

AMENDMENT

Bill 10

**AN ACT TO PROTECT CONSUMERS AGAINST ABUSIVE PRACTICES IN
TICKET RESELLING AND ONLINE SUBSCRIPTION RENEWAL**

SECTION 4 (section 187.28 of the Consumer Protection Act)

In proposed section 187.28:

1. replace "make available to the consumer a button accessible online and readily identifiable that allows the consumer to easily exercise that right of resiliation" by "allow the consumer to easily exercise that right of resiliation by means of a button accessible online and readily identifiable";

2. add the following paragraph at the end:

"The Government may, by regulation, determine any other requirement the merchant must comply with for the purpose of applying the first paragraph."

*adpt
mfg.*

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SECTION 6 (section 236.0.1 of the Consumer Protection Act)

Add the following paragraph at the end of proposed section 236.0.1:

The Government may, by regulation, establish standards relating to the content and form of the information to be communicated to the consumer, as well as any other requirement applicable to that information."

*dep't
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SECTION 7 (section 236.1 of the Consumer Protection Act)

In the second paragraph of proposed section 236.1:

1. in subparagraph *a*
 - (a) insert "and, if applicable, of the presenter of the event" after "the producer of the event";
 - (b) insert "in writing" after "obtained";
2. insert "and, if applicable, with the presenter of the event" after "event" in subparagraph *b*.

*Adopted
ms.*

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SECTION 9 (sections 236.5 and 236.6 of the Consumer Protection Act)

Replace by:

9. The Act is amended by inserting the following sections after section 236.4:

"236.5. No person may resell a ticket to a consumer without having, first, informed the consumer in a prominent and intelligible manner of the breakdown of the sums making up the total price to be paid.

The breakdown must, in particular, clearly indicate the value of the ticket fixed at the time it was issued as well as the nature of all the fees charged. The Government may, by regulation, determine any other requirement applicable to the breakdown.

"236.6. Anyone who, by a technological means, allows a third person to resell a ticket and receive payment of the price of the ticket

(a) is deemed, for the purposes of section 236.1, the second paragraph of section 236.2 and sections 236.2.2, 236.3 and 236.5, to be reselling the ticket, charging the price of the ticket or facilitating the resale of the ticket, as the case may be; and

(b) is required to ensure that the third person possesses or controls the ticket."

*done
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SECTION 10 (section 272.1 of the Consumer Protection Act)

In proposed section 272.1:

1. in the first paragraph

(a) strike out "Without prejudice to the rights and recourses conferred on a consumer by section 272,";

(b) insert "who demands that his obligations be reduced under paragraph c of section 272" after "must make restitution of that amount to the consumer";

2. add the following paragraph at the end:

This section does not limit the consumer's recourses under section 272.

*addite
mg.*

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SECTION 12.1

Insert after section 12:

12.1. Section 350 of the Act is amended by inserting the following paragraph after paragraph z.6:

“(z.6.1) regulating the activities related to service dogs, in particular by establishing a permit system and by determining the standards applicable to such activities, and prescribing the terms and conditions of the regulatory scheme;”

*adapted
mp.*

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SECTION 13.1

Insert after section 13:

13.1 The Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3) is amended by inserting the following section after section 15:

"15.0.0.1. Deposit account contracts are exempt from the application of section 187.28 of the Act."

*only to
mp.*

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**SECTION 15 (section 79.6.9.0.1 of the Regulation respecting the application
of the Consumer Protection Act)**

Insert before proposed section 79.6.9.1:

"79.6.9.0.1. For the purposes of section 187.28 of the Act, if the resiliation may result in the loss of a telephone number, the merchant must, before the resiliation, bring expressly to the consumer's attention that information and what the consumer must do to retain the telephone number.

*people
mg.*

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SECTION 15.1

Insert after section 15:

15.1. The Regulation is amended by inserting the following after section 187:

"DIVISION VIII.1

"CONTRACTS INVOLVING SEQUENTIAL PERFORMANCE

"187.1. A monetary administrative penalty of \$750 in the case of a natural person and \$1,500 in other cases may be imposed on a merchant who contravenes a provision of section 79.6.9.0.1."

*adoption
mf.*

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**SECTION 17 (section 22.1 of the Regulation respecting monetary
administrative penalties with respect to the Consumer Protection Act)**

Insert "the first paragraph" after "in contravention of" in paragraph 1 of proposed
section 22.1.

add "the first paragraph"
MS.

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**SECTION 19 (section 31 of the Regulation respecting monetary
administrative penalties with respect to the Consumer Protection Act)**

In section 19:

1. replace “, 236.3 to 236.5” in subparagraph *b* of paragraph 2 by “, 236.3, 236.4”;
2. insert the following subparagraph after subparagraph *b* of paragraph 2:

(*b.1*) by inserting the following subparagraph after subparagraph *b*:

“(*b.1*) in contravention of the first paragraph of section 236.5 of the Act, fails to inform the consumer of the breakdown of the sums making up the total price to be paid;”;

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SECTION 20.1

Insert after section 20:

20.1. Section 272.1 of the Consumer Protection Act (chapter P-40.1), enacted by section 10 of this Act, is declaratory.

*ABP
ms.*

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SECTION 21

Insert "12.1," after "sections 10,".

*12/16
C. Lee*