



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 66

An Act to amend the Consumer Protection Act

Introduction

**Introduced by
Mr Herbert Marx
Minister of Justice**

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EXPLANATORY NOTES

This bill amends various provisions of the Consumer Protection Act.

The objects of the amendments are to broaden the scope of the provisions concerning remote-parties contracts, to repeal a section that is no longer applicable in credit matters, to change the content of a bill for the repair of household appliances and to change the rules relating to the alteration, repair and replacement of the odometer of an automobile. The bill also introduces a provision that prohibits the sending of credit-related documents to consumers who did not apply therefor previously.

Bill 66

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 22 of the Consumer Protection Act (R.S.Q., chapter P-40.1) is replaced by the following section:

“**22.** Subject to section 309, no merchant may, when soliciting a consumer for the purpose of making a remote-parties contract or when making such a contract, demand total or partial payment by the consumer or propose to collect such payment before performing his principal obligation.”

2. Section 82 of the said Act is repealed.

3. Section 156 of the said Act is amended by replacing, in the French text, the words “au totalisateur” in the first and third lines of subparagraph *b* of the first paragraph by the words “à l’odomètre”.

4. Section 173 of the said Act is amended by replacing, in the French text, the words “au totalisateur” in the second line of paragraph *c* by the words “à l’odomètre”.

5. Section 185 of the said Act is amended by replacing paragraph *d* by the following paragraph:

“(d) the part installed, specifying whether it is a new, used, retooled or reconditioned part and its price;”.

6. Section 237 of the said Act is replaced by the following section:

“237. No person may

(a) alter the odometer of an automobile so as to cause it to give an inaccurate reading of the distance travelled by the automobile;

(b) repair the odometer of an automobile except if he sets it so that it indicates the same distance as that it indicated before the repair;

(c) replace the odometer of an automobile except if he sets the new odometer so that it indicates the same distance as that shown on the replaced odometer.”

7. The said Act is amended by inserting, after section 245, the following section:

“245.1 No person may send a credit offer, a loan certificate or any writing which, if it bears the consumer’s signature, becomes a contract of credit to a consumer who has not applied therefor in writing.”

8. Section 350 of the said Act is amended by striking out paragraph *m*.

9. This Act comes into force on (*insert here the date of assent to this Act*).