

6 August 2021

## **Announcement**

We have received our members' expression of concerns towards Informa Markets ("Informa")'s for its continuous ignorance of their requests for Deposit refunds (as defined below) and their continuous attempts to divert and transfer such deposits to other event(s) that they have not agreed to since 2020.

### **Refusal to return deposits paid**

We were given to learn that Informa, being one of the world's most prominent exhibition service providers, was unable to deliver the following exhibitions within the agreed timeframe:

1. Jewellery & Gem Asia June 2020 and
2. Jewellery & Gem World September 2020 (collectively referred to as "Defaulted Exhibitions";
3. Jewellery & Gem Asia June 2021 (referred to as "Affected Exhibition").

A number of our members, who contracted to exhibit at either one or more of these Defaulted Exhibitions, had paid the relevant sums of deposits to Informa to secure their registration back in mid- to late-2019 and early 2020 ("Deposits") based on the agreement that Informa will deliver a jewellery exhibition for the duration of days agreed or in the case of postponement, at a rescheduled date, which is deemed to take place on a date within 6 months from the original date of exhibition. In the case of cancellation or postponement, Informa agreed to give a notice to exhibitors on the change. However, we were given to understand that Informa neither postponed the Defaulted Exhibitions to a date within its 6 months' time extension, but it also did not give any option of refund of Deposits to exhibitors in this obvious situation of cancellation. Despite several correspondence with our members and with HKJMA, representing our members, on a number of various occasions, Informa ignored all requests for Deposit refunds and had retained these deposits without justification.

Our members are extremely aggravated by Informa's (1) retention of their exhibition deposits for the Defaulted and/or Affected Exhibitions and (2) not being able to deliver a postponed exhibition within the agreed 6 months time frame. This irresponsible behaviour is unacceptable. Our members' legal rights to claim against any unreturned deposits and/or sums of money incurred due to Informa's unilateral retention of such sums, in addition to any interests accumulated thereof, and all legal rights are hereby reserved.



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## **Coercion to divert deposit for a new event**

Recently, Informa unilaterally scheduled a new event named JGW – Special Edition, which is scheduled to take place over the period of 16-19 November 2021 (“JGW-SE”). It is alarming that Informa has neither indicated this so-called “special edition” exhibition as a replacement or substitute for any of the Defaulted or Affected Exhibitions, nor labelled it as a postponed event for any of the Defaulted or Affected Exhibitions. Yet, Informa has issued an e-Form to coerce exhibitors to transfer their Deposits to this new event JGW-SE.

It is our view that JSW-SE is a new event that Informa is organizing and that a new contractual agreement should be entered between Informa and any exhibitors who may willingly bind themselves to. We strongly disagree that any of the Deposits should be coerced to divert to JSW-SE or any other events that Informa is creating / will create without offering the option of Deposit refund to exhibitors.

Members are minded to note that this new event called JGW-SE is a local exhibition rather than an international exhibition. The exhibitions that our members contracted to through either one or more of the Defaulted Exhibitions and/or Affected Exhibition is an international show by nature and is/are meant to include international exhibitors and visitors from around the world. There is a significant difference in nature of the two exhibitions and they are not equivalent in travel exposure, visitors flow and scale. As such, we advise our members to be cautious of what they will be committing themselves to when deciding whether to participate in the JGW-SE with a deposit that was paid for an international exhibition.

## **HKJMA’s advice**

In response to our members’ raise of concern and seek of advise, we urge our members and fellow exhibitors, whether local or overseas, the following:

1. remain cautious of Informa’s attempt and pursuance to transfer any of the Deposits to any new events that may arise.;
2. retain and protect your rights to seek refund of Deposits and continue to insist on your legal rights of refund;
3. consult your professional representative(s) on your legal rights to obtain for refund of Deposits (and any payment made in relation to any of the Defaulted and/or Affected Exhibitions) under Hong Kong law; and

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4. seriously consider the differences in nature between the exhibitions that your company has signed onto originally with Informa and the JGW-SE (in the case where your company does wish to sign on to exhibit at JGW-SE, request a separate agreement to be entered into between Informa and your representing company to ensure that your legal rights and obligations are properly protected).

## **At your service**

HKJMA is sympathetic and understanding of our members' complaints against Informa to host another jewellery exhibition in November. We are in synchrony with our members' grievance that having two jewellery exhibitions in one place within the same month is a waste of resources and such ridicule business decision will benefit the exhibition organizer rather than the exhibitors. We have reflected this to Informa, but much to our dismay, Informa ignores our request to reconsider their new event.

HKJMA has been hosting the jewellery exhibition in November for the past 30 years for the benefit and sustainable development of the jewellery industry as a whole and we pledge to continue to do so in the promising future to come and will represent our members in having their voices heard.

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