

MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

NORTHWEST TERRITORIES CONSUMER RIGHTS AND PROTECTIONS

March 12, 2019

MR. O'REILLY: Merci, Monsieur le President. The need for improved consumer rights and consumer protection remedies is a topic that all NWT residents have a stake in. I will raise a few points on this.

First is the lack of vigour and effectiveness of our consumer protection processes under our territorial Consumer Protection Act. The act lists areas of jurisdiction, but the real teeth that we're looking for, enforcement, is non-existent to weak at best. There is a process for complaints, investigations, and government intervention as an arbiter, but there is no final bite in the ability to issue binding orders, assign damages, or outlaw unfair practices.

We had the example of a local restaurant falsely describing its fish as locally caught. Media exposure was the only means that fixed the issue. We had testimony during review of the Municipal and Community Affairs budget, describing the department's follow-up on apprehensions of price fixing in the gasoline market. The MACA witness said that the department analyzed market price trends and then contacted gas vendors to discuss why prices never appeared to change. The MACA witness claimed that, as a result of this attention, gas stations' prices began to drop. Again, even if a full-blown price-fixing scheme had been uncovered, there was nothing in law the department could do to change such a situation.

I've raised these concerns before. As we near the end of this Assembly, we know that changes to the Consumer Protection Act are not on the legislative horizon. The Consumers Council of Canada cites an International Charter of Consumer Rights, which includes, "the right to be compensated for misrepresentation, shoddy goods, or unsatisfactory services." We must strive for that standard, Mr. Speaker.

Other major consumer protection issues include multi-jurisdictional authorities and remote sellers, major sources of grievance for our residents. In addition to giving our consumer law authority to allow for improved remedies, we need to align our processes with areas of federal authority -- complaints with air travel are an excellent example. Who hasn't missed a flight here because of air carriers -- and design law that has teeth in a world of on-line shopping. Big challenges, Mr. Speaker. I will have questions for the Minister on how we prepare the path forward for the 19th Assembly towards improved consumer protection. Mahsi, Mr. Speaker.