



THE ISLAMABAD CONSUMERS PROTECTION ACT, 1995



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ISLAMABAD CONSUMERS PROTECTION ACT, 1995

ACT NO. III OF 1995

An Act to provide for promotion and protection of the interest of consumers

WHEREAS it is expedient to provide for promotion and protection of the interests of consumers and for matters connected therewith and incidental thereto ;

It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Islamabad Consumers Protection Act, 1995.

1. It extends to the Islamabad Capital Territory.

2. It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) “Authority” means the Court of Sessions, Islamabad;

(b) “complaint” means—

(i) a consumer;

(ii) a consumer's association; and

(iii) the Federal Government, Chief Commissioner, Islamabad Capital Territory, Capital Development Authority, or any person or agency authorized by the aforesaid on their behalf to file complaint before the Authority;

(c) "consumer" means any person who--

(i) buys goods for a consideration which has been paid or partly paid and partly promised to be paid or under any system of deferred payment or hire purchase and includes any user of such goods but does not include a person who obtains such goods for re-sale or for any commercial purpose; or

(ii) hires any goods or services for a consideration which has been paid or promised or partly paid and partly promised or under any system of deferred payment and includes any beneficiary of such services.

- (d) “Council” means the Consumers' Protection Council, Islamabad; established under section 3;
- (e) “Services” includes services of any description which is made available to potential users and includes the provision of facilities in connection with banking, financing, insurance, transport, manufacturing, processing, accountancy, supply of electrical, mechanical or any other form of energy, boarding or lodging, entertainment, medicine, education, construction work, amusement, catering, security, or purveying a news or other information, and similar other services, but does not include the rendering of any service free of charge or under the contract of personal service; and
- (f) “unfair trade practice” means a trade practice which, for the purpose of sale, use or supply of any goods, or for provision of any service or for their promotion, adopts one or more of the following practices, causes loss or injury through hoarding, black-marketing, adulteration, selling of expired drugs, food items and commodities unfit for human consumption, or charging for the goods and service in excess of the prices fixed by an authority authorized to do so under any law for the time being in force or in furtherance of such sale, use or supply makes any statement, whether orally or in writing, or by chalking on walls or through sign-boards or neon-sign or by distributing pamphlets or by publication in any manner, including through electronic media, by—
- (i) falsely representing that the goods or, as the case may be, services are of a particular standard, quality, quantity, grade, composition, style or mode;
 - (ii) falsely representing any rebuilt, second-hand, renovated, reconditioned or old goods as new goods;
 - (iii) falsely representing that the goods or, as the case may be, services have sponsorship or approval of the competent agency or authority or possesses specified characteristics, performance, accessories, uses or benefits which such goods or services do not have;
 - (iv) falsely representing that the goods or services offered fulfil the prescribed standard fixed by local or international authorities;
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- (v) giving misleading representation of the need for, or the usefulness of any goods or services;
- (vi) falsely giving to the public any warranty or guarantee of the performance, specification, required ingredients, efficacy or length of life of a product or any goods that is not based on an adequate or proper tests thereof;
- (vii) falsely offering for sale or on lease any premises, house, shop or building with specified facilities or with the promise to deliver possession thereof within a specified period or without any escalation in price or by falsely representing that such premises, house, shop or building is being sold, built or constructed in accordance with the approved plans, specification and approval of the concerned authorities;
- (viii) misleading the public concerning the price at which a product or products or goods or services have been, or are ordinarily sold or provided;
- (ix) giving false or misleading facts regarding facilities available in the private educational institutions or falsely representing that such institutions have proper approval of the concerned authorities;
- (x) falsely representing for provision of services by professionals and experts, including by doctors, engineers, advocates, mechanics, teachers, hakeems and spiritual healers;
- (xi) giving false or misleading facts disparaging the goods, services or trade of another person, firms, company or business concern;
- (xii) advertising for the sale or supply at a bargain price of goods or services which are not intended to be offered for sale or supply at such price;
- (xiii) offering of gifts, prizes or other items with the intention of not providing them as offered or creating the impression that something is being given or offered free of charge when it is fully or partly covered by the amount charged in the transaction; and
- (xiv) falsely gives description of commodities and services offered through mail order.

3. The Council.—(1) As soon as may be, after the commencement of this Act, the Federal Government may, by notification in the official Gazette, establish the Consumers Protection Council, Islamabad.

(2) The Council shall consist of the following :—

(i)	The Chairman, to be appointed by the Federal Government from amongst prominent social workers permanently residing at Islamabad.
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