

1975 Bill 221
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 221

THE CASH DISCOUNT ACT

MR. TAYLOR

First Reading

Second Reading

Third Reading

Bill 221
Mr. Taylor

BILL 221

1975

(Second Session)

THE CASH DISCOUNT ACT

(Assented to _____, 1975)

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

1. For the purposes of this Act,

- (a) "Credit card" means a credit card owned, franchised, operated or financed by a person other than the merchant accepting its use for payment;
- (b) "lending institution" means any organization that owns, franchises, operates or finances a credit card;
- (c) "merchant" means any person owning or operating a retail or wholesale business supplying goods or services for sale or rent;
- (d) "Minister" means the Minister of Consumer and Corporate Affairs.

2. (1) Any merchant offering goods or services for sale or rent and who offers to accept payment therefor by credit card shall at the same time offer to accept payment for such goods or services by cash, certified cheque or money order at a price which is two per cent less than the price quoted for payment by credit card.

(2) Where a merchant agrees to accept payment for goods or services by personal cheque, he shall allow the purchaser the same discount as if the payment were made in cash.

(3) Nothing in this Act shall be deemed to oblige a merchant to accept payment for any goods or services by personal cheque.

(4) For the purposes of this Act a person who advertises by any means or at any place the general acceptance of a credit card at his place of business shall be deemed to be offering any of the goods or services normally sold at or rented from his place of business by credit card.

Explanatory Notes

General. This Bill gives cash customers a 2% discount and corrects the present situation where cash customers subsidize credit card customers.

1. Definitions.

2. Cash discount to be offered from credit card price.

3. No person may enter into or continue any agreement with a merchant which purports to forbid the merchant from offering the discount described in section 2 or places any disadvantage on a merchant who offers such discount and any such agreement is void, whether entered into before or after the commencement of this Act.

4. (1) The Minister may demand production of all books and records of any merchant or lending institution in order to find out whether any provision of this Act has been infringed.

(2) The Minister may by regulation delegate the power granted to him in subsection (1) to any employee of the Government.

5. The Minister may make regulations for the purposes of section 4 subsection (2) and as otherwise necessary for the enforcement and operation of this Act.

6. Any merchant or lending institution who infringes any provision of this Act or any regulation made hereunder, is guilty of an offence, and upon summary conviction shall be liable for a first offence to a fine of not less than \$100.00 and not more than \$500.00 and, for a second or subsequent conviction, to a fine of not less than \$500.00 and not more than \$1,000.00.

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

3. Forbids agreements which prohibit cash discount or penalize merchant giving them.

4. Minister's powers to seize documents.

5. Minister may make regulations.

6. Offences, penalties.

7. Coming into force.