

FAIR TRADING (AMENDMENT) ACT, 2022

(Act 28 of 2022)

ARRANGEMENT OF SECTIONS

SECTIONS

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FAIR TRADING (AMENDMENT) ACT, 2022

(Act 28 of 2022)



I assent

A handwritten signature in blue ink, appearing to read 'Wavel'.

Wavel Ramkalawan
President

29th December, 2022

AN ACT TO AMEND THE FAIR TRADING ACT, 2022.

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Fair Trading (Amendment) Act, 2022, and shall be read and construed as one with the Fair Trading Act, 2022, which is hereinafter referred to as the “principal Act”.

Amendment of section 15

2. Section 15(1) of the principal Act is amended by repealing the words “subsections (2), (4) and (5)” and substituting therefor the words “subsections (2) and (4)”.

Amendment of section 32

3. Section 32 of the principal Act is amended by repealing the words “6 months”, wherever it appears, and substituting therefor the words “3 months”.

Amendment to section 35

4. Section 35 of the principal Act is amended by inserting after subsection (5) the following new subsection —

“(6) The Chief Executive Officer or any other person

(a) who is employed by the Commission; or

(b) who has been appointed by the Commission,

may appear before the Tribunal or any court in respect of any matter under this Act, and conduct such matter before the Tribunal or court.

(7) An appointment under subsection (6) (b) may be general or specific.”

Amendment of section 70

5. Section 70(2) of the principal Act is amended by repealing the word “import” and substituting therefor the word “importance”.

Amendment of section 87

6. Section 87(4) of the principal Act is repealed and there is substituted therefor the following —

“(4) For the purpose of determining whether a person has contravened subsection (1) in connection with the supply or possible supply of goods or services to any other person, regard may be given to —

- (a) any circumstances that were not reasonably foreseeable at the time of the alleged contravention; or
- (b) the conduct engaged in or circumstances existing before the commencement of this Act.”.

Amendment of section 106

7. Section 106(6) of the principal Act is repealed.

Amendment of section 107

8. Section 107(2) of the principal Act is amended by inserting the word “the” before the word “specified”.

Amendment of section 115

9. Section 115(1)(a) of the principal Act is amended by inserting after the words “that person” the words “except with the Commissions' consent.”;

Amendment of section 125

10. Section 125(1)(b)(B) of the principal Act is amended by repealing the words “it hold” and substituting therefor the words “it does not hold”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 6th December, 2022.



Mrs. Tania Isaac
Clerk to the National Assembly