

1977 Bill 202

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Third Session, 18th Legislature, 26 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 202**

THE CASH DISCOUNT ACT

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MR. TAYLOR

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First Reading .....

Second Reading .....

Third Reading .....

*Bill 202*  
*Mr. Taylor*

## **BILL 202**

1977

### **THE CASH DISCOUNT ACT**

(Assented to , 1977)

**H**ER 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 not less than two per cent less than the price quoted for payment by credit card.

(2) 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.

**3.** All merchants shall display in the place where goods or services are being offered to the public a sign stating the price of such goods or services, unless each item bears a price tag or some method of pricing visible to the consumer.

**4.** 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,

## **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.** Merchant required to display prices.

**4.** Agreements forbidden which prohibit cash discounts or penalize merchants giving them.

and any such agreement is void whether entered into before or after the commencement of this Act.

**5.** (1) Every merchant and lending institution shall on demand give the Minister access to his books and records so that he may ensure compliance with this Act.

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

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

**7.** 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 and not more than \$500, and, for a second and subsequent conviction, to a fine of not less than \$500 and not more than \$1,000.

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

**5. Minister to have access to documents.**

**6. Minister empowered to make regulations.**

**7. Offences, penalties.**

**8. Coming into force.**