

SUBSIDIARY LEGISLATION

ADVERSE TRADE PRACTICES ORDER

ARRANGEMENT OF ORDERS

ORDER

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ADVERSE TRADE PRACTICES ORDER

125/2000.

made under section 16

1. This Order may be cited as the Adverse Trade Practices Order. Citation.

2. In this Order— Interpretation.

“Act” means the Consumer Protection and Safety Act; Ch. 82:34.

“advertisement” has the meaning assigned to it in section 2 of the Trade Descriptions Act; Ch. 82:04.

“consumer transaction” means any transaction to which a person is or may be invited to become a party in his capacity as a consumer;

“container” includes any form of packaging of goods whether by way of wholly or partially enclosing the goods, or by way of attaching the goods to, or winding the goods around some other article and in particular includes a wrapper or confining band;

“notice” includes any business announcement, whether or not in writing, and any other business communication or pretended communication.

3. A person shall not, in the course of a business, display, at any place where consumer transactions are effected, a notice containing statements which are invalid by virtue of— Prohibition against display of notice containing invalid statements. Ch. 82:37.

- (a) section 9 of the Unfair Contract Terms Act; or
- (b) any other written law.

4. A person shall not in the course of a business— Prohibition against display, publication, etc., of invalid statements.

- (a) display;
- (b) publish, or cause to be published;
- (c) supply; or
- (d) furnish,

at any place where consumer transactions are effected, any advertisement, receipts, bills or other documents containing, or

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LAWS OF TRINIDAD AND TOBAGO

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Chap. 82:34

Consumer Protection and Safety

[Subsidiary]

Adverse Trade Practices Order

any goods bearing, or goods in a container bearing, any statement which is invalid by virtue of the Unfair Contract Terms Act, or any other written law.

Terms, etc., to be included in contract.

5. A contract which relates to any consumer transaction shall include all such terms and conditions, representations, warranties or guarantees of any kind, under which the goods relating to such transaction are to be supplied, including any such terms and conditions, representations, warranties or guarantees as relates to the cost or costs, if any, to be borne by the consumer if the goods are to be returned for servicing or inspection with a view to effecting repairs.

Supplier to state rights, and obligations, including statutory rights of consumer.

6. (1) This paragraph applies to goods which are supplied in the course of a business by one person (hereinafter called "the supplier") to another, where, at the time of the supply, the goods were intended by the supplier to be, or might reasonably have been expected by him to be, the subject of a subsequent consumer transaction.

(2) Where a supplier—

- (a) supplies goods which bear, or are in a container bearing a statement which sets out or describes or limits the obligations accepted or to be accepted by him in relation to the goods; or
- (b) furnishes a document in relation to the goods which contains the statement referred to in paragraph (a),

he shall, together with any such statement, include, in letters or figures of the same size and prominence, another statement to the effect that—

Ch. 82:30.
Ch. 82:33.

- (i) the consumer possesses certain statutory rights by virtue of sections 14, 15, 16, and 17 of the Sale of Goods Act and sections 1, 4(2), 6, 8, 10 and 13 of the Hire Purchase Act; and
- (ii) the statement referred to in paragraph (a) does not or will not affect those statutory rights.

7. (1) Where a person who supplies goods in the course of a business advertises, displays or quotes a price at which the goods will be supplied which is exclusive of the tax to be charged under the Value Added Tax Act, the price must be accompanied by a quotation of the tax to be applied to the price of the goods.

Display of price and VAT.

Ch. 75:06.

(2) The quotation of the tax referred to in subparagraph (1) shall be displayed in—

- (a) money terms;
- (b) figures or letters of the same size and prominence as the price of the goods.