

RESOLVING DISPUTES BETWEEN CONSUMERS AND BUSINESSES

調停消費者與營商者之間的糾紛

To help members of the public seek redress from businesses providing unsatisfactory goods or services, the Council operates an easily accessible platform to help consumers and traders resolve disputes by means of conciliation, aiming to help the two parties reach a mutually acceptable agreement. Over the past two years, changes in consumption patterns and the disruption to established marketplaces brought about by the COVID-19 pandemic have given added importance to this role. Although the Council is not a law enforcement agency and does not hold investigative powers, it works closely with different authorities to exchange information and facilitate law enforcement actions to combat unscrupulous trade practices. The Council also proactively monitors the marketplace and releases timely alerts to consumers.

為協助消費者解決與商戶之間因不滿服務或商品而引發的爭議，消委會提供便捷的投訴平台，透過調停排解消費糾紛，讓消費者及商戶謀求雙方接納的和解方案。過去兩年，消費模式出現顯著轉變，加上市場受新冠病毒疫情影響，在此情況下，消委會排難解紛的角色更形重要。儘管本會並非執法部門，沒有調查權力，但本會一直與不同部門緊密合作、保持資訊互通及配合執法行動，以打擊不良營商手法。同時，本會亦積極監察市場營商手法，並適時向公眾發出消費警示。

Complaints and Enquiries Received

The Council received 65,311 enquiries and 29,207 complaints in 2021-22, representing a 1% increase and 2% increase year-on-year (YoY) respectively. The use of e-Form remained the major complaint channel in 2021-22 that accounted for 76% (22,067 cases) of the total complaint cases received. During the year, 89% of enquiries were received by telephone.



投訴及諮詢

在 2021-22 年度，本會共接獲 65,311 宗消費諮詢及 29,207 宗消費投訴，較上一年度分別微升 1% 及 2%。年內，網上投訴表格仍然是市民提出消費投訴的主要途徑，佔總數 76% (22,067 宗)，而以電話熱線諮詢消費問題的個案則佔接近 9 成 (89%)。

Overview and Trends

The total number of complaints during the year edged up a slight 2%, from 28,590 cases in 2020-21 to 29,207 cases in 2021-22. Amongst these, services-related complaints showed a 10% YoY increase with 15,418 cases (53%) while goods-related complaints constituted 47% with 13,789 cases. The top 3 categories in 2021-22 were "Electrical Appliances" (2,738 cases), "Foods & Entertainment Services" (2,498 cases) and "Telecommunication Services" (2,224 cases). Complaints involving late or non-delivery (4,399 cases), price dispute (4,224 cases) and sales practices (3,944 cases) contributed to a sizeable share of complaints (15%, 14% and 14% respectively).

概覽及趨勢

本年度總投訴數字由 2020-21 年度的 28,590 宗輕微上升 2% 至 29,207 宗。當中，本會接獲涉及服務的投訴個案共 15,418 宗 (53%)，較去年度上升 10%；而與商品有關的投訴個案為 13,789 宗，佔總投訴數字 47%。2021-22 年度首 3 位的投訴類別為電器用品 (2,738 宗)、食肆及娛樂 (2,498 宗) 和 電訊服務 (2,224 宗)。個案主要涉及延期/沒有送貨 (4,399 宗)、價格爭議 (4,224 宗) 和營商手法 (3,944 宗)，分別佔總投訴數字 15%、14% 及 14%。

The overall success rate in case resolution dropped slightly from 67% to 66% YoY (see Fig. 4). A large number of non-pursuable or unresolved cases were attributed to cessation of trader's business, which included beauty and fitness centre chains. Conciliation also became more difficult as the traders hesitated in offering settlement as a result of the economic uncertainty brought by COVID-19. For cases with traders refusing to resolve the dispute, the complainants would be advised to seek redress via alternative channels, including civil legal action.

Upsurge in Complaints Relating to Anti-epidemic Supplies

Since the onset of the fifth wave of the COVID-19 pandemic in early 2022, complaints concerning anti-epidemic supplies have spiked sharply. Amid the severe outbreak, there was increasing demand from the general public to purchase Rapid Antigen Test (RAT) kits for self-testing. The Council received a total of 271 complaints related to RAT kits in the first quarter of 2022, mainly regarding "Late / Non-delivery / Loss" (67%) and "Quality of Goods" (11%). As the pandemic persists, face masks have become a daily necessity and the Council recorded 263 face mask-related complaints in 2021-22, concerning "Late / Non-delivery / Loss" (45%), "Quality of Goods" (17%) and "Price / Charges Dispute" (11%).

Disputes on Online Shopping Prevail

The COVID-19 pandemic and anti-epidemic measures have changed the purchasing patterns of consumers. Triggered by the "stay-at-home economy", online shopping disputes reached a total of 8,207 cases that accounted for almost 28% of the overall complaints. "Late / Non-delivery / Loss" (33%), "Sales Practices" (14%) and "Quality of Goods" (13%) were the main issues covered by these complaints.

When shopping online, consumers need to be vigilant of the terms and conditions of the offers to better understand their rights and obligations under the contract. Consumers are also reminded to pay heed to the trader's background, such as whether they have a physical store or provide a valid means of contact to avoid failure of delivery or even falling into sales traps.

Shop Closures and Economic Sentiment

The COVID-19 situation in Hong Kong in 2021-22 remained challenging and has taken a sharp economic toll on the retail industry. In 2021-22, the Council received a total of 1,832 complaint cases related to shop closures, representing a sharp increase of 149% when compared with that of the previous year (736 cases). Most of the complaints concerned the closure of spa and beauty chains (1,072 cases) and fitness centres (615 cases). In view of economic uncertainty, consumers are reminded to minimise high-value prepayment transactions.

According to the complaint statistics, unscrupulous and high pressure sales tactics were prevalent in "Fitness Centres" (32 cases) and "Beauty Services" (68 cases), but the successful resolution rate in these 2 sectors was only 55% and 60% respectively. Therefore, the Council will continue to monitor the situation and advocate for the introduction of a mandatory cooling-off period in the service contracts of these 2 industries, so as to deter traders or their representatives from engaging in undesirable sales tactics.

總調停成功率由去年的 67% 輕微下降至 66% (見圖 4)。當中不少個案因商戶終止營運而未能跟進或解決，包括連鎖美容及健身中心。新冠疫情陰霾下導致經濟不明朗，令商戶在提出解決方案時卻步，調停工作變得艱巨。涉及商戶拒絕解決爭議的個案，本會會建議消費者尋求其他渠道追討，當中包括採取民事訴訟。

防疫用品相關投訴大幅上升

自 2022 年初第 5 波新冠疫情爆發，有關防疫用品供應的投訴飆升。疫情嚴峻，市民購買 2019 冠狀病毒快速抗原測試包作自我檢測的需求亦急增。本會在 2022 年第一季接獲 271 宗與快速抗原測試包相關的投訴，個案主要涉及延期 / 沒有送貨 / 遺失 (67%) 及貨品質素 (11%)。疫情持續，口罩已變成市民大眾日常生活的必需品，本會於 2021-22 年度共接獲 263 宗與口罩相關的投訴，主要涉及延期 / 沒有送貨 / 遺失 (45%)、貨品質素 (17%) 及價格 / 收費爭議 (11%)。

網購相關的消費爭議持續高企

市民消費模式因新冠疫情和防疫要求而有所轉變。隨著「宅經濟」的普及，本會錄得 8,207 宗與網上購物有關的消費爭議，佔總投訴個案的 28%，爭議主要涉及延期 / 沒有送貨 / 遺失 (33%)、營商手法 (14%) 及貨品質素 (13%)。

消費者於網上購物時，須格外留意交易的條款細則，以了解合約下消費者的權益及責任。另外，消費者亦需注意商戶的背景，例如該商戶有沒有實體店或有效聯絡方法，以避免未能如期收貨時難以追討，或墮入消費陷阱。

商戶結業及經濟氣氛

香港的新冠疫情在 2021-22 年度持續反覆，並重挫香港的零售業。年內，本會共接獲 1,832 宗與商戶結束營業有關的投訴，較上年度 (736 宗) 大幅上升 149%，當中連鎖美容院及水療按摩店 (1,072 宗) 和健身中心 (615 宗) 佔大比數。因應現時經濟環境不明朗，消費者應盡量減少大額預繳式消費交易。



根據投訴資料，以不當及高壓手法推銷常見於健身中心 (32 宗) 及美容服務 (68 宗) 的商戶，但這兩個行業的調停成功率分別只有 55% 及 60%。有見及此，本會將繼續監察情況並倡議於上述兩個行業之服務合約中設立強制性冷靜期，以遏止商戶或推銷員採用不良銷售手法。

Fig. 1 Complaint Trends in the Past 3 Years

圖 1 過去 3 年接獲的投訴數字

Year 年份	2019-20	2020-21	2021-22
Total number of complaints 投訴個案總數	26,545	28,590	29,207
YoY changes 按年變動	-	+8%	+2%

Fig. 2 Top 10 Consumer Complaints by Industry in 2021-22

圖 2 2021-22 年度首10位涉及消費投訴的行業

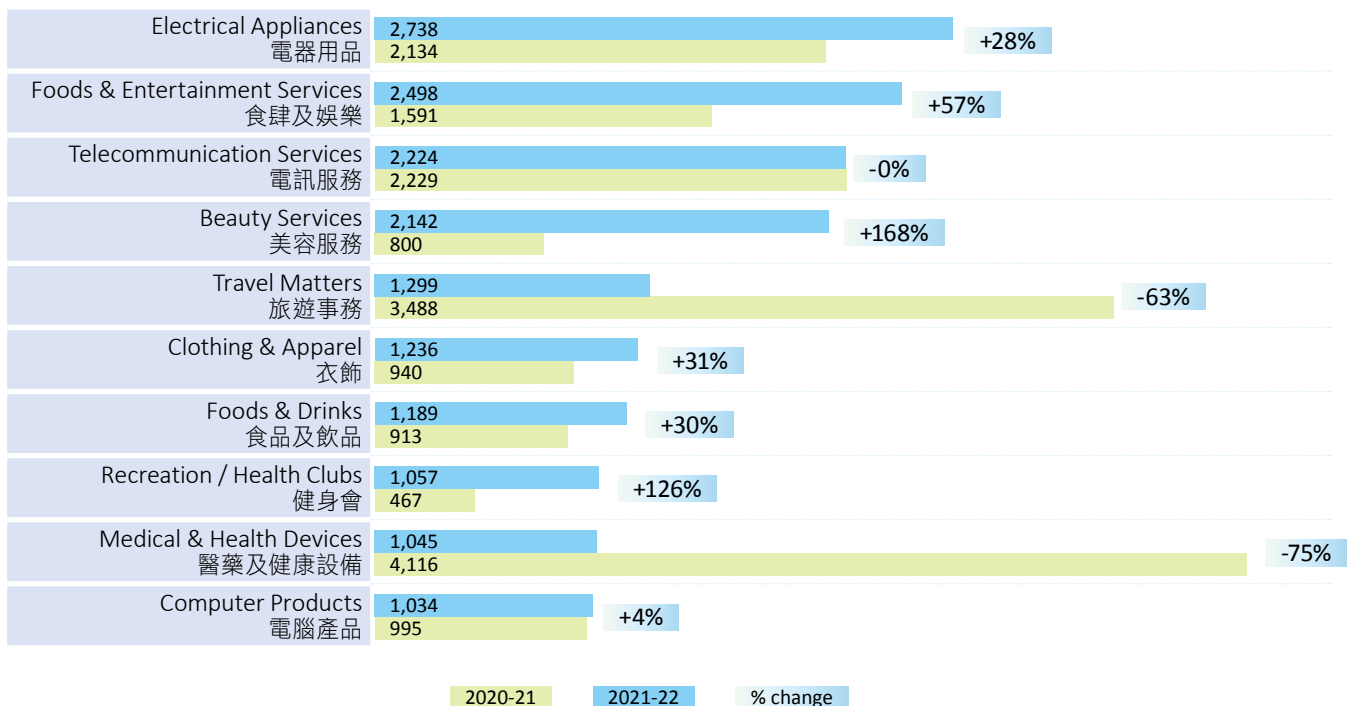


Fig. 3 Nature of Consumer Complaints in 2021-22

圖 3 2021-22 年度之投訴性質

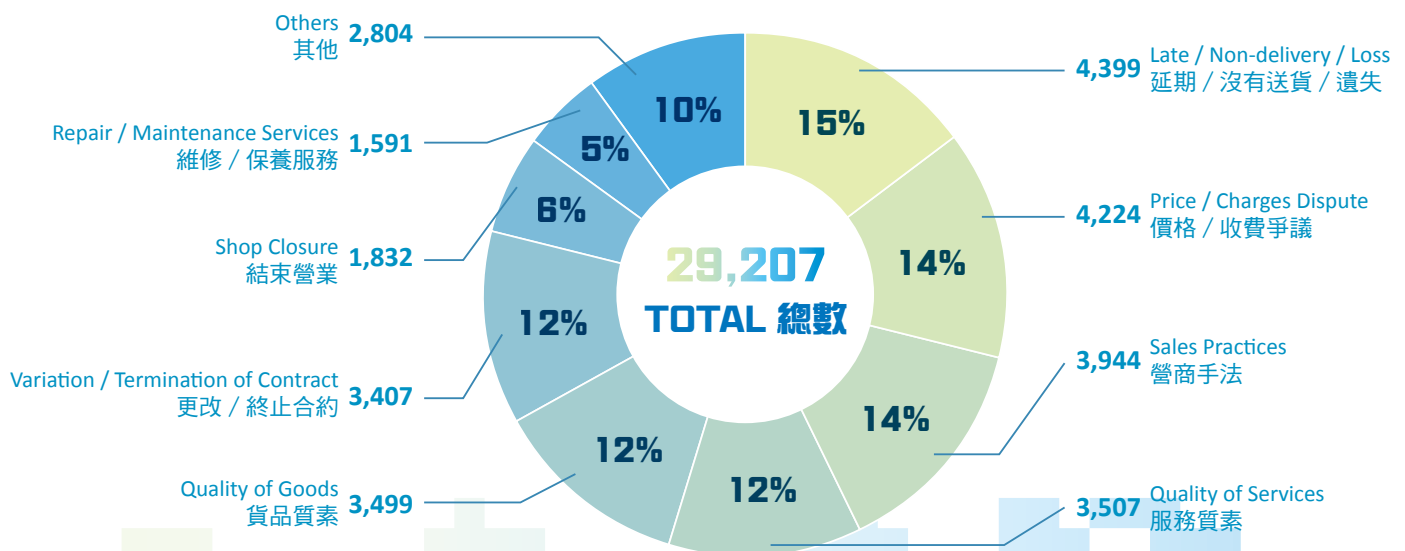


Fig. 4 Resolution Rate of Cases with Pursuable Grounds in 2021-22**圖 4 2021-22 年度調停成功率**

Total number of cases received 投訴總數	29,207
Number of cases with pursuable grounds ⁷ 可跟進的投訴個案 ⁷	20,214
Number of cases in progress 仍在跟進中的個案	4,498
Number of cases resolved 獲得解決的個案	10,354
Resolution rate 調停成功率	66%

Top 5 Complaint Categories

1. Electrical Appliances

Electrical appliances recorded 2,738 complaint cases in 2021-22, a 28% YoY upsurge, making it the top among all complaint categories – probably as a result of more time spent at home during the pandemic. The top 3 most complained-about appliances were the same as last year, namely air conditioners (15%), television sets (13%) and washing machines (11%). Concerns about the “Quality of Goods” (30%) and “Repair / Maintenance Services” (28%) accounted for more than half of the complaints.

2. Foods & Entertainment Services

“Foods & Entertainment Services” ranked second with 2,498 complaint cases, representing a YoY increase of 57%. Restaurants (33%), online foods delivery services (28%) and fast food outlets (15%) were the most common subjects of complaint. Among all these complaints, “Price Dispute” accounted for 20% while another 19% were related to “Quality of Services” and 18% for “Variation / Termination of Contract”.

3. Telecommunication Services

Complaints against telecommunication services remained in third place with a total of 2,224 cases recorded. Close to half of the complaints involved mobile phone services (47%) while Internet services accounted for 31%. The complaint nature was mainly related to “Price Dispute” (30%), followed by “Variation / Termination of Contract” (25%) and “Quality of Services” (24%).

4. Beauty Services

Beauty services related complaints surged 168% YoY from 800 cases to 2,142 cases, making it the fourth-highest category in 2021-22. The sudden closure of 3 spa and beauty chains was a main source with 1,072 complaints, accounting for half of this category. Apart from cases related to shop closures, 18% (384 cases) and 12% (247 cases) were related to “Sales Practices” and “Quality of Services” respectively.

首 5 位消費投訴類別

1. 電器用品

電器用品相關的投訴個案位列於首位，共錄得 2,738 宗，較上年度顯著上升 28%，估計由於居家抗疫所致。接獲投訴最多的 3 類電器用品與上年度相同，分別為冷氣機（15%）、電視機（13%）和洗衣機（11%）。而超過一半的投訴性質與貨品質素（30%）及維修/保養服務（28%）有關。

2. 食肆及娛樂

食肆及娛樂的投訴位居第 2 位，共接獲 2,498 宗，較上年度上升 57%。投訴主要與餐廳（33%）、網上外賣送餐服務（28%）及快餐店（15%）有關。當中涉及價格爭議的投訴佔 20%、服務質素佔 19%，而更改/終止合約則佔 18%。

3. 電訊服務

有關電訊服務的投訴仍然位居第 3 位，共接獲 2,224 宗。近半爭議與流動電話服務（47%）有關，而互聯網服務亦佔 31%。投訴性質主要涉及價格爭議（30%）、更改/終止合約（25%）及服務質素（24%）。

4. 美容服務

美容服務的投訴位列第 4，個案由上年度 800 宗大幅增加至 2,142 宗，上升 168%。接近一半的投訴（1,072 宗）是源於 3 間連鎖美容院及水療按摩店突然結束營業，而其他投訴則涉及營商手法和服務質素，分別佔 18%（384 宗）及 12%（247 宗）。

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

5. Travel Matters

Travel plans were still disrupted due to the pandemic in 2021-22 with 1,299 complaints recorded. Among these, complaints related to air tickets (569 cases) accounted for 44%. "Hotel Booking" had the second-highest volume of complaints, with a total of 346 cases (27%) recorded. The most noticeable types of complaint nature were "Variation / Termination of Contract" and "Price Dispute" with 503 and 406 cases received individually, constituting 39% and 31% respectively of all "Travel Matters" complaints.

Launch of the Elderly Hotline to Strengthen Consumer Protection for Senior Citizens

To foster an age-friendly consumption environment especially amidst the ageing population, it is vital to provide a convenient and accessible channel for elderly consumers to make enquiries and seek help when consumer issues and disputes arise.

In light of the above, the Council has officially launched the Elderly Hotline — **2110 2288** — in January 2022. This is the first ever hotline established by the Council for a dedicated consumer group, with the aim to provide user-friendly and direct customer service for elderly consumers, allowing them to easily access the Council's services from home or anywhere. Senior citizens can call the Elderly Hotline when they encounter consumption disputes or wish to make enquiries relating to consumer issues, and the Council will endeavour to help resolve disputes between the consumer and trader through conciliation.

To enhance accessibility based on the elderly's needs, this brand new hotline is purposely designed to reduce the number of steps or buttons to press before the caller is patched through to the Council's staff, reducing it down to only the language selection and input of age range. With enhanced accessibility to seek help, senior citizens can be better empowered to protect themselves.

5. 旅遊事務

2021-2022 年度，市民的出遊計劃仍然受疫情影響，而與旅遊事務相關的投訴有 1,299 宗，當中與機票有關的投訴（569 宗）佔 44%，其次是酒店預訂（346 宗），佔 27%。旅遊事務相關的投訴性質，主要涉及更改／終止合約（503 宗）和價格爭議（406 宗），分別佔 39% 及 31%。

「智齡消委會熱線」啟動 加強保障長者消費權益

為銀髮一族締造友善的消費環境，關鍵是提供便捷的渠道，方便長者就消費事項及糾紛作出諮詢及尋求協助。

因此，消委會於 2022 年 1 月正式推出「智齡消委會熱線」：**2110 2288**。該熱線是消委會首次為特定消費群組設立，旨在為年長消費者提供簡易的客戶服務，讓他們不論身處何地都可輕易取得消委會協助。當長者遇上消費糾紛，或想查詢消費事宜時，可致電該熱線，本會會致力透過調停方式，協助消費者與商戶解決爭議。

熱線亦因應長者需要，減省與職員直接對話前所需的步驟；電話接通後，用家只需選擇語言及年齡範圍，便會接駁至消委會職員。透過「智齡消委會熱線」，年長消費者能更便捷地向本會尋求協助，同時提升自我保護能力。

