

**Consumer Protection (Fair Trading) Act
(CHAPTER 52A)**

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CONSUMER PROTECTION (FAIR TRADING) ACT (CHAPTER 52A)

(Original Enactment: Act 27 of 2003)

REVISED EDITION 2009

(31st July 2009)

An Act to protect consumers against unfair practices and for matters connected therewith.

[1st March 2004]

Short title

1. This Act may be cited as the Consumer Protection (Fair Trading) Act.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“Chairman” means the Chairman of the Injunction Proposals Review Panel appointed under section 10;

“consumer” means an individual who, otherwise than exclusively in the course of business —

- (a) receives or has the right to receive goods or services from a supplier; or
- (b) has a legal obligation to pay a supplier for goods or services that have been or are to be supplied to another individual;

“consumer transaction” means —

- (a) the supply of goods or services by a supplier to a consumer as a result of a purchase, lease, gift, contest or other arrangement; or
- (b) an agreement between a supplier and a consumer, as a result of a purchase, lease, gift, contest or other arrangement, in which the supplier is to supply goods or services to the consumer or to another consumer specified in the agreement,

but does not include any transaction specified in the First Schedule;

“financial product” includes any arrangement, transaction or contract regulated, or supplied by any person regulated, under —

- (a) any written law administered by the Monetary Authority of Singapore;
- (b) the Commodity Trading Act (Cap. 48A); or
- (c) such other written law as the Minister may by order prescribe;

“financial services” includes any services regulated, or supplied by any person regulated, under —

- (a) any written law administered by the Monetary Authority of Singapore;
- (b) the Commodity Trading Act (Cap. 48A); or
- (c) such other written law as the Minister may by order prescribe;

“flat” means a horizontal stratum of any building or part thereof, whether the

stratum or part is on one or more levels or is partially or wholly below the surface of the ground;

“goods” means —

- (a) any personal property, whether tangible or intangible, and includes —
 - (i) chattels that are attached or intended to be attached to real property on or after delivery; and
 - (ii) financial products and credit, including credit extended solely on the security of land;
- (b) any residential property; or
- (c) a voucher;

“hire-purchase agreement” has the same meaning as in the Hire- Purchase Act (Cap. 125);

“material fact” means any information that a supplier knows or ought reasonably to know would affect the decision of a consumer to enter into a consumer transaction;

“motor vehicle” has the same meaning as in section 2 of the Road Traffic Act (Cap. 276);

“motor vehicle dealer” means a supplier of motor vehicles;

“motor vehicle sale contract” means a contract between a consumer and a motor vehicle dealer for the sale of a motor vehicle to the consumer;

“Panel” means the Injunction Proposals Review Panel appointed under section 10;

“residential property” means any house, flat or other premises which is permitted to be used pursuant to any written law as a dwelling-house and any such house, flat or other premises which is in the course of being constructed;

“services” includes —

- (a) a service offered or provided that involves the addition to or maintenance, repair or alteration of goods or any residential property;
- (b) a membership in any club or organisation if the club or organisation is a business formed to make a profit for its owners;
- (c) the right to use time share accommodation under a time share contract; and
- (d) financial services;

“Small Claims Tribunal” means a Small Claims Tribunal constituted under section 4 of the Subordinate Courts Act (Cap. 321);

“specified body” means any person or body appointed under section 8(10);

“specified dispute resolution scheme” means, in respect of disputes arising in relation to any consumer transaction, any dispute resolution scheme specified for the purposes of section 7(10) by regulations made under section 20(2)(k) in respect of disputes arising in relation to a class of consumer transactions to which that consumer transaction belongs;

“supplier” means a person who, in the course of the person’s business —

- (a) provides goods or services to consumers;
- (b) manufactures, assembles or produces goods;
- (c) promotes the use or purchase of goods or services; or
- (d) receives or is entitled to receive money or other consideration as a result of the provision of goods or services to consumers,

and includes any employee or agent of the person, and the word “supply”, with its grammatical variations and cognate expressions, shall have corresponding meanings;

“time share accommodation” means any living accommodation, in Singapore or elsewhere, used or intended to be used (wholly or partly) for leisure purposes by a class of persons all of whom have rights to use, or participate in arrangements under which they may use, that accommodation or accommodation within a pool of accommodation to which that accommodation belongs;

“time share contract” means a contract which confers or purports to confer on an individual time share rights that are exercisable during a period of not less than 3 years;

“time share related contract” means a contract to assist a consumer to dispose of his time share rights conferred under a time share contract;

“time share rights” means rights to use time share accommodation for a specified or ascertainable period, but does not include rights under a contract of employment or an insurance policy;

“unfair practice” means an unfair practice within the meaning of section 4;

“voucher” means any document that purports to give the holder of the document the right to obtain goods or a service or the right to obtain goods or a service at