



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 791

**An Act to amend the Consumer
Protection Act in order to regulate
rewards program contracts**

Introduction

**Introduced by
Mr. Simon Jolin-Barrette
Member for Borduas**

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EXPLANATORY NOTES

The purpose of this bill is to amend the Consumer Protection Act so that it applies, with the necessary modifications, to rewards program contracts.

Under the bill, such contracts may not contain stipulations providing for an expiry date on a consumer's rewards points or allowing a merchant to retroactively change the points' value.

In addition, the bill grants the Government the power to make regulations governing rewards program contracts.

LEGISLATION AMENDED BY THIS BILL:

- Consumer Protection Act (chapter P-40.1).

Bill 791

AN ACT TO AMEND THE CONSUMER PROTECTION ACT IN ORDER TO REGULATE REWARDS PROGRAM CONTRACTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Consumer Protection Act (chapter P-40.1) is amended by inserting the following paragraph after paragraph *k*:

“(k.1) “rewards program” means a program under a consumer contract or contract of credit under which a consumer receives points that can be exchanged for money or for free or reduced-price goods or services;”.

2. The Act is amended by inserting the following section after section 2.1:

“**2.2.** This Act also applies, with the necessary modifications, to rewards program contracts.”

3. The Act is amended by inserting the following division after section 187.5:

“DIVISION V.2

“REWARDS PROGRAM CONTRACTS

“**187.6.** Before entering into a rewards program contract, the merchant must inform the consumer of the conditions applicable to obtaining and using rewards points.

“**187.7.** Subject to any applicable regulations, any stipulation of or amendment to the contract providing for an expiry date on the rewards points obtained by the consumer is prohibited.

“**187.8.** Any stipulation providing that the merchant may retroactively change the value of the rewards points accumulated by the consumer is prohibited.”

4. Section 350 of the Act is amended by adding the following paragraph at the end:

“(z.6) prescribing the rules respecting rewards program contracts and rewards points and exempting a merchant, on the conditions it determines, from the provisions relating to a rewards program contract.”

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