



# ANNUAL REPORT OF ACTIVITIES



2012-13

CTV  
QUESTION  
PERIOD

CONSUMERS COUNCIL OF CANADA

Source: CTV News



1

## PRINCIPLES

The Consumers Council of Canada works collaboratively with consumers, business and government, seeking an efficient, equitable, effective and safe marketplace for consumers by informing and advocating concerning the following consumer rights and responsibilities.

**Basic Needs** – *The right* to basic goods and services that guarantee survival. *The responsibility* to use these goods and services appropriately. To take action to ensure that basic needs are available.

**Safety** – *The right* to be protected against goods or services that are hazardous to health and life. *The responsibility* to read instructions and take precautions. To take action to choose safety equipment, use products as instructed and teach safety to children.

**Information** – *The right* to be given the facts needed to make an informed choice, to be protected against misleading advertising or labeling. *The responsibility* to search out and use available information. To take action to read and follow labels and research before purchase.

**Choice** – *The right* to choose products and services at competitive prices with an assurance of satisfactory quality. *The responsibility* to make informed and responsible choices. To take action to resist high-pressure sales and to comparison shop.

**Representation** – *The right* to express consumer interests in the making of decisions. *The responsibility* to make opinions known, to take action to join an association such as the Consumers Council, to make your voice heard and to encourage others to participate.

**Redress** – *The right* to be compensated for misrepresentation, shoddy goods or unsatisfactory services. *The responsibility* to fight for the quality that should be provided, to take action by complaining effectively, and to refuse to accept shoddy workmanship.

**Consumer Education** – *The right* to acquire the knowledge and skills necessary to be an informed consumer. *The responsibility* to take advantage of consumer opportunities, to take action by attending seminars and workshops, and to work to ensure consumer education takes place in schools.

**Healthy Environment** – *The right* to live and work in an environment that is neither threatening nor dangerous and which permits a life of dignity and well-being. *The responsibility* to minimize environmental damage through careful choice and use of consumer goods and services, to take action to reduce waste, to reuse products whenever possible, and to recycle whenever possible.

**Privacy** – *The right* to privacy particularly as it applies to personal information. *The responsibility* to know how information will be used and to divulge personal information only when appropriate.

The Council is committed to:

Being a voice for consumers

Listening to consumers

Consumer Empowerment

Integrity

Stakeholder involvement

Excellence in stakeholder and member services

Financial sustainability





A handwritten signature in blue ink that reads "Aubrey Le Blanc". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

AUBREY LE BLANC

2

## PRESIDENT'S REPORT

The Consumers Council of Canada was exceptionally busy representing consumers in 2012-13. The organization stretched to the limit to address issues of importance to Canadian consumers, as governments in Canada showed renewed interest in consumer concerns.

The Council's agenda was filled with complex work related to:

- the system of payments,
- door-to-door sales,
- all-in pricing,
- wireless services contracts,
- federal anti-spam enforcement,
- waste management,
- food and consumer product safety,
- food information, labelling and advertising,
- structural issues in Ontario electricity distribution sector,
- the changing world of standards organizations,
- legal reform related to condominium ownership,
- and other challenging issue areas.

The Council welcomed new engagement in the area of standards regulation and enforcement, as the Technical Standards and Safety Authority and the Electrical Safety Authority in Ontario stepped up their engagement with our organization. Council members have long been active as consumer representatives in these organizations.

The Council continues to work towards achieving meaningful consumer representation and participation in major standards organizations, such as Standards Council of Canada, CSA Group, Underwriters Laboratories and ASTM International.

Like all organizations, we believe in our mandate and work hard to maintain and sustain the organization. Among other initiatives this year, the Council adapted its bylaws and underlying administra-

tion to comply with the new federal Corporations Act, and did innovative work on making our value proposition for supporters and collaborators and the public more robust and relevant.

On behalf of the Council, I extend our thanks to Executive Director Ken Whitehurst, for his tireless devotion and innovation during this hectic year. I also thank the full system of involvement that is the Council – the Board of Directors, committee members and volunteers, and supporters. We welcome the individuals who have joined over the past year.

Council

page

341

FOLLOWERS

et...

esh • View all

nada  @Lowes\_Ca... ×

y ESA and others

ed • Follow

@lessig ×

y Jamie D. Greenberg a...

Toronto @CityNews ×

y FSCOTweets and oth...

nd friends

## Tweets

19 new Tweets



**The Salvation Army** @salvationarmy

Our 5-point Dignity Manifesto. I believe that: 1. Every person has access to life's basic necessities.

Expand



**Ipsos North America** @ipsosna

Are you enjoying #BCAMAvision today @bcama? D complete your survey on the event.

Expand



3

## SOCIAL MEDIA



The Council has been engaged in a pilot project to expand its social media capability. The project was financially supported by the Contributions Program for Non-profit Consumer and Voluntary Organizations of the Office of Consumer Affairs, Industry Canada.

The project objectives have been to:



Poll: 70% of U.S. Adults Use Eco-friendly Products

Expand



**FSCOTweets** @FSCOTweets

WARNING:Don't conduct #mortgage brokering bu individuals or companies who advertise illegally: go

- expand the Council's engagement with its members and volunteers, with a longer term view to expanding membership and gaining volunteers
- provide more current, relevant compelling communications, with reduced effort and resources
- increase the involvement of Council stakeholders in messaging and collaboration
- provide input from social media for the Council's research

The Council will expand its use of social media based on results of the pilot.

This year, the Council implemented a new Facebook page, significantly expanded its presence on Twitter, including creating consumer-focused lists, and developed a new face to the world on LinkedIn. The Council entered the area of social media known as "content curation" by creating news feeds using the new Spundge technology. Also, the Council has examined a method of internal collaboration and decision-making based on social-media technology designed to support "asynchronous meetings," which may enable more and more-effective internal and stakeholder meetings. Such a system could cost-efficiently expand decision-making involving meeting participants spread geographically and across time zones.

Our research is aided by information gleaned from social media through a variety of structured lists. Over the next few months, the Council will seek to leverage this initial strong footing in social media, and expand its engagement, not just its listening and learning.



4



# RESEARCH

2013-13

*Consumer Impact of Emerging Cyber Threats on Mobile Devices*

To the Google and Facebook social phenomena of the past five years has been added the smartphone/tablet phenomenon, exceeding expectations for adoption by consumers. Unfortunately, this phenomenon has attracted the interest of crimi-



nals in the sensitive and valuable data on and transmitted by such devices. Combine this consumer complacency about data protection and the globalization of such criminal activity and the consumer impacts can be troubling. In 2012-13, with the financial support of Office of Consumer Affairs, Industry Canada, the Council conducted related research, which will be made public by early summer 2013.

## 2013-14

### Funded Research Proposals

The Council was awarded financial support for two projects for 2013-2014 by the Office of Consumer Affairs Contribution Program for consumer groups. The Council will once again participate in the Canadian Consumer Initiative with Industry Canada's support.

The Council was awarded support for its research project proposal:

*Will consumers benefit from enhanced product labelling on energy-efficient products?* – This research, to be conducted by My Sustainable Canada for the Council, will go beyond label awareness/recognition and examine consumers' comprehension and use of existing energy labels, as well as their information needs beyond what is found on these labels, to aid in making informed choices on energy consuming products. Outcomes of this research will be to inform future consumer outreach and labelling efforts, and help increase consumer satisfaction with, and uptake of, energy efficient products.

The Council submitted 4 other research proposals, which did not receive OCA's support. The

Council would be pleased to identify other funding sources to pursue the research topics.

### Unfunded Research Proposals

*Electronic Waste: Consumer Attitudes and Behaviour* – The Council proposed to research Canadian consumer attitudes and behaviour towards "e-waste". The key questions to be answered were:

- What is the level of consumer awareness of these initiatives?
- What are consumer attitudes and behaviours?
- What might alter these behaviours?

The Council proposed to summarize consumer awareness, attitudes and behaviours, and discuss possible initiatives that could affect those behaviours. The research was to lead to recommended actions to be taken by all participants. It was to highlight some specific areas where more research may be beneficial.

*The Justiciable Consumer Problem Approach to Access to Justice in Canada* – Access to justice in Canada is an especially important matter for vulnerable Canadians who cannot afford or lack the means to navigate the formal justice system. The research from this project was intended to guide the design of self-help and legal information programs that facilitate access to justice for Canadians with justiciable consumer problems.

*The Risk Next Door: Consumers and the Changing Condominium Market* – The Council proposed research to identify what measures are available to protect condominium owner-occupant consumers from the sometimes conflicting interests of investor-owners.

The key questions:

- What additional risks do owner investors bear as the proportion of investor owners and speculators increases?
- What additional risks do owner investors bear as the proportion of foreign investors increases?
- How are the risks of condominium ownership shared with other Canadians through the Canadian Mortgage and Housing Corporation?

The Council proposed to examine the differences in provincial legislation, how it compares to equivalent foreign legislation, recent provincial efforts to update legislation, and how the current legislation designed to protect consumers and allow them to effect change is proving less suitable as the proportion of investor-owners grows.

*The consumer impact of retailers' reaction to showrooming* – Key outcomes of this research would have been determinations of potential negative impact to consumers from showrooming, including reviewing retailer reactions, pricing strategies and tactics, products and services policies, customer support and revitalized incentives and loyalty programs, as well as levels of consumer awareness of the potential short-term consumer impact from showrooming.

This research was to seek answers to the following questions, in considering the hypothesis that the short-term gain to consumers might be mitigated or offset in the longer term:

- How are consumers currently benefiting from showrooming? What are the negative consumer impacts of showrooming, particularly those of which consumers are unaware or pay no attention?

- How are retailers reacting to showrooming in the short term?
- What are the potential longer-term actions that retailers may take, and what are their consumer impacts?
- What are the differences in retailers' intentions and actions in Canada vs. the U.S.?
- What actions can consumers and consumer groups take to avoid a detrimental longer-term impact?
- What actions can regulatory authorities take to avoid a negative longer-term impact and assist in ensuring that inappropriate pricing strategies are not employed?

### **The Consumer Impacts Research Gap**

The level of independent consumer impacts research being conducted in Canada is inadequate, especially relative to the rate of marketplace and regulatory change. The size of the Office of Consumer Affairs' contributions program has remained at \$1.6 million for a decade, with no apparent prospect of growth. In addition, contributions to single-issue consumer groups have diluted the funds available for organizations like the Council that work across sectors. Ongoing dialogue with OCA and the federal government is essential to maintain the Contributions Program and related non-research initiatives such as the Canadian Consumer Initiative, which enables research-based consumer representation from the funded research.

Still the federal record of supporting consumer group research is stronger than that of the provinces, which provide no consistent programs for this despite their consumer protection responsi-

bilities. Business is an infrequent supporter of consumer group research, although in many cases it could be the greatest beneficiary. The lack of consumer perspective research concerning consumer rights has created a knowledge gap that harms Canadian consumers and business. Missing business spending on independently managed consumer perspective research is a part of Canada's research and development deficit.

Post-secondary academic institutions have largely neglected consumer rights as an area for research. Certainly, for the most part, they do not proactively engage with national consumer organizations, although a few individual academics do. Business school and economic research has taken on a different focus over the last 20 years. Also, much of the academic research that may be of value to the work of non-profit consumer groups is inaccessibly kept behind academic paywalls that exist around academic articles and journals. The Office of Consumer Affairs has begun working with consumer groups and selected academics in an effort to address the deficit in academic research about consumer impacts. It is difficult to determine whether this initiative is intended to improve the availability of consumer impacts related research, change priorities for federal spending on academic research or simply to offset lacking federal funding for this work, by tapping other existing budgets.

The sheer neglect of independent research about consumer impacts and marketplace behaviour affecting consumer rights points to the need for initiatives outside of government and business to improve the situation.



NUTRITION



FOODNESS



WELFARE



5

## FOOD INFORMATION PANEL



Food labelling is one of the most important and direct means of communicating food information between consumers and producers. Reading and viewing a label is a key way consumers make choice decisions between different types of foods and brands of similar foods. It is the primary means by which we make choices about healthy eating, cost, ethical, ritual, convenience, cultural and quality choices.

Over the years the amount of information legally required to be on labels has increased significantly. When a consumer looks at a food label today they see such items as the order of the listing of ingredients, quantity, minimum durability, indication of allergens, place of origin of the food, instructions for use and, where required, special conditions for storage, nutrition claims, third-party endorsements, and health claims. There is a lot of information on a food label and this information is not always clear and accurate.

Panel members told us consumers have one basic question: “What are we eating?” Processed food cannot be assessed by sight, smell or taste, therefore labels are required.

Food labelling should answer that question in an easy-to-understand way. Unfortunately, it has been the observation of panelists that Canadian labelling laws and regulations do not address the concerns of the modern consumer, leaving them unable to make informed buying decisions and vulnerable to fraud.

These days the regulatory environment governing food can be captured in the adage of Edward R. Murrow, “Anyone who isn't confused really doesn't understand the situation.”

The panel has told us consumers want clearer labelling and truth in advertising. For example:

- What is in a “fruit cocktail?”
- What is “made with whole grains?”
- “Natural”?
- “25 per cent less sodium” – down from what?
- “Buttery taste” – real or artificial?

- Mayonnaise made from “100% Canadian” eggs?
- “Modified milk ingredients” – what are these?
- Why is the image depicted on the label not reflected in the ingredients?
- What is meant by the modifier “product?”
- Which of these competing products has more of the ingredient I’m looking for?
- How can it be labelled “cranberry juice” when it contains more apple juice?
- How much of this canned fruit is water?
- The nutrition facts table serving size is unrealistic.

This project set out to answer the following questions:

- What are the pressing food label, information and advertising concerns of the Consumer Group Panel?
- What are the food labelling concerns of consumers in other countries and how are they being addressed?
- What labelling and food information solutions does the Consumer Group Panel believe government should implement?
- What research gaps exist that need to be addressed?

### **Project goals**

- Work with Canadian consumer groups to identify common food product information, labelling and advertising issues

- Develop well-informed Canadian consumer groups (boards and membership), on identified food product information, labelling and advertising issues, with the hope that the organizations will be better prepared to seek improvements in legislation and/or regulatory enforcement of food product information labelling and advertising; and to work collaboratively to seek appropriate marketplace and legislative improvements
- Create a better informed public, media, elected officials, civil servants and businesses concerning consumer issues around food product information, labelling and advertising
- Assist in identifying areas of required research, consultation and advocacy concerning food product information, labelling and advertising.

### Consumer Panel membership

Anaphylaxis Canada

Consumers Council of Canada

Heart & Stroke Foundation

My Sustainable Canada

Option consommateurs

Union des consommateurs

Christine Simpson, a Council member, has represented the Council on the panel. The panel has been facilitated by CSB Communications Inc.

### Consumer issues – themes

Early in the process, the Consumer Group Panel identified a significant number of consumer issues related to food labelling and advertising. Moving forward, the group condensed the num-

ber into a manageable list that identifies concerns from a high level.

The following is a draft list of issues discussed:

1. Accurate food product information (including words, pictures, illustrations, symbols, technical terms and implied meaning).
2. Simplified communication regarding:
  - food content
  - health claims
  - allergen alerts
3. Standardized definitions and symbols across food products and markets, including quality and origin designations.
4. Food system information:
  - food production
  - origin (sustainability)
  - processing (irradiation, nano)
  - supply chain (traceability and safety)
  - food importer (registered)
  - waste disposal information
5. Supports consumer complaints, redress and regulatory reporting
6. Access to detailed and standardized information (shelf pricing information, Internet communications technology)
7. Compliance and enforcement
8. Cost issues of labelling and advertising



## Policy drivers

The Panel has worked to understand consumer issues and identify possible solutions through the prism of a set of consumer policy drivers derived from internationally accepted consumer rights:

### 1. *Safety*

The right to be protected against food and food production processes that are hazardous to health and life.

### 2. *Choice*

The right to choose products at competitive prices, with an assurance of satisfactory quality.

### 3. *Be heard*

The right to express consumer interests in the making of decisions as they affect food and food production.

### 4. *Information*

The right to be given the facts needed to make an informed choice, to be protected against misleading advertising or labelling.

### 5. *Consumer education*

The right to acquire the knowledge and skills necessary to be an informed food consumer.

### 6. *Redress*

The right to be compensated for misrepresentation, shoddy or unsatisfactory food products.

### 7. *Healthy environment*

The right food production process that does not threaten health or the sustainability of the planet. To be able to make food choices that minimize environmental damage.

### 8. *Basic needs*

The right to access food that meets basic nutritional requirements.

### 9. *Privacy*

The right to privacy, particularly as it applies to the collection and use of personal information.

### 10. *Personal values and ethics*

The right to choose food that meets personal values and ethics, especially concerning production and processing.

### 11. *Preventative health*

The right to both choose food that maximizes the health of consumers and to have such food properly represented.

## Recommendations - key themes

The Consumer Group Panel cross-referenced policy drivers against issues and identified a number of possible theme areas for recommendations, which are currently under refinement.

- Panelists have said they believe food information, delivered via a combination of food label, shelf and technology is critical to successfully delivering the food information consumers want, when they want it and in a format they want.
- The rapid growth of technological solutions (i.e. smart phones, in-store screens) offers an excit-

ing means to deliver detailed information in the store for those consumers who need to know more than can fit on a package or shelf front.

- On the food package itself, panelists have observed, at this point, that there should be a variety of ways to present food information that accommodate a wide range of consumer personality and learning styles.

The following are a synopsis of the key recommendations under consideration (Please note this list could change.):

- A commitment to ongoing and comprehensive consumer education with regard to both nutrition and using updated food labels to make wise shopping choices.
- A legislative framework that accommodates the on-going evolution of the food marketplace, with regard to labelling regulations.
- Improved geographic origin of food claims.
- Mandatory labelling for foods containing ingredients deemed contentious by consumers.
- Food labels that require the quantity or proportion of any highlighted ingredient to be stated within the ingredients label in descending proportion.
- Requirements for an updated Nutritional Facts Table.
- A single front of package label system.
- Standardized unit pricing.

### **Canadian Food Inspection Agency**

CFIA is preparing to launch its much anticipated Label Modernization Initiative. It was scheduled

to launch in January 2013. That date was later shifted to spring-summer of 2013. The agency is highly aware that this study is underway, including its President. The agency has indicated the report is highly anticipated.

The Consumer Group panel is expected to report during the summer of 2013.



Canadian  
Consumer Initiative    L'Initiative canadienne  
des consommateurs

# Parliamentary Briefing Note

Prepared by Consumers Council of Canada for the Canadian Consumer Initiative

## Housing Renovations

### Introduction

The demand for housing incentives and easy credit will remain active and in

At the same time, renovation discussion websites and renovation industry television consumer confidence

The Consumers Council in the home renovation data in two pr

### Trouble

Renovation projects prepared for a one-time purpose. Significantly, consumers and general contractors Resources Development Canada determines skills need. Consumers know little about these standards. A variety of aptitudes and skills emphasize on custom

6

## CANADIAN CONSUMER INITIATIVE

Funded by the Office of Consumer Affairs' Contributions Program, this initiative brings together the Public Interest Advocacy Centre (PIAC), Option consommateurs (OC), Union des consommateurs (UC), and the Consumers Council of Canada (CCC) to achieve consensus on one issue each in a year and to undertake an annual Parliamentary Intervention with visits to key MPs, Senators, and





House and Senate Committee Chairs, political staff and key public service officials on the four issues on which the CCI has arrived at a unanimous consensus for that Intervention. As well, other issues on which CCI consensus has been established previously are raised by way of follow-up or in response to emerging parliamentary/ government interest.

The issues for this year's Intervention were the Renovations Industry (CCC), False Bargains (OC), Mobile phone issues (PIAC), and Cloud Computing – retail (UC).

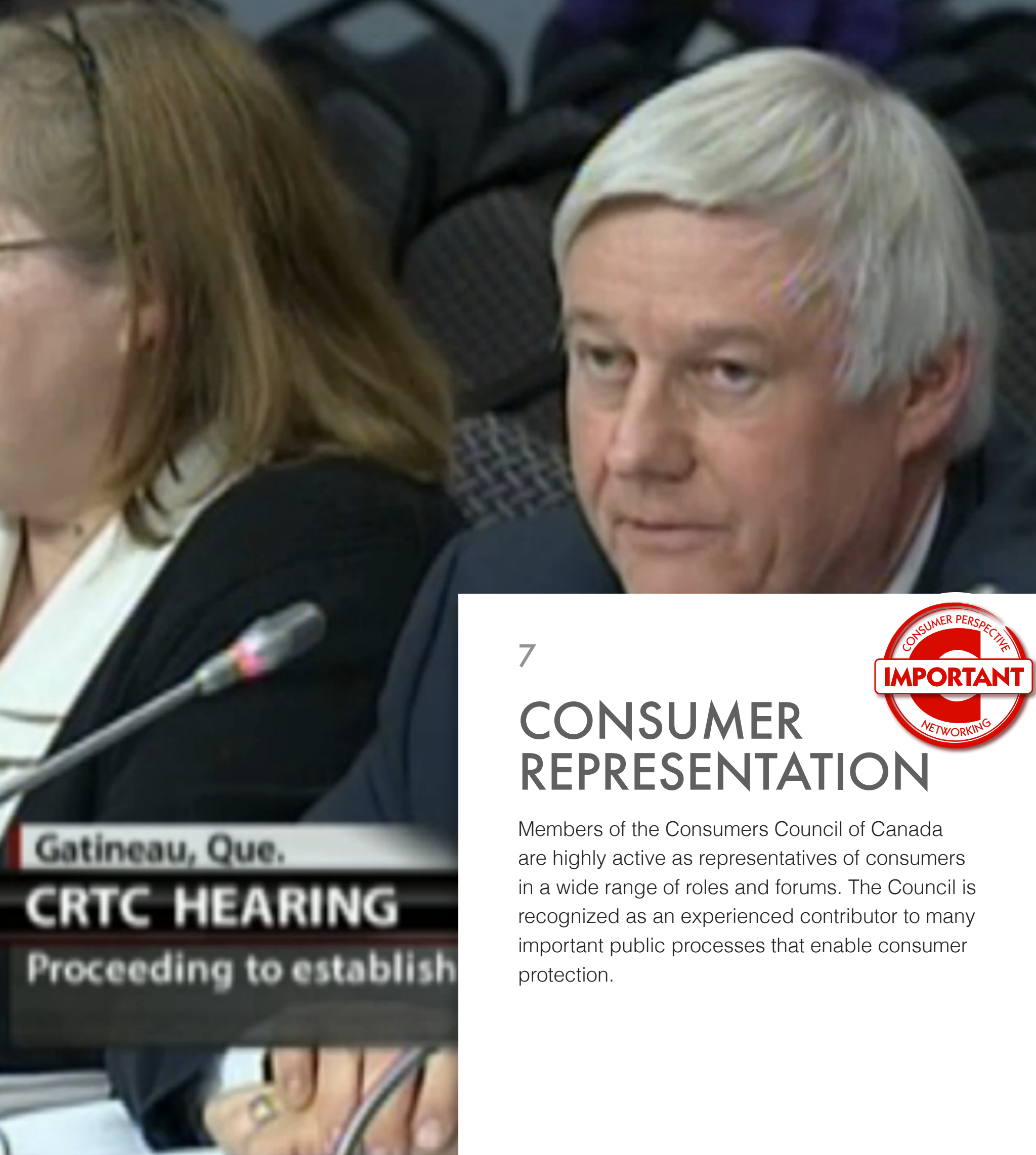
The Intervention, took place, as usual, in the National Capital Region (Ottawa-Gatineau) on March 5-7, preceded by a meeting the morning of March 5th with the Competition Commissioner and Competition Bureau staff. It concluded with a meeting March 7th with the Chairman of the CRTC (Canadian Radio-television and Telecommunications Commission) and senior staff.

Included were meetings with the NDP research staff and with officials from the department of Finance. Ken Whitehurst, our Executive Director, joined Council Vice President Don Mercer at these meetings.

Meetings with Sean O'Leary, Policy Adviser to the Minister of Industry, and Patrick Mercier, Policy Advisor to the Minister of Finance, focused on achieving meetings with the Ministers of Industry and Finance. Of note in the separate meetings with the Department of Finance officials and with the Finance Minister's policy adviser were the status of the banking ombudsman system and the weak consumer representation on Finpay, the Advisory Committee for implementation of the Financial System Task Force report that has yet to be effectively acted upon.

Other Intervention meetings took place with two NDP House of Commons Industry Committee Members and Industry Critics, with the Liberal Party Vice-Chair of the Industry Committee and the Conservative Party Chair of the Committee as well as with the Parliamentary Secretary to the Minister of Industry. The focus of the meetings was to encourage the government to proceed with implementing the Anti-Spam law, the competitiveness of the upcoming Spectrum auction, support for OCA contributions funding and the status of the federal banking dispute resolution system.

Compared to the 2012 meetings, there was a noticeable shift in interest and recognition of the importance of consumer groups and the Canadian Consumer Initiative, in particular. The Conservatives seemed much more willing to engage and listen, the NDP seemed to be moving more to the centre and listening in that context and the Liberals seemed to understand their new position and need to listen. One aspect of the listening was some recognition of the need to properly and permanently fund consumer group participation in providing value-added advice to federal policy-makers.



7



## CONSUMER REPRESENTATION

Members of the Consumers Council of Canada are highly active as representatives of consumers in a wide range of roles and forums. The Council is recognized as an experienced contributor to many important public processes that enable consumer protection.

Dennis Hogarth, Chair, Information Technology Committee of the Council, testifying before the CRTC.  
Credit: CPAC



Consumer Product and  
Health Safety  
Committee Chair  
Elizabeth Nielsen  
testifies before Senate  
Committee hearing on  
Safe Food for  
Canadians Act.  
Credit: CPAC

## CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Landmark Council activity before the CRTC and with CRTC staff took place in 2012-2013. Starting with the Vice-President's initial meeting with the new CRTC Chair in Vancouver in July 2012, during which the Council was recognized by the Chair as a balanced, fact-based consumer organization. The Council has increased its engagement at the CRTC, based on a series of consultation opportunities. The Council engaged legal counsel to support its efforts as a funded intervenor, having chosen Ottawa-based lawyer Monica Auer. Council Director Dennis Hogarth and Executive Director Ken Whitehurst testified in CRTC hearings concerning a "Wireless Code" to protect consumers of wireless telecommunications services. [Video of that testimony can be viewed online courtesy of CPAC.](#) As well, Hogarth and Council Vice-President Don Mercer participated in a CRTC staff consultation on February 25, 2013 on the guidelines for enforcement of the anti-Spam regulations. The Council subsequently provided a report to the CRTC on the outstanding issues. The Council met with the CRTC Chairman and commission staff along with members of the Canadian Consumer Initiative in March.



As well, the CCI meeting with the CRTC Chair and staff, including the new CRTC consumer advocate, was well-received. It appears this meeting has formed the basis for ongoing dialogue with the CRTC.



**Ken Whitehurst, Council Executive Director (left), Ontario Minister of Communications Tracy MacCharles (centre) and Ontario Minister of Natural Resources David Orazietti (right). The Ontario government announced legislation to protect wireless services consumers.**

In October, the Council participated in discussions leading to the formation of the Canadian Broadcasting Participation Fund. The Council is a founding stakeholder of the fund, created with funds pledged by BCE when it purchased CTVglobemedia in 2011. This independent fund is intended to help public-interest and consumer groups offset the costs of participating in the CRTC's broadcasting proceedings.

## COMPETITION BUREAU

Council Vice President Don Mercer and representatives of other members of the Canadian Consumer Initiative met with the Competition Bureau on March 5. A matter discussed was how Administrative Monetary Penalties in settled civil review-

able practices matters potentially could be assigned at least in part to bolster consumer representative funding. The interim commissioner of the Bureau highlighted the re-ignition of the Bureau's regulatory intervention program – focused on health, retail government and the digital economy. However, the Council was invited to outline potential criteria for regulatory interventions in the energy sector (National Energy Board and provincial energy regulators). This may provide an opportunity to introduce consumer as well as competition perspectives into cross-Canada energy issues.

## OFFICE OF CONSUMER AFFAIRS

Officials from Office of Consumer Affairs were observers at the March meeting with the interim competition commissioner, but did not arrange a separate spring meeting with CCI members.

## ENERGY REPRESENTATION

### ONTARIO ENERGY BOARD

The Council regularly intervenes in Ontario Energy Board rate proceedings and consultations. In addition, it represented consumers through a number of OEB working groups and industry committees. The following list sets out most of the Council's participation for the period April 1, 2012 to March 30, 2013.

#### **Proceedings (2012-13)**

*Hydro One Networks Transmission 2013/2014* – Hydro One applied for an increase in transmission rates for 2013. The increase applied for was relatively small for 2013 and 9% for 2014. Transmission represents about 7.9% of the cus-

tomers' bill. The Council was able to settle the case (resulting in a reduction to the overall revenue requirement) with the exception of one issue that went to hearing. That issue related to the rates charged for export transmission service. Some parties argued that exporters (out of Ontario) should not pay for the use of the transmission assets. The Council's position, along with many of the other ratepayer groups, was that exporters should contribute something for the use of the assets, so the existing charge should remain in place. The revenue from the export tariff is used to reduce the revenue requirement, thereby reducing rates to customers overall. A decision by the Board has not been released.

*Hydro One Networks Distribution 2013* – Hydro One sought an increase to its distribution rates primarily to reflect a large capital spending program. Hydro One applied under the Board's incentive regulation model that allows for adjustments on certain types of incremental capital spending activities. The case was settled and did not go to hearing. Parties agreed to some of the proposed capital spending, but not all. As a part of the agreement Hydro One committed to doing stakeholder consultation regarding its seasonal rate structure.

*EnerSource Hydro Mississauga 2013* – EnerSource applied for a large rate increase for 2013 and a rate change for 2014. The case did not settle, and after a hearing, the Board made reductions to both the capital and operating budgets proposed by EnerSource. The resulting rate increases for 2013 were relatively small. EnerSource did not have a rate change approved for 2014 and will have to apply again under the Board's incentive rate-making framework.

*PowerStream 2013* – Powerstream applied for a relatively modest increase to its rates for 2013 (\$2.00/month for an average residential consumer). The case was settled without a hearing, resulting in a very small increase for 2013. For the next few years Powerstream's rates will be determined using the Board's incentive rate-making framework.

*Ontario Power Generation* – OPG applied to the Board for recovery of amounts collected in variance accounts approved by the Board and Ontario Government over the last several years. The revenue OPG is paid for the generation, from its large power plants (nuclear and large hydro), are regulated by the Board. Following a settlement process, OPG was permitted to recover the amounts subject to some changes proposed that smoothed the impacts for ratepayers.

*Toronto Hydro-Electric System Limited 2012-14* – THESL applied to the Board for rates for a three-year period under the Board's incentive rate-making mechanism. The IRM mechanism allows for distributors to apply for approval of incremental capital spending (beyond that allowed for in the IRM model) if that capital spending is essential. The settlement negotiations were not successful, and the issues went before the Board in a hearing. THESL got approval of some of its proposed capital, but not all of it. THESL will be applying for approval of 2014 rates shortly.

*Enbridge Gas Distribution Inc. 2013* – After having its rates set according to an incentive rate-making plan for the last five years EGD applied to re-base its rates. EGD and intervenors settled the case, allowing for a relatively modest increase. EGD applies in 2013 for approval of a

new rate-making model for the period 2014-2016.

*Union Gas Limited 2013* – Union applied to have its rates rebased after being on an incentive rate-making plan for the past five years. The parties came to an agreement on the rate levels, leaving one controversial issue for the Board to decide in a hearing. There was a debate about the extent to which a certain portion of Union's earnings, above its allowed return on equity, during the incentive rate-making years should have gone to ratepayers. The Board determined that a specific portion of the revenues Union generated should have flowed to ratepayers. Union is appealing that decision. Union is currently working with stakeholders in an attempt to determine a future incentive rate-making model that would be applied for the next five years.

## **Consultation Processes/ Other Activities 2012-13**

*Renewed Regulatory Framework* – The biggest undertaking by the OEB over the last year has been the RRF. The Board has consulted with stakeholders through meetings and working groups to determine a new framework for electricity distribution rate-making. The Board issued a report on October 18, 2012, setting out the overall framework and its various components. Since that time the Board has established working groups and other consultation processes to assist it in developing the detailed elements of that new framework. The Council has been represented on several working groups, participated in the various stakeholder meetings and has made (and will continue to make) submissions to the Board on key issues. The OEB intends to have the framework in place for 2014 rates.

*Demand Side Management* – The Council regularly participates in the consultation processes (and proceedings) undertaken by Union Gas and Enbridge Gas Distribution regarding their demand side management activities. Union and EGD each spend approximately \$30 million a year on demand side management programs.

*Hydro One Customer Advisory Board* – The Council is a member of Hydro One's Customer Advisory Board, which provides Hydro One with an opportunity to consult with a broad range of its customers on selected issues. The members include several local distribution companies, large directly connected customers, the Ontario Federation of Agriculture, the Vulnerable Energy Consumers Coalition, among others.

*Ontario Distribution Sector Review Panel* – The Council made a presentation to the Ontario Distribution Sector Review Panel, which was established by the Government of Ontario to look for efficiencies in the distribution sector and cost reductions for Ontario consumers.

*OEB Chair's Advisory Roundtable for Consumers* – The Council is represented on this committee established by the OEB Chair in order to get direct input on industry issues from stakeholders.

## **Actions at court**

As well as the regular work before the OEB, the Council has participated in several legal appeals of OEB decisions where the consumer interest was involved. We intervened successfully in the appeal before the Ontario Divisional Court seeking to dismiss Pollution Probe's application for judicial review, which sought to set aside the OEB's Demand Side Management (DSM) guidelines. The result for consumers is that the OEB's



guidelines for DSM spending remain in place and consumers are assured that DSM monies are well spent.

The Council also intervened in the Ontario Power Generation appeal dealing with the ability of the OEB to control the labour component of utilities' OM&A costs. The Court of Appeal made a decision based on its view of the so-called prudence test. The Court held that it was settled law that, when the OEB comes to assess the cost consequences, that is the rate consequences, of a utility's decision, it must consider that decision as of the time the utility made it and not according to criteria that arise after the fact. Applying that test to OPG's two union contracts, the Court held that the OEB erred in assessing the reasonableness of the contracts based on considerations arising after the time the contracts were entered into.

The decision will make it difficult for the OEB to find that the factors causing OPG to enter into a collective agreement were unreasonable. The Council has a concern that the effect of the decision will be to preclude the OEB from reducing compensation levels, which account for between 60% and 70% of OPG's operating costs. And because every local distribution company in the province has employees covered by collective agreements, the implications of the decision could extend beyond OPG.

The Court of Appeal has sent the OPG case back to the OEB to deal with the compensation issue.

## OTHER ENERGY RELATED CONSUMER REPRESENTATION

FortisBC has established an Energy Efficiency and Conservation Stakeholder Group which

meets twice annually and the Council continues to represent the residential consumer within that forum.

Canadian Association of Members of Public Utility Tribunals (CAMPUT) again this year invited the Council to participate in its annual meeting, an opportunity to bring the consumer perspective to this group of regulators and officials.

## STANDARDS ORGANIZATIONS

Council representatives continue to participate in the work of standards development in the belief that setting strong standards that can be referenced by regulators and governments serves consumers well.

Council director Agni Shah was appointed to the Consumer and Public Interest Panel of the Standards Council of Canada on February 7, 2012 and attended the Inaugural Meeting of CPIP on April 23, 2012, being acclaimed the Vice-Chair on August 1, 2012.

Council President Aubrey LeBlanc has been appointed to the new Accreditation Advisory Panel at SCC. The AAP provides strategic and policy advice to the SCC's Accreditation Services Branch on conformity assessment related matters. That mandate is carried out in the context of demonstrating impartiality of SCC's accreditation programs. The first meeting was May 6.

LeBlanc also was appointed Vice-Chair of the new Construction and Civil Infrastructure Strategic Steering Committee at the Canadian Standards Association, overseeing all construction standards, including the new technical standard A770 being developed for home inspectors.



Meanwhile, Joan Huzar, chair of the Council's energy and housing committee, chaired the Canadian Standards Association technical sub-committee to develop an energy efficiency standard for domestic water heaters: C191. This standard was successfully published in February 2013 and when referenced by governments and regulators will provide consumers with information about how much hot water a water heater tank will produce and how much energy will be used. (currently consumers only know the size of a water heater tank, not how much hot water will actually be available for use, or how much energy will be used to heat the water ).

The Council represents residential consumers on the Canadian Commission on Building and Fire Codes (CCBFC) which oversees the model national codes for building construction. In particular the implementation of the energy efficiency objectives adopted last year were of interest and importance. As the current member's term comes to an end, plans are underway to provide a Council replacement.

Natural Resources Canada (NRCan) has been working for two and a half years to develop a new EnerGuide Rating System (ERS) for houses. The Council's representative has participated in this work, completed in 2013. The Technical Standard will become the base document for the next generation ERS, while the other two will be used to inform the development of the various procedural documents that NRCan is creating, several of them aimed directly at consumers.

Elizabeth Nielsen, a board member of the Council, has participated in product safety related standards and regulations and related representation as follows:

*Technical Standards and Safety Authority* - Council's representative on Consumer Advisory Committee and Natural Gas Advisory Committee.

*Revision of ISO/IEC Guide 51: Safety Aspects Guidelines for their Inclusion in Standards.* Nielsen is the Canadian Representative participating in the revision of this guide.

*Development of ISO 10377: Consumer Product Safety: Guidelines for Suppliers.* Nielsen was international chair of this Committee and ISO published the standard in March 2013.

*Consumer Representative on ISO TC 229: Nanotechnology*

*Presentation to the International Consumer Product Health and Safety Organization's meeting in Brussels, October 2012 titled Supply Chain and Risk Assessment.*

*Presentation to the Consumer Policy Committee of ISO on Standards and Innovation* The Contribution of ISO 10377 – Consumer Product Safety: Guidelines for Suppliers, May 2013. Valetta, Malta.

## ADVERTISING REGULATION

### **Advertising Standards Canada**

Advertising Standards Canada is the national not-for-profit advertising self-regulatory body. The mandate of ASC is to foster community confidence in advertising and to ensure the integrity and viability of advertising in Canada through responsible industry self-regulation.

Christina Bisanz, a member and former board member of the Council, sits on the ASC Board of Directors as a public representative. In the past

year, ASC has managed more than 1,300 consumer complaints. This represents a 28% decrease from 2011, pertaining to 1,057 advertisements. Of the total complaints received, 116 complaints about 87 advertisements were upheld by ASC.

Of note this year, was ASC's involvement in the burgeoning realm of online advertising. As online advertising presents new avenues to engage consumers so to does it present novel challenges from an industry self-regulation perspective. As a result, the Digital Advertising Alliance of Canada, comprised of eight leading advertising, marketing and media associations, announced the development of a new self-regulatory framework related to Online Behavioural Advertising (OBA). Consistent with a similar program in the U.S., this framework will enhance consumer control and strengthen transparency and industry accountability in online advertising. ASC will engage by developing and managing the independent mechanisms for ensuring program compliance and accountability.

### **Pharmaceutical Advertising Advisory Board**

Agni Shah, a Council director, joined the Pharmaceutical Advertising Advisory Board as a representative of the Council in November 2010.

PAAB is a pre-clearance organization for communications from the Pharmaceutical Industry to Health Professionals.

## **DELEGATED AUTHORITIES**

Council director Agni Shah has served as a public appointee on the Consumer Advisory Committee of Travel Industry Council of Ontario (TICO) since March 2006 and was recently reappointed. This Ontario delegated authority deals with con-

sumer protection and support concerning the Travel Industry and Suppliers.

## **CANADIAN FOOD INSPECTION AGENCY**

The Council has been preparing for participation in the consultations on Canadian Food Inspection Agency's modernization of inspection, the new Safe Food for Canadians Act and the consultations on development of regulations under that Act.

Council Executive Director Ken Whitehurst has served on the CFIA's Consumer Association Roundtable.

Some concerns identified related to the modernization are:

- The impact of the changes being proposed to the cost of food;
- The potential increase in bureaucracy;
- The need for training of staff and small industry; and
- That CFIA had not developed an explanation for consumers to explain the system and changes being proposed.

Connected to the changes being proposed is the new Safe Food for Canadians Act, which will provide CFIA with the authority to make the proposed changes to the inspection regime and other regulations. On October 2, 2012, Council director Elizabeth Nielsen attended the Senate hearings on the new proposed bill and raised a number of issues on behalf of the Council.

The Act contains a provision that states:

**46. The Minister may, in the prescribed circumstances, disclose to the public, without the consent of the person to whom the information relates, any personal information or confidential business information that is obtained under this Act.**

The Council has concerns about this provision from the perspective of consumers who may make a complaint or become ill due to contaminated food. However, it also means that industry information would be released without notification in an emergency.

Nielsen and Council President Aubrey LeBlanc attended a CFIA Food Forum with stakeholders on June 4 in Gatineau, Quebec.

## WASTE DIVERSION

The Council has participated actively in consultations by the Ontario government and its agencies concerning the mandate of Waste Diversion Ontario. That process led to the recent announcement by the Ontario Ministry of the Environment of a new waste recovery strategy and a proposed Waste Reduction Act. Executive Director Ken Whitehurst has represented the Council on the stakeholder advisory committee of the Ontario Electronic Stewardship, the waste recovery stewardship council for consumer electronics.

Allison Knight, a former Council board member, was named to the board of directors of Waste Diversion Ontario through the Ontario public appointments process.

## CANADIAN PAYMENTS ASSOCIATION

The decision of the Competition Tribunal in the Competition Bureau prosecution of MasterCard

and Visa is awaited. Concern exists about whether the decision could lead to consumers being surcharged for credit card transactions. The Council has monitored developments. Depending on the specific nature of the decision and the potential for a negotiated settlement, the Council may be presented with an issue area where its collaborative approach to problem solving and consumer perspective may be important. The Council is positioned to participate in this issue area, with representation at the Financial Consumer Agency of Canada and the Canadian Payments Association. It has sought greater input into the “Finpay” process underway in Ottawa, asking for improvements to consumer representation. It joined other members of the Canadian Consumer Initiative in expressing concern to the Department of Finance about consumer representation at Finpay.

Former Council President Bill Huzar, was elected Chair of the Stakeholder Advisory Committee of the Canadian Payments Association in October 2012 for a two year term. As SAC Chair, he was instrumental in the re-establishment of the CPA Consumer Group, a body fully funded by CPA, which enables consumer representatives to meet with the CPA and discuss payment issues such as pre-authorized debits and the evolution of mobile payments. The Consumer Group met in May 2013 in Montreal and included Jacques St Amant, Public Interest Advocacy Centre (PIAC), Jonathan Bishop, Research and Parliamentary Affairs Analyst, (PIAC), Bill Huzar, Consumers Council of Canada, Léa Gamache, Analyste, Politiques et réglementation en matière de finances personnelles, Union des consommateurs, Sylvie-A Bourassa, Directrice, Service de protection et d'information des consommateurs, Service consommateurs, Caroline Arel, Acting Executive Di-



rector, Option consommateurs, James Savary, Consumers Association of Canada and Bob Kerton, The Consumer Interest Alliance Inc. (CIAI). This renewed opportunity within the consumer movement may lead to further cooperation on consumer protection issues.

## IMPORT TARIFFS

Council President Aubrey LeBlanc took to the airwaves to talk about the implications for consumers of a variety of important tariff changes being made by the federal government as part of the 2013 federal budget statement. LeBlanc appeared on CTV's Question Period, with Kevin Newman. [This representation can be viewed on the Internet.](#)

## ONTARIO CONDOMINIUM ACT REVIEW

The Ontario Government has been conducting an innovative consultation process to explore opportunities to reform the Condominium Act, 1998.

The review is being undertaken as a three-stage collaborative, public engagement process.

Stage Two is in progress. In Stage Two, experts in condominium issues have been reviewing findings from the public comments generated in Stage One. They will develop a report of options and recommendations to government on potential actions to address the issues, including how the Act could be updated.

Council President Aubrey LeBlanc has served on the 12-member expert panel involved in Stage Two of the process to reform what many call the "fourth level" of government. The panel's report is expected to be available for public comment by the end of summer 2013.

# ONGOING CONSUMER REPRESENTATION

Organization	Role	Sector
Advertising Standards Canada	Board of Directors	Advertising
Advertising Standards Canada	Children's Clearance Committee	Advertising
Independent Electricity System Operator	IESO Stakeholder Advisory Committee	Energy
Hydro One Networks	Customer Advisory Board	Energy
Canadian Payments Association	Stakeholder Advisory Committee	Financial Services
Financial Consumer Agency of Canada	External Stakeholder Advisory Committee	Financial Services
Government of Canada, Department of Finance	Task Force for the Payments System Review (reported)	Financial Services
Canadian Food Inspection Agency	CFIA Consumer Association Roundtable	Food
Competition Bureau	Fraud Prevention Forum	Fraud Avoidance
Pharmaceutical Advertising Advisory Board	Board of Directors	Health
Canadian Commission on Building and Fire Codes	Commission member	Housing
Ontario Ministry of Municipal Affairs and Housing	Building Code Technical Advisory Committee	Housing
Standards Council of Canada	Consumer Panel	Standards
Technical Standards and Safety Authority	Consumer Advisory Council	Standards Enforcement
Commissioner for Complaints in Telecommunications Services	Consumer Representatives Working Group (Unofficial)	Telecom
Travel Industry Council of Ontario	Board of Directors	Travel
Canadian Standards Association	Consumer Representation	Many
Waste Diversion Ontario	Board of Directors	Waste Management
Ontario Electronics Stewardship	Stakeholder Advisory Committee	Waste Management

A large, bold, red stylized letter 'C' that serves as a background for the page. It is composed of two concentric arcs, with the inner arc being slightly offset from the outer one, creating a thick, modern look. The 'C' is positioned on the left side of the page, with its right edge curving towards the center.

8

## ABOUT THE COUNCIL

Working together as the Consumers Council of Canada our members form the most active, Canada-wide multi-issue consumer group. The Council helps business and government manage today's consumer issues. The Consumers Council of Canada aims to create an efficient, equitable, safe and effective marketplace.



# BOARD OF DIRECTORS

2012-13

## **Aubrey LeBlanc**, President and Chair

Aubrey LeBlanc is Principal of his own building and residential consultancy, with services that include: strategic planning, government relations, negotiation and dispute resolution, crisis management, research and policy analysis, training and association management. His clientele has been: governments and agencies, builders and developers, consumer groups, political parties, start-up businesses, construction materials and innovation enterprises, and industry and professional organizations. He is currently providing executive management services to a major energy services company, and national home inspection franchisor.

Aubrey was Senior Associate in Public Affairs at Hill & Knowlton Canada, specializing in the areas of building, urban development, infrastructure, and conservation. He was the Chief Operating Officer of the Ontario Association of Home Inspectors, Executive Director of the Association of Architectural Technologists of Ontario, and created training platforms for the Ontario Building Officials Association.

For a decade, Aubrey was CEO and Registrar of one of the consumer protection delegated administrative authorities of the Government of Ontario - the Ontario New Home Warranty Program (now TARION). He also served as Director of the branch in the Ministry of Municipal Affairs and Housing responsible for the Ontario Building Code, and was Chief Building Official for Ontario.

His relationship with the building code and standards authorities continues to today via several technical project contracts, chairmanship of the Part 9 Technical Advisory Committee for the Ontario Building Code, member of the Building Advisory Committee to the Minister of Municipal Affairs and Housing, and Vice Chair of the Canadian Standards Association's Construction and Civil Infrastructure Strategic Steering Committee, responsible for all built environment standards.

Internationally, Aubrey has represented the Canadian building industry and the Governments of Canada and Ontario as a conference keynote speaker, representative or consultant in Washington, Holland, Germany, Chile, Great Britain, Australia and most Canadian provinces, and provided counsel to several other national jurisdictions around the world.

As a volunteer, in addition to serving as President of the Council, he has been Chair of the Board of the Hearing Foundation of Canada and served on the Board of Alumni Western.

Aubrey has an Honours BA in Geography from Western University (formerly UWO), M.Sc. from the University of Wisconsin (Madison), and an MBA from York University (Schulich).

He resides in Toronto, Ontario.

## **Don Mercer**, Vice President

Don Mercer is the immediate past president of the Council. He retired in April 2007 after a long

career in Ottawa, Toronto and Vancouver with Competition Bureau Canada, which administers the Competition Act, the Consumer Packaging and Labeling Act, the Textiles Act and the Precious Metals Marking Act. These laws, intended by Parliament to foster healthy competition and a trust in the marketplace, interdict anti-competitive behaviour, such as price-fixing and abuse of dominance among marketplace players and help ensure trust in Canada's marketplace by outlawing misleading advertising, misrepresentations, fraud and deception.

Don is also an ardent boater and is currently Commander of the Vancouver Power and Sail Squadron, a Unit of Canadian Power and Sail Squadrons, consisting of volunteers that fosters and teach safe boating and navigation skills. He is also an ardent hiker and walker.

Don resides in Vancouver.

#### **Howard Deane**, Treasurer

Howard Deane is the owner of Acme Metric Company Ltd., a Greater Toronto Area based consultancy in social media, web analytics, knowledge management and search engine optimization. He has recently been involved in providing research assistance for projects through the Consumers Council of Canada. He is a Chartered Accountant with more than 30 years of experience, most of it with KPMG, where he was the Chief Knowledge Officer of the Canadian firm, managing significant portions of the firm's knowledge and research functions. He also ran the IT Consulting Group for KPMG in the Bahamas.

He resides in Pickering, Ontario.

#### **Agni Shah**, Secretary

Agni Shah has been a professor teaching package development and pharmaceuticals quality assurance at Seneca College for 10 years. He worked for more than 20 years in the pharmaceuticals industry in quality assurance, systems administration and regulatory affairs. He has extensive experience with quality assurance in food and pharmaceutical products. He has volunteered with United Way, Canada Revenue Agency in the Community Volunteer Income Tax Program, Leadership Peel and a number of Social Agencies. He has held local positions with Halton-Peel District Health Council and Community Care Access Center. He has mentored immigrants, students and those starting economic life in Canada.

Agni Shah resides in Mississauga, Ontario.

#### **Chris Ballard**

Chris Ballard is an experienced communications and public affairs executive with a background that includes public affairs, strategic planning, business development and project management. Chris has been president of CSB Communications Inc., a small consulting firm, since 1989. He has worked with a wide variety of clients, including associations, small and medium sized businesses, governments and multi-national corporations. Chris has extensive expertise in facilitation, project management, quantitative and qualitative research and has conducted surveys, focus groups and workshops on behalf of a variety of corporate, government and not-for-profit organizations.

Chris has a background in consumer advocacy and consumer affairs. He was a founding board

member of the Consumers Council of Canada, a past executive director of the Consumer's Association of Canada (Ontario), (and managed its transition into the Council), a member of the provincial Retail Sector Strategy. Chris is an honorary lifetime member of the Public Affairs Association of Canada and served in various capacities, including President.

During the past 15 years Chris has worked closely with numerous First Nation communities across Canada's far north, in business development, governance and sustainability.

Chris is active in his community of Aurora, Ontario and was elected to Town Council in 2010.

### **Dolly Gerrior**

Dolly Gerrior is a project manager for the non-profit industry, and, over the past few years, she has centred her work on youth focused issues. She has been actively involved in the development of Consumers Council of Canada's youth network, has advised on middle school policies and has been actively promoting employment training to at-risk youth. Dolly is an active consumer representative as a member of the Consumers Advisory Council for the Technical Standards and Safety Authority and has served as a public representative on the Children's Advisory Committee for Advertising Standards Canada. She has developed and assisted on a number of research projects for the Consumers Council of Canada including the feasibility of a national consumer assembly, energy efficiency in the building code, and a comparison of new home warranty programs across Canada.

Ms. Gerrior resides in Toronto, Ontario.

### **Dennis Hogarth**

Since entering the audit and accounting profession, Dennis Hogarth has been a pioneer and leader in the innovative uses of digital information in large organizations and in the management of the associated risks. Dennis has more than 38 years of experience working with KPMG, including 27 years working in international leadership positions as a Partner. Starting in the Toronto Office in 1973, he moved to KPMG's National Office in 1984 where he headed up the Computer Audit and Audit Automation initiatives for the Canadian firm. In 1994, Dennis moved to KPMG's International Headquarters in The Netherlands to form and lead the firm's first Global Technology Group. After returning to North America in 1999, he continued working for KPMG International as a Partner in KPMG's U.S. firm, where he formed and led a global team devoted to the assessment and mitigation of risks associated with the emerging uses of IT, focusing on cross-border personal data privacy and client confidentiality issues in particular.

Dennis' primary focus for the past decade has been in the area of Information Risk Management, concentrating on emerging issues surrounding Personal Data Privacy, Information Risks, IT Security and Data Governance.

As an avid sailor, Dennis participated as a member of the Canadian Admiral's Cup Sailing teams in 1979 and 1983. From 1982-1986, he served as a director of Toronto Brigantine Inc, a not-for-profit organization dedicated to building character in youth through sail training. In 1987, he was elected as a member of the Committee of Management of the Royal Canadian Yacht Club, and went on to serve as Vice-Commodore, Finance



and Administration from 1990-1993. He also served as a Trustee of the RCYC Capital Trust Fund, and a member of the RCYC Long Range Planning and Canada Cup Committees before moving overseas in 1994. Since returning to Canada in 2009, Dennis has resided in Port Hope, Ontario with his wife and two children. He currently serves as Treasurer of the Port Hope Branch of the Architectural Conservancy of Ontario, a Trustee of the Capitol Theatre Endowment Trust Foundation and as a member of both the Risk and Audit Committees for the Port Hope Community Health Center.

### **Bonnie McIlmoyl**

Since being qualified as a lawyer in 1996, Bonnie McIlmoyl has enjoyed a wide-ranging practice. Her initial years were spent in McCarthy Tétrault's Vancouver office, playing a key role in the then-new structure of business income trusts, as well as supporting a leading Canadian global public company in meeting its corporate and securities requirements.

In 1998, Bonnie joined the in-house group at KPMG LLP in Toronto. She quickly became involved with KPMG International, assisting the international organization in negotiating global membership agreements and knowledge sharing/data privacy projects. While at KPMG, Bonnie assumed increasing responsibilities in managing acquisitions and divestitures of various practices, both global and national in scope, as well as developing template legal documents and related guidance for the professional audit and tax partners at the firms. Bonnie was also appointed as an Associate Partner of the Canadian firm.

In 2006, Bonnie joined DuPont Canada. As the manager of the six-person Canadian legal team, Bonnie introduced process improvement projects, as well as supporting DuPont's varied businesses in Canada.

After a trip to Uganda with Canadian Physicians for Aid and Relief board members in 2008, she left her legal career to move to Uganda as a volunteer in CPAR's Uganda program. CPAR's efforts are focused in northern Uganda, formerly a region plagued by the rebel group LRA, and works in partnership with communities to build healthy communities. At CPAR Uganda, Bonnie led the organization's proposal efforts, as well as managing CPAR's food security and livelihood projects in northern Uganda. In managing programs, Bonnie was responsible for overseeing implementation of donor-funded projects, as well as monitoring and evaluation of the impacts of such projects.

Since returning to Canada in 2010, Bonnie has practiced in association with Cognition LLP, an innovative and leading "virtual" law firm.

### **Heather Nicolson-Morrison**

Heather Nicolson-Morrison has an interesting mix of administration, association, government and media relation's experience and expertise. She recently took the position of ED with the Toronto Central Palliative Care Network and prior to that was with the Ontario Home Respiratory Service Association (OHRSA) where she was CEO. She has also held the position of Executive Director to the Ontario Funeral Services Association (OFSA) and was the ED/COO to the Canadian Snowbird Association (CSA). She was senior policy advisor and acting Executive Administrator (Chief of Staff) to two Ontario cabinet ministers.

Heather has an impressive educational background holding two bachelors degrees and a Masters. She also has a Diploma and a Certificate in Economic Development with the Senate of the University of Waterloo and her studies in this area culminated with her completion of a Fellowship. The subject of her published Fellowship paper was based on Canada's readiness for the demands of the baby boomers as an aging society. In her volunteer capacity Heather presently is a Director of Stonehenge Therapeutic Community and she was a school trustee in York Region for six years.

She resides in Guelph, Ontario.

### **Elizabeth Nielsen**

Dr. Elizabeth Nielsen who holds a Doctorate Degree in Chemical and Material Sciences has been involved in improving the safety of products since the late 1970s. As a Canadian government scientist, regulator, policy analyst and senior executive, she has been responsible for investigating and testing consumer products and radiation emitting devices for compliance with safety regulations and standards. She has held various executive positions in Health Canada's Healthy Environments and Consumer Safety Branch and the Health Products and Food Branch, where she was responsible for the development, renewal and implementation of policies, regulations and legislation related to the safety of consumer, industrial and medical products under the Hazardous Products Act, (HPA), the Food and Drugs Act, and the Radiation Emitting Devices Act. As the former Director-General of the Office of Regulatory and International Affairs for Health Canada's Health Products and Food Branch, she was also involved in the implementa-

tion of trade agreements related to food, drugs and medical devices.

Elizabeth is a member of the Standards Council of Canada's Consumer and Public Interest Committee, and the Canadian National Committee of the International Electrotechnical Commission (IEC). She is an expert member of the Canadian Advisory Committee to the ISO and IEC Technical Committees on Nanotechnology. She chairs ISO's International Committee developing a new standard on Consumer Product Safety: Practical Guidance for Suppliers.

She has extensive experience in providing consulting services related to analysis and option development for product safety policies, guidance documents, legislation and regulations, national and international standards, injury prevention, risk analysis and research related to the impact of nanotechnology on consumer products and human health. As a consultant for Ontario's Electrical Safety Authority, Elizabeth was responsible for the drafting of background papers and facilitating the development of mandatory reporting, corrective action and public notification guidelines to assist in the implementation of the new provisions under Part VIII of the Electricity Act 1998 and its new Product Safety Regulations. In addition, she carried out a comparison of the new Ontario legislation and the Canada Consumer Product Safety Act to manage the safety of consumer electrical products and another project to develop a national approach to electrical product safety. Not only has she extensive experience in product safety legislation and regulations at the national level but she also has experience in, and is knowledgeable about, international legislation and regulations.

She resides in Richmond, Ontario.

### **Venkat Subramanian Somasundaram**

Venkat S. Somasundaram is a Senior Associate in PricewaterhouseCoopers Advisory Practice. Venkat has more than five years of broad functional experience in operations, supply chain, marketing and strategy in diverse industries on a number of large scale projects .

Drawing upon mechanical engineering, business and diverse industry experiences, he is currently consulting businesses, assisting them to integrate sustainable practices into their core business model, to increase their profitability and long term sustainability.

He is a mechanical engineer as well as a MBA graduate from the Schulich School of Business, York University, with a focus in Business Sustainability and Strategic Management.

His technical-commercial expertise in both developing (South Asia) and developed economies (North America) has been valuable to C-suite as well as operational teams at small and large profit and not-for-profit organizations.

He resides in Calgary, Alberta.

### **Ken Whitehurst**, Executive Director

Ken Whitehurst has served as Director of Research and Communications and then Executive Director of the Consumers Council of Canada since 2008. He has 30 years of senior-level general and project management experience in consumer representation and research; news media; sales, marketing and regulated disclosure communications; business information systems; management consulting; and financial services.

He has served as manager for Canada of news agency United Press International, vice president and general manager of broadcast news network Standard Broadcast News, director of media services for Global Strategy Financial Inc., and editor-in-chief of Metroland North Media.

He resides in Aurora, Ontario.



# SUPPORTERS

Canadian Fuels Association

Canadian Life & Health Insurance Assoc.

Capital One

Consumer Health Products Canada

Credit Union Central of Canada

Electrical Safety Authority

Enbridge Gas Distribution

First Canadian Title

GS1 Canada

Interac

Investment Funds Institute of Canada

NAIMA Canada

Ontario Lottery & Gaming Corporation

Ontario Motor Vehicle Industry Council

Procter & Gamble

Real Estate Council of Ontario

Retail Council of Canada

Scotiabank

Tarion Warranty Corporation

Technical Standards & Safety Authority

Visa Canada

# CONTACT INFORMATION

## **Consumers Council of Canada**

Commercial Building  
201-1920 Yonge Street  
Toronto, ON M4S 3E2

Telephone & Fax: 416-483-2696

E-mail: [info@consumerscouncil.com](mailto:info@consumerscouncil.com)

Website: [www.consumerscouncil.com](http://www.consumerscouncil.com)

Twitter: <https://twitter.com/ConsumersCanada>

Facebook: <https://www.facebook.com/ConsumersCouncilOfCanada>

LinkedIn: <http://www.linkedin.com/company/consumers-council-of-canada>