

1970 Bill 9

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 9

An Act to amend The Direct Sales Cancellation Act

THE MINISTER OF INDUSTRY AND TOURISM

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 9

1970

An Act to amend The Direct Sales Cancellation Act

(Assented to _____, 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Direct Sales Cancellation Act* is hereby amended.

2. Section 6, subsection (1) is amended

(a) as to clause (b) by striking out subclause (i) and substituting the following:

(i) all of the goods or services to be supplied under the sales contract are not supplied within 120 days after the date the sales contract was signed by the buyer and no date for delivery or performance is specified in or ascertainable from the sales contract, or

(b) by adding the word "or" at the end of clause (b) and by adding the following clause:

(c) not later than six months after the date on which all of the goods or services are to be supplied under the sales contract where

(i) the date is ascertainable

(A) as a fixed day stated in the sales contract, or

(B) by reference to the fulfillment of the buyer's obligations to the seller,

and

(ii) all of the goods or services have not been supplied within 30 days after that date.

3. This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill amends chapter 28 of the Statutes of Alberta, 1966.

2. Rescission of sales contract. Section 6(1) presently reads:

6. (1) A buyer may rescind a sales contract by giving a notice of cancellation in accordance with this section

(a) not later than the fourth day after the date on which the copy of the sales contract was received by him, by personal delivery or by mail, or

(b) not later than one year after the date on which the copy of the sales contract was received by him, by personal delivery or by mail, if

(i) all of the goods or services to be supplied under the sales contract are not supplied within thirty days of the date specified therein for delivery or performance, or, if no such date is specified, then within one hundred and twenty days after the day on which the sales contract was signed by the buyer, or

(ii) the seller was during the period in which the sales contract was solicited, negotiated and concluded, required to be licensed under The Licensing of Trades and Businesses Act but was not so licensed, or

(iii) any salesman was, at any time while dealing with the buyer, required to be licensed under The Licensing of Trades and Businesses Act but was not so licensed.