

**WAS 2013-14
'THE YEAR OF
CONSUMER
PROTECTION'
IN CANADA?**

ANNUAL REPORT OF ACTIVITIES



2013-14

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.

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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



AUBREY LE BLANC

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PRESIDENT'S REPORT

I have a strong sense the Consumers Council of Canada's stock is rising as an organization ready to take on the challenges of advocating for the rights of consumers in the marketplace, including creating the conditions for them to be able to exercise their own responsibilities.

The need for the work the Council does is brought to my attention constantly by all stakeholders, consumers, business and government, alike.

All stakeholders in our work want our organization to do the highest quality job possible and to have visibility with decision makers and the public. The Council has unprecedented access to the processes of government, some access to influence the thinking of business and a growing presence in new channels of communication with the public that exist on the Internet. We continue to gain followers.

However, all this comes at 'a cost.' The Council continues to find ways to 'stretch' to meet demand, as it is sought out for consultation. But bringing all stakeholders to understand that well-researched and reasoned consumer representation comes at a cost has been difficult. All stakeholders seem to share the idea that funding consumer rights representation is someone else's job, or, perhaps, it is better stated to say they are challenged to understand the ways in which it is most appropriately their responsibility. The Council recognizes it has work to help stakeholders better understand the roles they should appropriately play in relationship to the work of the Council, so that relationship will be fruitful. To that end, the Council's board of directors will be embarking on a major strategic review in the year to come.

A unique 'Made in Canada' approach to funding consumer representation needs to be found that can both embrace and appreciate the efforts of other organizations that have assumed specialized roles in seeking to represent consumers.

As well, new thought must be given to how Canadian consumers can best be represented in a global marketplace, where their protection may depend on the goodwill and vigilance of Canada's trading partners.

Also, here at home, the Council has work to do to get all provincial governments to step up to at least the sense of responsibility for nurturing consumer representation we observe in dealing with the federal, Ontario and Quebec governments. For sure, these three governments could do more to help consumer organizations like our own improve their capacity to represent, but they are nonetheless leaders when compared to other governments in Canada.

Also, the Council needs to focus more attention on generational change in attitudes towards advocacy and how it is conducted.

However, as the balance of the content of this annual report demonstrates, while the Council feels a strong need to improve its ability to fulfill its mandate, it is nonetheless a highly active, motivated and effective organization, succeeding at providing consumer representation across the economy and across the country.

A handwritten signature in blue ink that reads "Aube Blanc". The signature is written in a cursive, flowing style.



Hon. James Moore, Minister of Industry
Don Mercer, Council Vice President

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CONSUMER RIGHTS IN FOCUS

Consumer protection featured prominently in the agendas of federal and provincial governments in 2013-14. It has been a long time since consumer rights have been a highlighted area in a Throne Speech nationally or commanded all-party support under a minority government, as was the case with a busy consumer protection agenda in Ontario. Nationally the Safe Foods Act, the Consumer Product Safety Act and a re-energized Competition Bureau and Canadian Radio-television



Ken Whitehurst, Council Executive Director
Hon. Tracy MacCharles, Ontario Minister of Consumer Services
David Oraziotti, Ontario Minister of Natural Resources

and Telecommunications Commission all figured prominently in the work of the Government of Canada.

In Ontario, regulators and legislators were involved in condominium governance reform, examining the practices on the highway of towing companies, and reviewing consumers use of pay-day loans, among other topics.

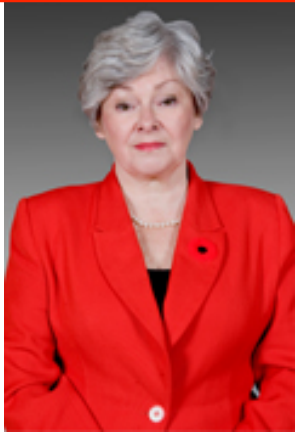
Federal and provincial action in Ontario built on the actions of the Quebec and Manitoba governments in seeking fairness for consumers entering into wireless service agreements. With consumer sentiment blowing in its sails, the Ontario Ministry of Consumer Services, led by Minister Tracy MaCharles upgraded a private members bill originally introduced by David Orazietti to a government bill, and Progressive Conservatives and New Democrats added their voices and views to

**MEMBERS AND ALTERNATES FOR WIRELESS SERVICES AGREEMENTS ACT, 2013
ONTARIO LEGISLATURE STANDING COMMITTEE ON GENERAL GOVERNMENT**

LIBERAL



GRANT CRACK



DONNA CANSFIELD



DIPKA DAMERLA



VIC DHILLON



JOHN FRASER

PROGRESSIVE CONSERVATIVE



TOBY BARRETT



MICHAEL HARRIS



JACK MACLAREN



JIM MCDONELL



LAURIE SCOTT



JEFF YUREK

NEW DEMOCRAT



SARAH CAMPBELL



JAGMEET SINGH



PEGGY SATTLER

swiftly make the bill law. The new act was a notable moment of cooperation in an otherwise fractious session of the Ontario legislature.

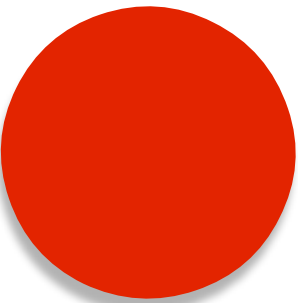
In other provinces, doors opened to listen to the grievances of consumers, many of whom have been buffeted by job loss and other ravages of the recession and have lost patience with even petty indignities visited upon them in the marketplace. Governments, feeling the pressures on their own pocketbooks, embraced actions demanded by the public that could be addressed at nominal cost to taxpayers.

However, with the exception of modest steps taken by some Ontario delegated authorities and the Ontario Ministry of Consumer Services to improve relationships with the Council, little action has been taken by other governments across the country to improve the conditions necessary for informed and effective consumer representation in lawmaking and regulatory processes.

Vice President Don Mercer has met twice with Consumer Protection BC to discuss ways in which the two organizations could work together. A difficulty is that within B.C. the Council has many calls for consumer representation input, especially with respect to housing, building codes, and energy issues. Don Mercer was flown to Vancouver on March 2, 2014 to provide a consumer perspective in a meeting between Consumer Protection BC and Building Inspector regulatory oversight groups. This was recognition of a need for consumer representation in such discussions, at least at important junctures. However, in general, except for paying occasional travel expenses, no other costs of participation have been covered by any provincial organization, including BC Hydro.

An opportunity by two major Quebec-based consumer organizations to host the Consumers International World Congress disappeared this year primarily because governments declined to financially assist a global gathering of consumer organizations devoted to improving consumer protections worldwide. In a global economy, consumer protection in Canada will be only as good as the practices of trading partners supplying Canadian consumers with goods and services. So, this was a missed opportunity.

However, measures like planned federal licensing by the Canadian Food Inspection Agency of food importers do promise to offer consumers a new layer of assurance of the safety of the foreign-supplied food that makes up such a large share of Canadians' diets.



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RESEARCH

Council among first to receive research grant from Canadian Internet Registration Authority

Consumers Council of Canada has been granted funding by the Canadian Internet Registration Authority (CIRA) to research and recommend practical guidelines for understandable and usable on-line agreements.

CIRA manages the .CA domain and also has a mandate to carry out other activities that support

the Internet in Canada. Earlier this year, CIRA launched a Community Investment Program (CIP), to provide funding to community groups, not-for-profits and academic institutions for projects they could demonstrate would enhance the Internet for the benefit of all Canadians. Just over \$1 million was earmarked for the first edition of the CIP.

Consumers Council of Canada is one of 28 organizations to receive funding in the first edition of the CIP, from among 149 applicants. These funds will be used to develop practical guidelines for the display of findable, usable and relevant online agreements (i.e., End User License Agreement, Terms of Use/Service, Privacy Policy) to improve understanding by Canadian consumers of increasingly important terms and conditions and privacy considerations, expanding the trust required for a healthy, sustainable Internet environment.

“The Council thanks CIRA for recognizing how important our project is to Canadian consumers,” said Aubrey LeBlanc, Council President. “We will put these funds to good use and welcome the opportunity to work with CIRA again in the future on initiatives that allow Canadians to safely make use of the Internet. Consumers have embraced use of the Internet as part of daily life.”

“The enthusiastic response we saw from applicants across the country is evidence of CIRA’s long-standing conviction that the Internet has become a critical daily tool in the lives of all Canadians,” said Byron Holland, CEO of CIRA. “Our selection committee faced a difficult task to review and choose from among 149 applications, representing just under \$8 million in requests. I want

to personally congratulate Consumers Council of Canada as one of our first funding recipients.”

Industry Canada Funded Research

2013-14

The Council conducted one research project in 2013-14 funded by the Office of Consumer Affairs Contribution Program for consumer groups:

Will consumers benefit from enhanced product labelling on energy-efficient products? – This research, conducted by My Sustainable Canada for the Council, looked beyond label awareness/recognition to 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. This research will help inform future consumer outreach and labelling efforts and increase consumer satisfaction with and uptake of energy efficient products.

2014-15

The Council was awarded two research projects by Office of Consumer Affairs, Industry Canada for 2014-15:

Stuck in the Middle: Consumers, Transaction Fees and Loyalty Programs – One of the largest forces driving credit card transaction costs higher is increased rewards from loyalty programs. The expected outcome of this project is a report which will provide a summary of the publicly available information on different dimensions of loyalty programs, transaction costs and card fees, views of key market participants as to where the consumer interest lies and focus group evidence of how typical Canadian consum-

ers may view some of the contemplated changes.

Consumer Experiences in Online Payday Loans

– The purpose of this research will be to improve knowledge of consumers' experiences when they look for payday loans online. The Council will conduct an online audit – a detailed examination of the online payday loan services available to typical Canadian consumers.

The Consumers Council of Canada receives funding from Industry Canada's Contribution Program for Non-profit Consumer and Voluntary Organizations, but the views expressed in these reports are not necessarily those of Industry Canada or the Government of Canada.

The Council submitted five other research proposals for consideration by Office of Consumer Affairs, which did not receive support. The Council would be pleased to identify other funding sources to pursue the research topics. The as-yet unfunded project proposals are:

The Justiciable Consumer Problem Approach to Access to Justice in Canada – Justiciable Problems for ordinary Canadians raise legal issues, whether or not they are recognized by the person as being 'legal' and whether or not any action taken by the person to deal with the event involved the use of any part of the civil justice system. Consumer issues are the most common justiciable problems or events that ordinary Canadians experience. Moreover, they are the justiciable problems that Canadians are least likely to turn to the formal justice system for help in resolving. Despite the frequency of consumer justiciable problems in Canada, surprisingly little is known about how well Canadians understand these consumer problems as legal problems nor

how this affects the choices they make to resolve these problems. Access to justice in Canada is an especially important matter for vulnerable Canadians with justiciable consumer problems who cannot afford or lack the means to navigate the formal or informal justice system. The research questions for this proposal asks: How does seeing consumer issues as justiciable problems improve our understanding of legal mobilization among Canadian consumers? What is the justiciable consumer problems approach to access to civil justice?

Enabling Consumers to Detect Market Substitution

– When an ingredient specified on a product label is replaced with another ingredient of a lower economic value not listed on the product label, this is considered "market substitution" which is a form of food fraud and is not permissible under Canadian law. Due to the highly processed nature of many modern food and natural health products, market substitution can be difficult to detect. New DNA-based approaches to ingredient authentication developed by academia have revealed that market substitution is more widespread than previously thought, but the implications of this new technology for Canadian businesses and consumers have yet to be fully explored. This situation hinders the development and implementation of relevant provincial and national policies concerning both fair competitive practices and consumer protection. The Council, together with leading researchers at the University of Guelph, propose a pilot study that would put DNA-based ingredient authentication technology into the hands of consumers in order to assess their exposure to market substitution and subsequently gauge the response of consumers to the results, as obtained through focus group surveys involving relevant stakeholders.

Blurred Lines: 'Native' Advertising and Consumers – Free, independent, truthful news media is fundamental to democracy and honest consumer information. The public relies on the news media for objective information to support consumer decisions. This is crucial to consumer behaviour in the marketplace. Consumers have been able to rely on an important distinction between content and advertising for decades. In the earliest days of printed materials, through radio and television, advertising and editorial have become clearly separated, so as not to confuse the public. In print advertising, the term “advertorial” covers paid content that emulate the editorial presentation with words, pictures and graphics. The publisher insists on font differences, location and labelling on the page to differentiate the content that advertisers pay to place from editorial content that readers pay to receive. In broadcasting, commercials are grouped, and infomercials are labeled so that viewers are notified that the programming was paid for, and thus can make suitable judgments about the information presented. But consumer choice in media is changing; It’s moving online and it’s moving to handheld devices. And in those spheres, the rules about separation between editorial content and advertising are less defined and still changing. The term 'native advertising' covers web advertising in which the advertiser attempts to provide content in the context of the user’s experience. It follows the “form and function” of other content, so as to be as indistinguishable as possible from other information. The Council proposed to research native advertising, particularly the ability of consumers to discern “advertorial” messages from editorial messages in an on-line environment.

Consumer Online Reviews: Separating the Wheat from the Chaff – We believe that many consumers, in their purchase decisions, are increasingly relying on online consumer reviews, many of which may not be reliable, for any of several reasons, resulting in a negative consumer impact. Some consumer review sites, either independent or retailer maintained, have it right: They balance anonymity and openness with fairness to both the consumer and the business, with a primary focus on the consumer. They make efforts to ensure the veracity of reviews on their site. However, some organizations create false reviews to favour their businesses or cause negative false reviews of competitors. Witness the recent charges and fines by the New York Attorney General on businesses generating false reviews. Some reviews are carelessly written. Some have poor or no context. Some are tepid praise that raise rankings. Some people are just wrong in their assessment of a product, having not read the manual or not “plugged in” the product. Research has suggested that anywhere from 15 to 30% of online reviews may be bogus. The Council proposed to address the following questions:

- What are the primary causes, and examples, of misleading online reviews?
- What are current best practices from organizations in producing or managing consumer reviews on their sites, in Canada and globally?
- What can industry (businesses and their associations) do to improve the quality and appropriateness of online reviews?
- What industries are more relevant for consumer online reviews, and are any more prone to errors?

- What is the nature and level of consumer awareness regarding misleading reviews?
- What actions do consumers take to filter such misleading reviews?
- What actions do consumers take in creating useful reviews, and in unknowingly/unwittingly providing misleading reviews? What responsibilities do they have, as consumers participating in a marketplace?
- What risks do consumers face if they write a careless or libellous review, intentionally? Are they aware of these risks?
- What are recommendations for consumers in evaluating and filtering such reviews?
- What are recommendations for consumers in providing relevant, usable reviews?
- How are activities of online reputation management organizations modifying their activities in response to media and other legal action?
- What protection do Canadian consumers have now from misleading reviews?
- What can government, and regulatory bodies, do to encourage and facilitate business and consumers in a healthier environment for the provision and use of online reviews?

Vulnerable Consumers: The Need for a National Standard, Guidelines or Strategy – The purpose is to determine the need for a voluntary standard, guidelines or strategy to help organizations address consumer vulnerabilities so that vulnerable consumers are assured of being treated fairly in the market. To accomplish this, the research will identify and analyze existing guidelines, standards, strategies and research on consumer vulnerability in the market and obtain feedback from Canadian stakeholders on the need for a guideline, standard or strategy to address the issue. A recommendation will be developed

to inform government and industry decision makers, and assist suppliers of products and services, standards developers or other stakeholders in understanding, identifying the causes and reducing the likelihood and impact of vulnerability in today's complex marketplace.

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 static for a decade.

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 responsibilities. 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.

Post-secondary academic institutions have largely neglected consumer rights as a centre 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 worked with consumer groups and academ-

ics recently, seeking to address the deficit in academic research about consumer impacts. The Council has partnered as a non-academic supporter of an effort by academic applicants to obtain financial support from the federal Social Sciences and Humanities Research Council for consumer interest research.



Residential Intensification: Density and its Discontents

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Commercial Building
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January 2014

Consumers Council of Canada



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HOUSING INTENSIFICATION PANEL



In September, the Council launched an examination of residential intensification's impact on consumers. Waves of high-rise construction have occurred in several Canadian urban centres in the post-war period but none so great as what has occurred in the Greater Toronto and Hamilton area in the last decade. With the support of industry partners, the Council released a discussion paper early in the year that identified four significant

gaps in our knowledge of this latest development trend:

1. The absence of “smart” consumer residential buyer and maintenance toolkits
2. A lack of provincial policy direction for local planners
3. A need for better information about the performance of new residential buildings
4. A lack of affordable alternatives to the purchase of a new condominium.

The Council has enlisted a stakeholder panel of interested experts, that will review the landscape of consumer rights and responsibilities that are affected by intensification. Its meetings, which have already begun, will continue toward the end of the year, when the panel is expected to release a report. The Council has also invited the public to register on a “housing intensification panel” page of its website, to track the activity of the panel and the Council on this issue.

For many years, the Council has pursued energy efficiency, new home warranty, and related housing initiatives. With this focus on the spreading impact of actual building form, we hope to further cement the Council’s reputation in this important component of consumer activity.

The members of the panel are:

John Caliendo, Co-President, ABC Residents' Association, Toronto

Linda Pinizzotto, President, Condo Owners Association, Mississauga, Ontario

Don Pugh, Vice President, Daniels Corporation

Craig Holloway, President, Daviscon Corporation, Brampton, Ontario

Sybil Wa, Associate, Diamond Schmitt Architects, Toronto, Ontario

Corey McBurney, President, EnerQuality Corporation, North York, Ontario

Ken Greenberg, Greenberg Consultants, Toronto

Bryan Purcell, Manager, Climate Solutions, Toronto Atmospheric Fund, Toronto

David Speigel, Chief Operating Officer, Tribute Communities, Pickering, Ontario

Marianne Touchie, Department of Civil Engineering, University of Toronto, Toronto

Alex Speigel, Partner, Windmill Developments, Toronto

Brian Smith, President and CEO, WoodGreen Community Services, Toronto

Acknowledgement

The panel process is possible because of the sponsorship of the Residential Construction Council of Ontario (RESCON) and the Metropolitan Toronto Apartment Builders’ Association (MTAB), which has agreed to these terms of reference for the Council and the panel’s work. The panel’s sponsors and the Council have agreed the purpose of this initiative is to:

- Work with Canadian consumers, consumer groups and stakeholders of the residential construction industry to consider the implications of the intensification of residential housing for consumer rights and responsibilities.

- Develop well-informed Canadian consumer representation, better prepared to seek improvements in legislation, regulatory enforcement and business practices concerning the subject area.
- Create a better informed public, media, elected officials, civil servants and businesses concerning consumer issues in the subject area.
- Assist in identifying areas of required research, consultation and advocacy concerning the subject area.

Food Product Information Labelling and Advertising – Canadian Consumer Group Issues & Solutions

A response to Canadian Food Inspection Agency's food labelling review



Report of the Consumers Council of Canada Consumer Group Panel
November 2013



Food Product Information Labelling and Advertising –



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FOOD INFORMATION PANEL

Food labelling is an 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.

The 'Dream' Food Label illustrated

Here's how the new graphic, designed to supplement existing nutrition labels, would work.

NUTRITION This new scale is essentially a summary of the "nutrition facts" box into one easy-to-understand rating, on a scale of 0 to 5.

FOODNESS A measure of how close a product is to being real, unadulterated food. (You might think of it as "naturalness.") A piece of fruit gets 5 points, whereas fruit-flavored candy gets 0.

WELFARE A measure of the impact of the food's production on the overall welfare of everything involved: laborers, animals, land, water, air, etc. This rating also accounts for carbon footprint and chemical (pesticide, for example) and drug (like antibiotic) residues.

RATING BARS
Top score per category: 5.
Bottom score: 0.

NUTRITION
FOODNESS
WELFARE

TOTAL SCORE When you take all three criteria — Nutrition, Foodness and Welfare — into account, the highest potential high score is 15. Some nonfoods sold in supermarkets — soda, for example — might score 0.

COLOR CODE A visual representation of total score: eat green-coded food freely; total score: eat green-coded food freely; yellow food with restraint or consideration; red food rarely or never. Of course if you're more concerned about Welfare than Nutrition or Foodness than either, you can make your own judgments.

11-15 points 6-10 0-5

8/15 NO GMO'S

G.M.O.'S
consumers (Americans, for example) who wish to avoid their food containing modified organisms.

Labels on Four Made-Up Products

NUTRITION
FOODNESS
WELFARE

MAMA C'S ORGANIC TOMATO SAUCE This contains tomatoes, extra virgin olive oil, and fresh herbs; refrigerated, so it contains no preservatives.

Since Mama C runs an organic operation with a strong force receiving benefits, the score here is super and the label is green.



IX Defining Possible Canadian Solutions

Quantitative Ingredient Declaration

Accurate and detailed information on labels is important to consumers because it helps buyers make informed choices, no matter their information needs or interests. Good labelling practices contribute to better health and nutrition, allow consumers to make informed buying choices, contribute to a reduction in deception and help to develop a competitive pre-packaged food marketplace. In a number of countries Quantitative Ingredient Declaration has been used for many years as a way of helping consumers to identify ingredients between seemingly similar products. Canada currently has no such requirement.

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.

In 2013-14 the Consumers Council of Canada completed a major report on consumer needs from food information, advertising and labelling.

The report was the culmination of a consumer group panel that involved:

Anaphylaxis Canada

Consumers Council of Canada

Heart & Stroke Foundation

My Sustainable Canada

Option consommateurs

Union des consommateurs

Christine Simpson, a Council member, represented the Council on the panel, which was facilitated by CSB Communications Inc.

The report of the panel already has had a tangible impact on government engagement with its subject matter. The Canadian Food Inspection Agency and Health Canada appear ready to broaden the scope of a planned food labelling modernization initiative to involve subjects highlighted in the panel report.



Canadian
Consumer Initiative

L'Initiative canadienne
des consommateurs

Parliamentary Briefing Note

February 2014

Prepared by Consumers Council of Canada for the Canadian Consumer Initiative

Retailers' Mobile Apps

The Issues

The following conditions confront Canadian consumers today when they make a purchase using their mobile device from a retailer on the Internet:

1. Effective consumer protection is challenged by the fact that regulatory responsibility is provincial, federal and global. Often the retailer will be beyond the reach of Canadian authority. Mobile devices access a global retail marketplace. Consumers will simply not know what protections apply to them.
2. Retailers' apps, including those of Canadian retailers, could deliver more consumer protection information than has been previously available but, in fact, they seldom offer such information at point of sale online, through their apps for mobile devices, or otherwise on the Internet. The information is often placed on product labels, and available to consumers, in a "bricks and mortar" format. Retailers communicate compliance with safety standards through their apps. So it is important to consumers to know at the time of purchase.
3. Canadians who cannot afford smartphones and tablets are at a disadvantage. Apps offer their wealthier customers. For example, they can use apps to compare prices and feature-shop in-store, to determine best value.
4. Consumers mostly unwittingly provide personal information to retailers. They are not considering possible consequences. Consumer information provided by retailers' apps are difficult to understand. Consumers are not making about privacy into the user experience.
5. Consumers are more likely to make imprudent purchases. They do not assess critically and consider fully the source of the information.
6. Should the mobile app become the dominant method of purchase, the pricing that is now accessible will be lost. Retailers will lose retail app. This will hinder third parties from making comparisons to consumers.

THE CANADIAN CONSUMER INITIATIVE is a coalition of the Public Interest Advocacy Centre, Option consommateurs, and L'Initiative canadienne des consommateurs. L'INITIATIVE CANADIENNE DES CONSOMMATEURS est une coalition du Conseil des consommateurs, le Centre pour la défense du consommateur, et le Centre pour la défense du consommateur.

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CANADIAN CONSUMER INITIATIVE

Funded by the Office of Consumer Affairs' Contributions Program, this initiative has brought 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 annual meet-



ings with parliamentarians and key regulatory policymakers.

The initiative presented its common positions this year on four policy areas arising out of previous research funded by the Office of Consumer Affairs to Parliamentarians on February 25, 2014 in Ottawa. These issues were: Retailers' Mobile Apps (Consumers Council of Canada), Online Dispute Resolution for Transactions with Foreign-based Retailers (Public Interest Advocacy Centre), Adequacy of Legal Warranty Plans in Canada (Union des consommateurs) and The Umbrella Mortgage: Action needs to be taken to better protect consumers (Union des consommateurs).

In addition the group met with senior officials with the Financial Consumer Agency of Canada to discuss the direction of the Agency under the new Commissioner, Lucie Tedesco, and of its compliance and enforcement activities, along with research initiatives. Disappointment was expressed that the Agency had dropped its External Stakeholder Advisory Committee on the basis that the Agency could not discuss its law enforcement activity. It was pointed out by Don Mercer, Consumer Council of Canada Vice President responsible for Federal Matters and Chair of the Council's Financial Issues Committee, that the Competition Bureau of Canada's model for meeting exchanges with consumer groups could be followed and thereby enable continuation of feedback on these issues rather than consult only on financial literacy issues.

The future direction of CCI is uncertain, however. Some participants have been concerned about the effectiveness of the consensus-based approach taken by the initiative, preferring to focus on their own goals and objectives for consumer

advocacy. While no formal decision has been made about the future of CCI by its participants, the decision by the Office of Consumer Affairs, Industry Canada, not to fund any costs of facilitating CCI in 2014-15 decidedly changes what will be possible for the consumer groups involved to achieve when working in concert in the future.

The funding of CCI had provided a small amount of fairly predictable funding to assist consumer groups to pool their resources to develop an ongoing federal agenda for consumer protection.

CANADA'S
PUBLIC POLICY

FORUM
DES POLITIQUES PUBLIQUES
DU CANADA

GROWING UP: ONTARIO'S CONDOMINIUM COMMUNITIES ENTER A NEW ERA

Condominium Act Review
Stage Two Solutions Report

SEPTEMBER 2013

APPENDIX 2: ONTARIO'S CONDOMINIUM STAGE TWO PARTICIPANTS

Please note: The list of expert panel and working group members is followed by participants.

Expert Panel

Anne-Marie Ambert, condominium information website founder
Colm Brannigan, mediator/arbitrator
Robert Buckler, realtor/court-appointed condominium administrator
Harold Cipin, condominium management representative
Armand Conant, lawyer/court-appointed condominium administrator
Stephen Deveau, developer
Harry Herskowitz, lawyer
Christopher J. Jaglowitz, lawyer
Christophe LeBlanc, consumer representative
Aubrey Leob, lawyer
Audrey Thompson, engineer
Sally Thompson, chartered accountant
John Warren, chartered accountant

Governance Working Group

Colm Brannigan, mediator/arbitrator
Robert Buckler, realtor/court-appointed condominium administrator
Armand Conant, lawyer/court-appointed condominium administrator
Anne Gottlieb, lawyer/mediator/condominium owner
Aubrey LeBlanc, consumer representative (Team Lead)
Marilyn Lincoln, condominium writer/columnist
Dean McCabe, condominium management representative
Allan Rosenberg, condominium management representative
Adam Wroblewski, owner association representative

Dispute Resolution Working Group

Anne-Marie Ambert, condominium information website founder
Colm Brannigan, mediator/arbitrator (Team Lead)
Harold Cipin, condominium management representative
Armand Conant, lawyer/court-appointed condominium administrator
Shervin Erfani, condominium resident
Anne Gottlieb, lawyer/mediator/condominium owner
Christopher J. Jaglowitz, lawyer (Team Lead)
Christophe Leistner, real estate representative

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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.



ONTARIO CONDOMINIUM ACT REVIEW

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

The review was undertaken as a three-stage collaborative, public engagement process. Council President Aubrey LeBlanc served on the 12-member expert panel involved in a stage of the process to reform what many call the “fourth level” of government. The panel’s report was released for public comment in 2013-14.

AUTOMOBILE TOWING & STORAGE REFORM

Howard Deane participated in the Ontario Ministry of Consumer Services’ Towing and Storage Advisory Group. The Groups' primary objectives were to identify issues in the towing and storage industries, and provide consensus recommendations to government on how to address these issues, including the possibility of an oversight model. The ultimate recommendations were to begin with moving various functions under the auspices of existing legislation for licensing,



monitoring and enforcement, with a view to moving to a Delegated Administrative Authority when appropriate. Howard is also participating on the Fair Value committee dealing with storage costs for vehicles, looking to determine an appropriate way to calculate standard rate.

ENERGY REPRESENTATION

The Council has been actively involved representing consumer interests in the Ontario natural gas and electricity sectors. The Council intervened and participated in several Ontario Energy Board proceedings and consultation processes. In addition, Julie Girvan, representing the Council, was appointed to the Ontario Power Authority's Stakeholder Advisory Committee to the OPA Board of Directors.

With respect to the natural gas industry both Union Gas Limited (Union) and Enbridge Gas Distribution (Enbridge) applied to the OEB for approval of 5-year rate-making plans. The Council and other stakeholders successfully negotiated an agreement with Union. Union's rates, for the next five years, will be set through a formula designed to incent productivity in Union's operations. Rate changes over the period will be relatively small. Enbridge's plan would have resulted in unacceptable rate increases for consumers, so no agreement with stakeholders was reached. Enbridge's plan was reviewed by the OEB through an oral hearing process. The Decision is pending. Union Gas and Enbridge also applied for approval of new transportation facilities, in large measure to reinforce the Greater Toronto Area. The Council was generally supportive of the proposals as they were required to ensure system reliability and diversity of supply. The OEB approved the applications.

The Council also participated in the OEB's review of intervenor involvement in its proceedings. The Council made submissions highlighting the need for the continued involvement of stakeholders in OEB proceedings, and the need to continue to fund that participation. The OEB will make determinations over the next several months as to what groups will have standing in OEB proceedings and the extent to which interventions will be funded.

The Council also participated in the following OEB proceedings and related activities:

- Toronto Hydro-Electric System Limited 2014 rates
- Toronto Hydro-Electric System Limited's application regarding the use of poles for wireless connections
- Veridian Connections Inc. 2014 Rates
- Hydro One Networks 2014 Rates
- Norfolk Power Distribution – Proposed Acquisition by Hydro One Networks
- Demand Side Management – Technical Advisory Committee (Union and Enbridge)
- Hydro One Networks – Customer Advisory Board

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 has served on the Consumer and Public Interest Panel of the Standards Council of Canada.

Consumer representation at the Standards Council presents a tremendous opportunity to influence consumer protection positively. However, the Council would need enhanced capacity to participate fully. Numerous initiatives are being introduced and require background research to support positions. The Council has experienced members that can and do work on Standards, but identifying ways to attract resources so the Council can support them and expand its engagement remains a challenge. However, standards development has high significance for consumer protection.

Council President Aubrey LeBlanc serves on 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.

LeBlanc has served as Vice-Chair of the 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.

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.

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. Two major activities this year were the Introduction of new/revised Code and Governance Review. The latter is ongoing. Regular review activities are being carried out and appear to be satisfactory to Health Canada. Review times and Residence times are improving. There are many stakeholders present and Consumer input is being well received.

FINANCIAL CONSUMER PROTECTION FRAMEWORK

The Financial Consumer Protection Framework arises out of the Meredith Task Force on the Financial System. Other work has included the new rules for cash cards that came into force May 1st, the new low cost bank accounts that were recently brought into being by Finance and the ongoing work related to alternative payment vehicles such as Bitcoin and mobile payments and banking. As well, the Framework applied only to federally regulated financial institutions. Ongoing work will be done to deal with provincial and territorial jurisdictions as well as cross-border transactions. It is the objective to achieve technology neutral and jurisdiction-neutral rules given many transactions are trans-border, but

this will take time, and it may not be possible to completely achieve given differing jurisdictional priorities.

CANADIAN PAYMENTS ASSOCIATION

Council Vice President Don Mercer, following a nomination process, became, effective April 1, one of two consumer representatives on the Stakeholder Advisory Council of the CPA, which is responsible for rule-making and overall functioning of the payments system in Canada. The other consumer representative, Jacques St Amant, is from Montreal. Mercer replaces Bill Huzar, who has been thanked by the CPA for his many years of service, latterly as Chair of the CPA SAC. Don Mercer is a member of two working groups, including one on governance.

FEDERAL BUDGET

In 2013, as a result of an invitation, the Council drafted and presented a Submission to the Department of Finance on potential budget items of benefit to the broader issue of fulsome consumer representation: amongst others, a consumer complaints centre parallel to the Canadian Anti-Fraud Centre, an internal Consumer Advocate within the PCO/PMO to ensure consumer impacts were taken into account in policy and regulation-making and consumer research. These initiatives were deemed mostly to fall within the purview of the Minister of Industry, James Moore, and on February 25, 2014 Don Mercer met with the Minister's Chief of Staff James Maunder and Director of Policy James Nicholson to further discuss the proposals which in general were positively received. On April 17th, Mr. Mercer met Minister Moore (who is also the Minister responsible for

BC in the Federal Cabinet) in Vancouver to continue the dialogue. The discussions were cordial and dealt with practicalities of implementation. Some of these items look more likely to receive earlier implementation than others. Follow-up discussion is anticipated moving forward.

COMPETITION BUREAU AND CRTC

The Council continues to build its relationships with the Competition Bureau and the Canadian Radio-television and Telecommunications Commission. The Competition Bureau has indicated that it wishes to regularize its meetings with consumer groups and will be providing forward set meeting dates so that proper planning can be done around these dates. The Bureau will also be coordinating meetings with the CRTC so that the two meetings can be held on the same day. This is not a trivial matter as it hopefully shows an emerging recognition that the time and talent in consumer groups is valuable and needs to be respected in terms of travel and meeting schedule time.

One significant issue is that the Bureau lost its case before the Competition Bureau against Master Card and Visa. Before the Case was filed in 2012, the Council had been asked its views re the concept of ending the equal treatment of all cards requirement in contracts with merchants and the issue of surcharging. The Competition Tribunal in its decision took the same position and noted that government regulation was likely to be required. The Department of Finance is following up on this issue at the present time.

TRADE-RELATED REGULATORY HARMONIZATION

As a global push towards harmonization of regulations moves forward in response to the signing or ever more free trade agreements with various blocs continues, there is a need for active consumer representation to ensure that this harmonization does not become a dilution of protections in a sort of race towards the bottom. A key problem is that consumer representation in trade negotiations, even in an advisory capacity, is not encouraged or facilitated by the Government of Canada. While embracing the benefits of harmonization, the Council recognizes the downside risks to competent regulation if consumer representation is absent and only commercial interests are represented. This is expected to become a priority in the coming months as trade agreements are signed and implemented, including the ones with the European Union, the Trans Pacific Partnership and those with South American Countries.

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
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 Securities Commission	Investors Advisory Panel	Financial Services

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.

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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

2013-14

Aubrey LeBlanc, President and Chair

Aubrey LeBlanc is currently serving as the Chief Administrative Officer of the Ontario Building Officials Association (OBOA). He also has been 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.

He 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.

He 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.

He is active in his community of Aurora, Ontario, and was elected to Town Council there 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 build-

ing code, and a comparison of new home warranty programs across Canada.

She 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 charac-

ter 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.

He resides in Cobourg, Ontario.

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 been in private practice.

She resides in Toronto.

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 implementation 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 experi-

ence 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 con-

sumer 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 Association

Consumer Health Products Canada

Credit Union Central of Canada

Electrical Safety Authority

Enbridge Gas Distribution

Interac

Investment Funds Institute of Canada

Ontario Motor Vehicle Industry Council

Procter & Gamble

Real Estate Council of Ontario

Retail Council of Canada

Scotiabank

Technical Standards & Safety Authority

Visa Canada

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