

**Bills Committee on  
Trade Descriptions (Amendment) Bill 2007**

**Third meeting on 6 March 2008**

**List of follow-up actions arising from the discussion at the meeting**

Clause 4 – amended section 2(1)

1. The definition of "trade description" in section 2(1) of the Trade Descriptions Ordinance (Cap. 362) is proposed to be amended to cover information on the availability, scope, duration, cost, location and provider of after-sale inspection and maintenance service under clause 4(2) of the Bill. However, there is ambiguity as to whether the proposed amendment may cover information on the availability of spare parts for goods. The Administration is requested to make reference to comparable legislation in Australia in preparing draft Committee Stage amendment (CSA) to the proposed section 2(1)(k) to explicitly provide that information on after-sale services for goods will include the availability of "spare parts for goods".

Clause 7 – proposed section 13A

2. Comparable legislation in overseas jurisdictions such as Australia, New Zealand, and the United Kingdom contained a general provision prohibiting misleading price indication. But such a provision is not proposed in the Bill. The Administration is requested to examine the feasibility of including a general provision in the Bill to this effect and prepare the draft CSA accordingly.
3. To prepare draft CSA extending the scope of the proposed section 13A(1) to "units of quantity".
4. In the proposed section 13A(2), to consider some deputations' proposal of setting out the relevant requirements on price signs, such as the size and colour, the font size of characters, etc.

Clause 7 – proposed section 13C

5. To address members' concern about the wide scope of the proposed section 13C(2), which applied to representations made "in the course of any trade, business or profession", the Administration has agreed to introduce an amendment to narrow the scope to "...in connection with the supply or possible supply of goods...or in connection with the promotion by any means of the supply or use of goods.." with reference to the relevant provision in the Trade Practices Act 1974 of Australia.