

## Gift Card Legislation Across Canada

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| <b>Legislation Requirements</b>   | <b>Quebec</b>   |
| <b>When does/did the Legislation come into effect?</b>                  | June 30, 2010   |
| <b>How are gift cards defined by the Legislation?</b>                   | <b>Prepaid card</b> is defined as a certificate, card or other medium of exchange that is paid in advance and allows the consumer to acquire goods or services from one or more merchants.  |
| <b>Does the legislation eliminate expiry dates?</b>                     | <b>Yes</b>  |
| <b>Are expiry dates still allowed in some specific cases?</b>           | Yes, in the case of cards for unlimited use of a service, for example, mobile phone cards.  |
| <b>Does the Legislation prohibit gift card fees?</b>                    | Yes. A fee cannot be charged to buy or use them.  |
| <b>Are some fees still allowed in specific cases?</b>                   | Yes. For multi-store cards such as one that can be used at all retailers in a shopping centre, either a maximum fee of \$3.50 to activate the card or a maximum fee of \$2.50 for non-use of the card after the 15th month or after the 18th month if the consumer so requests. This means that no fees may be charged before the 15th month and the merchant must choose one of the two above-mentioned options. |
| <b>What information are retailers required to provide to consumers?</b> | The merchant must inform the consumer: (a) conditions applicable to the use of the prepaid card, for instance if the card must be used solely with a specific payment network; (b) how to check the card balance. If this information does not appear on the card, it must be provided to the consumer in writing.  |
| <b>How is this information to be conveyed to consumers?</b>             |   |
| <b>Are multi-vendor gift cards treated differently?</b>                 | Yes, see section on are fees allowed in specific cases  |
| <b>Is a mandatory review included in the legislation?</b>               |   |
| <b>What are the penalties for non-compliance?</b>                       | A fine of \$300 to \$6000 for a natural person or a fine of \$1000 to \$40 000 for a legal person.  |
| <b>More information on the legislation can be found at:</b>             | <a href="http://www.opc.gouv.qc.ca/">http://www.opc.gouv.qc.ca/</a>   |