

 <b>CONSUMER PROTECTION BC</b>	<b>Calculating Administrative Monetary Penalties Policy and Procedures</b>	<b>Version:</b> 3.0 <b>Created:</b> March 15, 2018 <b>Effective:</b> May 1, 2018 <b>Modified:</b> March 31, 2022
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## 1.0 Purpose

The purpose of this policy is to provide guidance, consistency, and transparency on the calculation of administrative monetary penalty (AMP) amounts for prescribed contraventions to the *Business Practices and Consumer Protection Act* (BPCPA); the *Cremation, Interment and Funeral Services Act* (CIFSA); the *Ticket Sales Act* (TSA); and related regulations (regulations). The policy is also meant to inform businesses and/or individuals (collectively known as suppliers) on how administrative penalty amounts are calculated and the potential consequences for engaging in unlawful business practices.

The BPCPA, CIFSA, and TSA grant Consumer Protection BC the authority to impose an AMP on suppliers for contraventions to prescribed provisions of those acts and the regulations. While section 165 of the BPCPA, section 58(3) of the CIFSA, and section 15 of the TSA establish maximum AMP amounts that can be imposed on a business at \$50,000 and on a person at \$5,000, neither specifies how to calculate the amount of an AMP. The BPCPA [section 164(2)], CIFSA [section 58(3)], and TSA [section 15(3)] sets out a non-exhaustive list of factors that Consumer Protection BC must consider before it imposes an AMP amount:

- (a) previous enforcement actions for contraventions of a similar nature by the supplier;
- (b) the gravity and magnitude of the contravention;
- (c) the extent of the harm to others resulting from the contravention;
- (d) whether the contravention was repeated or continuous;
- (e) whether the contravention was deliberate;
- (f) any economic benefit derived by the person from the contravention;
- (g) the person's efforts to correct the contravention.

The purpose of this policy is to provide a model that gives guidance on how Consumer Protection BC will normally interpret these considerations and other relevant considerations to determine a specific AMP amount to be imposed. This will help ensure that the amount chosen is justified, transparent and intelligible and is within a range of reasonable amounts based on the particular circumstances of the contravention and the provisions of the BPCPA, CIFSA, TSA, and related regulations. This will also help ensure procedural fairness for suppliers potentially liable for an AMP since they will know and have a meaningful opportunity to respond to the guidelines and analysis normally followed when Consumer Protection BC assesses their case.

The design of the AMP model is also meant to ensure AMP amounts are responsive and proportional to the non-compliant activity; that AMP amounts are flexible in their application; and that AMPs are sufficient in their amount to not only correct non-compliant behaviours, but also establish a deterrence from committing non-compliant behaviours. To ensure this is the case, AMP amounts will be reviewed periodically to ensure they are having their intended effect of establishing deterrence and increasing compliance rates.

## 2.0 Policy statement and rationale

Consumer Protection BC is a risk-based regulator that uses several progressive discipline methods as part of the responses it takes to address, and correct violations detected in the marketplace.

One of these progressive enforcement measures is the imposition of AMPs. AMP is meant to correct non-compliance by a supplier and to discourage the supplier from entering into or continuing with unlawful businesses practices and consumer transactions. This is commonly referred to as specific deterrence. More broadly, AMPs are meant to serve as general deterrence aimed at the entire marketplace, making it cost prohibitive for a supplier from engaging in non-compliant behaviours.

The BPCPA, CIFSA, and TSA, have always provided the Director with the authority to impose AMPs.

## 3.0 The law

- 3.1** An AMP may be imposed where a supplier contravenes a prescribed provision of the BPCPA, CIFSA, TSA or related regulations. An AMP may also be imposed where a supplier contravenes conditions of a licence, a compliance order, a direct sales prohibition order, a property freeing order, or an undertaking; but the subject of this policy is an AMP for contraventions of a prescribed provision. Consumer Protection BC inspectors have been delegated the powers of the director under Part 10, Division 4 of the BPCPA and section 58(1) of the CIFA to impose administrative penalties under section 164 of the BPCPA, section 58 of the CIFSA, and Section 15 of the TSA.
- 3.2** The Business Practices and Consumer Protection Regulation (BPCP Regulation) sets out those provisions of the BPCPA and related regulations that are prescribed and for which administrative penalties may be imposed. The Administrative Penalties Regulation (AP Regulation) sets out the provisions of the CIFSA and CIFSA Regulation that are prescribed and for which AMPs may be imposed. The Ticket Sales Regulations (TS Regulation) sets out the provisions of the TSA and TS Regulations that are prescribed and for which an AMP may be imposed.
- 3.3** An individual on whom an AMP is imposed is liable to a penalty of not more than \$5,000. A corporation on which an administrative penalty is imposed is liable to a penalty of not more than \$50,000. Consumer Protection BC abides by these AMP amount maximums established in the BPCPA, CIFSA, and TSA.
- 3.4** Consistent with Section 170 - Limitation Period - of the BPCPA; section 58(3) of the CIFSA; section 15(3) of the TSA, Consumer Protection BC will not impose an administrative penalty of more than two years after the date on which a contravention occurred.
- 3.5** Consumer Protection BC will give the supplier subject to an administrative penalty a notice imposing the administrative penalty that meets the requirements of section 166(1) of the BPCPA and specifies all the following:
  - (a) the contravention;
  - (b) the amount of the penalty;

- (c) the date by which the penalty must be paid;
- (d) the person's right to have this decision reconsidered;
- (e) an address to which a request for reconsideration may be given.

- 3.6** A supplier may request that Consumer Protection BC reconsider a notice imposing an administrative penalty in accordance with Part 12, Division 1 of the BPCPA; section 60 of the CIFSA; or section 17 of the TSA. Please read the Consumer Protection BC reconsideration policy online for more detail.
- 3.7** In accordance with section 182(2) of the BPCPA, section 60(2) of the CIFSA, and section 17(3) of the TSA, Consumer Protection BC may vary or cancel a notice imposing an AMP only if the Director is satisfied that new evidence has become available or been discovered that (a) is substantial and material to the determination, and (b) did not exist at the time of the review or did exist at that time but was not discovered and could not go through the exercise of reasonable diligence have been discovered.
- 3.8** In accordance with section 167 of the BPCPA, section 58(3) of the CIFSA, and section 15(3) of the TSA, a supplier subject to an administrative penalty must pay the penalty within 30 days after the date on which the notice of penalty is served, or if the supplier requests reconsideration, within 30 days after the date the reconsideration decision is served.
- 3.9** Under section 168 of the BPCPA, section 58(3) of the CIFSA, and section 15(3) of the TSA, if a supplier fails to pay an AMP as required under the BPCPA, the CIFSA or the TSA, Consumer Protection BC may file a certified copy of the notice imposing the administrative penalty with the Supreme Court or Provincial Court. Upon being filed, the notice has the same force and effect, and all proceedings may be taken on the notice, as if it were a judgment of that court. The regulations require that Consumer Protection BC adds an additional 10% to the amount of the penalty prior to filing with a court.
- 3.10** Consumer Protection BC may publish information respecting the notice of administrative penalty consistent with Section 186 of the BPCPA, Section 60(5) of the CIFSA, and Section 25 of the TSA. This action will be taken consistent with Consumer Protection BC's policy on publishing statutory determinations, which is available online.
- 3.11** In accordance with section 169 of the BPCPA, section 58(3) of the CIFSA, and section 15(3) of the TSA, Consumer Protection BC must pay all amounts derived from administrative penalties to the Consumer Advancement Fund.

#### **4.0 Procedures**

The procedures that follow are normally to be applied by the director or their delegates in calculating the amount of an AMP to impose.

##### **4.1 Determining the category type of the contravention**

All prescribed contraventions that may attract an AMP are normally categorized into three categories: (1) Type A (low); (2) Type B (medium); (3) Type C (high). The categorizing of contraventions is made by Consumer Protection BC based on purposes of delivering consumer protection services in the public interest and in

consideration of two factors: (i) the inherent severity of harm specific to the contravention (ii) the probability that a person will suffer or experience harm from the commission of the contravention. Appendices A – Consumer Protection BC Risk Matrix lists all prescribed contraventions with their respective category type.

A decision maker at Consumer Protection BC who is tasked with calculating an AMP should normally refer to Appendices A – Consumer Protection BC Risk Matrix to determine the category of the contravention.

#### 4.2 Adjustment factors

Using a series of adjustment factors, each with its own rating scale, a decision maker exercises discretion in assigning a numeric value within the scale for each adjustment factor. In total, there are eight adjustment factors to be considered by the decision maker. The adjustment factors include the criteria established under the BPCPA; the CIFSA; and the TSA that must be considered before the imposition of an AMP (see section 164(2) of the BPCPA; section 58(3) of CIFSA; and 15(3) of the TSA for this criteria), along with other factors that Consumer Protection BC believes relevant to consideration on imposing an AMP.

Each adjustment factor has a scale of gravity values to be applied to the contravention. The value for each adjustment factor can be increased based on aggravating circumstances or reduced based on mitigating events. The adjustment factors are designed to recognize certain mitigating behaviors, such as efforts taken to mitigate or reverse the effects of the contravention or steps taken to prevent the recurrence of the contravention, that may reduce the overall gravity level of the adjustment factor. At the same time, aggravating behaviours, such as repeating contraventions of similar nature or deriving economic benefit from the commission of the contravention, may increase the overall gravity level of the adjustment factor.

Using the scale for each adjustment factor, the decision maker will normally assign a value to each adjustment factor. The sum of the eight adjustment factor values will be the overall gravity level of the contravention.

The following table lists these eight “adjustment factors” with their scales:

<b>Adjustment Factors</b>	<b>Effect on Gravity</b>
<b>Previous enforcement actions for contraventions of a similar nature by the person</b>	0 to +7
<b>The gravity and magnitude of the contravention</b>	0 to +2
<b>Extent of harm to others resulting from the contravention</b>	0 to +3
<b>Whether the contravention was repeated or continuous</b>	0 to +2
<b>Whether the contravention was deliberate</b>	0 to +3

<b>Any economic benefit derived by the person from the contravention</b>	0 to +4
<b>Whether the person made reasonable efforts to mitigate or reverse the contravention's effects</b>	-2 to +2
<b>The person's efforts to correct the contravention to prevent recurrence</b>	-2 to +2

#### 4.3 The penalty amount based on category type and gravity level of the contravention: the AMP Penalty Matrix

Together with its categorization, the overall gravity level of the contravention normally establishes the AMP amount for the contravention. The following table referred to as the "AMP Penalty Matrix" sets out the AMP amounts for each contravention category (Type A, Type B, Type C) based on the overall gravity level of the contravention. Note: the baseline AMP amounts start with an overall gravity level of zero. If the overall gravity level for the contravention is zero, the AMP amount would correspond to that gravity level for the contravention category.

Gravity Level	Type A Contravention		Type B Contravention		Type C Contravention	
	<i>Individual</i>	<i>Business</i>	<i>Individual</i>	<i>Business</i>	<i>Individual</i>	<i>Business</i>
<b>-3 or less</b>	\$350	\$700	\$1,000	\$2,000	\$2,500	\$3,500
<b>-2</b>	\$400	\$800	\$1,100	\$2,500	\$2,750	\$4,000
<b>-1</b>	\$450	\$900	\$1,200	\$3,000	\$3,000	\$4,500
<b>0 (base)</b>	\$500	\$1,000	\$1,400	\$3,500	\$3,250	\$5,000
<b>1</b>	\$550	\$1,100	\$1,400	\$4,000	\$3,500	\$5,500
<b>2</b>	\$600	\$1,200	\$1,500	\$4,500	\$3,750	\$6,000
<b>3</b>	\$650	\$1,300	\$1,600	\$5,000	\$4,000	\$6,500
<b>4</b>	\$700	\$1,400	\$1,700	\$5,500	\$4,250	\$7,500
<b>5</b>	\$800	\$1,500	\$1,800	\$6,000	\$4,500	\$8,000
<b>6</b>	\$900	\$1,600	\$1,900	\$6,500	\$4,750	\$9,000
<b>7</b>	\$1,000	\$1,700	\$2,000	\$7,000	\$5,000	\$10,000
<b>8</b>	\$1,100	\$1,800	\$2,100	\$7,500	\$5,000	\$11,000
<b>9</b>	\$1,250	\$1,900	\$2,300	\$9,000	\$5,000	\$12,500
<b>10 +</b>	\$1,500	\$2,000	\$2,500	\$10,000	\$5,000	\$15,000

The following example illustrates how a decision maker would use the AMP Risk Matrix to help calculate an AMP amount:

Suppose that following an inspection and opportunity to be heard a decision maker at Consumer Protection BC determines a corporation has contravened a prescribed provision of the BPCPA. That decision maker would apply the provisions of the BPCPA which includes considering all the factors set out in section 164(2) of the BPCPA. The decision maker would normally follow this policy. The decision maker would decide there is a Type C contravention and would apply the eight adjustment factors to the circumstances of the contravention. In this example, the decision

maker is satisfied that the business made efforts to reverse the effects of the contravention (for example, provided a full refund to the consumer) and treats this as a mitigating factor, assigning a gravity level of -1 (this specific adjustment factor has a gravity level of -2 to +2). The decision maker finds the business committed a contravention of a similar nature in the past year and treats this as an aggravating factor, assigning a gravity level of +5 (this specific adjustment factor has a gravity level of 0 to +7). For all other adjustment factors, the decision maker assigns a neutral value of 0. The total sum of the gravity level for this contravention is +4. Referring to the AMP Risk Matrix, a Type C contravention with a +4 gravity level, results in an AMP of \$7,500. This is outlined in the following table. Guided by this, the decision maker would normally determine an AMP of \$7,500 is to be imposed.

<b>Contravention</b>	Type C
<b>Base penalty</b>	\$5,000
<b>Adjustment factors applied</b>	Item 7: -1 <u>Item 1: +5</u> Total +4
<b>Total penalty calculation</b>	\$7,500

#### 4.4 AMP amounts outside the AMP Penalty Matrix

In some circumstances, where following the legislation including section 164(2) of the BPCPA warrants an AMP amount that is different than amounts listed in the AMP Penalty Matrix, Consumer Protection BC may impose an AMP amount within the statutory maximums. Normally, this circumstance must only occur after the decision maker has referred to the AMP Penalty Matrix, using all the adjustment factors.

#### 4.5 Continuing contraventions

Section 9 of the BPCP Regulation; section 4 of the AP Regulation; and section 6 of the TSA, authorize the Director to impose administrative penalties daily for continuing contraventions.

### 5.0 Authority

#### 5.1 *Business Practices and Consumer Protection Act*

Sections 164-170 of the BPCPA sets out the requirements for the imposition, notification, appeal and payment of administrative penalties.

Section 175 of the BPCPA provides the Director with the power to delegate powers of enforcement to a person or class of persons.

Section 176 of the BPCPA provides the Director with the power to designate persons or classes of persons as inspectors.

Sections 180-182 of the BPCPA identify requirements for reconsiderations by the Director.

Section 186 of the BPCPA authorizes the Director to publish information respecting administrative penalties.

## **5.2 Business Practices and Consumer Protection Regulation**

The BPCP Regulation under the BPCPA sets out provisions of the act that are prescribed and for which administrative penalties may be imposed.

## **5.3 Cremation, Interment and Funeral Services Act**

Section 58 of the CIFSA sets out the requirements for the imposition, notification, appeal and payment of administrative penalties. Section 58 also adopts sections 164(2) to (4), 165 to 171 of the BPCPA.

Section 59 of the CIFSA adopts Section 175 of the BPCPA and provides the Director with the power to delegate powers of enforcement to a person or class of persons.

Section 59 of the CIFSA adopts Section 176 of the BPCPA and provides the Director with the power to designate persons or classes of persons as inspectors.

Section 60 of the CIFSA sets out the requirements for reconsiderations and adopts Sections 181 and 182 of the BPCPA related to reconsiderations by the Director.

Section 60 also adopts the power under Section 186 of the BPCPA for the Director to publish information respecting administrative penalties.

## **5.4. Administrative Penalties Regulation**

The AP Regulation under the CIFSA sets out the provisions of the act that are prescribed and for which administrative penalties may be imposed.

## **5.5 Ticket Sales Act**

Section 15 of the Ticket Sales Act sets out the requirements for the imposition, notification, appeal and payment of administrative penalties.

Section 17 of the Ticket Sales Act sets out the requirements for reconsiderations and adopts Sections 181 and 182 of the Business Practices and Consumer Protection Act related to reconsiderations by the director.

Section 18 of the Ticket Sales Act provides the Director with the power to delegate powers of enforcement to a person or class of persons.

Section 19 of the Ticket Sales Act adopts Section 176 of the Business Practices and Consumer Protection Act and provides the Director with the power to designate persons or classes of persons as inspectors.

Section 25 of the Ticket Sales Act provides the Director with the power to publish information respecting administrative penalties.

## **5.6 The Ticket Sales Regulation**

The Ticket Sales Regulation under the Ticket Sales Act sets out the violations for which administrative penalties may be imposed.

**Appendices A – Consumer Protection BC Risk Matrix**

		Type A	Type B	Type C
<b><i>Business Practices &amp; Consumer Protection Act</i></b>				
1	BPCPA (5) (1) - Deceptive act or practice			X
2	BPCPA (6) (3) - Record of advertisement of deceptive act	X		
3	BPCPA (9) (1) - Unconscionable act or practice			X
4	BPCPA (14) (3) - Failure to refund			X
5	BPCPA (19) - Contents of contracts		X	
6	BPCPA (20) (2) - Copy of contract		X	
7	BPCPA (21) (4) - Direct sales return of trade-in		X	
8	BPCPA (23) (2) - Contents of future performance contract		X	
9	BPCPA (23) (3) - Copy of future performance contract		X	
10	BPCPA (24) (1) - Contents of continuing services contract		X	
11	BPCPA (25) (6) - Refund on cancellation - continuing services			X
12	BPCPA (26) (1) - Copy of time share contract	X		
13	BPCPA (27) - Failure to refund			X
14	BPCPA (30) (1) - Prohibition on funeral solicitation			X
15	BPCPA (31) (1-2) - Requirement for schedule of rates		X	
16	BPCPA (32) - Requirement to give accurate information			X
17	BPCPA (33) - Prohibited charges on containers			X
18	BPCPA (34) (1) - Contents of funeral contract		X	



19	BPCPA (34) (2) - Copy of funeral contract	X		
20	BPCPA (34) (3) - Informing consumer of substitutions		X	
21	BPCPA (35) - Preneed contract - initial disclosure		X	
22	BPCPA (36) (1) - Requirements for preneed funeral contract contents		X	
23	BPCPA (36) (2) - Copy of preneed contract			X
24	BPCPA (36) (7) - Assignment of funeral contact			X
25	BPCPA (37) - Provisions of right of interment		X	
26	BPCPA (38) (2) - Preneed funeral refund on cancellation			X
27	BPCPA (38) (4) - Preneed funeral refund on cancellation	X		
28	BPCPA (39) (3) - Preneed failure to provide services			X
29	BPCPA (40) (3-5, 10) - Preneed money in trust			X
30	BPCPA (42) - Restrictions on representations on interment	X		
31	BPCPA (43) (1) - Contents of interment right contract		X	
32	BPCPA (43) (2) - Copy of interment right contract		X	
33	BPCPA (43) (5) - Error in interment contract			X
34	BPCPA (43) (6) - Fee for correcting interment right contract			X
35	BPCPA (45) - Failure to provide refund		X	
36	BPCPA (46) (1) - Disclosure of information on distance sales contract		X	
37	BPCPA (46) (2) - Disclosure of information		X	
38	BPCPA (47) (2) - Disclosure of distance sales electronically		X	

<b>39</b>	BPCPA (48) (1) - Copy of distance sales contract		X	
<b>40</b>	BPCPA (48) (2) - Contents of distance sales contracts	X		
<b>41</b>	BPCPA (50) - Failure to provide refund			X
<b>42</b>	BPCPA (52) (4) - Cancel or reverse credit card charge			X
<b>43</b>	BPCPA (56) - Cancellation of pre-authorized payments			X
<b>44</b>	BPCPA (59) (3) - Disclosure in advertisements	X		
<b>45</b>	BPCPA (60) (2-3) - Advertising requirements on fixed credit	X		
<b>46</b>	BPCPA (61) (2) - Advertising requirements on open credit	X		
<b>47</b>	BPCPA (62) (2) - Disclosure of interest or grace period	X		
<b>48</b>	BPCPA (62) (3) - Disclosure of grace period in advertisements	X		
<b>49</b>	BPCPA (63) (3) - Advertising requirements on leases	X		
<b>50</b>	BPCPA (64) (1) - Advertising on representative transaction	X		
<b>51</b>	BPCPA (66) (2-3) - Disclosure statements	X		
<b>52</b>	BPCPA (67) (1) - Form of disclosure	X		
<b>53</b>	BPCPA (71) (2) - Borrowers may choose insurer	X		
<b>54</b>	BPCPA (72) (2-3) - Borrowers entitled to discharge	X		
<b>55</b>	BPCPA (74) (3) - Refund of non-interest charges	X		
<b>56</b>	BPCPA (75) - Default charges	X		
<b>57</b>	BPCPA (76) (1) - Invitation to defer payments	X		
<b>58</b>	BPCPA (77) (5) - Acceleration clauses	X		

<b>59</b>	BPCPA (79) - Loan broker securing credit	X		
<b>60</b>	BPCPA (80) (1) - Business credit grantors	X		
<b>61</b>	BPCPA (83) - Credit sales require scheduled payments credit agreement	X		
<b>62</b>	BPCPA (84) - Initial disclosure statement for fixed credit	X		
<b>63</b>	BPCPA (85) (1-2) - Disclosure regarding additional principal	X		
<b>64</b>	BPCPA (86) (1-2) - Disclosure regarding increases in outstanding principal	X		
<b>65</b>	BPCPA (87) (1-2) - Disclosure on amendments	X		
<b>66</b>	BPCPA (88) (1-2) - Disclosure regarding renewals	X		
<b>67</b>	BPCPA (89) (1) - Disclosure on mortgage renewals	X		
<b>68</b>	BPCPA (89) (2a) - Disclosure statement mortgages	X		
<b>69</b>	BPCPA (89) (2c) - Refund of finance charge - mortgage	X		
<b>70</b>	BPCPA (89) (4) - Revised mortgage statements	X		
<b>71</b>	BPCPA (91) (1) - Initial disclosure for open credit	X		
<b>72</b>	BPCPA (92) (1,3) - Statements of account	X		
<b>73</b>	BPCPA (96) (1) - Credits cards only on application	X		
<b>74</b>	BPCPA (97) (1 or 3) - Application for credit cards	X		
<b>75</b>	BPCPA (98) (1-2) Additional disclosure for credit cards	X		
<b>76</b>	BPCPA (101) (1) - Disclosure on leases	X		
<b>77</b>	BPCPA (104) - Refund on overpayment		X	
<b>78</b>	BPCPA (107) (1) - Credit report without consent		X	

<b>79</b>	BPCPA (108) (1-2) - Credit report offences		X	
<b>80</b>	BPCPA (109) (1 or 3) - Contents of credit report		X	
<b>81</b>	BPCPA (110) (1,4,5) - Notice of benefit	X		
<b>82</b>	BPCPA (110) (2) - Notice of denial of benefit	X		
<b>83</b>	BPCPA (111) (2) - Explanation recording		X	
<b>84</b>	BPCPA (112) (1) - False or misleading information			X
<b>85</b>	BPCPA (112.02) (2) - Limits on cost of borrowing			X
<b>86</b>	BPCPA (112.03) (1-3) - Prohibitions on interest charges		X	
<b>87</b>	BPCPA (112.04) (1) - Prohibited fees, penalties and charges			X
<b>88</b>	BPCPA (112.05) (6) - Cancellation rights		X	
<b>89</b>	BPCPA (112.06) (1) - Required terms and disclosure		X	
<b>90</b>	BPCPA (112.06) (2,5) - Required Terms and disclosure		X	
<b>91</b>	BPCPA (112.06) (3) - Required terms and disclosure	X		
<b>92</b>	BPCPA (112.06) (4) - Required terms and disclosure	X		
<b>94</b>	BPCPA (112.08) (1) - Other prohibited practices			X
<b>95</b>	BPCPA (112.09) (2) - Payouts of balances on cash cards		X	
<b>96</b>	BPCPA (112.09) (3) - Payouts of Balances on cash cards	X		
<b>97</b>	BPCPA (112.10) (7) - Remedies			X
<b>98</b>	BPCPA (112.13) – Cheque Cashing Fees <i>(added February 1, 2019)</i>		X	

<b>98.02</b>	BPCPA (112.17)(b) Must not charge a rate that is higher than maximum allowable			X
<b>98.03</b>	BPCPA (112.18)(a) Must not charge any amount not disclosed in a high-cost agreement			X
<b>98.04</b>	BPCPA (112.18)(b) Must not charge an amount that exceeds the amount disclosed in a HCCA			X
<b>98.05</b>	BPCPA (112.18)(c) Must not charge any amount for cancellation as permitted under BPCPA 112.20			X
<b>98.06</b>	BPCPA (112.18)(d) Must not require any amount if borrower makes payment before its due		X	
<b>98.07</b>	BPCPA (112.18)(e) Must not charge a fee to refinance, restructure or change terms of high-cost credit agreement			X
<b>98.08</b>	BPCPA (112.18)(f) Must not charge any other prescribed fees, penalties, or other amounts			X
<b>98.09</b>	BPCPA (112.19)(a) Must not discount the principal amount by deducting or withholding an amount from any advance			X
<b>98.10</b>	BPCPA (112.19)(b) Must not draw an amount representing any portion of the total cost of credit			X
<b>98.11</b>	BPCPA (112.20)(6) Must provide a receipt for the amount the borrower repaid or cancelled	X		
<b>98.12</b>	BPCPA (112.21)(1) Terms must be in written agreement that is signed and dated by the borrower		X	
<b>98.13</b>	BPCPA (112.21)(2)(a) (i)(ii)(iii) Agreement must include the creditors name, address, contact information and licence number		X	
<b>98.14</b>	BPCPA (112.21)(2)(b) Agreement must include the borrower's name		X	
<b>98.15</b>	BPCPA (112.21)(2)(c) Agreement must include includes the date of the agreement and date(s) of advances		X	
<b>98.16</b>	BPCPA (112.21)(2)(d)(e) Must include a statement the high-cost statement and type of product		X	
<b>98.17</b>	BPCPA (112.21)(2)(f) Agreement must include the principal amount or amount of credit available		X	
<b>98.18</b>	BPCPA (112.21)(2)(g) Agreement must include the term of the and repayment dates		X	
<b>98.19</b>	BPCPA (112.21)(2)(h) (i)(ii)(iii) Agreement must include method, the dates, amount of each transfer, and the cost of accessing funds	X		

<b>98.20</b>	BPCPA (112.21)(2)(i) (i)(ii)(iii)(iv) If a cash card was used, agreement must include the date, time, amount, expiry date of the cash card and a statement that third party fees may apply	X		
<b>98.21</b>	BPCPA (112.21)(2)(j) Agreement must include all charges or amounts subject to interest and detailed description of the interest rate calculations		X	
<b>98.22</b>	BPCPA (112.21)(2)(l) Agreement must include the AIR and if applicable, the APR		X	
<b>98.23</b>	BPCPA (112.21)(2)(m) (i)(ii) Agreement must include total cost of credit by dollar amount	X		
<b>98.24</b>	BPCPA (112.21)(2)(n) Agreement must include all amounts that will be payable by the borrower	X		
<b>98.25</b>	BPCPA (112.21)(2)(o) Agreement must include how amounts referred to in BPCPA 112.21(n) are payable and default procedures		X	
<b>98.26</b>	BPCPA (112.21)(2)(p) Agreement must include how each payment will be applied to the accumulated cost of credit and the principal		X	
<b>98.27</b>	BPCPA (112.21)(2)(q) Agreement must include the borrowers right to make a prepayment	X		
<b>98.28</b>	BPCPA (112.21)(2)(r) Agreement must include any security interest		X	
<b>98.29</b>	BPCPA (112.21)(2)(s) Agreement must include grace period and conditions if any	X		
<b>98.30</b>	BPCPA (112.21)(2)(t) (i)(ii)(iii) Agreement must include what will happen when default occurs		X	
<b>98.31</b>	BPCPA (112.21)(2)(u) Agreement must include the circumstances under which the lender will or may demand payment in full		X	
<b>98.32</b>	BPCPA (112.21)(2)(v) Agreement must include each good / service required and corresponding details			X
<b>98.33</b>	BPCPA (112.21)(2)(w) Agreement must include the amounts and payment dates for optional products purchased			X
<b>98.34</b>	BPCPA (112.21)(2)(x) Agreement must include the conditions under which borrower may terminate an optional product			X
<b>98.35</b>	BPCPA (112.21)(2)(y) Agreement must include when and under what the circumstances the lender will or may cancel the agreement		X	
<b>98.36</b>	BPCPA (112.21)(2)(z) Agreement must include the rights of cancellation under section 112.20			X
<b>98.37</b>	BPCPA (112.21)(2)(z.1) A high-cost credit agreement must include a statement of remedies available		X	

<b>98.38</b>	BPCPA (112.21)(2)(z.2) Agreement must include any other information prescribed by regulations		X	
<b>98.39</b>	BPCPA (112.21)(3) Agreement must be written in a clear and comprehensible manner	X		
<b>98.40</b>	BPCPA (112.21)(4)(a) Must review with the borrower the prescribed matters	X		
<b>98.41</b>	BPCPA (112.21)(4)(b) Borrower initial each prescribed item in the agreement	X		
<b>98.42</b>	BPCPA (112.21)(5) and 5(a) Must give borrowers a copy of their agreement and cancellation notice		X	
<b>98.43</b>	BPCPA (112.21)(7) Must provide a requested copy of their high-cost credit agreement within one business day of the request			X
<b>98.44</b>	BPCPA (112.22)(a) Must not offer any reward to enter into agreement	X		
<b>98.45</b>	BPCPA (112.22)(b) Must not state or imply that a high-cost credit product will improve credit rating if it does not			X
<b>98.46</b>	BPCPA (112.23)(1) Must not require, request or accept an assignment of wages			X
<b>98.47</b>	BPCPA (112.24)(a)(b) Must not require payment method from a borrower unless it is made payable directly to lender		X	
<b>98.48</b>	BPCPA (112.25)(2) Must provide a receipt with prescribed information upon payment		X	
<b>98.49</b>	BPCPA (112.26) Must not attempt to collect a payment before the due date			X
<b>98.50</b>	BPCPA (112.27)(1) Must not initiate a payment more than once		X	
<b>98.51</b>	BPCPA (112.28)(1) Must not require, request or accept information that would give direct access to a borrower's bank account.			X
<b>98.52</b>	BPCPA (112.29) Must not require a borrower's personal information for a purpose other than a high-cost credit agreement		X	
<b>98.53</b>	BPCPA (112.30)(2) If a borrower is entitled to be paid a balance the grantor must pay the balance immediately			X
<b>98.54</b>	BPCPA (112.30)(3) On return of a cash card, a grantor must immediately give the borrower a receipt for the cash card	X		
<b>98.55</b>	BPCPA (112.31)(5) If a borrower is entitled to a refund under the remedies, the high-cost credit grantor must provide the refund immediately			X

<b>99</b>	BPCPA (114) - Harassment			X
<b>100</b>	BPCPA (115) (1-3) - Disclosure to debtor		X	
<b>101</b>	BPCPA (116) (1-4) - Communication with debtor			X
<b>102</b>	BPCPA (117) (1-2) - Communication with others			X
<b>103</b>	BPCPA (118) (2) - Time of communication	X		
<b>104</b>	BPCPA (119) - Cost of communication	X		
<b>105</b>	BPCPA (120) - Collection of debt			X
<b>106</b>	BPCPA (121) (1,1.1,2,4) - Legal proceedings			X
<b>107</b>	BPCPA (122) - Removal of property			X
<b>108</b>	BPCPA (123) - False or misleading information			X
<b>109</b>	BPCPA (126) (2-3) - Accounting and payment of money collected			X
<b>110</b>	BPCPA (127) (1, 3-7) - Debt Repayment Agents			X
<b>111</b>	BPCPA (128) (1, 4b) - Fees and disbursements			X
<b>112</b>	BPCPA (131) - Payment to compensation fund	X		
<b>113</b>	BPCPA (143) - Licence required for designated activity of travel wholesaler			X
<b>113.1</b>	BPCPA (143) - Licence required for designated activity of travel agent			X
<b>113.2</b>	BPCPA (143) - Licence required for designated activity of payday lender		X	
<b>113.3</b>	BPCPA (143) - Licence required for designated activity of home inspector			X



113.5	BPCPA (143) - Licence required for designated activity of bailiff or collection agent		X	
113.6	BPCPA (143) - Licence required for designated activity of debt repayment agent			X
113.7	BPCPA (143) - Licence required for designated activity of telemarketer		X	
114	BPCPA (146) (4) - Give cancelled licence to director		X	
114.1	BPCA 164(1)(b) – Conditions on licence			X
115	BPCPA (189)(5) - except paragraph (c)(v) and (d) & (f)			X
116	BPCPA 189(5) (d) & (f)		X	
<b>Debt Collection and Repayment Regulation</b>				
117	DCRR (8) (1) - Licence for each location		X	
118	DCRR (9) (1) - Trust accounts			X
119	DCRR (9) (2) - Trust disbursements		X	
120	DCRR (10) (1) - Annual statement (debt collection)		X	
121	DCRR (11) (2) - Reporting to director	X		
122	DCRR (11) (4) - Other conditions on licence		X	
123	DCRR (11) (5) - Moving property without authority	X		
124	DCRR (12) (1b) - Provision of Security (debt collection)	X		
<b>Telemarketing Licensing Regulation</b>				
125	TLR (4) (1) - Licence for each location		X	
126	TLR (4) (2) - Notification of change of address		X	
127	TLR (5) - Display of licence	X		

128	TLR (6)(2)(d) - Report employee change to director		X	
129	TLR (7) (1) - Records distance sales contracts		X	
130	TLR (7) (2) - Records of contributions		X	
131	TLR (7) (3) - Retention of records		X	
132	TLR (8) (2) - Communications prohibited		X	
133	TLR (8) (3) - Communications within 30 days	X		
134	TLR (8) (4) - Display of telephone number		X	
135	TLR (8) (5) - Disclosure of supplier		X	
<b>Home Inspector Licensing Regulation</b>				
136	HILR (6) - Display of licence	X		
137	HILR (7) - Report changes to director	X		
138	HILR (8) - Records		X	
139	HILR (9) - Prohibited practices		X	
<b>Travel Industry Regulation</b>				
140	TIR (5) - Licence for each location		X	
141	TIR (8) - Display of licence	X		
142	TIR (9) (1) - Prohibited practices		X	
143	TIR (9) (2) - Use of personal credit card	X		
144	TIR (9) (3) - Display of licence number in visual advertisements	X		
145	TIR (10) (1) - Reporting changes		X	
146	TIR (10) (2) - Reporting cessation of activity			X

147	TIR (11) (1) - Records in BC	X		
148	TIR (11) (2) - Records available to director		X	
149	TIR (12) (1) - Annual financial statement		X	
150	TIR (12.1) - Receipts		X	
151	TIR (12) (2) - Information required in financial statement	X		
152	TIR (13) (1) - Trust accounts		X	
153	TIR (13) (2) - Designation of trust account	X		
154	TIR (13) (3) - Deposit to trust account		X	
155	TIR (13) (5) - Authorized disbursements		X	
156	TIR (13) (6) - Records of trust account		X	
157	TIR (17) (3) - Travel Assurance Fund contribution		X	
<b>Payday Loans Regulation</b>				
158	PLR (5) - Licence for each location		X	
159	PLR (7) - Display of licence	X		
160	PLR (8) - Business name on licence	X		
161	PLR (10) - Reporting changes to director		X	
162	PLR (11) - Retention of documents		X	
163	PLR (13) - Signs and notices	X		
164	PLR (16) - Cash cards	X		
<b>Cremation, Interment &amp; Funeral Services Act</b>				
165	CIFSA (3) - Records to be kept		X	

<b>166</b>	CIFSA (4) - Improper disposition			X
<b>167</b>	CIFSA (8) (1-3) - Requirement for authorization			X
<b>168</b>	CIFSA (11) - Refusal to handle containers		X	
<b>169</b>	CIFSA (12) - Presentation of human remains for cremation	X		
<b>170</b>	CIFSA (13) - Time frames for cremation		X	
<b>171</b>	CIFSA (14) - Prohibition on cryonics			X
<b>172</b>	CIFSA (15) - Prohibition on commission or bonus			X
<b>173</b>	CIFSA (16) (2) - Exhumation and disinterment		X	
<b>174</b>	CIFSA (17) - Transportation of human remains		X	
<b>175</b>	CIFSA (18) - Funeral director required after exhumation		X	
<b>176</b>	CIFSA (19) - Movement of remains unless prescribed		X	
<b>177</b>	CIFSA (23) - Certificate of public interest required			X
<b>178</b>	CIFSA (26) - Use of place of interment restricted	X		
<b>179</b>	CIFSA (27) - Sale or other use restricted			X
<b>180</b>	CIFSA (28) (3-5,7) - Establishment of care fund		X	
<b>181</b>	CIFSA (30) (2) - Maintain records of care fund		X	
<b>182</b>	CIFSA (31) (1) - Transfer of care fund to new operator		X	
<b>183</b>	CIFSA (32) (2) - Use of care funds			X
<b>184</b>	CIFSA (36) - Requirements with no care fund		X	
<b>185</b>	CIFSA (39) (1) (a) - Requirement for Bylaws - Cemetery	X		

<b>186</b>	CIFSA (39) (2) (a) - Requirement for Bylaws - Crematorium		X	
<b>187</b>	CIFSA (39) (3) - Requirement to submit bylaws if requested	X		
<b>188</b>	CIFSA (39) (6) - Requirements to make bylaws available	X		
<b>189</b>	CIFSA (41) (1-2) - Installation of memorials		X	
<b>190</b>	CIFSA (42) (3) - Keeps maps and plans		X	
<b>191</b>	CIFSA (42) (4) - Transfer of maps and plans to new operator	X		
<b>192</b>	CIFSA (43) - Rectification of errors in interment		X	
<b>193</b>	CIFSA (44) - Prerequisites of ceasing sales	X		
<b>194</b>	CIFSA (45) - Notice if war graves affected	X		
<b>195</b>	CIFSA (46) (3) - Notice of removal of objects from lots		X	
<b>196</b>	CIFSA (47) - Prohibition on interference		X	
<b>197</b>	CIFSA (48) - Prohibition on disturbances		X	
<b>198</b>	CIFSA (49) - Prohibition on being in cemeteries at certain times	X		
<b>199</b>	CIFSA (51) (2) - Prerequisites for conversion of places of interment			X
<b>200</b>	CIFSA (51) (5) - Notice of conversion of place of interment		X	
<b>201</b>	CIFSA (53) - Obligations on operator after approval given			X
<b>202</b>	CIFSA (55) - Application of BPCP Act - Part 9 - licence required for operator			X
<b>202.2</b>	CIFSA (55) - Application of BPCP Act - Part 9 - licence required for embalmer		X	
<b>202.3</b>	CIFSA (55) - Application of BPCP Act - Part 9 - licence required for funeral director			X
<b>202.4</b>	CIFSA (55) - Application of BPCP Act - Part 9 - licence required for apprentice		X	

202.5	CIFSA 58(1) – Administrative penalties			X
203	CIFSA (61) (3) - Offences except paragraph (d)(iii)			X
<b>Cremation, Interment &amp; Funeral Services Regulation</b>				
204	CIFSR (2) - Respectful handling of human remains			X
205	CIFSR (8) (1) - Disposition of unclaimed cremated remains		X	
206	CIFSR (11) - Identification of funeral provider or operator	X		
207	CIFSR (12) (1) - Identification of business address	X		
208	CIFSR (12) (2) - Identification of public company affiliation	X		
209	CIFSR (12) (3) - Identification of contractual relationships of society		X	
210	CIFSR (13) - Prohibited charges		X	
211	CIFSR (15) - Location of licensed activity		X	
212	CIFSR (16) - Reporting to the Director			X
213	CIFSR (19) - Approval of additional areas		X	
214	CIFSR (21) (1) - Administration of care fund - payments to care fund			X
215	CIFSR (25) (4) - Reclamation of interment right - previously sold	X		
216	CIFSR (29) (1) - Amended licence for new appliance			X
217	CIFSR (32) (1) - Facility requirement - meeting room	X		
218	CIFSR (32) (2) - Facility requirement - preparation room		X	
219	CIFSR (32) (3) - Facility requirement - equipment		X	
220	CIFSR (33) (1) - Obligations of funeral providers			X

221	CIFSR (33) (3) - Obligations of funeral providers - location		X	
222	CIFSR (34) (1) - Display of containers		X	
223	CIFSR (34) (2) - Display room or area		X	
224	CIFSR (34) (3) - Display of price of container	X		
225	CIFSR (38) (1) - Continuing education requirement	X		
226	CIFSR (39) (1) - Obligation of funeral directors - employment			X
227	CIFSR (39) (2) - Obligation of embalmer - employment			X
228	CIFSR (40) - Reporting of possessions of deceased			X
229	CIFSR (41) - Display of licences	X		
230	CIFSR (42) (1) - Change of address of location		X	
231	CIFSR (42) (2) - Change of address or employer - employee	X		
232	CIFSR (42) (3) - Return of licence	X		
<b>Ticket Sales Act</b>				
233	TSA 3(1)(a) – Must not sell software to circumvent security measures			X
234	TSA 3(1)(b) – Must not circumvent access controls			X
235	TSA 3(1)(c) – Must not circumvent other measures or controls			X
236	TSA 3(1)(d) – Must not circumvent a prescribed measure, control or system			X
237	TSA 3(3) - Must not sell tickets obtained through the use of software described in subsection			X
238	TSA 3(4)(a) - Exercise reasonable diligence and cancel as required			X
239	TSA 3(4)(b) - Exercise reasonable diligence and cancel as required			X

240	TSA 4(1)(a) - Primary ticket seller must disclose total price of ticket, itemized fees, charges, and taxes		X	
241	TSA 4(1)(b) - A primary ticket seller must disclose face value of ticket on the ticket when issued to purchaser		X	
242	TSA 4(2)(a) - Secondary ticket seller must disclose total price and face value of the ticket		X	
243	TSA 4(2)(b) - Secondary ticket seller must itemize fees, service charges imposed by the secondary seller and any taxes		X	
244	TSA 4(3)(a) - Secondary ticketing platform operator must disclose total price and face value of the ticket		X	
245	TSA 4(3)(b) - Secondary ticketing platform operator must itemize costs		X	
246	TSA 4(4) Information required under TSA 4 must be clear, prominent, and comprehensible		X	
247	TSA 5(2) Ticket service provider – Correct currency disclosure		X	
248	TSA 5(3) Ticket service provider must disclose the location of the seat / standing area		X	
249	TSA 5(4) Ticket service provider must disclose terms and conditions that apply to sale of ticket		X	
250	TSA 5(5) Ticket service provider prescribed disclosures		X	
251	TSA 5(6) Information required is clear and comprehensible		X	
252	TSA 6(a) Secondary ticket seller and secondary platform operator must provide a guarantee for a full refund		X	
253	TSA 6(b) Secondary ticket seller and secondary platform operator must provide a guarantee for any other prescribed guarantees		X	
254	TSA 7(1)(a) Secondary ticket seller must disclose the seller's identity as a secondary ticket seller		X	
255	TSA 7(1)(b) Secondary ticket seller must disclose the seller's name, location, and contact information		X	
256	TSA 7(2) A secondary ticketing platform operator must disclose the secondary ticket seller's name, location and contact information		X	
257	TSA 8(1) A secondary ticket seller must not sell a ticket unless the primary seller originally made the ticket available to public			X



258	TSA 9 A person must not make a ticket available for sale if the ticket is not in the person's possession or control.			X
259	TSA 10(2)(a) A ticket service provider must be incorporated under the laws of Canada or British Columbia			X
260	TSA 10(2)(b) A ticket service provider must maintain an accessible address			X
261	TSA 20(3)(a) A person must not supply false or misleading information			X
262	TSA 20(3)(b) A person must not refuse or fail to provide information			X
263	TSA 20(3)(c) A person must obstruct, hinder or interfere			X
264	TSA 20(3)(d) A person must not fail to comply with director's order, an undertaking, or court order			X
<b>Ticket Sales Regulation</b>				
265	TSR 5(a) A ticket service provider must disclose restrictions on the form of the ticket		X	
266	TSR 5(b) A ticket service provider must disclose any restrictions on the sale/transfer of the ticket		X	
<b>High-Cost Credit Product Regulation</b>				
267	HCCPR 11 Separate high-cost credit grantor licence for each location	X		
268	HCCPR 13(1) Licence must be prominently displayed at the location for which it was issued	X		
269	HCCPR 13(2) Business on the internet must display their licence number and other identification	X		
270	HCCPR 14 Must not carry on a business in a name other than the registered name	X		
271	HCCPR 16(1)(and 2) report changes within 14 days of the changes occurring		X	
272	HCCPR 17(1)(2)(3) HCCG must retain documents for 3 years		X	
273	HCCPR 24 HCCG must provide written confirmation of cancellation of optional products			X
274	HCCPR 26(3) Payout of cash cards balances by a HCCG		X	