

**IN THE MATTER OF
THE FAIR TRADING ACT**

THIS UNDERTAKING is made pursuant to Section 152 of the Fair Trading Act.

BY:

Michael BLACKMORE
11418-123 Street
in the City of Edmonton, in the Province of Alberta

(hereinafter called the "Supplier")

TO:

The **DIRECTOR OF FAIR TRADING**

(hereinafter called the "Director")

WHEREAS:

- (A) The Supplier was and is an employee of a company who carries on business of selling electronics and home entertainment equipment, in the City of Edmonton, in the Province of Alberta.
- (B) The Director acknowledges that the Supplier has informed the Department that he understands the issues and circumstances surrounding the Undertaking and will forthwith ensure compliance with the Section 6 provisions of the Fair Trading Act.

NOW THEREFORE THIS UNDERTAKING WITNESSES THAT:

1. The Supplier undertakes to the Director that he will not, at any time hereafter, engage in acts or practices contrary to the Fair Trading Act, in particular section 6 of the said Act.
2. The Supplier will, to the best of his ability, ensure that he is forthwith acquainted with the requirements of the Fair Trading Act especially as it pertains to Part 2 - Unfair and Negative Option Practices.
3. The Supplier will pay to the Alberta Government Services in trust, the sum of \$435.00; an amount that represents a portion of the costs associated with investigating this matter. Such payment is to be made within 10 days from the date of this Undertaking.
4. This Undertaking will be binding upon the Supplier unless:

- a. terminated by the Director or varied with the consent of the Supplier;
- b. varied by an Order of the Judge of the Court of Queen's Bench where the Judge is satisfied that the circumstances warrant varying the provisions of the Undertaking;
- c. terminated by an Order of a Judge of the Court of Queen's Bench where the Judge is satisfied that the act or practice that the Supplier has undertaken to refrain from engaging in was not unfair;

however, in any such case, the termination or variance does not invalidate anything done under this Undertaking prior to termination or variance.

5. The Supplier acknowledges that the Director may, upon breach by the Supplier of any term of the Undertaking, institute such proceedings and take such action under the Fair Trading Act, as he may consider necessary.


IN WITNESS WHEREOF the Supplier, has on the 19 day of November, 2001, caused its common seal to be hereunto affixed and attested by the signature of its proper officer.

Mr. Michael BLACKMORE

PER: 

Michael BLACKMORE

ACCEPTED by the Director of Fair Trading this 21 day of November, 2001.


DIRECTOR OF FAIR TRADING