索償投訴局 - 保險索償投訴委員會
- ◆ Land Registry - Land Titles Ordinance Steering Committee 土地註冊處 - 土地業權條例督導委員會
- ◆ Law Society of Hong Kong - Sub-committee on Class Actions 香港律師會—集體訴訟小組委員會
- ◆ Office of the Telecommunications Authority - Radio Spectrum Advisory Committee 電訊管理局 - 無線電頻譜諮詢委員會
- ◆ Office of the Telecommunications Authority - Technical Standards Advisory Committee 電訊管理局 - 電訊標準諮詢委員會
- ◆ Office of the Telecommunications Authority - Telecommunications Numbering Advisory Committee 電訊管理局 - 電訊服務號碼諮詢委員會
- ◆ Office of the Telecommunications Authority - Telecommunications Users and Consumer Advisory Committee 電訊管理局 - 電訊服務用戶及消費者諮詢委員會
- ◆ Official Receiver's Office - Services Advisory Committee 破產管理署 - 服務諮詢委員會
- ◆ Publicity & Education Working Group on EatSmart@restaurant campaign 有「營」食肆運動宣傳及教育工作小組
- ◆ Quality Public Light Bus Services Steering Committee 優質公共小巴服務事宜督導委員會
- ◆ Quality Taxi Services Steering Committee 優質的士服務督導委員會
- ◆ Securities and Futures Commission - Investor Education Advisory Committee 證券及期貨事務監察委員會 - 投資者教育諮詢委員會
- ◆ Securities and Futures Commission - Products Advisory Committee 證券及期貨事務監察委員會 – 產品諮詢委員會

- ◆ Securities and Futures Commission - Public Shareholders Group 證券及期貨事務監察委員會 — 股東權益小組
- ◆ Tourism Commission - Advisory Committee on Travel Agents 旅遊事務署 - 旅行代理商諮詢委員會
- ◆ Tourism Commission - Travel Industry Compensation Fund Management Board 旅遊事務署 - 旅遊業賠償基金管理委員會
- ◆ Transport and Housing Bureau – Subcommittee on Property Information and Show Flats 運輸及房屋局 — 物業資訊及示範單位小組委員會
- ◆ Transport and Housing Bureau – Subcommittee on the Enforcement Mechanism and Penalties 運輸及房屋局 — 執法機制及罰則小組委員會
- ◆ Transport and Housing Bureau – Steering Committee on Regulation of Sale of First-hand Residential Properties by Legislation 運輸及房屋局 — 立法規管一手住宅物業銷售督導委員會
- ◆ Transport and Housing Bureau – Subcommittee on Sales Arrangements and Practices 運輸及房屋局 — 銷售安排及方式小組委員會
- ◆ University of Hong Kong - Staff Grievances Panel 香港大學 - 員工申訴小組
- ◆ Vocational Training Council - Beauty Care & Hairdressing Training Board 職業訓練局 - 美容美髮訓練委員會
- ◆ Vocational Training Council - Working Group on Regulation of Medical Devices (Aesthetics Related) 職業訓練局 - 醫療儀器(美容儀器)的規管工作小組
- ◆ Water Supplies Department – Voluntary Water Efficiency Labelling Scheme – Task Force 水務署 - 用水效益標籤計劃工作小組

# Annual Report of the Consumer Legal Action Fund

## 消費者訴訟基金年報

The Consumer Council is the Trustee of the Consumer Legal Action Fund through a Declaration of Trust executed on 30 November 1994.

### Purpose

The Fund was established with a Government grant of \$10 million initially. A further sum of \$10 million was granted by the Government to the Fund in May 2010. The Fund aims to give easier consumer access to legal remedies by providing financial support and legal assistance for the benefit of consumers, particularly, groups with similar grievances in cases involving significant public interest and injustice. Through supporting justifiable cases, the Fund also aims to deter business malpractices and enhance public awareness of their consumer rights.

### Administration

The Consumer Council, as the Trustee, is responsible, through a Board of Administrators, for the overall administration and investment of the Fund. The Board of Administrators is in turn underpinned by a Management Committee. The latter, whose members were appointed by the Commerce and Economic Development Bureau (formerly the Economic Development and Labour Bureau), is responsible for advising on the eligibility and merits of applications seeking assistance from the Fund. The membership of the Board of Administrators and Management Committee is at Annex A.

### Operation

It is a long-standing practice of the Consumer Council to help consumers resolve their complaints vis-a-vis traders concerned. The Council may, if it considers appropriate or if the complainants so request, refer cases of complaints to the Fund for consideration. Consumers may also apply to the Fund directly for assistance.

本會是消費者訴訟基金（以下簡稱基金）的信託人。基金於一九九四年十一月三十日，依據信託聲明成立。

### 目的

基金成立初時獲政府撥款一千萬元，並在二零一零年五月獲政府額外增撥一千萬元，為消費者提供法律援助及經費，在涉及重大公眾利益和公義的事件上，協助有同樣遭遇的消費者循法律途徑追討賠償。透過協助有理據個案，基金旨在遏止不當的經營手法，及讓公眾認識他們作為消費者的權利。

### 行政管理

作為基金的信託人，本會透過基金執行委員會，處理基金的行政及投資。執行委員會在批核申請個案時，會聽取基金管理委員會的意見，包括申請人是否符合資格，及個案的理據是否充分等，管理委員會成員由商務及經濟發展局(前稱經濟發展及勞工局)委任，本年度執行委員會及管理委員會的成員名單見本章附錄甲。

### 基金運作

本會一向致力協助消費者解決他們與商戶之間的糾紛，在適當情況或在投訴人要求下，會將個案轉介基金考慮給予協助。消費者亦可直接向基金提出申請。

Generally, the Fund, in examining an application for assistance, will consider whether all other means of dispute resolution have been exhausted and assess the case against established eligibility criteria. Such criteria include whether the case involves significant consumer interest; whether a large group of consumers have been or will potentially be adversely affected; whether the case has a reasonable chance of success; whether the matter concerned can promote the consumer cause and has deterrent effects on unscrupulous business practices; and whether it is practicable for the Fund to offer timely assistance.

## Deliberation

During the year under review, the Management Committee held three meetings and resolved matters by circulation on four occasions, while the Board of Administrators resolved matters by circulation on three occasions.

## New Cases

Altogether, the Fund considered 19 applications of different categories during the year under review.

After thorough consideration, the Fund declined 18 applications relating to complaints about legal services, financial services, beauty services, telecommunication services, education, insurance, sale of real-property and sale of goods. The remaining is an application relating to sale of goods which is under consideration. On the other hand, the Fund granted assistance to 1 application which was carried from previous year concerned with financial services.

## Assisted Cases

### 1. Lehman-related Financial Product (Case 4)

In addition to the three Lehman-related cases for which assistance has been granted in previous years, the Fund has granted assistance to one further Lehman-related case this year.

一般來說，基金在處理申請時，會考慮個案是否已嘗試其他解決辦法，並根據既定的準則審批申請，這些準則包括，個案是否涉及重大的消費者利益、受影響人數是否眾多、勝訴的機會、是否有助促進消費者權益、對不當經營手法能否產生阻嚇作用，以及基金實際上是否可以提供及時的協助等。

## 處理個案

本年度基金管理委員會共舉行了三次會議，另四次以文件通傳方式議決事項。而執行委員會則共三次以文件通傳方式議決事項。

## 新資助個案

基金本年度共審議了19宗不同類別的新個案。

基金經詳細考慮後，否決了18宗申請，分別關於法律服務、金融服務、美容服務、電訊服務、教育、保險、物業及貨物銷售等，剩餘一宗有關貨物銷售的申請仍在考慮中。另一方面，基金對一宗於去年度已跟進有關金融服務的個案給予資助。

## 資助個案

### 1. 涉及雷曼的金融產品 (個案四)

繼之前為三宗涉及雷曼的金融產品個案提供資助後，基金本年度再為一宗涉及雷曼的金融產品個案提供資助。



The assisted consumer of that case is a homemaker in her mid fifties who has only received low level education in the mainland. The assisted consumer claims that a bank officer had misrepresented to her on the nature and potential risks of a ELN product. There is also complaint about filling inaccurate information in the risk assessment form by the bank officer.

Preparation is being made by the solicitors instructed by the Fund for commencement of legal proceedings for the assisted consumer.

## Cases Carried Over From Previous Year

The Fund continued to work on the following cases brought forward from the previous year.

### 1. Delay in Completion of a Residential Development

The High Court proceedings instituted by the assisted consumers claiming for damages for alleged delay in completion of the residential development continued. The defendant made a final attempt to appeal against the judgment on preliminary issues regarding the validity of the purported settlement deed made in favour of the assisted consumers. Its application for leave to appeal was refused by the Court of Final Appeal in June 2011. The preliminary issues were thus finally resolved and adjudicated. The rulings were completely in favour of the assisted consumers at all level of the courts.

After resolving the preliminary issues, the preparation for the trial at the Court of First Instance was resumed and had completed. The trial was fixed to be heard in October 2012.

Meanwhile, with the consent of the parties, the related assisted District Court cases have been stayed pending the outcome of the High Court proceedings. The parties also agreed to abide by the outcome of the trial of that case.

受助消費者是一名五十多歲的家庭主婦，只曾在國內接受低程度的教育。受助消費者指涉案的銀行職員就一股票掛鈎票據的性質及潛在風險作出虛假的陳述，並投訴該銀行職員在風險評估表格上填上不準確的資料。

基金委託的律師現正準備就這宗個案為受助消費者提出訴訟。

## 繼續跟進的個案

基金繼續跟進上年度未完成的個案，進展如下：

### 1. 住宅項目延遲完成

受助消費者指稱住宅發展項目延遲完成，而向地產商索償的案件仍在高等法院繼續其司法程序。就有關所謂和解契約有效性的初步事項，受助消費者獲判勝訴的判決，被告地產商就不服該判決提出的上訴作了最後的嘗試，向終審法院提出上訴許可的申請。該申請已於二零一一年六月被終審法院拒絕。至此，該初步事項最終得到判定和解決，受助消費者在各級法院中獲一致裁定勝訴。

在解決該初步事項後，在原訟法院審訊的預備工作隨即繼續，並已完成。審訊已排期在二零一二年十月進行。

同時，在與訟各方的同意下，相關的區域法院受助訟案的法律程序已暫停進行，與訟各方並同意遵守上述高等法院訟案審訊的結果。

## 2. Time-sharing Scheme

The assisted consumer was allegedly induced to enter into an agreement for membership of a time-sharing scheme by misrepresentation and unconscionable conduct. After attending a hearing in the Small Claim Tribunal, the parties have negotiated and subsequently reached a settlement agreement. With the assistance of the Fund, the assisted consumer had recovered 90% of his claim.

## 3. Lehman-related Financial Product (Case 1)

As per the last report, the assisted consumer had accepted the defendant bank's offer in full and final settlement of her claim having considered counsel advice and with the agreement of the Fund. Through negotiations, the parties have reached an agreement on the legal costs to be paid by the bank.

## 4. Lehman-related Financial Product (Case 2)

At the stage of exchange of pleadings, the defendant made an offer to settle the case, which was rejected by the assisted consumers. Subsequently, there were further negotiations and the parties finally reached a settlement agreement. The matter has been settled to the satisfaction of the assisted consumers. As the amount of settlement sum would not be a concern of the public, the Council agreed, as an exception to the general non-confidentiality policy, to keep the terms of settlement confidential.

## 5. Lehman-related Financial Product (Case 3)

In February 2012, with the assistance of the Fund, the assisted consumer commenced legal proceedings against the defendant bank in the District Court. The case is currently at the stage of exchange of pleadings.

Since its establishment and up until the year under review, the Fund had considered 1 231 applications and granted assistance to 681 applications. A statistical report is at Annex B.

## 2. 共度時光計劃

受助消費者指稱他是在受到誤導和不合情理手法的影響下簽了一份共度時光會籍合約。在出席了一堂在小額錢債審裁處進行的聆訊後，與訟雙方經商討後達成和解協議。在基金的協助下，受助消費者成功討回九成的索償金額。

## 3. 涉及雷曼的金融產品 (個案一)

正如之前匯報，受助消費者在考慮過大律師的意見並在基金同意下，接納了被告銀行的和解建議。在協商後，與訟雙方亦已就被告銀行須付的訟費金額達成協議。

## 4. 涉及雷曼的金融產品 (個案二)

當案件在與訟雙方進行交換狀書的階段時，被告向受助消費者提出一和解建議，但被受助消費者拒絕。其後，雙方經進一步協商，最終達成和解協議。案件在受助消費者滿意下達成和解。由於和解的金額並非公眾關注的事情，本會同意把本案視為一般不保密政策下的例外情況，把和解的條款保密。

## 5. 涉及雷曼的金融產品 (個案三)

在二零一二年二月，在基金資助下，受助消費者於區域法院向被告銀行提出訴訟。案件現正進行至與訟雙方交換狀書的階段。

基金成立至今共處理1 231宗申請，其中681宗獲基金協助，統計報告見本章附錄乙。

## Finance

The Fund is self-financed with income derived from:

- (a) investing the capital sum in fixed deposits and bonds;
- (b) charging each applicant a fee of \$100 for each case within the jurisdiction of the Small Claims Tribunal and \$1,000 for each other court case;
- (c) recovering costs from defendants in successful cases; and
- (d) receiving from each successful case a contribution of 10% of the benefits gained by the assisted consumer.

As at 31 March 2012, the Fund had a balance of about \$17.8 million. The Fund's Auditors' Report and Financial Statements for the period under review are at Annex C.

## Acknowledgements

During the year, Mr. Raymond CHOY Wai-shek, MH, JP retired from the Board of Administrators while Ms. Miranda KWOK Pui-fong joined in. Ms. Amanda LIU Lai-yun and Ms. UNG Mon-in retired from the Management Committee. Two new Members, Mr. Alex LAI Ting Hong and Ms. Alice LEE Suet Ching, joined the Committee.

The Council wishes to express its heartfelt thanks to the retired Members for their support, dedication and contributions.

The Consumer Council would like to express gratitude to members of the Board of Administrators and the Management Committee, and to all those who have rendered assistance, including counsel and solicitors engaged by the Fund, for all their efforts and contributions to the Fund throughout the year. We are also much grateful to the HKSAR Government for living up to its pledge of financial support to the Fund.

## 財務狀況

基金自負盈虧，收入來源如下：

- (a) 利用資金作定期儲蓄收取利息及投資債券；
- (b) 向申請人收取費用：小額錢債審裁處案件收取100元，其他案件收取1,000元；
- (c) 成功個案中被告人賠償的訟費；及
- (d) 受助消費者勝訴後，基金從他們所獲的利益中收取一成金額，作為分擔費用。

截至二零一二年三月三十一日止，基金結餘約1,780萬元。基金本年度的核數師報告及財政報表見本章之附錄丙。

## 鳴謝

年內，執行委員會蔡偉石先生，榮譽勳章，太平紳士卸任；郭珮芳女士加入執行委員會成為新委員。廖麗茵律師及黃夢瑩律師卸任管理委員會。兩位新加入管理委員會的委員是黎庭康律師及李雪菁女士。

本會衷心感謝卸任委員對本會的支持、努力和貢獻。

本會謹向基金兩個委員會的成員，及曾經協助基金順利運作的各界人士，包括基金聘請的大律師和律師，為基金付出的努力和貢獻，致以深切謝意。本會亦感謝香港特別行政區政府在財政上對基金的支持。

# CLAF-Board of Administrators 消費者訴訟基金執行委員會

## Chairman 主席

Prof. The Hon. Anthony CHEUNG Bing-leung, GBS, JP 張炳良教授，金紫荊星章，太平紳士

## Vice-Chairman 副主席

Mr. Ambrose HO, SC, JP 何沛謙資深大律師，太平紳士

## Members 委員

Mr. Raymond CHOY Wai-shek, MH, JP (up to 31.12.11) 蔡偉石先生，榮譽勳章，太平紳士 (至 31.12.11)

Ms. Miranda KWOK Pui-fong (from 30.01.12) 郭珮芳女士 (由 30.01.12)

Ms. Connie LAU Yin-hing, JP 劉燕卿女士，太平紳士

Mr. Michael LI Hon-shing, K SJ, BBS, JP 李漢城先生，英國聖約翰騎士勳章，銅紫荊星章，太平紳士

# CLAF-Management Committee 消費者訴訟基金管理委員會

## Chairman 主席

Mr. Samuel CHAN Ka-yan 陳家殷大律師

## Vice-Chairman 副主席

Mr. Godfrey LAM Wan-ho, SC, JP 林雲浩資深大律師，太平紳士

## Members 委員

Prof. John CHAI Yat-chiu 查逸超教授

Mr. Anderson CHOW Ka-ming, SC 周家明資深大律師

Mr. Alex LAI Ting Hong (from 06.12.11) 黎庭康律師 (由 06.12.11)

Mr. Matthew LAM Kin-hong, MH 林建康先生，榮譽勳章

Ms. Connie LAU Yin-hing, JP 劉燕卿女士，太平紳士

Ms. Alice LEE Suet Ching (from 06.12.11) 李雪菁女士 (由 06.12.11)

Ms. Amanda LIU Lai-yun (up to 05.12.11) 廖麗茵律師 (至 05.12.11)

Prof. Angela NG Lai-ping 吳麗萍教授

Mr. Paul SHIEH Wing-tai, SC 石永泰資深大律師

Ms. UNG Mon-in (up to 05.12.11) 黃夢瑩律師 (至 05.12.11)

Mr. Kenneth WONG Wing-yan 黃永恩律師

Ms. Jessica YOUNG Yee-kit 楊懿潔律師

# Applications for Consumer Legal Action Fund

## 消費者訴訟基金申請個案統計

Number of applications considered since 30 Nov 1994	1231
自一九九四年十一月三十日以來，經基金處理的申請數目	
◆ Problem solved during application 在申請期間問題已獲解決	153
◆ Under Consideration 仍在考慮中	27
◆ Assistance granted 獲基金批予協助之申請	681
Compensation recovered 獲得賠償	
* out-of-court settlement 庭外和解	175
* judgment obtained 經勝訴獲取	16
Not pursued further 未再跟進	
* no recovery prospect 因無賠償可能	465
* application withdrawn 因申請撤回	4
* terminated by the Fund 被基金終止	7
Referred to Legal Aid 轉交法律援助署	1
In process 在處理中	13
◆ Referred to Council for Policy Consideration 轉交消委會作政策處理	3
◆ Referred to Council for Mediation/Monitoring 轉交消委會斡旋/監察	10
◆ Assistance declined 不接納申請	357



**CONSUMER LEGAL ACTION FUND**  
(Established in Hong Kong under a Deed of Trust)

**Report and Financial Statements**  
For the year ended 31 March 2012

CONSUMER LEGAL ACTION FUNDREPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2012

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# Deloitte.

## 德勤

### INDEPENDENT AUDITOR'S REPORT

#### TO THE TRUSTEE OF CONSUMER LEGAL ACTION FUND

(Established in Hong Kong under the Deed of Trust dated 30 November 1994)

We have audited the financial statements of Consumer Legal Action Fund (the "Fund") set out on pages 3 to 14, which comprise the statement of financial position as at 31 March 2012, and the income and expenditure account, the statement of changes in equity and the statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

#### **Board of Administrators' responsibilities for the financial statements**

The Board of Administrators is responsible for the preparation of the financial statements that give a true and fair view in accordance with Hong Kong Financial Reporting Standards issued by the Hong Kong Institute of Certified Public Accountants, and for such internal control as the board of administrators determine is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditor's responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit and to report our opinion solely to you, as a body, in accordance with the agreed terms of engagement and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report. We conducted our audit in accordance with Hong Kong Standards on Auditing issued by the Hong Kong Institute of Certified Public Accountants. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance as to whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Fund's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the board of administrators, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

INDEPENDENT AUDITOR'S REPORT

TO THE TRUSTEE OF CONSUMER LEGAL ACTION FUND - continued  
(Established in Hong Kong under the Deed of Trust dated 30 November 1994)

**Opinion**

In our opinion, the financial statements give a true and fair view of the state of the Fund's affairs as at 31 March 2012 and of its deficit and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards.



**Deloitte Touche Tohmatsu**  
Certified Public Accountants  
Hong Kong  
16 July 2012

**CONSUMER LEGAL ACTION FUND****INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31 MARCH 2012**

	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Income</b>		
Bank interest income	113,939	84,611
Interest income from held-to-maturity debt securities	189,600	189,600
Application fee from assisted consumers	5,200	8,800
Sundry income	554,608	30,000
	<u>863,347</u>	<u>313,011</u>
Less:		
<b>Expenditure</b>		
Auditor's remuneration	13,300	12,400
Administrative service expenses	2,047,000	1,934,000
Bank charges	2,280	1,830
Legal fees for assisted consumers	404,000	1,013,280
Amortisation of premium on a held-to-maturity debt security	11,139	11,139
Sundry expenses	-	3,905
	<u>2,477,719</u>	<u>2,976,554</u>
<b>Deficit for the year</b>	<u>(1,614,372)</u>	<u>(2,663,543)</u>




CONSUMER LEGAL ACTION FUNDSTATEMENT OF FINANCIAL POSITION  
AT 31 MARCH 2012

	<u>NOTES</u>	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Non-current assets</b>			
Held-to-maturity debt securities	6	3,962,996	3,974,135
<b>Current assets</b>			
Interest receivable		121,512	118,028
Other receivable		-	11,376
Bank balances	7	16,092,521	17,568,990
		<u>16,214,033</u>	<u>17,698,394</u>
<b>Current liabilities</b>			
Accounts payable and accrued expenses		309,801	303,929
Amount due to Trustee	8	2,047,000	1,934,000
		<u>2,356,801</u>	<u>2,237,929</u>
<b>Net current assets</b>		<u>13,857,232</u>	<u>15,460,465</u>
		<u>17,820,228</u>	<u>19,434,600</u>
<b>Capital and reserve</b>			
Capital		20,000,000	20,000,000
Accumulated deficit		(2,179,772)	(565,400)
		<u>17,820,228</u>	<u>19,434,600</u>

The financial statements on pages 3 to 14 were approved and authorised for issue by the Board of Administrators on 16 July 2012 and are signed on its behalf by:

  
ADMINISTRATOR

  
ADMINISTRATOR

CONSUMER LEGAL ACTION FUNDSTATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 31 MARCH 2012

	<u>Capital</u> HK\$	<u>Accumulated surplus (deficit)</u> HK\$	<u>Total</u> HK\$
At 1 April 2010	10,000,000	2,098,143	12,098,143
Injection of capital	10,000,000	-	10,000,000
Deficit for the year	-	(2,663,543)	(2,663,543)
At 31 March 2011	20,000,000	(565,400)	19,434,600
Deficit for the year	-	(1,614,372)	(1,614,372)
At 31 March 2012	<u>20,000,000</u>	<u>(2,179,772)</u>	<u>17,820,228</u>

CONSUMER LEGAL ACTION FUNDSTATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 31 MARCH 2012

	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Operating activities</b>		
Deficit for the year	(1,614,372)	(2,663,543)
Adjustments for:		
Bank interest income	(113,939)	(84,611)
Interest income from held-to-maturity debt securities	(189,600)	(189,600)
Amortisation of premium on a held-to-maturity debt security	11,139	11,139
Operating cash flows before movements in working capital	(1,906,772)	(2,926,615)
Decrease (increase) in other receivable	11,376	(1,376)
Increase in amount due to the Trustee	113,000	106,000
Increase in accounts payable and accrued expenses	5,872	289,429
<b>Net cash used in operating activities</b>	<u>(1,776,524)</u>	<u>(2,532,562)</u>
<b>Cash from investing activities</b>		
Interest received	300,055	215,400
<b>Cash from financing activities</b>		
Capital injected	-	10,000,000
<b>Net (decrease) increase in cash and cash equivalents</b>	<u>(1,476,469)</u>	<u>7,682,838</u>
<b>Cash and cash equivalents at beginning of the year</b>	<u>17,568,990</u>	<u>9,886,152</u>
<b>Cash and cash equivalents at end of the year, represented by bank balances</b>	<u>16,092,521</u>	<u>17,568,990</u>

CONSUMER LEGAL ACTION FUNDNOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2012

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## 1. OBJECTIVES AND OPERATION OF THE FUND

The Consumer Legal Action Fund (the "Fund") was established on 30 November 1994 under a Deed of Trust with the Consumer Council as the trustee (the "Trustee") for the purpose of offering financial assistance to consumers in seeking legal redress, remedies and protection. The Government of the Hong Kong Special Administrative Region (the "HKSAR") has granted a sum of HK\$10 million as initial capital to the Fund. The capital should be repayable to the HKSAR upon termination. Additional capital amounting to HK\$10 million was further injected by the HKSAR to the fund on 6 September 2011 increasing the capital to HK\$20 million.

The address of the registered office and principal place of operation of the Trustee is 22nd Floor, K. Wah Centre, 191 Java Road, North Point, Hong Kong.

The financial statements are presented in Hong Kong dollars, which is same as the functional currency of the Fund.

## 2. APPLICATION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS ("HKFRSs")

In the current year, the Fund has applied the following new and revised HKFRSs issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

Amendments to HKFRSs	Improvements to HKFRSs issued in 2010
HKAS 24 (as revised in 2009)	Related Party Disclosures
Amendments to HKAS 32	Classification of Rights Issues
Amendments to HK(IFRIC) - Int 14	Prepayments of a Minimum Funding Requirement
HK(IFRIC) - Int 19	Extinguishing Financial Liabilities with Equity Instruments

The application of the new and revised HKFRSs in the current year has had no material effect on these financial statements and/or disclosures set out in these financial statements.

CONSUMER LEGAL ACTION FUND

## 2. APPLICATION OF NEW AND REVISED HONG KONG FINANCIAL REPORTING STANDARDS ("HKFRSs") - continued

**New and revised Standards and Interpretations issued but not yet effective**

The Fund has not early applied the following new and revised Standards and Interpretations that have been issued but are not yet effective:

Amendments to HKFRSs	Annual Improvements to HKFRSs 2009 - 2011 Cycle <sup>1</sup>
Amendments to HKFRS 1	Government Loans <sup>1</sup>
Amendments to HKFRS 7	Disclosures - Transfers of Financial Assets <sup>2</sup>
Amendments to HKFRS 7	Disclosures - Offsetting Financial Assets and Financial Liabilities <sup>1</sup>
Amendments to HKFRS 9 and HKFRS 7	Mandatory Effective Date of HKFRS 9 and Transition Disclosures <sup>3</sup>
HKFRS 9	Financial Instruments <sup>3</sup>
HKFRS 10	Consolidated Financial Statements <sup>1</sup>
HKFRS 11	Joint Arrangements <sup>1</sup>
HKFRS 12	Disclosure of Interests in Other Entities <sup>1</sup>
HKFRS 13	Fair Value Measurement <sup>1</sup>
Amendments to HKAS 1	Presentation of Items of Other Comprehensive Income <sup>5</sup>
Amendments to HKAS 12	Deferred Tax - Recovery of Underlying Assets <sup>4</sup>
HKAS 19 (as revised in 2011)	Employee Benefits <sup>1</sup>
HKAS 27 (as revised in 2011)	Separate Financial Statements <sup>1</sup>
HKAS 28 (as revised in 2011)	Investments in Associates and Joint Ventures <sup>1</sup>
Amendments to HKAS 32	Offsetting Financial Assets and Financial Liabilities <sup>6</sup>
HK(IFRIC) - Int 20	Stripping Costs in the Production Phase of a Surface Mine <sup>1</sup>

<sup>1</sup> Effective for annual periods beginning on or after 1 January 2013

<sup>2</sup> Effective for annual periods beginning on or after 1 July 2011

<sup>3</sup> Effective for annual periods beginning on or after 1 January 2015

<sup>4</sup> Effective for annual periods beginning on or after 1 January 2012

<sup>5</sup> Effective for annual periods beginning on or after 1 July 2012

<sup>6</sup> Effective for annual periods beginning on or after 1 January 2014

The Board of Administrators anticipate that the application of the above new and revised Standards and Interpretation will have no material impact on the results and the financial position of the Company.



CONSUMER LEGAL ACTION FUND

## 3. SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared on the historical cost basis and in accordance with Hong Kong Financial Reporting Standards issued by the HKICPA. The principal accounting policies adopted are as follows:

Revenue recognition

Bank interest income and interest income from held-to-maturity debt securities are recognised on a time proportion basis by reference to the principal outstanding and the interest rate applicable.

Cost of financial assistance

All costs connected with the provision of financial assistance rendered to consumers are recorded on an accrual basis and charged against income and expenditure account in the period incurred. Any costs recoverable from assisted consumers are recorded as income upon receipt.

Financial Instruments

Financial assets and financial liabilities are recognised on the Fund's statement of financial position when the Fund becomes a party to the contractual provisions of the instrument. Financial assets and financial liabilities are initially measured at fair value. Transaction costs that are directly attributable to the acquisition or issue of financial assets and financial liabilities are added to or deducted from the fair value of the financial assets or financial liabilities, as appropriate, on initial recognition.

**Financial assets**

The Fund's financial assets are classified as held-to-maturity investments, and loans and receivables. All regular way purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

*Effective interest method*

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts (including all fees paid or received that form an integral part of the effective interest rate, transaction costs and other premiums or discounts) through the expected life of the financial asset, or, where appropriate, a shorter period to the net carrying amount on initial recognition.

Income is recognised on an effective interest basis for debt instruments.

*Held-to-maturity debt securities*

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that the board of administrators of the Fund has the positive intention and ability to hold to maturity. Subsequent to initial recognition, held-to-maturity debt securities are measured at amortised cost using the effective interest method, less any identified impairment losses (see accounting policy on impairment loss on financial assets below).

CONSUMER LEGAL ACTION FUND

## 3. SIGNIFICANT ACCOUNTING POLICIES - continued

Financial Instruments - continued**Financial assets** - continued*Loans and receivables*

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. Subsequent to initial recognition, loans and receivables (including other receivable, interest receivable and bank balances) are carried at amortised cost using the effective interest method, less any identified impairment losses (see accounting policy on impairment loss on financial assets below).

*Impairment on financial assets*

Financial assets are assessed for indicators of impairment at each end of the reporting period. Financial assets are considered to be impaired where there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows of the financial assets have been affected.

Objective evidence of impairment could include:

- significant financial difficulty of the issuer or counterparty; or
- default or delinquency in interest or principal payments; or
- it becoming probable that the borrower will enter bankruptcy or financial re-organisation; or
- disappearance of an active market for that financial asset because of financial difficulties.

For financial assets carried at amortised cost, the amount of the impairment loss recognised is the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the financial asset's original effective interest rate.

For financial assets measured at amortised cost, if, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed through income or expenditure account to the extent that the carrying amount of the asset at the date the impairment is reversed does not exceed what the amortised cost would have been had the impairment not been recognised.

**Financial liabilities and equity**

Financial liabilities and equity instruments issued by the Fund are classified as either financial liabilities or as equity in accordance with the substance of the contractual arrangements entered into and the definitions of a financial liability and an equity instrument.

An equity instrument is any contract that evidences a residual interest in the assets of the Fund after deducting all of its liabilities. Equity instruments issued by the Fund are recognised at the proceed received, net of direct issue cost.

CONSUMER LEGAL ACTION FUND

## 3. SIGNIFICANT ACCOUNTING POLICIES - continued

Financial Instruments - continued**Financial liabilities and equity** - continued*Effective interest method*

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments (including all fee paid or received that form an integral part of the effective interest rate, transaction costs and other premium or discounts) through the expected life of the financial liability, or where appropriate, a shorter period, to the net carrying amount on initial recognition.

Interest expense is recognised on an effective interest basis.

Financial liabilities (including accounts payable and amount due to the Trustee) are subsequently measured at amortised cost, using the effective interest method.

**Derecognition**

The Fund derecognises a financial asset only when the contractual rights to the cash flows from the asset expire, or when it transfers the financial asset and substantially all the risks and rewards of ownership of the asset to another entity. If the Fund neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, the Fund continues to recognise the asset to the extent of its continuing involvement and recognises an associated liability. If the Fund retains substantially all the risks and rewards of ownership of a transferred financial asset, the Fund continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

On derecognition of a financial asset in its entirety, the difference between the asset's carrying amount and the sum of the consideration received and receivable and the cumulative gain or loss that had been recognised in other comprehensive income and accumulated in equity is recognised in the income and expenditure statement.

On derecognition of a financial asset other than in its entirety, the Fund allocates the previous carrying amount of the financial asset between the part it continues to recognise, and the part it no longer recognises on the basis of the relative fair values of those parts on the date of the transfer. The difference between the carrying amount allocated to the part that is no longer recognised and the sum of the consideration received for the part no longer recognised and any cumulative gain or loss allocated to it that had been recognised in other comprehensive income is recognised in the income and expenditure statement.

The Fund derecognises financial liabilities when, and only when, the Fund's obligations are discharged, cancelled or expire. The difference between the carrying amount of the financial liability derecognised and the consideration paid and payable is recognised in the income and expenditure statement.

CONSUMER LEGAL ACTION FUND

## 4. CAPITAL RISK MANAGEMENT

The capital structure of the Fund consists of capital from HKSAR and accumulated surplus, if any.

The HKSAR has granted a sum of HK\$20 million as capital to the Fund. The Board of Administrators of the Fund manages the Fund's capital to ensure that the Fund will be able to continue as a going concern. The overall strategy of capital management remains unchanged from prior year.

## 5. FINANCIAL INSTRUMENTS

## a. Categories of financial instruments

	<u>2012</u> HK\$	<u>2011</u> HK\$
<b>Financial assets</b>		
Held-to-maturity debt securities	3,962,996	3,974,135
Loans and receivables (including cash and cash equivalents)	16,214,033	17,698,394
	<u>20,177,029</u>	<u>21,672,529</u>
<b>Financial liabilities</b>		
Financial liabilities at amortised cost	<u>2,343,501</u>	<u>2,225,929</u>

## b. Financial risk management objectives and policies

The Fund's major financial instruments include held-to-maturity debt securities, receivables, bank balances, accounts payable and amount due to the Trustee.

The risks associated with these financial instruments and the policies on how to mitigate these risks are set out below. The board of administrators of the Fund manages and monitors these exposures to ensure appropriate measures are implemented on a timely and effective manner.

Credit risk

The credit risk on liquid funds is limited because majority of the counterparties are banks with high credit ratings.

Market riskForeign exchange risk

The Fund's functional currency is Hong Kong dollars since the transactions are mainly denominated in Hong Kong dollars. Accordingly, the board of administrators of the Fund considers the foreign exchange risk is not significant.



CONSUMER LEGAL ACTION FUND

## 5. FINANCIAL INSTRUMENTS - continued

## b. Financial risk management objectives and policies - continued

Market risk - continuedInterest rate risk

The Fund has no significant interest rate risk as it does not have any interest-bearing financial assets or financial liabilities other than cash placed with financial institutions.

Liquidity risk

The Fund is exposed to minimal liquidity risk as the administrators closely monitors its cash flow.

The earliest date on which the undiscounted cash flows of financial liability (representing non-interest bearing financial liability of the Fund can be required to pay is 3 months or less.

## c. Fair value

The fair values of financial assets and financial liabilities are determined in accordance with generally accepted pricing models based on discounted cash flow analysis using prices from observable current market transactions.

The board of administrators of the Fund considers that the carrying values of financial assets and financial liabilities recorded at amortised cost in the financial statements approximate their corresponding fair values.

## 6. HELD-TO-MATURITY DEBT SECURITIES

	<u>2012</u> HK\$	<u>2011</u> HK\$
Debt securities listed in Hong Kong	<u>3,962,996</u>	<u>3,974,135</u>
Market value of securities	<u>4,122,615</u>	<u>4,160,535</u>

## 7. BANK BALANCES

Bank balances comprise cash and short-term deposits with an original maturity of three months or less and carry interest at market rates which ranged from 0.5% to 1.3% (2011: 0.4% to 1.2%) per annum.



CONSUMER LEGAL ACTION FUND

## 8. AMOUNT DUE TO TRUSTEE

The amount represents administrative service and office support provided by the trustee payable.

## 9. RELATED PARTY TRANSACTIONS

As approved by the Staff and Finance Committee, the Trustee provides administrative services and office support to the Funds and recoups from the Funds expenses (comprising salary cost and attributable overhead) incurred. An administrative fee incurred during the year amounted to HK\$2,047,000 (2011: HK\$1,934,000).

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**消費者訴訟基金**

(根據信託聲明在香港成立)

報告書及財務報表

截至二零一二年三月三十一日止年度

消費者訴訟基金

報告書及財務報表

截至二零一二年三月三十一日止年度

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### **獨立核數師報告**

#### **致消費者訴訟基金（「基金」）受託人**

（根據信託聲明於一九九四年十一月三十日在香港成立）

本核數師已完成審核消費者訴訟基金（「基金」）載於第 3 頁至第 14 頁的財務報表，包括二零一二年三月三十一日之財務狀況報表，以及截至該日止年度之收支結算表、權益變動表及現金流量表，連同主要會計政策概要及其他說明性資訊。

#### **基金執行委員會就財務報表之責任**

基金執行委員會須遵照香港會計師公會頒佈之香港財務報告準則編製真實且公平的財務報表，且實施其認為必要之內部監控，以使財務報表之編製不存在由於欺詐或錯誤而導致之重大錯誤陳述。

#### **核數師之責任**

本核數師的責任是根據審核結果，對該等財務報表作出意見，並按照本行已同意的聘用條款的規定，僅向基金作出呈報，除此之外，本報告並無其他目的。本核數師概不就本報告之內容，向任何其他人士負責或承擔法律責任。本核數師已按照香港會計師公會頒佈之香港審計準則進行審核工作。該等準則要求本核數師遵守道德規範，並策劃及執行審核工作，以合理確定該等財務報表是否不存在有任何重大錯誤陳述。

審核涉及執行政序以獲取有關財務報表所載金額及披露資料的審核憑證。所選定的程序取決於核數師之判斷，包括評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述之風險。在評估該等風險時，核數師考慮與基金編製真實且公平的財務報表相關之內部監控，以設計適當之審核程序，但並非為對基金內部監控之效能發表意見。審核亦包括評價基金執行委員會所採用之會計政策之合適性及所作會計估計之合理性，以及評價財務報表的整體列報方式。

本核數師相信，所獲得之審核憑證已足夠和適當地為本核數師之審核意見提供基礎。

**獨立核數師報告書**

**致消費者訴訟基金（「基金」）受託人—續**  
（根據信託聲明於一九九四年十一月三十日在香港成立）

**意見**

本核數師認為，該等財務報表已根據香港財務報告準則真實而公平地反映基金於二零一二年三月三十一日的財政狀況及基金截至該日止年度的虧損及現金流量。

**德勤·關黃陳方會計師行**

執業會計師

香港

二零一二年七月十六日



消費者訴訟基金

## 收支結算表

截至二零一二年三月三十一日止年度

	<u>二零一二年</u>	<u>二零一一年</u>
	港元	港元
<b>收入</b>		
銀行利息收入	113,939	84,611
持有至到期債務證券的利息收入	189,600	189,600
受助消費者申請費	5,200	8,800
雜項收入	554,608	30,000
	<u>863,347</u>	<u>313,011</u>
<b>支出</b>		
核數師酬金	13,300	12,400
管理費	2,047,000	1,934,000
銀行手續費	2,280	1,830
受助消費者的律師費	404,000	1,013,280
持有至到期債務證券的溢價攤銷	11,139	11,139
雜項支出	—	3,905
	<u>2,477,719</u>	<u>2,976,554</u>
本年度虧損	<u>(1,614,372)</u>	<u>(2,663,543)</u>

## 消費者訴訟基金

### 財務狀況表

截至二零一二年三月三十一日止年度

	附註	二零一二年 港元	二零一一年 港元
<b>非流動資產</b>			
持有至到期債務證券	6	<u>3,962,996</u>	<u>3,974,135</u>
<b>流動資產</b>			
應收利息		121,512	118,028
其他應收賬款		-	11,376
銀行結餘	7	<u>16,092,521</u>	<u>17,568,990</u>
		<u>16,214,033</u>	<u>17,698,394</u>
<b>流動負債</b>			
應付賬款及應計費用		309,801	303,929
應付予受託人之款項	8	<u>2,047,000</u>	<u>1,934,000</u>
		<u>2,356,801</u>	<u>2,237,929</u>
<b>流動資產淨值</b>		<u>13,857,232</u>	<u>15,460,465</u>
		<u>17,820,228</u>	<u>19,434,600</u>
<b>資本及儲備</b>			
資本		20,000,000	20,000,000
累計(虧損)		<u>(2,179,772)</u>	<u>(565,400)</u>
		<u>17,820,228</u>	<u>19,434,600</u>

載於第3頁至第14頁的財務報表已於二零一二年七月十六日基金執行委員會批准及授權發佈，並由以下代表簽署：

\_\_\_\_\_  
基金執行委員會委員

\_\_\_\_\_  
基金執行委員會委員

**消費者訴訟基金**

**權益變動表**

截至二零一二年三月三十一日止年度

	資本	累計盈餘（虧損）	合計
	港元	港元	港元
於二零一零年四月一日	10,000,000	2,098,143	12,098,143
注資	10,000,000	—	10,000,000
本年度虧損	—	(2,663,543)	(2,663,543)
於二零一一年三月三十一日	20,000,000	(565,400)	19,434,600
本年度虧損	—	(1,614,372)	(1,614,372)
於二零一二年三月三十一日	20,000,000	(2,179,772)	17,820,228

消費者訴訟基金

## 現金流量表

截至二零一二年三月三十一日止年度

	二零一二年	二零一一年
	港元	港元
<b>營運活動</b>		
本年度虧損	(1,614,372)	(2,663,543)
就下列項目作出調整：		
銀行利息收入	(113,939)	(84,611)
持有至到期債務證券之利息收入	(189,600)	(189,600)
持有至到期債務證券之溢價攤銷	11,139	11,139
於流動資金變動前之營運現金流量	(1,906,772)	(2,926,615)
其他應收賬款減少（增加）	11,376	(1,376)
應付予受託人之款項增加	113,000	106,000
應付賬款及應計費用增加	5,872	289,429
<b>用於營運活動之現金淨值</b>	<b>(1,776,524)</b>	<b>(2,532,562)</b>
<b>來自投資活動之現金淨值</b>		
已收利息	300,055	215,400
<b>來自融資活動之現金淨值</b>		
注資	-	10,000,000
<b>現金及現金等價物增加（減少）淨值</b>	<b>(1,476,469)</b>	<b>7,682,838</b>
年初之現金及現金等價物	17,568,990	9,886,152
年末之現金及現金等價物，以銀行結餘列示	16,092,521	17,568,990

## 消費者訴訟基金

### 財務報表附註

截至二零一二年三月三十一日止年度

#### 1. 基金之目的及運作

消費者訴訟基金（「基金」）根據一九九四年十一月三十日的信託聲明成立，由消費者委員會擔任受託人，目的是為協助消費者循法律途徑尋求賠償、補償及保障，並由香港特別行政區政府撥款 1,000 萬港元作為創辦基金。此撥款在基金停止運作時歸還政府。二零一一年九月六日基金獲香港特別行政區政府注入另一筆資金 1,000 萬港元，總資金增至 2,000 萬港元。

受託人的註冊辦事處及主要營運地址為香港北角渣華道 191 號嘉華國際中心 22 樓。

財務報表乃以港元呈列，同時，港元亦是基金的功能貨幣。

#### 2. 採納新訂及經修訂香港財務報告準則（「香港財務報告準則」）

本年度內，基金採用了由香港會計師公會（「香港會計師公會」）所頒佈的以下新訂及經修訂香港財務報告準則。

香港財務報告準則（經修訂）	對二零一零年頒佈之香港財務報告準則之改進
香港會計準則第 24 號（二零零九年經修訂）	關聯方披露
香港會計準則第 32 號（經修訂）	供股分類
香港（國際財務報告詮釋委員會）— 詮釋第 14 號（經修訂）	最低撥款規定之預付款項
香港（國際財務報告詮釋委員會）— 詮釋第 19 號	以股本工具清償財務負債

除下文所述者外，本年度採納新訂及經修訂香港財務報告準則對該等財務報表及／或該等財務報表所載的披露資料概無重大影響。



## 消費者訴訟基金

### 2. 採納新訂及經修訂之香港財務報告準則（「香港財務報告準則」）－續

#### 新訂及經修訂的準則及詮釋已頒佈但尚未生效

基金並未提前採納下列已頒佈但尚未生效之新訂及經修訂的準則及詮釋：

香港財務報告準則（經修訂）	對二零零九至二零一一年週期香港財務報告準則之年度改進 <sup>1</sup>
香港財務報告準則第 1 號（經修訂）	政府貸款 <sup>1</sup>
香港財務報告準則第 7 號（經修訂）	披露－財務資產轉讓 <sup>2</sup>
香港財務報告準則第 7 號（經修訂）	披露－抵銷財務資產及金融負債 <sup>1</sup>
香港財務報告準則第 9 號及第 7 號（經修訂）	香港財務報告準則第 9 號及過渡披露之強制性有效日期 <sup>3</sup>
香港財務報告準則第 9 號	金融工具 <sup>3</sup>
香港財務報告準則第 10 號	綜合財務報表 <sup>1</sup>
香港財務報告準則第 11 號	聯合安排 <sup>1</sup>
香港財務報告準則第 12 號	在其他主體中權益的披露 <sup>1</sup>
香港財務報告準則第 13 號	公允價值計量 <sup>1</sup>
香港會計準則第 1 號（經修訂）	其他全面收入項目之呈列 <sup>5</sup>
香港會計準則第 12 號（經修訂）	遞延稅項：相關資產之收回 <sup>4</sup>
香港會計準則第 19 號（二零一一年經修訂）	僱員福利 <sup>1</sup>
香港會計準則第 27 號（二零一一年經修訂）	獨立財務報表 <sup>1</sup>
香港會計準則第 28 號（二零一一年經修訂）	對聯屬公司及聯營公司的投資 <sup>1</sup>
香港會計準則第 32 號（經修訂）	抵銷金融資產及金融負債 <sup>6</sup>
香港（國際財務報告詮釋委員會）－詮釋第 20 號	露天礦生產階段的剝離成本 <sup>1</sup>

<sup>1</sup> 於二零一三年一月一日或其後開始之年度期間生效

<sup>2</sup> 於二零一一年七月一日或其後開始之年度期間生效

<sup>3</sup> 於二零一五年一月一日或其後開始之年度期間生效

<sup>4</sup> 於二零一二年一月一日或其後開始之年度期間生效

<sup>5</sup> 於二零一二年七月一日或其後開始之年度期間生效

<sup>6</sup> 於二零一四年一月一日或其後開始之年度期間生效

基金執行委員預期採納上述新訂及經修訂準則及詮釋，將不會對本基金的業績及財務狀況產生重大影響。

## **消費者訴訟基金**

### **3. 主要會計政策**

財務報表乃按過往成本法並根據香港會計師公會所頒佈的香港財務報告準則編製，而所採納的主要會計政策則詳列如下：

#### **收入確認**

銀行利息收入以及持有至到期債務證券利息收入是以時間比例為基準，按尚餘的本金及適用利率計算。

#### **財務資助費用**

為受助消費者提供財務資助的所有有關費用按權責發生制在該等費用發生期間的收支結算表內扣除。可從受助消費者處收回的任何費用，在收到付款時以收入入賬確認。

#### **金融工具**

金融資產及金融負債於基金成為該等工具合約條文的訂約方時在基金的財務狀況表內予以確認。金融資產及金融負債在初步確認時按公平價值計算。直接因金融資產及金融負債的購置或發行而產生的交易成本，在初步確認時將酌情在金融資產或金融負債的公平價值中增加或扣減。

#### **金融資產**

基金的金融資產劃分為持有至到期投資以及貸款和應收賬款。所有金融資產的正常交易應以交易日為基準進行確認及註銷。正常交易是指在市場規則或慣例規劃的時間範圍內進行資產交付的金融資產交易。

#### **實際利率法**

實際利率法為於相關期間計算金融資產之攤銷成本及分配利息收入之方法。實際利率是在金融資產的預計期限或（如適用）更短期限內，估計的未來現金收入（包括所有已付或已收的費用，而這些費用構成的實際利率、交易成本及其他溢價或折讓的組成部分）準確貼現為初步確認時的賬面淨額所用的利率。

就債務工具而言，收入按實際利率確認。

#### **持有至到期債務證券**

持有至到期投資是指到期日固定，回收金額固定或可確定，且基金執行委員會有明確意圖和能力持有至到期的非衍生金融資產。在初步確認後，應採用實際利率法以攤銷成本對持有至到期債務證券進行計算，並扣除已確認的減值虧損（請參閱以下會計政策中金融資產減值虧損條款）。

## 消費者訴訟基金

### 3. 主要會計政策一續

#### 金融工具一續

#### 金融資產一續

##### 貸款及應收賬款

貸款及應收賬款是指回收金額固定或可確定，且未在交投暢旺的市場上市的非衍生金融資產。在初步確認後，應採用實際利率法以攤銷成本對貸款及應收賬款（包括其他應收賬款、應收利息和銀行結餘）進行計算，並扣除已確認的減值虧損（請參閱以下會計政策中金融資產減值虧損條款）。

##### 金融資產的減值

金融資產評估是在每個結算日按減值指標進行。如有客觀證據顯示，因在金融資產初步確認後發生的一項或多項事件導致該金融資產的未來估計現金流量受到影響，該金融資產須予減值處理。

客觀證據顯示有減值必要的情形包括：

- 發行人或交易對手的重大財務困難；或
- 欠繳或拖欠利息或本金款項；或
- 借款人有可能陷入破產或金融重組；或
- 該金融資產因財務困難而失去交投暢旺的市場。

就以攤銷成本列賬的金融資產而言，減值虧損在有客觀證據顯示資產減值時可於收支結算表中確認，並按照該資產賬面值與按原始實際利率折現的未來估計現金流量現值之間的差額而計算。

就以攤銷成本計算的金融資產而言，如果在隨後的期間減值虧損金額降低，而有關降低可客觀地與確認減值虧損後發生之事件相關聯，則之前已確認之減值虧損將透過收支結算表撥回，惟該資產於撥回減值該日之賬面值不超出倘並無確認減值原應有之攤銷成本。

#### 金融負債及權益

基金發行的金融負債及權益工具是按照簽訂的合約安排主旨及金融負債及權益工具的定義來進行分類為金融負債或權益。

權益工具是證明於扣除所有負債後基金資產剩餘利息的合約。基金發行的權益工具乃按所得收益及直接發行淨成本予以確認。

## 消費者訴訟基金

### 3. 主要會計政策—續

#### 金融工具—續

#### 金融負債及權益—續

##### 實際利率法

實際利率法為於相關期間計算金融負債之攤銷成本及分配利息開支之方法。實際利率是在金融負債的預計期限或（如適用）更短期限內，對估計的未來現金款項（包括所有已付或已收的費用，而這些費用構成實際利率、交易成本及其他溢價或折讓的組成部分）準確貼現為初步確認時的賬面淨額所用的利率。

利息開支按實際利率確認。

金融負債（包括應付賬款、應計費用及應付予受託人之款項）隨後採用實際利率法以攤銷成本計算。

##### 撤銷

當從資產獲得現金流量的權利屆滿，或金融資產被轉讓及基金實質轉讓金融資產所有權的全部風險及回報時，金融資產被撤銷。如基金不轉讓或保留所有權的全部風險及回報，並繼續控制被轉讓資產，則基金繼續在持續參與的範圍內確認資產，並確認相關的負債。如基金保留被轉讓金融資產所有權的幾乎全部風險及回報，則基金繼續就所得收益確認金融資產及抵押貸款。

所有金融資產一經註銷，資產的賬面值與已收和應收代價、已經在其他綜合收入中確認並於權益累積之累計收益或虧損的總和之差額於收支結算表內確認。

當撤銷一項金融資產的部分時，基金會按照繼續確認的部分與不再確認的部分於轉讓日期的相對公平價值，對金融資產先前的賬面值進行分配。分配至不再確認部分的賬面值與該部分所獲代價及向其分配的、已經在其他綜合收入中確認的任何累積收益或虧損的總和之差額於收支結算表內確認。

當且僅當基金的義務被解除、註銷或屆滿時，基金註銷金融負債。被註銷的金融負債的賬面值與已付及應付代價之間的差額於收支結算表內確認。

## 消費者訴訟基金

### 4. 資本風險管理

基金的資本結構由香港特別行政區的資本及累計盈餘（如有）組成。

香港特別行政區已撥款 2,000 萬港元作為基金的資本。基金執行委員會管理該筆資金，以確保基金能維持正常營運。資本管理的整體策略與上年保持一致。

### 5. 金融工具

#### a. 金融工具類別

	二零一二年	二零一一年
	港元	港元
<b>金融資產</b>		
持有至到期債務證券	3,962,996	3,974,135
貸款及應收賬款（包括現金及現金等價物）	16,214,033	17,698,394
	<u>20,177,029</u>	<u>21,672,529</u>
<b>金融負債</b>		
以攤銷成本計算的金融負債	<u>2,343,501</u>	<u>2,225,929</u>

#### b. 金融風險管理目標及政策

基金的主要金融工具包括持有至到期債務證券、應收賬款、銀行結餘、應付賬款、應計費用及應付予受託人之款項。

與該等金融工具有關的風險及如何降低該等風險的政策載於下文，基金執行委員會管理並監察該等風險，以確保及時有效地採取適當措施。

#### 信貸風險

由於大多數交易對方是有較高信貸評級的銀行，故流動資金的信貸風險有限。

#### 市場風險

#### 外匯風險

由於基金的交易主要以港元計值，故此其功能貨幣為港元。因此，基金執行委員會認為外匯風險不屬重大。



消費者訴訟基金

## 5. 金融工具—續

## b. 金融風險管理目標及政策—續

市場風險—續利率風險

基金並無重大利率風險，概因其除了存放在金融機構的現金及存款外，並無擁有任何重大計息金融資產及負債。

流動資金風險

由於基金密切監控其現金流量狀況，因此基金面臨的流動資金風險已降至最低。

金融負債未貼現現金流量（以基金之無息金融負債列示）的最早支付日期為三個月或以內。

## c. 公平價值

金融資產及金融負債之公平價值乃按照公認定價模式釐定，基於採用從目前市場交易觀察所得價格的貼現現金流量分析而確定。

基金執行委員會認為，財務報表中以攤銷成本記錄的金融資產及金融負債的賬面值接近其相應公平價值。

## 6. 持有至到期債務證券

	二零一二年	二零一一年
	港元	港元
香港上市債務證券	3,962,996	3,974,135
證券的市值	4,122,615	4,160,535

## 7. 銀行結餘

銀行結餘包括現金及原訂期限為三個月或以內的短期存款，其利息根據每年由 0.5% 至 1.3%（二零一一年：0.4% 至 1.2%）的市場利率計算。

### 消費者訴訟基金

#### 8. 應付予受託人之款項

該款項代表受託人所提供管理服務和辦公室支援的應付款項。

#### 9. 關聯方交易

經人事及財務委員會審批，受託人向基金提供管理服務和辦公室支援，並從基金（包括薪金成本及應佔間接費用）中扣除。年內管理費合計 2,047,000 港元（二零一一年：1,934,000 港元）。

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