

Gift Card Legislation Across Canada

Legislation Requirements	Manitoba
When does/did the Legislation come into effect?	November 1, 2007
How are gift cards defined by the Legislation?	"Prepaid purchase card" means, subject to the regulations, an electronic card, written certificate or other voucher or device with a monetary value, that is issued or sold in exchange for the future purchase or delivery of goods or services, and includes a gift card and gift certificate.
Does the legislation eliminate expiry dates?	Yes
Are expiry dates still allowed in some specific cases?	Yes , expiry dates are still allowed on a prepaid purchase card (a) that is issued or sold for a specific good or service (experience card); or (b) for which the holder provides nothing of value when the card is issued.
Does the Legislation prohibit gift card fees?	Yes , no supplier shall charge a fee to the holder of a prepaid purchase card for anything in relation to the card.
Are some fees still allowed in specific cases?	Yes. 1) A supplier may charge a fee for replacing a lost or stolen prepaid purchase card or to customize a card. 2) A supplier may charge a fee in relation to a prepaid purchase card if the holder provides nothing of value for the card when it is issued. 3) If a supplier issues or sells a prepaid purchase card entitling the holder to apply it towards purchasing goods or services from multiple unaffiliated sellers, the supplier may — if the card has not been activated for 12 months — charge a maximum monthly fee of \$2.50 thereafter.

What information are retailers required to provide to consumers?	At the time a prepaid purchase card is issued or sold, the supplier shall give the following information to the holder: (a) all restrictions, limitations and conditions that the supplier imposes on the use of the card, including any permitted fee or expiry date; (b) a description of the way in which the holder can obtain information respecting the card, including any remaining balance.
How is this information to be conveyed to consumers?	The supplier of a prepaid purchase card must give the information required clearly and in a way that is likely to bring it to the holder's attention.
Are multi-vendor gift cards treated differently?	Yes , if a supplier issues or sells a prepaid purchase card entitling the holder to apply it towards purchasing goods or services from multiple unaffiliated sellers, the supplier may — if the card has not been activated for 12 months — charge a maximum monthly fee of \$2.50 thereafter.
Is a mandatory review included in the legislation?	Yes , it must be reviewed by May 1, 2009.
What are the penalties for non-compliance?	(a) First contravention = \$1,000.; (b) Second contravention = \$3,000.; (c) Third or subsequent contravention = \$5,000.
More information on the legislation can be found at:	http://www.gov.mb.ca/finance/cca/consumb/faqprepaidretailers.html http://web2.gov.mb.ca/bills/38-5/b004e.php http://web2.gov.mb.ca/laws/regs/pdf/c200-098.07.pdf