

香港零售管理協會同業守則

商品售賣

(一) 換貨、退貨及退款政策

按照普通法豁免條款規定，會員公司須保障消費者，容許不合標準的貨品退還、更換或退款。而顧客方面，會員公司可要求其出示購物收據作為證明。

(二) 價格標籤

會員公司須為每項商品附上價格標籤，或在商店當眼處展示貨價。

(三) 逾期商品

會員公司不應出售已逾使用期的商品。如消費者誤購逾期商品，不論在任何情況下，只要有購物收據證明，會員公司均有責任給予退款或換貨。

(四) 換算表

凡會員公司出售商品採自世界各地而量度標準和尺碼不相同者，建議應在商店當眼處張掛換算表或展示換算標準，方便顧客參照。

(五) 法例限制售給青少年的商品

會員公司不得將受法例限制的商品售給年齡在十八歲或以下的青少年，包括：

- 酒
- 香煙
- 成人錄影帶和刊物
- 上癮藥物
- 成人電腦軟件

(六) 違禁商品

凡出售違禁商品或違法商品的零售商，本會均不會接納入會。

(七) 遵守銷貨法例

會員公司須遵守所有其他與銷售商品有關的法例。

(八) 定價

會員公司宜在調升與降低價格時抑制升降幅度，勿暴升暴跌。

(九) 發予收據

會員公司須對顧客所購的任何商品發出適當收據予顧客。

產品安全

(十) 產品安全

會員公司所採進、經營或銷售的產品，須符合法例規定的基本安全標準。若存疑，應要求供應商把產品送往認可實驗室進行測試。所有會員公司均須遵守香港消費者貨品安全條例所作的有關規定。

(十一) 玩具和兒童產品安全

會員公司須遵守政府條例對玩具和兒童產品安全所規定的各項安全標準。

(十二) 電器用品銷售

會員公司須遵守香港電器產品安全條例所作的有關規定。

與商品銷售有關的服務互關的服務

(十三) 賠償及追究負責供應商賠償損失的責任

若消費者蒙受有毛病或不安全產品所帶來的損失，會員公司須代為追究向負責供應商的賠償責任。(會員公司可自行訂立關於需要出示購物証明的規定。)

(十四) 售後服務

會員公司有義務直接或透過供應商提供售後服務。

(十五) 誤導公眾

會員公司不得以虛假的廣告宣傳、公關推廣及/或其他大眾傳媒誤導公眾。

(十六) 不正當手段

會員公司不應以不正當經營手法對待消費者。

(十七) 以禮待客

會員公司須向顧客提供最禮貌殷勤及友好的服務。

(十八) 處事積極主動

會員公司須承諾以積極主動方式處理與消費者相關的事情，不論這些事情如何瑣碎，均應予以直接截了當、快速處理。

(十九) 顧客私人資料

會員公司須確保顧客私人資料 (譬如信用卡私人資料) 安全而不外洩。

(二十) 誠實公平交易

會員公司在推銷商品時，不得藉助於任何不道德或不合法手段 (譬如提供不合法回佣等)，應從商品價格、品質及效率方面進行競爭。

(廿一) 顧客投訴渠道

會員公司應設立正式投訴渠道，公開予所有顧客使用。倘有觸犯法例之嫌 (譬如賄賂等)，應報告給適當政府部門。

其他

(廿二) 環保

本會要求會員公司在環保問題上自律。會員公司不應經營對環境可能造成污染的商品。

(廿三) 廉政公署 -- 公司紀律守則

本會深信公平、誠實、廉潔是公司的重要商業資產，因此會員公司必須確保公司的聲譽不會因欺詐、不忠或貪污而受損。所有各會員公司亦必須遵守一切由廉政公署制定的有關公司紀律守則指引。

(廿四) 《競爭條例》

本會致力推動有利於競爭的合規文化，會員公司須盡量減低觸犯《競爭條例》的風險，因此各會員公司必須確保其行為不會損害市場競爭。

香港零售管理協會對超級市場業界所制定的同業守則 遵守現時香港零售管理協會守則

作為香港零售管理協會會員的要求，每間超級市場機構必須忠於香港零售管理協會同業守則24項的規定要求。

超級市場業界堅定地支持並採納香港零售管理協會同業守則第23項：「本會深信公平、誠實、廉潔是公司的重要商業資產，因此會員公司必須確保公司的聲譽不會因欺詐、不忠或貪污而受損。所有會員公司亦必須遵守由廉政公署所制定的有關公司紀律守則指引。」

特定業界對限制性守則自行訂定的規管

超級市場業界必須僱用一項自行規管的同業守則，以推廣競爭，藉以使消費者權益受惠。

香港零售管理協會超級市場業界的會員須確保遵守以下的守則：

1. 使用所有合理的方法，以確保消費者在現時的市場環境盡可能得到最佳的價格和選擇。
2. 不會嘗試透過任何價格的操控以扭曲市場的正常運作，因而限制了自由貿易和消費者最終的選擇。
3. 不會進行一些可能限制貨品或服務供應的行動，因而限制了自由貿易和消費者最終的選擇。
4. 不會進行一些協議，藉以分割或分享一些以地區性或社會經濟為主的市場，因而限制了自由貿易和消費者最終的選擇。
5. 不會嘗試實行一些不公平或歧視的標準，藉以拒絕一些有潛力的新來者加入市場。
6. 不會對貨品的供應或選擇有歧視性的剝奪，因而限制了自由貿易和消費者最終的選擇。
7. 不會對產品制定人為最低零售價格。
8. 不會操縱租金出價。
9. 我們期望與所有供應商發展長遠持久的企業關係，以達到提供最佳價格和選擇給予消費者的共同目標。
10. 我們承諾以開放及具透明度的方式對待所有現時及有潛力的供應商。
11. 不會嘗試以虛假的廣告來誤導消費者。我們承諾確保所有報章及電視廣告均正確反映店舖內的價格。
12. 我們承諾採取主動的方法，處理所有顧客的關注，並隨時就這些關注提供及時和準確的回應。

HKRMA Code of Practice

SALES OF GOODS

1. **Goods Replacement, Returnable, Refund Policy** - in line with the Exemption Clause in the Common Law, members are required to protect consumers by allowing goods which do not meet standards to be returned, replaced or refunded. Customers may however be asked to produce evidence of purchase.
2. **Price Tagging** - Member companies are required to price tag individual item or exhibit item price at prominent places.
3. **Out-Of-Date Goods** - Members are required not to sell out-of-date merchandise, if out-of-date items are purchased by mistake by consumers, member companies are obligated under all circumstances to refund or exchange with proof of purchase.
4. **Conversion Table** - For retail members which sell merchandise from different parts of the world with varying standards of measurement and size, member companies are recommended to display conversion tables or standards at prominent places for easy reference.
5. **Sales to Minors** - HKRMA members are not to sell any product restricted by law to minors under eighteen years or less such as:
 - Liquors
 - Cigarettes
 - Adult videos and publications
 - Addictive medicines
 - Adult computer software
6. **Sales of Prohibited Goods** - HKRMA will not admit retailers which sell prohibited goods, products, merchandise which are in contravention with the law.
7. **Retail Members** - are required to adhere to all other legislation and ordinance related to the sales of goods.
8. **Pricing - Members** are advised to exercise constraints on the level of mark-ups and on the degree of mark-down during sales periods.
9. **Issue of Receipt** - Member companies are advised to issue proper receipts, where possible, to customers for any purchase of goods.

PRODUCT SAFETY

10. **Product Safety** - Member companies are required to source, carry or sell products which meet basic safety standards stipulated in the legislation. When in doubt suppliers should be requested to carry out tests at approved laboratories. Members are required to adhere to the Consumer Products Safety Ordinance.
11. **Toys & Children's Products Safety** - Members are to adhere to the Safety Standards as laid out in the Toys and Children's Products Safety Ordinance.

12. **Sales of Electrical Appliances** - Members are required to adhere to the Electrical Products (Safety) Regulation.

SERVICES IN CONJUNCTION WITH SALES OF GOODS

13. **Compensation And Responsibility to Track Responsible Supplier For Damages** - Member companies are required to trace and track responsibilities for compensations if damages are inflicted on the consumers by faulty or unsafe products. (Members may set their own requirements for proof of purchase.)
14. **After-Sales Support** - Retail members are obligated to provide after-sales support directly or through the suppliers.
15. **Misrepresentation** - Members are required not to misrepresent the public by falsified advertising, publicity materials, promotion, and or other publicity media.
16. **Unconscionable Conduct** - Members should not engage in unconscionable conduct when dealing with customers.
17. **Service Courtesy** - Member companies are required to offer their customers most courteous and friendly service.
18. **Proactive** - Members promise to take a proactive stance in handling matters related to consumers and will address, attend, treat, to consumer matters, no matter how trifle they may be.
19. **Customers Personal Information** - Member companies are required to safeguard the security of personal information of customers (such as personal data of credit cards).
20. **Honest & Fair Sales** - In promoting sales, member companies are to refrain from engaging in any unethical or illegal behaviour (such as offering illegal commissions) and to compete on the basis of price, quality and efficiency.
21. **Complaint Channel** - Member companies should establish a formal channel of complaint and make known to all customers. In case of suspected criminal offences (such as bribery) they should be reported to appropriate government authorities.

OTHERS

22. **Environment Protection** - HKRMA requires member companies to impose self discipline on environmental protection issues. Members are requested not to carry merchandise which are possible environment pollutants.
23. **ICAC's Code of Conduct** - It is believed that honesty, integrity and fairplay are important company assets in business. It is therefore important for all members to ensure that the company's reputation is not tarnished by dishonesty, disloyalty or corruption. Members should therefore also abide by the guidelines stipulated in ICAC's Code of Conduct.
24. **Competition Ordinance** - HKRMA promotes a pro-competitive compliance culture and requires member companies to minimize their risk of contravening the Competition Ordinance. It is important for all members to ensure that their company does not engage in conduct which may harm competition.

HKRMA CODE OF PRACTICE FOR THE SUPERMARKET SECTOR

COMPLIANCE WITH EXISTING HKRMA PRACTICES

Each supermarket organization, as a requirement of HKRMA membership, will adhere to the 24 practices stipulated in the HKRMA Code of Practice.

The supermarket sector firmly espouses HKRMA Code of Practice No. 23: "It is believed that honesty, integrity and fairplay are important company assets in business. It is therefore important for all members to ensure that the company's reputation is not tarnished by dishonesty, disloyalty or corruption. Members should therefore also abide by the guidelines stipulated in ICAC's Code of Conduct."

SECTOR-SPECIFIC SELF-REGULATION OF RESTRICTIVE PRACTICES

The Supermarket Sector employs a Self-Regulated Code of Practices to Promote Competition, thereby benefiting consumer welfare.

The following practices should be adhered to by HKRMA members operating within the supermarket sector:

1. All reasonable efforts will be made to ensure that the consumer is provided with the optimal value and choice possible within the current market environment.
2. There will be no attempt to distort the normal operation of the market through any manipulation of pricing which may have the effect of restricting free trade or final consumer choice.
3. No actions will be undertaken which may restrict the supply of goods or services that may in turn result in the restricting of free trade or final consumer choice.
4. No agreement will be undertaken to divide or share any market based on geographical or socio economic basis which may have the result of restricting free trade or final consumer choice.
5. There will be no attempt to implement unfair or discriminatory standards with the purpose of denying any potential newcomers access to the market place.
6. There will be no discriminatory deprivation of supply or choice which may have the effect of restricting free trade or final consumer choice.
7. There will be no setting of artificial retail price minimums for products.
8. There will be no rental bid rigging.
9. We will look to develop long term sustainable business relationships with all suppliers with the joint objective of providing optimal choice and value to the final consumer.
10. We commit to being both open and transparent in all dealings with all existing & potential suppliers.
11. No attempt will be made to mislead the customer by falsified advertising. We commit to ensuring that all press and TV advertising is an accurate reflection of in store pricing.
12. We commit to take a proactive approach in all managing all consumers' concerns and will provide timely and accurate responses to these concerns where necessary.