

Gift Card Legislation Across Canada

Legislation Requirements	Ontario
When does/did the Legislation come into effect?	October 1, 2007
How are gift cards defined by the Legislation?	Gift card means a voucher in any form, including an electronic credit or written certificate, that is issued by a supplier under a gift card agreement and that the holder is entitled to apply towards purchasing goods or services covered by the voucher.
Does the legislation eliminate expiry dates?	Yes
Are expiry dates still allowed in some specific cases?	Yes , expiry dates are still allowed on gift cards redeemable only for specific goods or services such as a manicure at a spa.
Does the Legislation prohibit gift card fees?	Yes , no fees can be charged for cash-equivalent gift cards.
Are some fees still allowed in specific cases?	Yes. 1) A fee may be charged to customize a gift card or replace a lost or stolen gift card. 2) Permits \$2.50 dormancy fees if any money is remaining on a gift card at the end of 15 months following the month in which the card is purchased.
What information are retailers required to provide to consumers?	Disclosure of any terms and conditions relating to a gift card must be clear, comprehensible and prominent.
How is this information to be conveyed to consumers?	Any relevant information affecting the use of gift cards must be provided to consumers in writing in a way that is clear, comprehensible and prominent.
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 15 months — charge a maximum monthly fee of \$2.50 thereafter.
Is a mandatory review included in the legislation?	No
What are the penalties for non-compliance?	If convicted of breaking the law, an individual can be fined up to \$50,000 and/or jailed for up to 2 years. A corporation can be fined up to \$250,000.
More information on the legislation can be found at:	www.gov.on.ca/mgs http://www.gov.on.ca/mgs/en/ConsProt/STEL02_167871.html