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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 791

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

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**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*).