

1970

# c 80 The Consumer Protection Amendment Act, 1970

Ontario

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CHAPTER 80

An Act to amend  
The Consumer Protection Act, 1966

Assented to November 13th, 1970  
Session Prorogued November 13th, 1970

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Consumer Protection Act, 1966* is amended by <sup>1966, c. 23.</sup> ~~amended~~ adding thereto the following section:

30a.—(1) In this section,

Interpre-  
tation

(a) "credit" means the advancing of money, goods or services to or on behalf of another for repayment at a later time, whether or not there is a cost of borrowing, and includes variable credit;

(b) "unsolicited goods" means personal property furnished to a person who did not request it and a request shall not be inferred from inaction or the passing of time alone, but does not include,

(i) personal property that the recipient knows or ought to know is intended for another person, or

(ii) personal property supplied under a contract in writing to which the recipient is a party that provides for the periodic supply of personal property to the recipient without further solicitation.

(2) No action shall be brought by which to charge any <sup>Credit</sup> ~~person~~ upon any arrangement for the extension of <sup>arrangement</sup> credit evidenced by a credit card unless the person to

whom

whom credit is to be extended requested or accepted the credit arrangement and card in writing, and the obtaining of credit by the person named in the credit card shall be deemed to constitute such written acceptance by him.

Use of  
unsolicited  
goods

- (3) No action shall be brought by which to charge any person for payment in respect of unsolicited goods notwithstanding their use, misuse, loss, damage or theft.

Relief  
from legal  
obligations

- (4) Except as provided in this section, the recipient of unsolicited goods or of a credit card that has not been requested or accepted in accordance with subsection 2 has no legal obligation in respect of their use or disposal.

Application  
of section

- (5) This section applies in respect of credit cards and unsolicited goods received after this section comes into force.

Commence-  
ment

**2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

**3.** This Act may be cited as *The Consumer Protection Amendment Act, 1970*.