

Reportable complaints aggregate report guide¹

Consumer Provisions		
Classification in WebCIMS	Examples	Section of the Act TLCA = Trust and Loan Companies Act CCAA = Cooperative Credit Association Act ICA = Insurance Companies Act
Account		
Agreement and Complaint Procedures	Failure to provide a copy of the account agreement and complaint procedures.	431 TLCA 385.1 CCAA
	Failure to provide disclosure when opening a second account by telephone.	431 TLCA 385.1 CCAA <i>Disclosure on Account Opening by Telephone Request Regulations</i>
Disclosure of Charges	Failure to disclose, in prescribed manner and time, charges for deposit account and for services normally provided to customers and the public.	432 TLCA 385.11 CCAA <i>Disclosure of Charges Regulations</i>
	Failure to provide advance notice to customers of any new or increase in charges to personal deposit accounts.	433 TLCA 385.12 CCAA
	Failure to provide advance notice for services on deposit accounts.	s. 4 <i>Disclosure of Charges Regulations</i>
	Failure to waive fees after second deposit account (opened by telephone) is closed within 14 days of opening.	431 TLCA 385.1 CCAA <i>Disclosure on Account Opening by Telephone Request Regulations</i>

¹ This is a guideline only. For greater certainty please refer to the *Trust and Loan Companies Act*, *Cooperative Credit Associations Act* and *Insurance Companies Act* and relevant *Regulations* associated to these Acts. The examples provided under each section are not exhaustive of all the consumer provisions.

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to provide information on how customers will be notified of increases to fees or addition of new fees.	431 TLC 385.1 CCAA
	Failure to provide information on all account charges.	431 TLCA 385.1 CCAA
	Failure to have express agreement with customer regarding fees charged on accounts.	426 TLCA 385.06 CCAA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
Interest	Failure to disclose interest rate on deposit account in Canada and how interest is calculated when opening an account.	427 TLCA 385.07 CCAA s. 3 <i>Disclosure of Interest Regulations</i>
	Failure to disclose in advertisement, in accordance with the Disclosure of Interest Regulations, the amount of interest to be calculated on a deposit account or debt obligation.	428 TLCA 385.08 CCAA s. 6 <i>Disclosure of Interest Regulations</i>
	Failure to disclose a change in the rate of interest or manner of calculating the amount of interest.	427 TLCA 385.07 CCAA s. 4 <i>Disclosure of Interest Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service.	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	

Branch Closure

General	Failure to provide notice to customers and public.	444.1 TLCA 385.27 CCAA <i>Notice of Branch Closure Regulations</i>
---------	--	--

Cheques

Availability of first \$100	Failure make the first \$100 of all funds deposited by a cheque or other instrument on any one day to a retail deposit account available for withdrawal <ul style="list-style-type: none"> • immediately, if it is deposited in person with an employee at one of the institution's branches or points of service; and • on the business day following the day of the deposit, if it is deposited in any other manner. 	s. 4 <i>Access to Funds Regulations</i> TLCA, CCAA
-----------------------------	--	---

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Information missing from written notice of refusal	sub. 6(2) <i>Access to Funds Regulations</i> TLCA, CCAA
	No notice of refusal provided.	
Federal – Fee to cash	Failure to cash a federal government cheque free of charge.	443(4) TLCA 385.25(4) CCAA
Holds	Failure to disclose in writing to any person who opens a retail deposit account to which they may deposit cheques, the information as prescribed in Regulations.	s. 7 <i>Access to Funds Regulations</i> TLCA, CCAA
	Failure to disclose the information referred to in section 7 to its customers and to the public by means of a written notice, copies of which must be displayed and made available at each of the institution's branches where personal deposit accounts are offered, at each of the institution's points of service and on each of the institution's websites through which it offers products and services in Canada.	s. 8 <i>Access to Funds Regulations</i> TLCA, CCAA
	Failure to make available for withdrawal any funds deposited by cheque or other instrument to a retail deposit account or to a deposit account held by an eligible enterprise as prescribed in Regulations.	s. 3 <i>Access to Funds Regulations</i> TLCA, CCAA
	Failure to disclose any change that is made to the information referred to in section 7 as prescribed in Regulations.	s. 9 <i>Access to Funds Regulations</i> TLCA, CCAA
	Information missing from written notice of refusal.	sub. 6(2) <i>Access to Funds Regulations</i> TLCA, CCAA
	No notice of refusal provided.	

Complaint Procedures

General	Failure to designate a committee of the board to monitor the procedures referred to in paragraph (e) and satisfy itself that they are being adhered to by the FRFI.	161(2)(f) TLCA 167(2)(g) CCAA 165(2)(g) ICA
	Failure to designate an officer or employee to be responsible for implementing procedures and designate one or more officers or employees to receive and deal with those complaints.	441 TLCA 385.22 CCAA 486/604 ICA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Make their complaints handling procedures (CHP) available in the following manner: <ul style="list-style-type: none"> • In a brochure available in branches where products and services are offered in Canada • On websites where products and services are offered in Canada • In written format to be sent to any person who requests them 	441 TLCA 385.22 CCAA 486/604 ICA
	Failure to have procedures in place.	441 TLCA 385.22 CCAA 486/604 ICA
	Failure to file or include required elements in complaints-handling procedures.	441/442 TLCA 385.22/385.24 CCAA 486/604; 487/605 ICA
	Failure to inform customers with consumer provision complaints how to reach FCAC.	TLCA 385.24 CCAA 487/605 ICA
	Failure to be member of a third-party dispute resolution body.	441.1 TLCA 385.23 CCAA 486.1/604.1 ICA
Credit Card		
Allocation of payment	Failure to allocate payments as prescribed in Regulations.	s. 4 Credit Business Practices Regs TLCA, ICA, CCAA
Amendment	Failure to disclose amendment to credit agreement.	438 TLCA 385.18 CCAA 482/601 ICA sub. 12(3) <i>Cost of Borrowing Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Application – General	Failure to disclose information in application as required in Regulations.	438 TLCA 385.18 CCAA 482/601 ICA s. 11 <i>Cost of Borrowing Regulations</i>
Application – Information box	Failure to disclose information box and content as prescribed.	s. 6 <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Credit limit	Failure to obtain express consent prior to increasing the credit limit.	s. 6 <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations.	s. 7 <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
General	Failure to disclose required information when advertising.	439 TLCA 385.2 CCAA 483/601.2 ICA s. 21 <i>Cost of Borrowing Regulations</i>
	Forced to maintain a minimum credit balance.	443 TLCA 385.25 CCAA
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise.	436 TLCA 385.16 CCAA 480/599 ICA sub. 6(4) <i>Cost of Borrowing Regulations</i>
	Denied opportunity to prepay money advanced or installment before due date.	443(1) TLCA 385.25(1) CCAA 488(1)/606(1) ICA
Grace period	Cannot require payment prior to 21 days after last day of billing cycle.	sub. 3(2) <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
	Payment due on weekend or holiday must be accepted on the next business day as due date.	sub. 3(2) <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
	Cannot charge interest on purchases or charges during a billing cycle until the date after the day on which payment is due in respect of the billing cycle.	sub. 3(2) <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Initial disclosure – General	Failure to disclose in the prescribed manner the cost of borrowing before loans that are repayable in Canada are made to a natural person.	436/438 TLCA 385.16/385.18 CCAA 480/482/599/601 ICA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Initial disclosure – Information box	Failure to include information box and content as prescribed.	s. 6 <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font/white space, etc.).	s. 6 <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise.	para. 12(5)(d) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	If consent oral, FRFI must without delay confirm to the borrower in writing.	
Non-interest charges	Failure to disclose amendment of non-interest charges.	438 TLCA; 385.18 CCAA; 482/601 ICA; sub. 12(3) <i>Cost of Borrowing Regulations</i>
	Failure to disclose information on non interest charges when card was issued or when applying.	436 TLCA 385.16 CCAA; 480/599 ICA; sub. 12(1); paras. 10(1)(c), 11(1)(c); <i>Cost of Borrowing Regulations</i>
	Fee charged when credit limit surpassed due to hold on card.	sub. 5(1) <i>Credit Business Practices Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel.	436 TLCA 385.16 CCAA 480/599 ICA subs 12(1), 16(1); para. 10(1)(i) <i>Cost of Borrowing Regulations</i>
Rate per annum	Failure to disclose cost of borrowing as rate per annum and calculated in the prescribed manner and circumstance.	437 TLCA 385.17 CCAA 481/600 ICA para. 12(1)(a) <i>Cost of Borrowing Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Statement – General	Statement required at least once a month	436 TLCA 385.16 CCAA; 480/599 ICA sub. 12(5) <i>Cost of Borrowing Regulations</i>
	Failure to disclose information in monthly statements as required by Regulations.	436 TLCA 385.16 CCAA 480/599 ICA sub. 12(5) <i>Cost of Borrowing Regulations.</i>
	Itemized statement of account must permit verification of each transaction by linking to borrower’s transaction record.	436 TLCA 385.16 CCAA 480/599 ICA sub. 12(6) <i>Cost of Borrowing Regulations.</i>
	Failure to advise if interest rate will increase in next period circumstances why and what new rate is.	para. 12(5)(d) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	Failure to provide statement not less than 21 days before the payment due date.	sub. 3(1) <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Statement – Estimate repay balance	Failure to disclose an estimate of the length of time in years and month required to repay the outstanding balance.	para. 12(5)(d) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Deposit Type Instrument		
Advertisements	Failure to disclose in an advertisement: <ul style="list-style-type: none"> • how the public may obtain information about the instruments. • the manner in which interest is to be accrued and any limitations in respect of the interest payable. • if the instruments relate to deposits that are not eligible for deposit insurance coverage by the Canada Deposit Insurance Corporation. 	<i>s. 8 Deposit Type Instrument Regulations</i> TLCA, CCCA
Amendments	Failure to disclose the amendment, and its potential impact on the interest payable, in writing to the person to whom the instrument was issued before making an amendment to any terms or conditions of a deposit-type instrument.	<i>s. 5 Deposit Type Instrument Regulations</i> TLCA, CCCA
Disclosure	Failure to disclose information orally and in writing at or before the time an institution enters into an agreement for the issuance of a deposit type instrument.	<i>s. 3 Deposit Type Instrument Regulations</i> TLCA, CCCA
Early redemption	Failure to disclose to the person to whom the instrument was issued the amount of the principal and accrued interest, any penalty or charge for the redemption and the net amount payable by the institution on redemption, before the end of the investment period.	<i>s. 7 Deposit Type Instrument Regulations</i> TLCA, CCCA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	<i>s. 3 Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
General	Failure to disclose required information as prescribed by Regulations	ss. 6, 9 <i>Deposit Type Instrument Regulations</i> TLCA, CCCA
Knowledgeable person	Failure to disclose the telephone number of a person who is knowledgeable about the terms and conditions of the instruments for agreements entered into by electronic means or by mail as prescribed by the Regulations.	sub. 3(3) <i>Deposit Type Instrument Regulations</i> TLCA, CCCA
Clear and simple language	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 2 <i>Deposit Type Instrument Regulations</i> TLCA, CCCA
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service.	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Timing	Failure to disclose required information at or before the time an institution enters into an agreement in person, by telephone, by electronic means or by mail as prescribed by Regulations.	<i>ss. 3, 4 Deposit Type Instrument Regulations</i> TLCA, CCAA
Line of Credit		
Amendment	Failure to disclose amendment to credit agreement.	438 TLCA 385.18 CCAA 482/601 ICA s. 13 <i>Cost of Borrowing Regulations</i>
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations.	<i>s. 7 Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	<i>s. 3 Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
General	Failure to disclose required information when advertising.	439 TLCA 385.2 CCAA 482/601 ICA s. 20 <i>Cost of Borrowing Regulations</i>
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise.	436 TLCA 385.16 CCAA 480/599 ICA sub. 6(4) <i>Cost of Borrowing Regulations</i>
	Denied opportunity to prepay money advanced or installment before due date.	443 TLCA 385.25 CCAA 488/606 ICA s. 17 <i>Cost of Borrowing Regulations</i>
Initial disclosure – General	Failure to disclose in the prescribed manner the <i>Cost of Borrowing Regulations</i> before loans that are repayable in Canada are made to a natural person.	436 TLCA 385.16 CCAA 480/599 ICA
Initial disclosure – Information box	Failure to present the information and content as prescribed.	paras. 6(2.1)(b), 6(2.2)(b); subs. 10(1), 10(2), <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font, white space, etc.).	sub. 6(2.4) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise.	para. 12(5)(d) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	If consent oral, FRFI must without delay confirm to the borrower in writing.	
Non-interest charges	Failure to disclose amendment of non interest charges.	438 TLCA 385.18 CCAA 482/601 ICA s. 13 <i>Cost of Borrowing Regulations</i>
	Failure to disclose information on non interest charges when line of credit was taken.	436 TLCA 385.16 CCAA 480/599 ICA para. 10(1)(c) <i>Cost of Borrowing Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	<p>Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service.</p> <p>Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.</p>	<p>s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA</p>
	Information on all optional services including charges and how to cancel	<p>436 TLCA 385.16 CCAA 480/599 ICA para. 10(1)(i); sub. 16(1) <i>Cost of Borrowing Regulations</i></p>
Rate per annum	Failure to disclose cost of borrowing as rate per annum and calculated in the prescribed manner and circumstance.	<p>437 TLCA 385.17 CCAA 481/600 ICA sub. 10(1) <i>Cost of Borrowing Regulations</i></p>
Statement – General	Failure to provide monthly statement.	<p>436 TLCA 385.16 CCAA 480/599 ICA sub. 10(3) <i>Cost of Borrowing Regulations</i></p>
	Failure to disclose information in monthly statements as required by Regulations.	<p>436 TLCA 385.16 CCAA 480/599 ICA sub. 10(3) <i>Cost of Borrowing Regulations</i></p>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to provide quarterly statements as prescribed in Regulations.	sub. 10(5) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Loan		
Amendment	Failure to disclose amendment in credit agreement.	438 TLCA 385.18 CCAA 482/601 ICA s. 13 <i>Cost of Borrowing Regulations</i>
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations.	s. 7 <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Forced to maintain a minimum credit balance.	443 TLCA 385.25 CCAA 488/606 ICA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	If a borrower under a credit agreement fails to make a payment when it becomes due or fails to comply with an obligation in the agreement, in addition to interest, the bank may impose charges for the sole purpose of recovering the costs reasonably incurred.	438 TLCA 385.18 CCAA 482/601 ICA sub. 9(1); para. 8(1)(m); s. 18 <i>Cost of Borrowing Regulations</i>
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise.	436 TLCA 385.16 CCAA 480/599 ICA sub. 6(4) <i>Cost of Borrowing Regulations</i>
	Failure to disclose required information when advertising.	439 TLCA 385.2 CCAA 483/601.2 ICA, s. 19 <i>Cost of Borrowing Regulations</i>
Initial disclosure – General	Failure to disclose if borrower has right to repay loan, how to repay loan, if and what are rebates, charges or penalties for prepayment and if there are any changes or penalties for late payment or failure to pay an amount at loan maturity.	438 TLCA 385.18 CCAA 482/601 ICA subs. 8(1), 9(1); s. 17 <i>Cost of Borrowing Regulations</i>
	Failure to disclose in the prescribed manner the cost of borrowing before loans that are repayable in Canada are made to a natural person.	436 TLCA 385.16 CCAA 480/599 ICA ss. 8, 9 <i>Cost of Borrowing Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Initial disclosure – Information box	Failure to present the information and content as prescribed.	paras. 6(2.1)(b), 6(2.2)(b) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font, white space, etc.).	sub. 6(2.4) <i>Cost of Borrowing Regulations</i>
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise.	para. 12(5)(d) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	If consent oral, FRFI must without delay confirm to the borrower in writing.	
Non-interest charges	Failure to disclosure amendment of non interest charges.	436 TLCA 385.16 CCAA 480/599 ICA s. 13 <i>Cost of Borrowing Regulations</i>
	Failure to disclose information on non interest charges when loan was taken.	436 TLCA 385.16 CCAA 480/599 ICA subs. 8(1), 9(1) <i>Cost of Borrowing Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel.	436 TLCA 385.16 CCAA 480/599 ICA para. 8(1)(k); sub. 16(1) <i>Cost of Borrowing Regulations</i>
Rate per annum	Failure to provide the cost of borrowing as a rate per annum and calculated in the prescribed manner and circumstance.	437 TLCA 385.17 CCAA 481/600 ICA subs. 9(1), 3(1) <i>Cost of Borrowing Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Statement	Failure to provide statement as prescribed.	436 TLCA 385.16 CCAA 480/599 ICA subs. 9(2), 9(3) <i>Cost of Borrowing Regulations</i>
	Failure to provide quarterly statements as prescribed by Regulations.	sub. 10(5) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Mortgage		
Amendment	Failure to disclose amendment in credit agreement.	438 TLCA 385.18 CCAA 482/601 ICA s. 13 <i>Cost of Borrowing Regulations</i>
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations.	s. 7 <i>Credit Business Practices Regulations</i> TLCA, ICA, CCAA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
General	Failure to disclose required information when advertising.	439 TLCA 385.2 CCAA 483/601.2 ICA s. 19 <i>Cost of Borrowing Regulations</i>
	If a borrower under a credit agreement fails to make a payment when it becomes due or fails to comply with an obligation in the agreement, in addition to interest, the bank may impose charges for the sole purpose of recovering the costs reasonably incurred.	438 TLCA 385.18 CCAA 482/601 ICA sub. 9(1); para. 8(1)(m); s. 18 <i>Cost of Borrowing Regulations</i>
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise.	436 TLCA 385.16 CCAA 480/599 ICA sub. 6(4) <i>Cost of Borrowing Regulations</i>
	Failure to provide initial disclosure within the disclosed period of time.	436 TLCA 385.16 CCAA 480/599 ICA s. 7 <i>Cost of Borrowing Regulations</i>
Initial disclosure – General	Failure to disclose in the prescribed manner the <i>Cost of Borrowing Regulations</i> before loans that are repayable in Canada are made to a natural person.	436 TLCA 385.16 CCAA 480/599 ICA
Initial disclosure – Information box	Failure to present the information and content as prescribed.	paras. 6(2.1)(b), 6(2.2)(b) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to present information in information box as prescribed (font, white space, etc.).	sub. 6(2.4) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise.	sub. 6.1(1) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
	If consent oral, FRFI must without delay confirm to the borrower in writing.	sub. 6.1(4) <i>Cost of Borrowing Regulations</i> TLCA, ICA, CCAA
Non-interest charges	Failure to disclose amendment of non interest charges.	438 TLCA 385.18 CCAA 482/601 ICA s. 13 <i>Cost of Borrowing Regulations</i>
	Failure to disclose information on non interest charges when mortgage was taken.	438 TLCA 385.18 CCAA 482/601 ICA subs. 8(1), 9(1) <i>Cost of Borrowing Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service.	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel.	436 TLCA 385.16 CCAA 480/599 ICA para. 8(1)(k); subs. 9(1), 16(1) <i>Cost of Borrowing Regulations</i>
Penalty – Information on rebates/repayment/charges	Failure to disclose if borrower has right to repay loan, how to repay loan, if and what are rebates, charges or penalties for prepayment and if there are any changes or penalties for late payment or failure to pay an amount at loan maturity.	438 TLCA 385.18 CCAA 482/601 ICA subs. 8(1), 9(1); s. 17 <i>Cost of Borrowing Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Rate per annum	Failure to provide the cost of borrowing as a rate per annum and calculated in the prescribed manner and circumstance.	437 TLCA 385.17 CCAA 481/600 ICA subs. 9(1), 3(1) <i>Cost of Borrowing Regulations</i>
Renewal	Failure to notify, in accordance with the <i>Cost of Borrowing Regulations</i> , intention not to renew.	438.1 TLCA 385.19 CCAA 482.1/601.1 ICA s. 14 <i>Cost of Borrowing Regulations</i>
	Failure to provide disclosure statement upon renewal that includes prescribed information.	438.1 TLCA 385.19 CCAA 482.1/601.1 ICA s. 14 <i>Cost of Borrowing Regulations</i>
Statement	Failure to provide statement as prescribed.	436 TLCA 385.16 CCAA 480/599 ICA subs. 9(2), 9(3) <i>Cost of Borrowing Regulations</i>
Prepaid payment products		
Clear and simple language	Failure to disclose in language and presented in a manner, that is clear, simple and not misleading.	s. 3 <i>Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Initial disclosure – General	Failure to disclose the information in writing, before prepaid payment product is issued, to any person applying as prescribed.	s. 4 <i>Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to disclose the information orally, as prescribed by Regulations, for applications made by telephone before the product is issued.	<i>s. 5 Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Initial disclosure – Information box	Failure to present the information in an information box as prescribed.	<i>sub. 4(2) Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Additional disclosure	Any charges for which a natural person to whom a prepaid payment product is issued becomes responsible by accepting or using the product, as well as the following information, must be disclosed in writing to that person on issuance of the product: <ul style="list-style-type: none"> a) the product's terms and conditions, including the product holder's rights and responsibilities with respect to a lost or stolen product; b) a description of how the product holder can verify the balance of the funds loaded on the product; c) a description of how the product holder may, in certain circumstances, use funds loaded on the product towards partial payment of a purchase; and d) the information referred to in paragraphs 4(1)(a) to (f) unless the product is issued in person and that information was disclosed under subsection 4(1) immediately before the issuance of the product. 	<i>s. 6 Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, on issuance of a prepaid product to a person other than a natural person, any charges for which they become responsible for by accepting or using the products as well as the information as prescribed.	
Disclosure on product	Failure to disclose the information by setting it out directly on the prepaid payment product or, if the product is electronic, by disclosing it electronically on the product holder's request, as prescribed.	<i>s. 7 Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Fee changes	Failure to provide notice of fee increase or new fees associated with a prepaid payment product that is issued to a natural person as prescribed.	<i>s. 8 Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Expiry date	An institution must not impose an expiry date on a prepaid payment product holder's right to use the funds that are loaded on a prepaid payment product unless it is a promotional product.	<i>s. 9 Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Fees	An institution must not impose a maintenance fee on a prepaid payment product holder for a period of 12 months after the day on which the product is activated unless it is <ul style="list-style-type: none"> a) a promotional product; or b) a reloadable product and the product holder has given their express consent to the imposition of the fee. 	s. 10 <i>Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
	An institution must not charge overdraft fees or interest in respect of a prepaid payment product without the express consent of the product holder.	s. 11 <i>Prepaid Payment Products Regulations</i> TLCA, ICA, CCAA
Principal protected notes		
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to comply with <i>Principal Protected Notes Regulations</i> .	385.28 CCAA 443.3 TLCA <i>Principal Protected Notes Regulations</i>
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	

Public Accountability Statement

General	Filing requirements not met. Applies to Canadian FRFIs over \$1 billion equity.	444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>
	Failure to disclose to public a copy of the Public Accountability Statement. Applies to Canadian FRFIs over \$1 billion equity.	444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>
	Failure to publish Public Accountability Statement. Applies to Canadian FRFIs over \$1 billion equity.	444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Registered Products		
Amendments	Failure to disclose the proposed amendment in writing to the person to whom the product was provided before amending any terms and conditions.	s. 4 <i>Registered Products Regulations</i> TLCA, CCCA
Complaint procedures	Failure to provide information about the bank's procedures relating to complaints about the application of any charge applicable to the registered product.	434.1(1) TLCA 385.131(1) CCCA <i>Registered Products Regulations</i>
Disclosure of charges	Failure to maintain a list of the charges applicable to registered products at each of its branches and points of service where registered products are offered in Canada and on each of its websites through which registered products are offered in Canada.	s. 5 <i>Registered Products Regulations</i>
	Failure to provide information about: <ul style="list-style-type: none"> • all charges applicable to the registered product. • how the customer will be notified of any increase in those charges and of any new charge applicable to the registered product. 	434.1(1) TLCA; 385.131(1) CCCA <i>Registered Products Regulations</i>
Clear and simple language	Information must be made in language and presented in a manner that is clear, simple and not misleading.	sub. 2(1) <i>Registered Products Regulations</i> TLCA, CCCA
Electronic documents	Failure to comply with electronic documents as prescribed by Regulations.	<i>Electronic Documents Regulations</i> TLCA, ICA, CCAA
Express consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	s. 3 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	

Consumer Provisions

Classification in WebCIMS	Examples	Section of the Act
Optional products and services	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	s. 9 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	s. 4 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	s. 5 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	s. 6 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	s. 7 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service.	s. 8 <i>Negative Option Billing Regulations</i> TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Timing	Failure to provide information in writing and orally when an account is opened in person, by telephone or by electronic means as prescribed by Regulations.	subs. 2(2), 2(3), 2(4), 2(5) <i>Registered Products Regulations</i> TLCA, CCAA

For greater certainty please refer to the *Trust and Loan Companies Act*, the *Cooperative Credit Associations Act*, the *Insurance Companies Act* and relevant *Regulations* pertaining to these Acts. This is a guideline. The examples provided are suggestions only.