



# LEGAL WARRANTIES:

KNOW ABOUT THEM SO YOU CAN ENFORCE THEM

## WHAT ARE LEGAL WARRANTIES?

They are warranties provided for by the *Consumer Protection Act*. They apply automatically and free of charge whenever you purchase or lease goods from a merchant.

A legal warranty ensures, among other things, that the purchased item:

- is durable for a reasonable length of time; and
- can be used... for its intended use!

## HOW LONG SHOULD THE ITEM LAST?

The Act does not specify how long specific goods must last. It does not prescribe, for example, that a TV set should last 10 years.

The Act prescribes that goods must be durable in normal use for a reasonable length of time, compared to identical or the same type of goods.

Certain factors may affect what is a reasonable time for an item to last:

- the price;
- the terms of the contract (e.g. the purchased item is used);
- how the item is used.

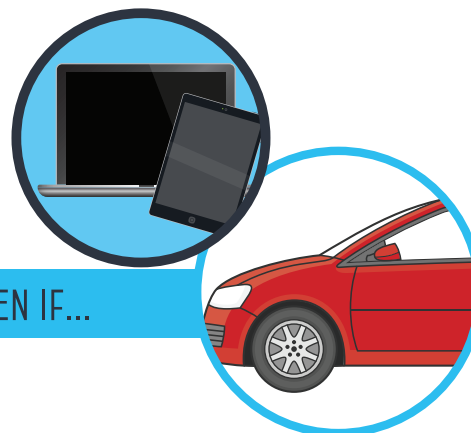
## HOW CAN LEGAL WARRANTIES BE ENFORCED?

If your item is defective or cannot be used for the purpose for which it is ordinarily intended...

Notify the merchant, the manufacturer, or both. The choice is up to you!

The merchant or manufacturer could then:

- repair the item or have it repaired free of charge;
- exchange it;
- reimburse you.



## MERCHANTS ARE REQUIRED TO HONOUR THE LEGAL WARRANTIES, EVEN IF...

- they claim they do not apply to the goods sold in their stores;
- they indicate in your contract that the sale is made "with no legal warranty";
- they lead you to believe that, without an additional warranty, you no longer have any protection once the manufacturer's warranty has expired;
- they lead you to believe that the legal warranties do not apply to the goods they sell as long as a judge has not ruled as such.

Before proposing that you purchase an additional warranty, merchants must obey certain rules. Among other things, they must inform you of certain legal warranties.

## NEED HELP?



If you believe a merchant is not complying with the applicable warranty rules... Contact the Office de la protection du consommateur to find out whether you can file a complaint.

Do you need help to have a warranty enforced?

The Office can also provide you with information on:

- the negotiation process with a merchant or manufacturer;
- the drafting of a formal notice;
- potential legal options, in particular before the small claims court.

