

# Consumer Protection Consultation: Questions and Answers

## **What is Service Alberta's mandate as related to consumer protection and fairness in the marketplace?**

Service Alberta supports a fair and competitive marketplace for consumers and businesses by administering and enforcing consumer protection legislation, and by informing and educating consumers and businesses of their rights and responsibilities in the marketplace.

## **What is Alberta's legislative framework for consumer protection?**

The [Fair Trading Act](#) protects consumers from unfair business practices before, during or after a consumer transaction. The legislation applies if:

- the consumer or supplier lives in Alberta;
- the offer or acceptance is made in or sent from Alberta; or
- the unfair practice is made or received in Alberta and involves a supplier's representative.

## **What are some examples of unfair practices under the *Fair Trading Act*?**

- Common examples of unfair practices include:
  - Subjecting a consumer to undue pressure or influence to buy (e.g., a salesperson spends four hours in a consumer's homes trying to sell a vacuum cleaner).
  - Taking advantage of a consumer's inability to understand a consumer transaction (e.g., a seller convinces a consumer who can't speak or read English to sign a multi-page contract).
  - Charging a price for goods and services that is more than 10 per cent – to a maximum of \$100 – higher than the estimate given for those goods or services unless the consumer has specifically agreed to the increase (e.g., a repair shop says it will cost \$150 to fix an item, but the final bill is \$400).
  - Representing that goods are new when they are used, deteriorated, altered or reconditioned (e.g., a computer is sold as new, but the seller has reconditioned it).

## **Are there any consumer-related topics that are not covered by the *Fair Trading Act*?**

For example, issues such as consumer product safety, food safety, consumer product packaging and labelling, anti-competitive practices (e.g., price fixing), privacy complaints, wireless services, etc., are all under the jurisdiction of the federal government.

## **Why is the government consulting with Albertans on consumer protection?**

The purpose of the consultation is to help the government understand the extent of the changes needed to keep consumer protection laws in line with marketplace trends.

The goal is to ensure consumer laws and regulations are effective and enforceable so that consumers and businesses have confidence in Alberta's marketplace. That's why it's important for Albertans – whether they are consumers or businesses – to participate in the consultation and have their say on what's important to them in today's marketplace.

Ultimately, the outcomes of this consultation and related legislative changes will help improve fairness in Alberta's marketplace for both consumers and businesses.

## **How is the government consulting with Albertans?**

Online survey and open house sessions are planned to engage the general public and stakeholders. Additionally, various stakeholder groups from the consumer and business community will be engaged through targeted discussions. Other engagement opportunities may be available throughout the summer.

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## **What is the timing of the consultation?**

The consultation will occur during the summer months, from July to September.

Albertans can participate through an online survey that is available at [ServiceAlberta.ca](http://ServiceAlberta.ca). The survey runs from July 27 to September 15.

Albertans can also visit open house sessions, which will be held in Calgary, Edmonton, Fort McMurray, Grande Prairie, Lethbridge and Red Deer in mid-September.

Other engagement opportunities may be available throughout the summer. The details of this will be available on Twitter, with #ABConsumerProtection.

## **What are the specifics of the consultation?**

The consultation is focused on gauging Albertans' general understanding of consumer rights and responsibilities as well as the level of interest and support for specific regulatory changes. Fifteen key topics are being explored, including: A Consumer Bill of Rights; Fairness between consumers and businesses; Door-to-door sales; High cost credit products; Automotive sector issues; Cancellation rights; Household moving services; Talent agencies; Ticket sales; Warranties; Gift cards; Reward points; Truth in pricing; Veterinary services billing; and, Debt collection.

Out-of-scope topics include:

- issues under federal jurisdiction such as wireless services, air transportation services, product safety, food safety, product packaging and labelling, etc.
- issues related to condominium regulations as this will be addressed through a separate consultation process, and
- issues related to residential tenancies as the related regulations have recently been updated and a dispute resolution mechanism is available to tenants and landlords.

## **If I miss the online survey deadline and am unable to come to the open house, what are my options for providing feedback?**

Any Albertan can contact Service Alberta through the [website](#) or the Consumer Contact Centre at 1-877-427-4088 at any time. The feedback will be considered as part of ongoing policy reviews.