

1976 Bill 10

Second Session, 18th Legislature, 25 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 10

THE UNFAIR TRADE PRACTICES AMENDMENT ACT, 1976

MR. HORSMAN

First Reading

Second Reading

Third Reading

Bill 10
Mr. Horsman

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1976

THE UNFAIR TRADE PRACTICES AMENDMENT ACT, 1976

(Assented to _____, 1976)

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

1. *The Unfair Trade Practices Act is hereby amended.*
2. *Section 2, subsection (4) is amended*
 - (a) *as to clause (a), by striking out the words "or an advertisement", and*
 - (b) *as to clause (b), by striking out the words "or an advertisement".*
3. *Section 4, subsection (1), clause (d) is amended by striking out subclause (xviii) and by substituting therefor the following subclauses:*
 - (xviii) *giving, in any representation, less prominence to the total price of the goods or services than to the price of any part of the goods or services;*
 - (xix) *giving, in any representation, the price of any part of the goods or services without giving the total price of the goods or services;*
 - (xx) *giving, in any representation, less prominence to the total price of the goods or services than to the amount of any installment to be paid in respect of the goods or services;*
 - (xxi) *giving, in any representation, the amount of any installment to be paid in respect of the goods or services without giving the total price of the goods or services.*
4. *Section 12, subsection (2) is amended by striking out the words "In action" and by substituting therefor the words "In an action".*
5. *This Act comes into force on January 1, 1977.*

Explanatory Notes

1. This Bill will amend chapter 33 of the Statutes of Alberta, 1975.

2. Section 2 (4) presently reads:

(4) The provisions of section 4, subsection (1), clauses (a), (b) and (c) and clause (d), subclauses (i) to (xvii) do not apply to a supplier who, on behalf of another person,

- (a) broadcasts by radio or television or prints, publishes or distributes a representation or an advertisement that he accepts in good faith for broadcasting, printing, publishing or distributing in the ordinary course of his business, or
- (b) creates or produces, in good faith, a representation or an advertisement in the ordinary course of his business.

3. Section 4 (1) (d) (xviii) presently reads:

4. (1) For the purposes of this Act, the following are unfair acts or practices:

- (d) any representation or conduct that has the effect, or might reasonably have the effect, of deceiving or misleading a consumer or potential consumer and, without limiting the generality of the foregoing, includes any representation or conduct of the following kinds:
 - (xviii) giving, in any advertisement or display, less prominence to the total price of the goods or services than to the price of any part of the goods or services.

4. Section 12 (2) presently reads:

(2) In action brought under subsection (1), the court may

- (a) make an order declaring that the act or practice is an unfair act or practice;
- (b) make an order requiring the supplier to provide such redress as the court considers proper to those consumers who suffered damage or loss arising out of the unfair act or practice;
- (c) grant an order in the nature of an injunction restraining the supplier from engaging in the unfair act or practice;
- (d) grant such other relief as the court considers proper.