

25 April 2012

Subject: Enforcement Agency of the Trade Description Ordinance

Dear members of the Bills Committee on the Trade Description Bill,

The Government proposes that the enforcement agency of the Trade Description Ordinance is the Customs and Excise Dept ("C&ED").

However, I find such proposal to be entirely unsatisfactory. C&ED is not primarily a department focused on consumer protection, but it is a department relating to the import/export of goods, and it is under the Bureau of Security. This results in a fragmented responsibility for the C&ED, where consumer protection may only be second-priority in comparison to its main responsibility of customs. Furthermore, such a proposal is also extremely unsatisfactory in relations to public engagement, as members of the public may not know that complaints relating to unfair trade practices are to be made to C&ED.

I hope that the honourable members of the bill committee may consider proposing to the Government the need to establish an independent consumer protection agency, as this is the regular norm in other parts of the world. Such an agency may also be merged into the proposed Competition Commission to be created under the Competition Bill, thereby creating a Competition and Consumer Commission. Such a commission would be similar to Australia's Competition and Consumer Commission and the UK's Office of Fair Trading.

King regards,
A concerned citizen