

Gift Card Legislation Across Canada

Legislation Requirements	Prince Edward Island
When does/did the Legislation come into effect?	September 1, 2010
How are gift cards defined by the Legislation?	In this Act, "gift 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 certificate.
Does the legislation eliminate expiry dates?	Yes
Are expiry dates still allowed in some specific cases?	Yes- charitable gift cards and marketing and promotional cards may have both an expiry date and an administration fee. Gift cards for the cost of a specific good or service, such as a round of golf or a manicure, may have an expiry date. Phone cards, pre-paid bank cards and credit card branded gift cards are not covered by the new Act. These cards fall under federal jurisdiction.
Does the Legislation prohibit gift card fees?	No person shall charge a fee to the purchaser or holder of a gift card for anything in relation to the gift card, except as may be permitted by the regulations.
Are some fees still allowed in specific cases?	Yes: charitable gift cards and marketing and promotional cards may have an administrative fee. Additionally, fees may be charged for replacing or customizing a card.
What information are retailers required to provide to consumers?	At the time the gift card is issued or sold, a person must clearly disclose the following: (a) all of the restrictions, limitations, terms and conditions that are imposed in respect of the use, redemption or replacement of the gift card, including any permitted fee or expiry date; (b) a description of the way in which a purchaser or holder of a gift card can obtain information respecting the gift card, including any remaining balance; and, (c) any other information as may be required by the regulations.
How is this information to be conveyed to consumers?	It must be in writing.
Are multi-vendor gift cards treated differently?	No
Is a mandatory review included in the legislation?	

What are the penalties for non-compliance?	A person who contravenes or violates and provision of this Act or the regulations is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$200 and not more than \$10,000, or to imprisonment for 90 days, or both. Any coporation which contravenes or violates the Act or regulations is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$1,000 and not more than \$500,000.
More information on the legislation can be found at:	Gift Cards Act: http://www.gov.pe.ca/law/statutes/pdf/g-04_1.pdf