

Gift Card Legislation Across Canada

Legislation Requirements	Nova Scotia
When does/did the Legislation come into effect?	Feb. 1, 2010 (as a regulation under the Consumer Protection Act)
How are gift cards defined by the Legislation?	"Gift card" means an electronic card, written certificate or other voucher or payment device, including a gift certificate, that has an express or implied monetary value and is issued or sold in exchange for the future purchase or delivery of goods or services, but does not include a cash card as defined in the Payday Lenders Regulations made under the Act"
Does the legislation eliminate expiry dates?	Yes
Are expiry dates still allowed in some specific cases?	Yes - gift cards issued or sold for a charitable purpose; or a gift card issued for a marketing, advertising, or promotional purpose. Expiry dates are permitted on gift cards for specific goods or services that were issued before the date the regulations come into effect. However, gift cards for monetary value issued before the date the regulations come into effect will not be allowed to expire.
Does the Legislation prohibit gift card fees?	Yes. A supplier must not issue or sell a gift card with a value that is less than the value of the payment made by the purchaser of the gift card.
Are some fees still allowed in specific cases?	Yes: gift cards issued or sold for a charitable purpose; gift cards issued for marketing, advertising or promotional purposes; for replacement of lost cards; or to customize a card. ***there is no allowance made for dormancy fees.
What information are retailers required to provide to consumers?	At the time a gift card is issued or sold, a supplier must clearly disclose all of the following in writing: A) information on all restrictions, limitations, terms and conditions imposed for using, redeeming or replacing the gift card, including any fees or expiry date; B) information on how a consumer can obtain information about the gift card, including any remaining balance. The following information must be disclosed directly on a gift card: any expiry date; any fees; any return policy that may apply to purchases made with the gift card; contact information for the consumer to obtain details about the gift card, including the remaining balance.

<p>How is this information to be conveyed to consumers?</p>	<p>It must be in writing. Four components must appear on the card, if applicable. It is sufficient to indicate that information on the required terms and conditions can be found by contacting the nearest store or the store website.;</p>
<p>Are multi-vendor gift cards treated differently?</p>	<p>No.</p>
<p>Is a mandatory review included in the legislation?</p>	<p>No</p>
<p>What are the penalties for non-compliance?</p>	<p>Under the Consumer Protection Act, violations can be subject to a penalty for an individual of not more than \$2,000 or to imprisonment for a term of not more than one year, or both. For a corporation, a penalty of not more than \$25,000 may be charged</p>
<p>More information on the legislation can be found at:</p>	<p>General information: www.novascotiagiftcards.ca Regulations: http://www.gov.ns.ca/just/regulations/regs/3252009.pdf</p>