

1978 BILL 230

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Fourth Session, 18th Legislature, 27 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 230

AN ACT TO AMEND  
THE UNFAIR TRADE PRACTICES ACT

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MR. TAYLOR

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First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

Bill 230  
Mr. Taylor

## BILL 230

1978

### AN ACT TO AMEND THE UNFAIR TRADE PRACTICES ACT

(Assented to \_\_\_\_\_, 1978)

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

1. *The Unfair Trade Practices Act is amended by this Act.*
2. *Section 1 is amended by adding the following after clause (d):*
  - (d.i) "diluting" means decreasing the concentration of the active part of a product where such product is sold dissolved, contained in or mixed with a solvent, carrier, diluent or other inactive substance, or changing the structure, size, strength, capacity or composition of a product thereby reducing its activity or effectiveness for the purpose for which it is offered.
3. *Section 4(1)(d) is amended by adding the following after subclause (xxi):*
  - (xxii) diluting a product and selling or renting it without changing the name under which it had been sold or rented before dilution, and, for the purposes of this section, changing a brand number on a container or adding the words, "new", "improved" or similar words to a previous name or designation shall not constitute a change in the name of the product or its designation;
  - (xxiii) selling or renting separately the components of a unit or set, which previously have been sold or rented either in a combined form or as separate articles sold or rented together in a unit or set, if such sale or rental results in the aggregate price of the components sold separately exceeding the

## Explanatory Notes

General. The sections in this Bill make it an offence for a manufacturer

- (a) to dilute or reduce the quality of a named product and sell it under the original name,
- (b) to sell or rent the components of a unit separately at a combined price exceeding the price at which the unit components were previously sold as a set, and
- (c) to sell or rent two or more services separately that previously were sold or rented together at a single price, at two separate prices which when added together exceed the original price for the combined services.

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

**2.** The word "diluting" is added to the list of definitions.

**3.** Section 4(1)(d) 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:"

price formerly charged for the unit or set, regardless of whether or not the components were physically joined to form the unit or set at the time of manufacture, unless the unit or set is at the same time offered for sale at the previous price;

- (xxiv) selling or renting two or more services, previously sold or rented together at a single price, at two separate prices which, when added together, exceed the price originally charged when the services were combined.

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