 CONSUMER PROTECTION BC	Publishing Licensing, Administrative and Enforcement Actions Policy	Version: 2025 3.1 Modified: June 2025 Approved: June 16, 2025 Approved by: President & CEO
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Publishing Licensing and Enforcement Actions Policy

1.0 Purpose

One of Consumer Protection BC's core functions, as stated in our Administrative Agreement with government, is the provision of information and assistance to consumers and businesses regarding their rights and obligations under the laws we administer. Without limitation, this includes consumer education initiatives that provide information verbally, in printed materials, online and through the media to raise awareness.

In addition to our broad mandate to provide information to consumers and licensees, we may publish information respecting actions or decisions regarding our licensing and enforcement functions. This document sets out Consumer Protection BC's policy for publishing this information.

2.0 Definitions

Administrative actions include actions taken against licensees for violations involving regulatory responsibilities. They can include undertakings; compliance orders; administrative penalties; property freeze orders; court orders made under Part 10 of the *Business Practices and Consumer Protection Act* (BPCPA), Part 11 of the *Cremation, Interment and Funeral Services Act* (CIFSA), or Part 4 of the *Ticket Sales Act* (TSA); or convictions for an offence under the BPCPA, CIFSA, TSA or Motion Picture Act (MPA).

Decisions means the written reasons for licensing, administrative and enforcement actions. They are issued to the respondents and include a summary of the complaint(s), the facts, the relevant legislation, the alleged violations, the analysis, the reasons for the decision, and the decision.

Enforcement actions include actions taken in respect of consumer complaints and marketplace transactions. They can include undertakings; compliance orders; direct sales prohibition orders; administrative penalties; property freeze orders; court orders made under Part 10 of the *Business Practices and Consumer Protection Act* (BPCPA), Part 11 of the *Cremation, Interment and Funeral Services Act* (CIFSA), or Part 4 of the *Ticket Sales Act* (TSA); or convictions for an offence under the BPCPA, CIFSA, TSA or Motion Picture Act (MPA).

Judicial Review is a legal procedure that takes place in the BC Supreme Court. In a judicial review, a BC Supreme Court judge reviews a decision that has been made by an administrative tribunal or an administrative decision maker.

Licensees are businesses and individuals licensed by Consumer Protection BC.

Licensing actions include the refusal of an application for a licence, or suspension or cancellation of an existing licence under section 146 of the BPCPA, section 55 of the CIFSA, or section 8 of the MPA.

Notice of Penalty/Undertaking/Order/Licensing Action Documents are sent to the respondents and include basic information about the decision, including the requirements of the order and the reconsideration or appeal process.

Publishing means making public in any manner, including by or through any medium. This includes listing information in the licensing, administrative or enforcement action search logs of the Consumer Protection BC website; loading a summary and written reasons of decisions and actions on the Consumer Protection BC website; and distributing the information to the media and/or through social media.

Respondents are persons or businesses against whom actions may be taken.

Reconsiderations are requests to the director to reconsider decisions respecting a licence, a compliance order, a direct sales prohibition order or an administrative penalty. Reconsiderations do not apply to an undertaking; a court order made under the BPCPA, CIFSA or TSA; or a conviction of an offence under any Act.

3.0 Policy Statements

- (a) Consumer Protection BC may publish information respecting licensing, administrative and enforcement decisions and actions. This information serves to increase consumers' ability to make informed decisions, inform businesses of formal decisions and statutory actions, and to reduce the incidence of violations.
- (b) Publishing this information serves to inform consumers about businesses and individuals against which actions have been taken and educates consumers and businesses about requirements under the legislation. It confirms that Consumer Protection BC enforces the legislation to ensure a fair marketplace.
- (c) Consumer Protection BC may publish a searchable list of all decisions and actions with hyperlinks to the reasons for the decision or action on the Consumer Protection BC website.
- (d) Consistent with the requirements of the Freedom of Information and Protection of Privacy Act (FIPPA) and the BPCPA, CIFSA, TSA and MPA, Consumer Protection BC will withhold certain information in the published documents to protect privacy.
- (e) All summaries and notices published on the website will remain on the website for at least two years after the determination date, after which time they will be archived. Archived information will be available upon request.

4.0 Rationale

Consumer Protection BC may publish decisions to inform consumers, suppliers, and licensees about enforcement processes related to requirements under the applicable legislation.

Publication of decisions falls within our mandate, described by enabling legislation as the protection of consumers, promotion of fairness and knowledge, and administration of the Act in the public interest. It is also consistent with public expectations of public bodies' openness about their processes. Further, Consumer Protection BC's publication of decisions will conform to requirements of the FIPPA.

5.0 Procedures

See "Procedures for Publication of Decisions" document.

6.0 Authority

The authority to publish information respecting statutory determinations is provided as follows:

Business Practices and Consumer Protection Act

The Business Practices and Consumer Protection Act (Part 12, Division 3) states:

Publication by director

186 (1) The director may publish information respecting the following:

- (a) the suspension or cancellation of a licence
- (b) an undertaking
- (c) a compliance order
- (d) a direct sales prohibition order
- (e) a property freezing order
- (f) the imposition of an administrative penalty
- (g) a court order made under this Act
- (h) a conviction of an offence under this Act.

(2) Without limiting subsection (1), the director may publish

- (a) the name of the person against whom action is taken
- (b) the amount of any penalty, and
- (c) the reason for the action taken or the nature of the contravention.

Cremation, Interment and Funeral Services Act

The *Cremation, Interment and Funeral Services Act* adopts certain section of the Business Practices and Consumer Protection Act, including the power of the Director to publish information respecting decisions and reconsiderations:

Application of Division 1 of Part 12 – reconsiderations

60 (5) Sections 181 [reconsideration by director], 182 (1), (5) and (6) [powers of director on reconsideration] and 186 [publication by director] of the *Business Practices and Consumer Protection Act* apply for the purposes of this Act.

Ticket Sales Act

The Ticket Sales Act (Part 7) states:

Publication by director

25 (1) A director may publish information respecting any of the following:

- (a) an undertaking;
- (b) an order made by a director or an inspector under this Act;
- (c) the imposition of an administrative penalty;
- (d) a court order made under this Act;
- (e) a conviction for an offence under this Act.

(2) Without limiting subsection (1), a director may publish

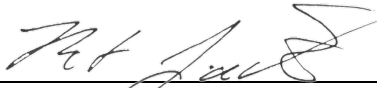
- (a) the name of a person against whom action referred to in that subsection is taken,
- (b) the amount of any penalty, and
- (c) the reason for the action taken or the nature of the contravention.

Motion Picture Act

While the MPA contains no specific provision related to the publishing of statutory determinations, Consumer Protection BC considers it an inherent statutory responsibility to provide to the public information regarding the status of any statutory determination or licensing action taken under the Act. As such, should the director take a licensing or enforcement action under the MPA, Consumer Protection BC will provide information respecting that action.

Freedom of Information and Protection of Privacy Act

All Consumer Protection BC's publication of decisions will conform to requirements of the FIPPA.

7.0 Approval

Robert Gialloreti
President & CEO

June 16, 2025

Date