



CONSUMERS ASSOCIATION OF SINGAPORE

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MEDIA RELEASE

For Immediate Release

16 September 2015

CASE obtains injunction against Mr. Chiok Wee Joo of Olena, Bez Gallery and The Exquisite Promenade

On 28 August 2015, the Consumers Association of Singapore's (CASE) obtained an injunction against Mr. Chiok Wee Joo, sole proprietor of three furniture businesses (Olena, Bez Gallery and The Exquisite Promenade). Mr. Chiok was present at the hearing and did not object to the application.

Under the terms of the injunction, CASE obtained a declaration that Mr. Chiok has engaged in the unfair practices of (1) making representations to consumers that goods are available or are available for a particular period of time when he knows or can be reasonably expected to know that it is not so, and (2) making representations to consumers that goods are of a particular standard, quality or origin when they are not.

The injunction includes the collection of deposits by Mr. Chiok. Any deposit or prepayment of goods ordered cannot exceed 20% of its purchase price. If a deposit of more than 20% is required by the business, the entire deposit sum must be paid into an escrow account maintained by CASE. CASE will then transfer the deposit to the business upon satisfactory proof that the goods have been successfully delivered and accepted by the consumer.

The injunction applies not only to Mr. Chiok, but also covers actions of his agents, representatives, employees and his wife, Huang Xiaohua. It means that even if Mr. Chiok were to start another business, he, his employees and his wife cannot engage in the unfair trade practices. This is the first time that CASE has obtained such an injunction against an individual. The previous injunctions obtained by CASE were against companies.

Although CASE has obtained an injunction against Mr. Chiok, his agents, representatives, and/or employees, consumers who had suffered losses as a result of the actions of Mr. Chiok would still have to file their own separate claims against Mr. Chiok and/or his businesses at the Small Claims Tribunal (SCT).

Lim Biow Chuan
President
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Consumers Association of Singapore:

The Consumers Association of Singapore (CASE) is an independent, non-profit organisation that is committed towards protecting consumers' interest through information and education, and promoting an environment of fair and ethical trade practices. One of its key achievements is in advocating for the Consumer Protection (Fair Trading) Act (CPFTA) which came into effect on March 1, 2004.

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Case No.: DC/OSS 139/2015

Doc No.: DC/ORC 3055/2015

Filed: 02-September-2015 05:07
PM

In the matter of Section 9 of the Consumer Protection (Fair Trading)
Act

Between

Consumers Association of Singapore
(Singapore UEN No. S71SS0016L)

...Plaintiff(s)



And

Chiok Wee Joo
(NRIC No. S7107812D)

...Defendant(s)

ORDER OF COURT

Before: District Judge Joseph Yeo Swee Teck in Chambers

Date of Order : 28-August-2015

Upon the application of Consumers Association of Singapore (Singapore UEN No. S71SS0016L) the Plaintiff in this action coming on for hearing this day, and upon reading the 1st Affidavit of Seah Seng Choon filed on 5 August 2015 and the exhibits contained in the aforementioned affidavit and upon hearing counsel for the Plaintiff and the Defendant in-person,

It is ordered that:

By consent,

1. A declaration be made that the practice engaged by the Defendant, that is to say, representing to consumers that goods are available or are available for a particular time when the Defendant knows or can reasonably be expected to know it is not so, and further by representing to consumers that goods are of a particular standard, quality or origin if they are not, is an unfair practice as defined in section 4 of the Consumer Protection (Fair Trading) Act (Cap. 52A);

2. An injunction be granted restraining the Defendant from engaging the said unfair practice on the following terms:

a. The Defendant shall not, directly or indirectly, or through any of his agents, representatives or employees, including but not limited to Huang Xiaohua, make untrue statements to the consumers as to the availability or origin of their goods; and

b. The Defendant shall not, directly or indirectly, or through any of his agents, representatives or employees, including but not limited to Huang Xiaohua, where the goods are not in stock, take any deposit or pre-payment of such goods ordered exceeding 20% of its purchase price. The remainder of the purchase price shall not be collected from the consumer until delivery of all the correct goods as ordered by the consumer. Should the Defendant require a deposit of more than 20%, the Defendant shall ensure that the entire deposit sum is paid into the escrow account of the Plaintiff. The Plaintiff will transfer the entire deposit sum placed into the escrow account to the Defendant upon satisfactory proof that the goods have been duly delivered and accepted by the relevant consumer.

It was further ordered that the Defendant is to pay the Plaintiff costs of the action, fixed at \$4,000 (all in).



JENNIFER MARIE
REGISTRAR
STATE COURTS
SINGAPORE