



Aubrey LeBlanc
President, Consumers Council of Canada

LONGER-LASTING APPLIANCES

the
EXCHANGE
with Amanda Lang

ANNUAL REPORT OF ACTIVITIES



2014-15



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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

The Consumers Council of Canada and its members had an extraordinarily active 2014-15, participating in public processes leading to new consumer protection legislation and developing a strategic plan for the future.

The Council's board of directors was active this year in developing a new three-year strategic plan for the Council. The board revised the Council's mission statement to: "Working towards an im-

proved marketplace for consumers in Canada,” reflecting an intention to strengthen the Council’s direct relationship with Canada’s consumers.

The board, with the facilitation of consultants E.S. Tunis and Associates, focused its attention on four distinct strategies for the future:

Strategy 1: Build an innovative business model to ensure financial sustainability

Strategy 2: Enhance visibility with government, business and the Canadian public

Strategy 3: Quickly engage on new, emerging consumer issues

Strategy 4: Sustain momentum on persistent, long-term consumer issues

To ensure a future oriented strategy, board members discussed and debated external trends and internal factors associated with Council growth prospects. Breakout groups from the board developed ideas to support the strategies.

The Council executive has set an objective for the board to meet again in September to discuss in more detail steps flowing from the planning exercises.

Members’ work representing consumers in 2014-15 addressed a spectrum of issue areas.

- Members were involved in consultations leading to the tabling in the Ontario Legislature of Bill 106, *Protecting Condominium Owners Act, 2015*.
- The Council participated in Ontario’s Payday Lending Panel, which discussed ways to improve financial protection for payday loan borrowers by recommending changes to the *Pay-*

day Loans Act, 2008, and the regulations made under the Act. This work culminated in *Strengthening Ontario’s Payday Loans Act: Payday Lending Panel Findings and Recommendations Report*, prepared for the Ontario Ministry of Consumer Services by Deloitte.

- The Council was represented on Ontario’s Towing and Storage Advisory Group, which led to a report produced by KPMG for the Ontario Ministry of Consumer Services.
- The Council’s own Consumer Perspective Panel Concerning Implications of the Intensification of Residential Housing met throughout the year, and a final report will be issued later in 2015.
- The Council completed research work funded by Industry Canada, expected to be released in the summer or late autumn. The reports are entitled: *Stuck in the Middle: Consumers, Transaction Fees and Loyalty Programs, Consumer Experiences in Online Payday Loans* and *Options for a Sustained Institutional Role for Consumer Organizations in Internal Trade Harmonization Initiatives*.
- The Council turned its attention to Internet governance. Internet Corporation for Assigned Names and Numbers (ICANN) At-Large Advisory Committee certified the Council as an ‘At-Large Structure,’ creating the opportunity for the Council to represent Canada’s consumers in the processes of ICANN.
- The Council, with the financial support of Canadian Internet Registration Authority (CIRA), produced *Improving Online Agreements: “It’s Not Rocket Science!”* As this helpful document says, “Too many consumers do not read or un-

derstand online agreements. It's bad for consumers. It's bad for business. Adding short plain language explanations to online agreements improves them. We provide some guidelines to help organizations do this!"

- As usual, members performed in a variety of institutionalized roles representing consumers, as well, some of which are mentioned later in this report. I was named the new Chair of the Consumer and Public Interest Panel of the Standards Council of Canada, which provides strategic and policy advice on standardization matters as they impact consumers and the public interest, especially in relation to Canadian priority sectors. The Council's Secretary Agni Shah was and is Vice-Chair. Board member Elizabeth Nielsen and member Christine Simpson participated in ISO/IEC Guide Developments for Guide 14 Labelling and Guide 50 Children's Safety. Howard Deane, Council Treasurer, has been elected as Convener of ISO's international Working Group on Consumer Online Reviews. This Working Group was created within the framework of work on ISO/TC 290, an ISO Technical Committee on Online Reputation. The Working Group will develop draft ISO standards/guidelines on the "collection, moderation & display" of consumer online reviews.
- The Council was called to testify before the Senate agriculture committee in late March, to round out the year, and its Executive Director carried the Council's message about the benefits to consumers and the agri-food industry of improving product information.
- Planning is underway for a conference to be held in November 2015 concerning consumer protection topics related to e-commerce.

All-in-all, 2014-15 was an exceptional year of accomplishment for the Council, in providing representation in public processes on behalf of Canadian consumers.



The Consumers Council of Canada received funding from Industry Canada's Contributions Program for Non-profit Consumer and Voluntary Organizations for the development of its 3-year strategic and business plan. The views expressed in the report and plan developed are not necessarily those of Industry Canada or of the Government of Canada.



1ST SESSION, 41ST LEGISLATURE, ONTARIO
64 ELIZABETH II, 2015

Bill 106

**An Act to amend
the Condominium Act, 1998,
to enact the Condominium
Management Services Act, 2015
and to amend other Acts
with respect to condominiums**

The Hon. D. Orazietti
Minister of Government and Consumer Services

Government Bill

1st Reading May 27, 2015
2nd Reading
3rd Reading
Royal Assent

Printed by the Legislative Assembly
of Ontario

1^{RE} SESSION, 41^E LÉGISLATURE, ONTARIO
64 ELIZABETH II, 2015

Projet de loi 106

**Loi modifiant la
Loi de 1998 sur les condominiums,
édicte la Loi de 2015 sur les services
de gestion de condominiums
et modifiant d'autres lois
en ce qui concerne les condominiums**

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NEW ONTARIO CONDO ACT

Just after the Council completed its 2014-15 fiscal year, the Ontario Government tabled Bill 106, *An Act to Amend the Condominium Act, 1998*. The growth of Ontario's condo sector has not been without some pain over the past 16 years, leading Ontario to begin review of the *Condominium Act* in June 2012. That Review was an 18-month collaborative public engagement process. Condo owners, developers, managers and other experts were

Imprimé par l'Assemblée législative
de l'Ontario



given an opportunity to identify problem areas and help develop long-term solutions.

Consumers Council of Canada President Aubrey LeBlanc participated on the related 'expert panel.' Overall, the review generated more than 200 recommendations. This included reforms to strengthen consumer protection and support the needs of current and future condo owners.

The legislation provides for:

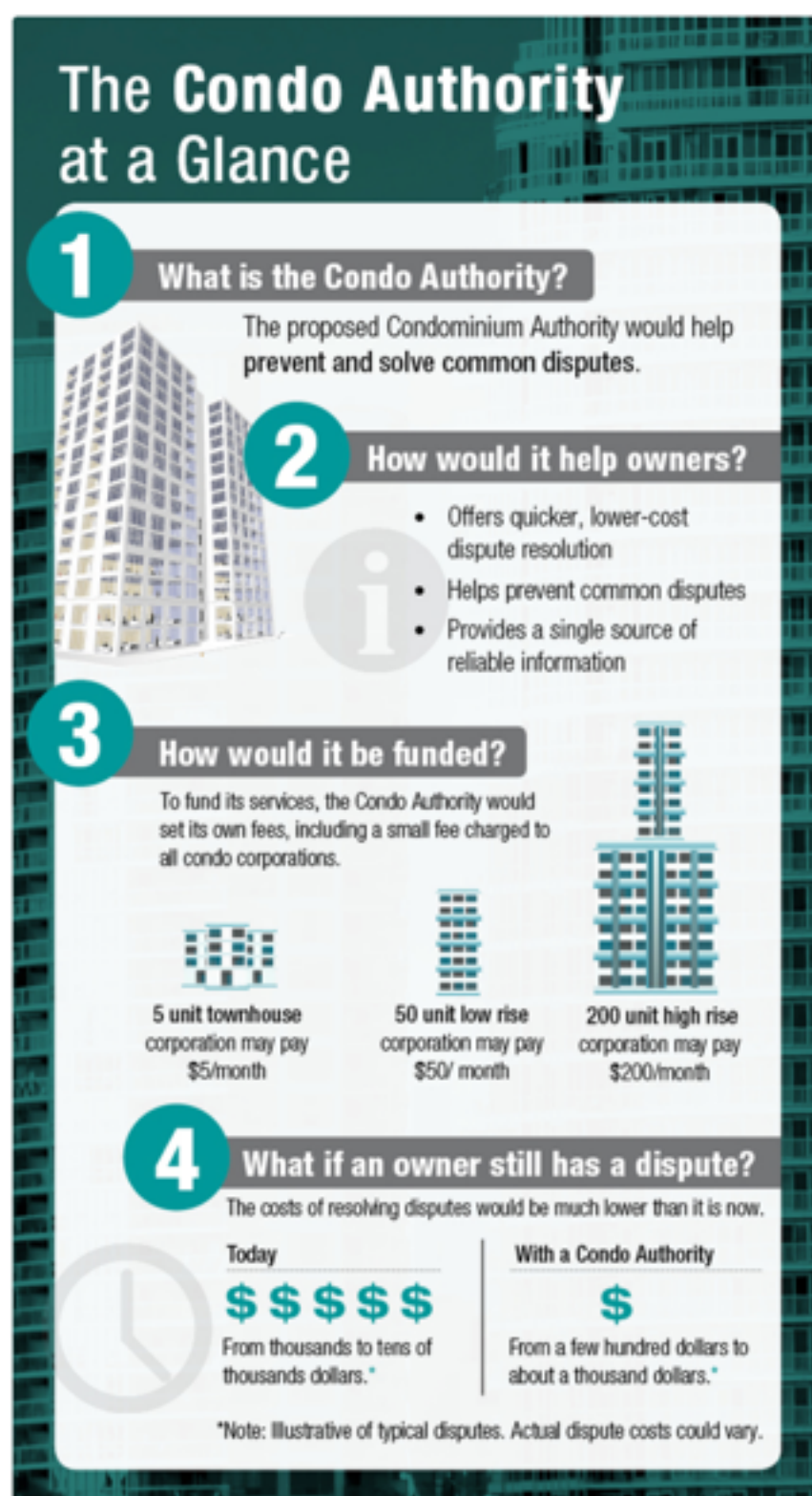
- Clearer, more comprehensive rules to prevent owners from being surprised by unexpected costs after buying a newly-built condo
- A new Condominium Authority to provide quicker, lower-cost dispute resolution and help prevent common disputes
- Strong financial management rules for condo corporations to help prevent financial and organizational mismanagement
- Better governance requirements for condo boards, including training for condo directors
- Mandatory licensing and education requirements for condominium managers.

The government says:

- 1.3 million Ontarians live in condos – more than all people in Saskatchewan or Manitoba.
- More than 50 per cent of new homes being built in Ontario are condos.
- Currently there are about 700,000 condo units in Ontario, up from 270,000 units in 2001 and 51,000 units are under construction.

This shift in the Ontario housing market led the Council to launch Consumer Perspective Panel Concerning Implications of the Intensification of Residential Housing.

Ministry of Government and Consumer Services graphic explaining the proposed new Condo Authority.





THE GUIDELINES ●

*"I would read them if they were shorter and in plain language."*³⁷

*"Companies need a Vice President in charge of Plain Language."*³⁸

THE TWELVE RECOMMENDED GUIDELINES

Following are summarized recommendations that we believe can improve the design and increase the ability of businesses to compete in the area of online agreements, which is typically a good thing for business. These recommendations will be published in the coming months for organizations considering implementation.

1. Summary of Salient Points
2. Summary/Highlights of Changes
3. Detailed Table of Contents
4. Plain Language For New Online Agreements
5. Scenarios for Key Terms & Conditions
6. Claim Language Section Summary
7. Link References from Relevant Pages
8. Notification of Change in Agreement
9. Allow Reader to Save/Print/Download
10. Right Headings/Titles in the Document
11. Drawer Design from Remainder of Document
12. Indicate Split Consent for Privacy Choices
13. Mobile – The Same Yet Different, and More

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BETTER ONLINE AGREEMENTS

The Consumers Council of Canada wants to help consumers better understand online agreements by helping business write better ones.

The Council just recently completed its report *Improving Online Agreements: "It's Not Rocket Science!"* Financially assisted by the Community Investment Program of the Canadian Internet Registration Authority (CIRA) the report offers practical guidelines for the display of findable, usable and

We don't collect or share personal information.

That's our privacy policy in a nutshell.

Check out our illustrated search privacy guides at dontrack.us and dontbubble.us.

relevant online agreements (i.e., End User License Agreement, Terms of Use/Service, Privacy Policy), to improve understanding of increasingly important terms and conditions and privacy considerations relevant to most Canadians. The Council hopes to expand the trust required for a healthy, sustainable Internet environment

Authored by Howard Dean, the report concludes, in a nutshell, “Too many consumers do not read or understand online agreements. It’s bad for consumers. It’s bad for business. Adding short plain language explanations to online agreements improves them. We provide some guidelines to help organizations do this.”

The report finishes with 12 recommended guidelines for producing better online agreements.

“Too many businesses have paid too little attention to the significance to their customers and themselves of ignoring this situation. Businesses have shareholders and profits to worry about. They must follow laws and regulations. Business managers must deal with lawyers who draft these agreements and who, in doing so, are pre-

sumed to be protecting the business. Consequently it seems that the decision-makers in many organizations find it easier to go along to get along, and no more. They may take a simplistic view of self-interest, undermining their relationship with their customers, who believe they have the right to make informed decisions.

“It’s easier, right? But be aware: consumers are uncomfortable with their ignorance or comfortable these agreements are meaningless, or both, and, in any case, these conditions lead to increased business risk.”

In preparation for developing the recommendations, Deane spoke to and surveyed consumers, interviewed people from many perspectives with expertise about the issue, researched best practices (and bad), read the research, looked at other countries, and through this iterated down to the 12 recommendations an organization can look to use to improve their online agreements.

Council Member Howard Deane took the message about the benefits of better online agreements onto the radio on News 1130 in Vancouver.

NEWS 1130


LISTEN LIVE LOCAL TRAFFIC

All rights reserved: How Old Do I Look website raises privacy concerns

NATIONAL

by PETER N. HENDERSON, THE CANADIAN PRESS

Posted May 5, 2015 10:57 am PDT Last Updated May 5, 2015 at 5:22 pm PDT



A photo of former Canadian prime minister Sir Wilfrid Laurier is shown after being processed through the website "How Old Do I Look." People who upload photos of their faces to the new How Old Do I Look website are giving Microsoft the right to use the pictures for nearly any purpose, despite the company's promise not to retain them, privacy experts say.

THE CANADIAN PRESS/HO

Howard Deane, director of the Consumers' Council of Canada, said it was reassuring that Microsoft volunteered that it would not keep the photos.

Adding a new privacy policy for every new service adds complexity for companies and makes it more confusing for users, he said, and doesn't solve the underlying problem.

"People want their privacy policies in plain language and in smaller chunks," he said. "Businesses can start doing pretty good deals with people if they're just more open and transparent about how they're using their information."

Options for a Sustained Institutional Role for Consumer Organizations in Internal Trade Harmonization Initiatives



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GETTING AHEAD OF THE GAME

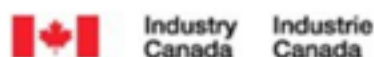
Our report will be out soon. The Government of Canada has said re-energizing work done pursuant to the Agreement on Internal Trade – the ‘constitutional arrangement’ almost no one understands – is a highly important objective. Canadian premiers have agreed to a new round of negotiations under the AIT. What is the AIT?

It’s an intergovernmental trade agreement signed by Canadian First Ministers that came into force in

News Room


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Industry Canada



October 09, 2014 12:00 ET

Minister Moore Announces New Measures to Improve Trade Within Canada

Consumer-led research projects part of Harper Government's continued push for free trade within Canada

OTTAWA, ONTARIO--(Marketwired - Oct. 9, 2014) - Industry Canada

Industry Minister James Moore today announced support for four new research projects to demonstrate the benefits to Canadian consumers of having free trade within Canada. The projects are another step in the concrete actions that the Government of Canada has been taking to free Canadian businesses, workers and consumers from the protectionist barriers that limit their success, movement and choice.

This important work will be completed by the following consumer organizations:

- The Consumers Council of Canada will identify ways in which consumer groups can harmonize trade among the provinces and territories.
- Option consommateurs will examine means of improving Canadians' views on consumer protection safeguards across Canada.
- The Public Interest Advocacy Centre will work with Canadians to determine how a new internal trade agreement could amend the dispute resolution and enforcement regimes to include direct access for consumers.
- Union des consommateurs will identify best practices in the European Union and Australia for addressing internal trade barriers and how similar barriers can be broken down in Canada.

The results of this important work will be released in June 2015.

1995. Its purpose is to reduce and eliminate, to the extent possible, barriers to the free movement of persons, goods, services, and investment within Canada and to establish an open, efficient, and stable domestic market. Since then it has had considerable impact, some good, some not so good on consumer protection in Canada. Now stakeholders in business, labour and the professions are clamouring for a seat at the table to set priorities for future work under the AIT. The Contributions Program for Non-profit Consumer and Voluntary Organizations of the Office of Consumer Affairs, Industry Canada, funded the research.

Industry Minister James Moore highlighted consumer research as a step towards improving the trade environment within Canada.



Residential Intensification: Density and its Discontents

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Housing and Energy Committee
Commercial Building
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Toronto, ON M4S 3E2
Phone: (416)483-2696
www.consumerscouncil.com
January 2014

Consumers Council of Canada



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HOUSING INTENSIFICATION PANEL



The Council has been working for more than a year on 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 has hosted a stakeholder panel of interested experts, that has

been reviewing the landscape of consumer rights and responsibilities that are affected by intensification.

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, it hopes to further cement the Council's reputation in this important component of consumer activity.

The members of the panel have been:

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

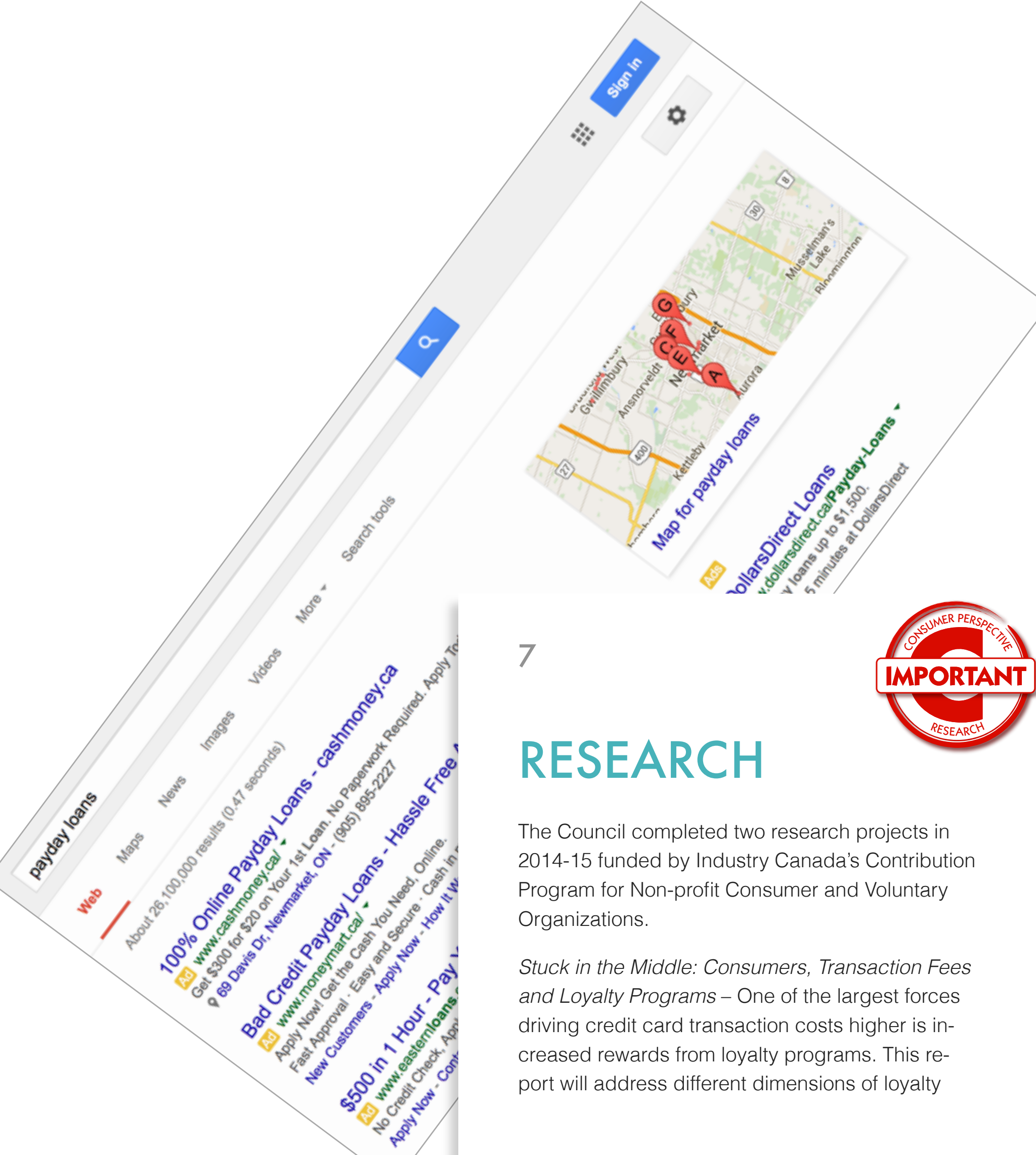
Brian Smith, President and CEO, WoodGreen Community Services, Toronto

Acknowledgement

The panel process has been possible because of the patience and 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.



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RESEARCH

The Council completed two research projects in 2014-15 funded by Industry Canada's Contribution Program for Non-profit Consumer and Voluntary Organizations.

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. This report will address different dimensions of loyalty

Offers of payday loans are going online, both through the web browser and on mobile devices.

The Consumers Council of Canada has received funding from Industry Canada's Contributions Program for Non-profit Consumer and Voluntary Organizations. The views expressed in the funded reports are not necessarily those of Industry Canada or of the Government of Canada.

programs, transaction costs and card fees, views of key market participants about where the consumer interest lies and focus group evidence of how typical Canadian consumers 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.

Public release of this research is pending.

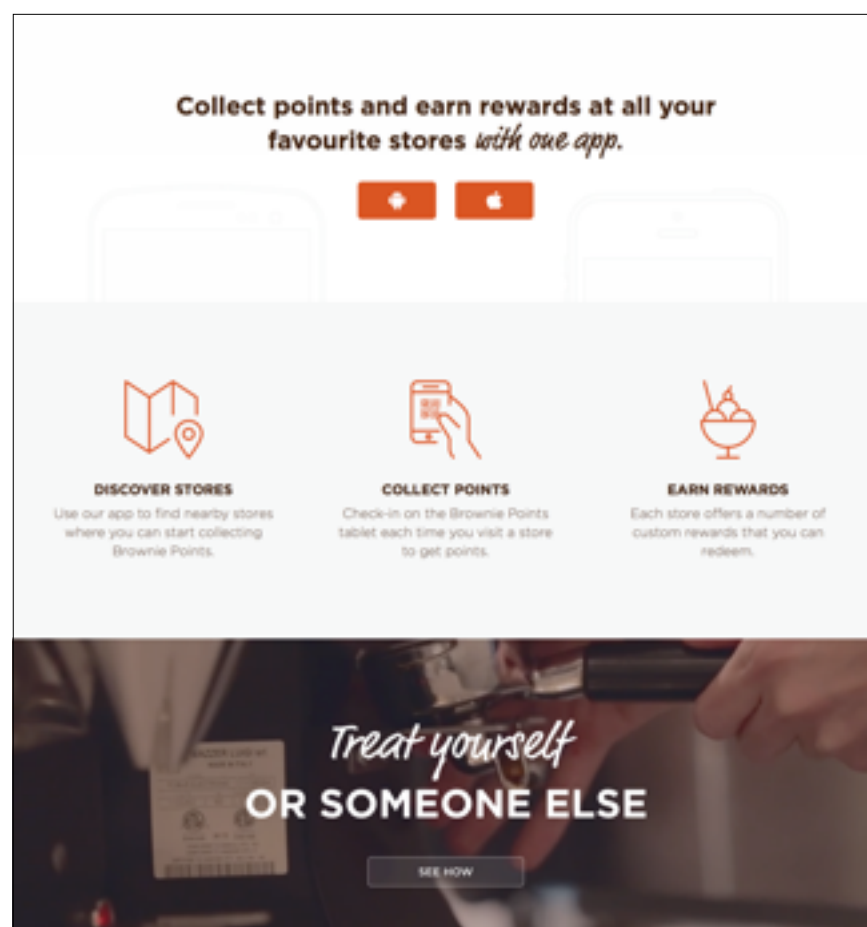
CANADIAN PARTNERSHIP ON PUBLIC POLICY-ORIENTED CONSUMER INTEREST RESEARCH

The Council is participating in the Canadian Partnership on Public Policy-Oriented Consumer Interest Research. The Council is represented on the partnership’s executive committee by Executive Director Ken Whitehurst. The goal of the partnership is to develop a Canadian interdisciplinary network of researchers and practitioners interested in consumer interest research, with an objective of improving public policy approaches to the well-being of consumers.

Partnership activities focus on:

- Conducting research to benefit Canada and its consumers
- Training graduate students to help build the next generation of related expertise
- Sharing research results with academic and non-academic audiences.

Rewards programs, especially in the era of online commerce, are changing and influencing markets in new ways at a new scale.



Partners include:

Universities – Ryerson University, University of Waterloo

Government – Financial Consumer Agency of Canada, Industry Canada, Office de la protection du consommateur du Québec, Ontario’s Ministry of Government and Consumer Services

Consumer NGOs – Consumers Council of Canada, Option consommateurs, Public Interest Advocacy Centre, Union des consommateurs

Private Sector Representatives – CSA Group

The partnership’s activities are supported by the Social Sciences and Humanities Research Council through a Partnership Development Grant. The Council is not funded by the initiative.



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30



By **Emanuela Campanella**, The London Free Press
Wednesday, June 24, 2015 10:47:53 EDT PM

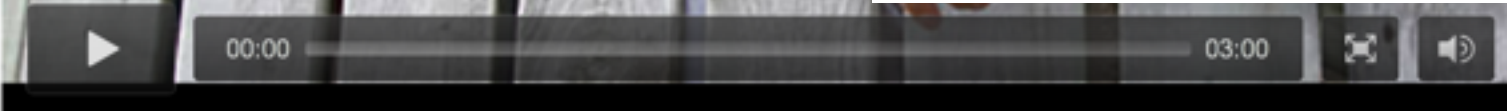


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CONSUMER REPRESENTATION



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. The Council continues to turn down more requests and opportunities to consult than it can pursue, for resource reasons.



 Recommend 31

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It's the time of the year when the sun is out, barbecues are fired up and aggressive door-to-door salespeople come out of hibernation.

Energy sellers are making the rounds to sign up electricity and natural gas customers, and scams are on the rise, too, police said.

Marcel Boers said he almost fell for a scam when a seller knocked on his front door in north London.

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ENERGY REPRESENTATION

The Council regularly participates as an intervenor in Ontario Energy Board (OEB) natural gas and electricity utility rate applications. In addition, the Council participates in the OEB's consultation process and policy reviews that deal with a wide range of issues relevant to electricity and natural gas regulation. The following set out the major applications and reviews that the Council was involved in over the last year.

HYDRO ONE NETWORKS INC. (DISTRIBUTION) – 2015-2019 RATES

Hydro One Networks Inc. (HON) applied to the OEB for approval of rates for the period January 1, 2015 to December 31, 2019. HON applied within the context of the OEB's new Renewed Regulatory Framework for Electricity Distributors (RRFE) that was issued in October 2012. The framework allows utilities to apply for "custom" incentive rate plans that would be the basis for establishing rates for a minimum of five years. HON's application requested an increase in distribution revenues over the period of 29%. The Council opposed the application for a number of reasons, primarily because of the resulting rate increases and the lack of efficiency incentives embedded in the plan. The OEB rejected HON's application as filed, and approved rates for a three-year period with mandated reductions to the rate levels proposed.

HYDRO ONE NETWORKS INC. (TRANSMISSION) – 2015/2016 RATES

In July 2014, the Council participated in settlement negotiations with HON and a number of other active stakeholders to determine if an agreement could be reached regarding its 2015 and 2016 transmission rates. An agreement was reached resulting in rate reductions from those proposed by HON. (For 2015 the proposed increases went from 3.2% to 1.1 % and for 2016 they went from 3.3% to 1.7%). The agreement was accepted by the OEB.

ONTARIO POWER GENERATION INC. – 2014-2015 PAYMENT AMOUNTS

Ontario Power Generation (OPG) applied to the OEB for approval of the amounts OPG charges for the electricity it generates from its nuclear facilities and most of its hydroelectric facilities. These amounts are included in the overall costs Ontario electricity consumers pay. OPG's application was seeking to increase these amounts by 23.4% over the current amounts. The Council opposed many elements of OPG's application including compensation costs, costs related to the Niagara Tunnel Project (cost overruns) and its proposal to charge the new payment amounts as of January 1, 2015, despite the fact this would be retroactive. The Board's decision reduced OPG's request by more than half. OPG will apply later this summer for new payment amounts effective January 1, 2016.

DEMAND SIDE MANAGEMENT/ CONSERVATION FOR NATURAL GAS UTILITIES

In response to a Ministerial Directive, the OEB initiated a working group and a consultation process to determine a framework that would be used by the Ontario natural gas utilities to undertake demand side management (DSM) and conservation programs. The Council was represented on the working group and made submissions regarding the Board's proposed framework. The OEB issued a report setting out the guidelines to be used by both Enbridge Gas Distribution and Union Gas Limited to develop six-year DSM plans for the period 2015-2020. The proposed plans have been filed and will be considered by the Board through a hearing process in August 2015.

HORIZON UTILITIES CORPORATION – 2015-2019 RATES

In April 2014, Horizon Utilities Corporation (serving Hamilton and St. Catharines) applied for approval for rates effective January 1, 2015 to December 31, 2019, under the OEB's RRFE.

Through a settlement process the intervenors, including the Council and Horizon, agreed to reductions to the proposed expenditures (which underlie the rates) in each of the five years with respect to operating, maintenance and capital costs. In addition, the parties agreed to a number of ratepayer protection mechanisms, including an earnings sharing mechanism. The OEB approved the settlement agreement, which allowed for relatively modest rate increases over the term of the plan.

TORONTO HYDRO-ELECTRIC SYSTEM LIMITED – 2015-2019 RATES

In July 2014 Toronto Hydro applied to the OEB for approval of rates under the RRFE for the period January 1, 2015 to December 31, 2019. Toronto's rate proposals would have distribution rates increasing by approximately 50% over the five-year period. The Council opposed many elements of Toronto's application, as the rate increases were based on an extensive infrastructure renewal program that was not fully justified by the evidence. The OEB's decision is pending.

NATURAL GAS MARKET REVIEW

The OEB undertook a review of the Ontario natural gas market in December 2014. The OEB's review was to consider a number of topical issues regarding natural gas supply planning, pricing, market dynamics and the electricity and natural gas markets interface. The OEB, as a result of this review, will convene an annual forum focused on energy market issues and emerging energy sector developments. The OEB also indicated its intent to review Board policy regarding gas procurement by the utilities and the review and assessment of utility gas supply plans.

REVIEW OF THE ENERGY CONSUMER PROTECTION ACT

The OEB undertook a review of the *Energy Consumer Protection Act, 2010*, in late 2014. The Council participated in the review by making submissions and participating in a one-day stakeholder meeting. The OEB's Report concluded that the ECPA had been generally effective improving consumer protection in the retail energy markets, but that problems continue to persist.

The Report recommends 14 new measures that are expected to provide a stronger framework for consumer protection. One of the key recommendations is to ban door-to-door sales for residential consumers. The extent to which the recommendations are implemented rests with the Ministry of Energy.

INDEPENDENT ELECTRICITY SYSTEM OPERATOR

On January 1, 2015, the Ontario Power Authority and the Independent Electricity System Operator merged. The new entity is responsible for power system planning, power procurement, conservation and demand management, market operations, and dispatch. Julie Girvan has been appointed to the new Stakeholder Advisory Committee to the Board of Directors. This stakeholder group advises the IESO's independent 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 as Vice President of 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.

SCC CPIP

Council President Aubrey LeBlanc has served on the new Accreditation Advisory Panel at SCC. In June 2015, LeBlanc takes the chair of SCC's CPIP, as well. 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.



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France enacts law-forcing companies to make appliances last longer - Interview with Aubrey LeBlanc from Consumers Council of Canada

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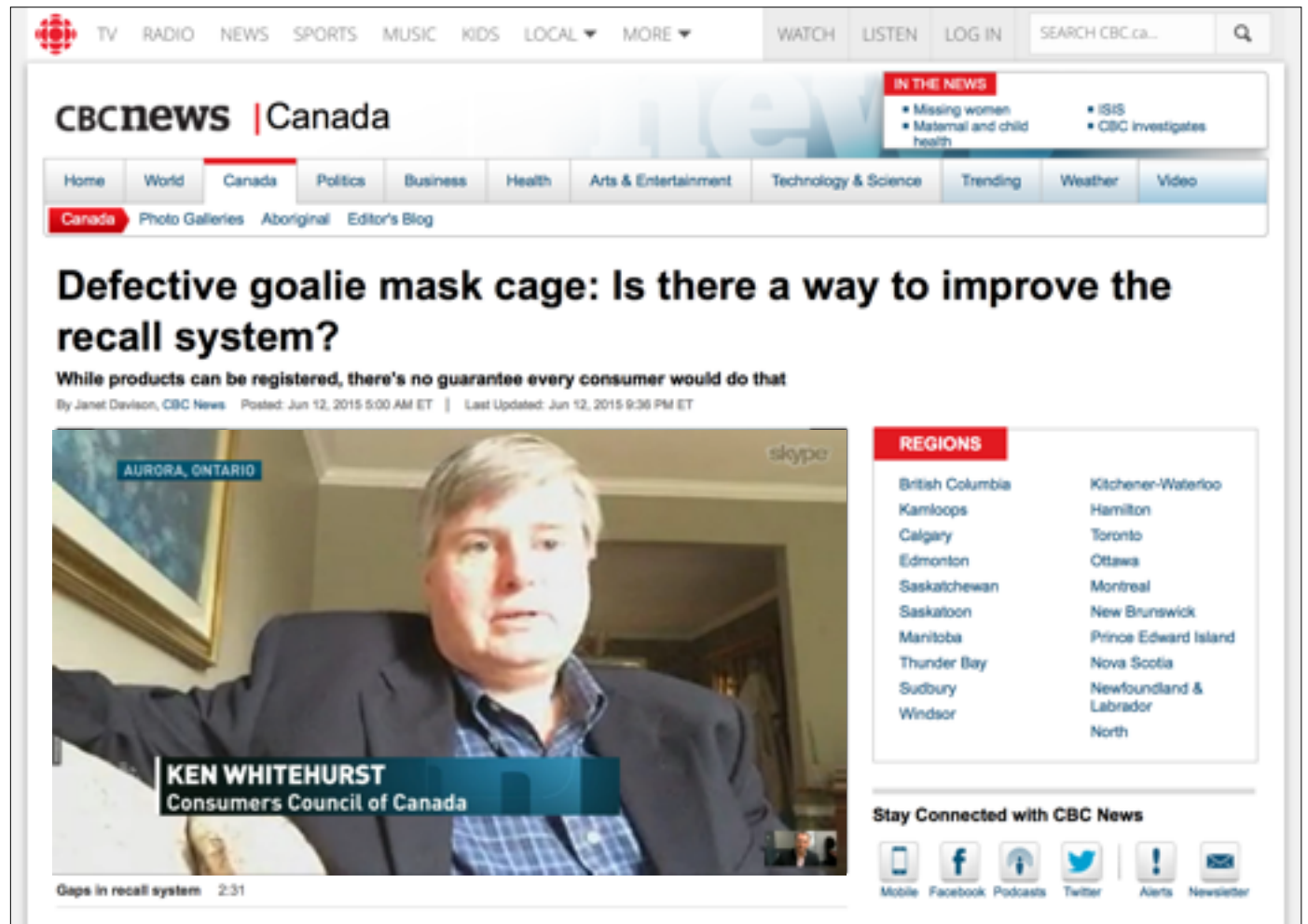


France enacts law-forcing companies to make appliances last longer - Interview with Aubrey LeBlanc from Consumers Council of Canada

Submitted by Daniel Ethier on Thu, 2015/03/05 - 14:42 to [Consumer Safety / Sécurité des consommateurs](#)

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News media are becoming more aware of Health Canada's online product recall notices and wondering how consumers can learn faster about dangerous products. Ken Whitehurst, Council Executive Director, appeared on CBC's *The National*



CIVIL INFRASTRUCTURE STRATEGIC STEERING COMMITTEE

LeBlanc assumed the Chair of the Construction and Civil Infrastructure Strategic Steering Committee, overseeing the 78 Technical Committees and 175 standards portfolio in the built environment. One CSA standard of note is A770 on private home inspection, which is being finalized after extensive technical committee activity and a public consultation phase (over 6000 written commenters). The standard should be available this fall for reference by Governments of Alberta (sponsor of the standard) and regulator of home inspectors; British Columbia, regulator; Ontario, pending regulator; and Quebec, regulator of qualified home inspectors via its real estate legislation.

ISO/TC 290 - ONLINE REPUTATION TECHNICAL COMMITTEE

Based on research that Howard Deane had done on Online Reputation for the Consumers Council, he was asked to join the Canadian National Mirror Committee for ISO'S TC 290 Online Reputation, and was Canada's Head of Delegation for the international plenary kickoff meeting of the Technical Committee in October. Deane was subsequently elected as Convener of the Working Group drafting the first standard on Online Consumer Reviews.

ISO/IEC GUIDE DEVELOPMENTS

Director Elizabeth Nielsen participated on ISO/IEC Guide Developments for Guide 14 Purchase information on goods and services intended for consumers and Guide 51 Safety aspects – Guidelines for their inclusion in standards. She commented on regulatory changes under Can-

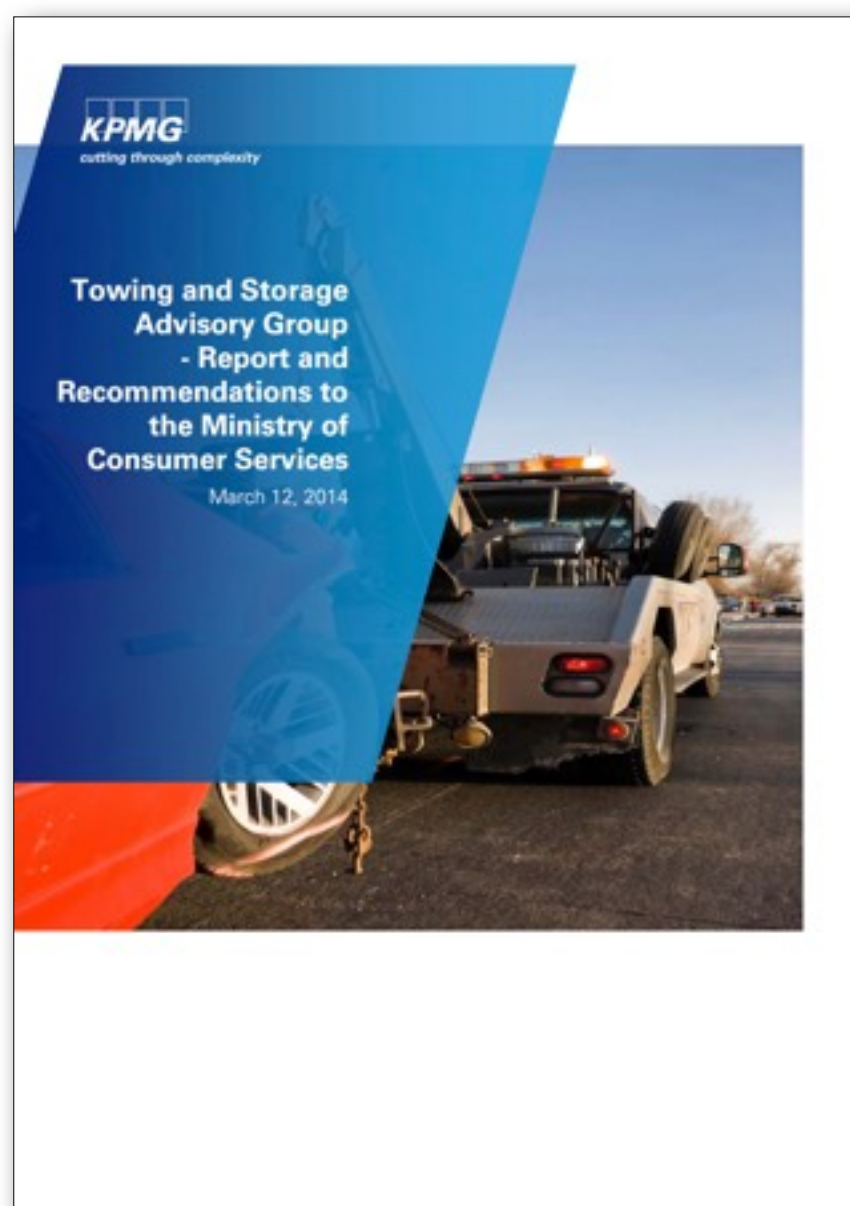
ada Consumer Product Safety Act and on the development of standards for Organic Food, in conjunction with Jenny Hillard of Consumer Interest Alliance, and represented the Council on the Technical Standards and Safety Authority consumer advisory committee and propane and natural gas industry committees. Christine Simpson was involved with revision of ISO/IEC Guide 50 Safety aspects – Guidelines for child safety in standards and other specifications.

CSA'S CONSUMER ADVISORY STEERING PANEL

LeBlanc and Nielsen are members of CSA's Consumer Advisory Steering Panel, coordinator for growth of the consumer voice at CSA, and links to consumer voice activities outside CSA.

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. Deane also participated on the Fair Value committee dealing with storage costs for vehicles, looking to determine an appropriate way to calculate standard rates. The recommendations are still under consideration by the Ontario government.



The report of Ontario's Towing and Storage Advisory Group was completed late last year.

ONTARIO COLLEGE OF TRADES

Howard Deane was appointed to the Board of Governors of the Ontario College of Trades in November, 2014. The College is an industry-driven, professional regulatory body with a mandate to protect the public interest by regulating and promoting skilled trades in Ontario. The Consumers Council had been approached by the Appointments Council of the College requesting assistance in proposing qualified candidates to represent the public on the College's Board of Governors.

ADVERTISING OVERSIGHT

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.

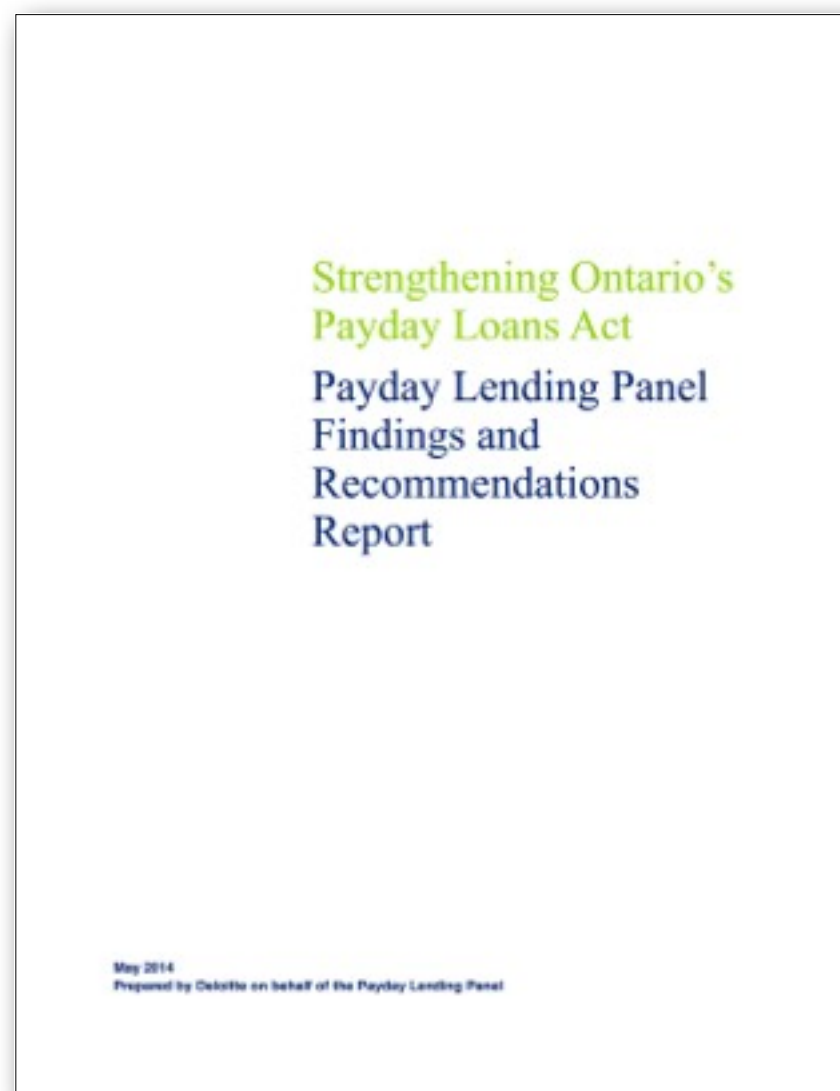
Christina Bisanz, a member and former board member of the Council, sits on the ASC Board of Directors as a public representative.

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 a new/revised Code and Governance Review. The latter is ongoing.

FINANCIAL PROTECTION FOR CONSUMERS OUTSIDE MAINSTREAM BANKING

The Consumers Council of Canada participated in Ontario's Payday Lending Panel. An outcome of that report is a broader public consultation by the Ontario Ministry of Government and Consumer services on ways to improve financial protection for consumers outside mainstream banking. In addition to considering legislative/regulatory reforms concerning businesses that market services and products to consumers with constrained income and limited access to traditional credit, the Ministry wants to learn about



other measures that could protect consumers of these services, including education, awareness and community partnerships.

CANADIAN PAYMENTS ASSOCIATION

The Consumers Council of Canada through its Vice President, Don Mercer, devotes a substantial amount of time and effort to representing consumers in the federal-government-mandated Canadian Payment Association (CPA) Stakeholder Advisory Committee (SAC). The federal law governing the CPA stipulates a broad-based composition for the SAC with representatives of key sectors involved in payments including two representatives from consumer representation organizations. The other representative is Mr. Jacques St Amant, an academic from Montreal who repre-

sents the Public Interest Advocacy Centre based in Ottawa.

As a member of SAC, Mercer participates in a minimum of three day-long meetings a year and in three working groups of the SAC related to governance and response to government consultations related to CPA-related legislation; the emerging new international payments messaging standard, ISO 20022 which is being adopted around the globe as well as in Canada and next generation payments systems. As well he participates in the Consumer Group meetings consisting of the two SAC consumer representatives and representatives of other consumer groups having an interest in the functioning of the payments system. In late June 2014, Don moderated a panel at the CPA Payments Panorama conference in Charlottetown, PEI dealing with the factors inhibiting the movement from cheques to

electronic payment means ('The cheque is not in the mail').

The expectation of the CPA SAC is that members will spend between 20-30 hours per month on CPA SAC business. While virtually all other members of SAC are there as part of their respective job descriptions for their paid employment, Don is there as a volunteer, unpaid. The CPA reimburses travel, hotel and meal expenses for its SAC consumer representatives. This is a substantive amount of volunteer time and represents a significant opportunity cost for the Council. It is important that the Council on an ongoing basis weighs this opportunity cost against the benefits accrued to consumers from this level of representation. It is also important that the Council participate and be seen to participate in such important multi-stakeholder advisory committees or councils. A core question is how to do this when such activities do not contribute significantly to



the Council's operational margins necessary to support the Council institutionally.

FINANCIAL CONSUMER AGENCY OF CANADA

Under the previous Commissioner (to May 2012), Ursula Menke, the Financial Consumer Agency of Canada (FCAC) operated the External Stakeholder Advisory Committee (ESAC), a multi-stakeholder committee which advised the Commissioner on the Agency's law enforcement priorities as well as its literacy programs. The Committee was active, meeting at least twice a year by teleconference combined with in-person attendance, generally in Toronto, and the Commissioner participated as a participating observer in each meeting. The ESAC was effective in engaging stakeholders and in responding to their concerns and in reporting back on progress. In the Council's view it is time for the FCAC to reinvent its approach to relationships with stakeholders. Models that could work are those found in the Canadian Payments Association or within the Competition Bureau and the CRTC, which actively consult on compliance programs and regulatory and law enforcement issues.

Unfortunately the current Commissioner chose not to continue this Committee, on the basis that it could compromise law enforcement independence. This flies in the face of other law enforcement activities, including the police, who do seek public input as to their priorities and is in contrast to the FCAC's involvement in literacy. This makes sense as agencies such as the FCAC are created to protect the public and therefore need to be attuned to public concerns in a rapidly changing world in which there is a high risk of fraud, misrepresentation and deceptive market-

ing as well as unfair contracting terms in a fast-moving electronic commerce environment. One additional issue is the setting of standards and supervision of the public ombud services for banking services and investment. Consultation on priorities here are also welcomed but not apparently encouraged.

Another concern that needs review is the funding of the FCAC, in which very large sums absolutely and proportionately of financing come from those subject to its regulation and as well for helping fund or sponsor literacy programs and conferences. This does not enhance confidence in the ability of the FCAC to protect the public. As well, it potentially compromises the core of its financial literacy programs by tying these programs to commercial interests. These programs and conferences on how to enhance these programs may be better engaged by working with bona fide consumer groups that are not in conflict or give the impression of conflict of interest.

Now that the Government of Canada through the Department of Finance has been consulting on the Oversight of National Retail Payments Systems, the issue has arisen that FCAC might be the organization to surveil these systems. Based on the current experience with the FCAC it is not believed that they are the appropriate agency to undertake that complex task, which also requires a law enforcement function. Rather, the thought is that FCAC may be best subsumed in another organization that would start afresh with establishing a track record of independence, in fact as well as appearance, on the law enforcement side and be mandated to take a more collaborative approach to literacy.

The FCAC Commissioner has sought recently to meet with the Council but in a manner that is not respectful of the volunteer nature of the organization. Instead the FCAC says we want to meet you; here are some dates we can meet you, rather than engaging the Council in a manner that says: `How can we engage you?`, too much like consumers serving the FCAC rather than the FCAC determining how it can best serve consumers and engage consumer representation organizations in doing so.

INDUSTRY CANADA

Meetings were held throughout the year with the most senior political staff of Minister of Industry James Moore, to discuss consumer issues, including as one example, the proposed legislation that eventually received first reading in the House of Commons as the Price Transparency Act. This legislation would have given the Competition Bureau new research authority to investigate the reasons for otherwise unexplained price differentials between Canada and other countries, particularly the United States. The concept behind the legislation is that while there are legitimate explanations for much of the price differentials in various products sourced from the United States compared to prices in Canada for the same products, part of those differentials cannot be explained in this way, but may be attributable to anti-competitive behaviour. The Government subsequently has allowed the Bill proposing the legislation to die on the order paper and not to proceed to second reading. This is an example of resources spent in consultations that do not necessarily bear fruit and are part of the life of consumer representation.

FEDERAL BUDGET 2015

The Council's prioritization of its scarce resources did not permit submission of Budget proposals to the federal government for the 2015 Budget in April, nor to participate in a number of federal government consultations and requested appearances before Parliamentary committees studying legislation or doing studies of particular industries. However, the Council continued its focus on the interest of governments to move to a new round of negotiations within the framework of the Agreement on Internal Trade. These negotiations were stated to be a priority in both of Budget 2014 and 2015.

COMPETITION BUREAU & CRTC

The Council continues to build its relationships with the Competition Bureau and the Canadian Radio-television and Telecommunications Commission. The Competition Bureau and CRTC have taken steps to regularize meetings with consumer groups. 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. Council President Aubrey LeBlanc met with the agencies this year.

OFFICE OF THE PRIVACY COMMISSIONER OF CANADA CONSULTATIONS

Howard Deane participated in the Toronto stakeholder consultation session of the Office of the Privacy Commissioner of Canada looking to solicit views on what will be the defining privacy is-

sues of greatest strategic importance and relevance to Canadians over the next five years.

Taking guidance from these stakeholder sessions the OPC has decided to concentrate its energies for 2015-2020 on four main priority areas:

1. Economics of Personal Information;
2. Government Surveillance;
3. Reputation and Privacy; and
4. Body as Information.

COMMISSIONER FOR COMPLAINTS FOR TELECOMMUNICATIONS SERVICES

Howard Deane participates in the quarterly meetings with the CCTS Consumer Groups members, discussing issues and providing guidance to the two members of the Board of Directors of the CCTS representing consumer groups.

ICANN

Howard Deane was appointed as the Council's lead representative at the North American At-Large Regional Organization (NARALO) of the Internet Corporation for Assigned Names and Numbers (ICANN). Its At-Large Advisory Committee has certified the Council as an At-Large Structure, creating the opportunity for the Council to represent Canada's consumers in the processes of ICANN. ICANN coordinates the Internet Assigned Numbers Authority (IANA) functions, which are key technical services critical to the continued operations of the Internet's underlying address book, the Domain Name System (DNS).

FOOD

Council Executive Director Ken Whitehurst took the messages of the Council's Consumer Group Panel on Food Information, Labeling and Advertising to Canada's Senate in May, testifying before the Senate Agriculture Committee. The Council also continued to represent the recommendations developed in the panel report to the ongoing consultation process of the Canadian Food Inspection Agency regarding food labeling. Whitehurst sits on the Consumer Association Roundtable of the Canadian Food Inspection Agency.



Council Executive Director Ken Whitehurst appears on CPAC in testimony before the Senate Committee on Agriculture and Forestry.

SOCIAL MEDIA INITIATIVE

This is a project, led by Council Director Simon Wong, to experiment with the effectiveness of bringing in volunteers with a specific focus of supporting the development of the Council's social media presence. Social media channels targeted for development include Facebook, Twitter, and a blog. The desired outcome will be to have a sustainable way for CCC to:

1. Build its capability to generate more social media content
2. Recruit (and continue to recruit) fresh minds into the Council as volunteers
3. Build a social media committee consisting of volunteers to integrate fresh ideas into the social media strategy
4. Lay the foundation for content creation capability on a larger scale

VOLUNTEER RECRUITMENT

In parallel with the social media initiative, the goal of this project is to recruit post secondary students over the summer and spring of 2015 to participate in the building of the Council's social media initiative, and to create a network of such volunteers that could participate in other initiatives on a project to project basis. This project is also an experiment, to gauge the number of volunteers that could be gathered in such a network for up to a year.

INTERNET PRESENCE

In addition to the social media initiative, the Council's website profile has risen modestly. More than 15,500 unique website sessions were initi-



Council Director Simon Wong has been organizing volunteers to work on enhancing the Council's social media presence. The Council maintains a page on Facebook and is active on Twitter.

ated from April 1, 2014 to March 31, 2015. This represented 12.32 per cent growth year over year. 85 per cent of those sessions involved new visitors. The share of new to returning visitors rose by 4.2 percentage points year on year.

Use of mobile devices to access the website continues to rise gently. 56.8 per cent of mobile sessions were by Apple iOS users and 33.9 per cent were on Google's Android. Just 4.6 percent of mobile users had a Blackberry device.

More than 73 per cent of users arrived on the site as a result of organic search, mostly using Google. But website referrals, direct access and social media referrals were all on the rise. The largest source of referrals from a single site (1.13 per cent of sessions) was from the joint federal-provincial governments portal at consumerinformation.ca. This was followed

closely by Industry Canada’s website (.74 per-cent) and Wikipedia (.59 per cent).

The “landing pages” of greatest interest during the period were the information pages concerning gasoline prices, the Housing Intensification Panel page, complaints information for consumers with auto problems, and the general consumer help sections.

The top-10 cities identifiable as sources of site visitors were:

Toronto	17.6 per cent
Ottawa	8.8 per cent
Calgary	3.9 per cent
Montreal	3.4 per cent
Edmonton	2.6 per cent
Vancouver	2.1 per cent
Mississauga	2.1 per cent
Winnipeg	1.4 per cent
London, Ontario	1.2 per cent
Brampton, Ontario	1.1 per cent

The Council has 738 followers on Twitter.

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 Council	Financial Services
ICANN	North American Regional At-Large Organisation	Internet
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
Canadian Partnership on Public Policy-Oriented Consumer Interest Research	Partner/Executive Committee	Academia

A large, bold, red stylized letter 'C' that serves as a background for the page. It has a thick stroke and a slight shadow effect on the white background.

9

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 & EXECUTIVE

2014-15

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 has provided 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.

Dennis Hogarth, Vice President

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. Dennis 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.

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.

Paul Bates, Director

Paul Bates has extensive experience in high-stakes business litigation, class actions, and appeals, including commercial relationships of every kind, securities litigation and shareholders remedies, franchise and distribution law, financial services, real estate development, intellectual property, professional liability, and class proceedings.

In his 30 years of professional experience, Paul has appeared at all levels of the Canadian court system, including the Federal Court of Appeal, and the Supreme Court of Canada, generating countless reported decisions.

Paul has extensive experience in the full range of interlocutory and permanent extraordinary remedies, including mandatory and prohibitory injunctions, Anton Pillar orders, Mareva injunctions, Norwich Pharmacal orders, receiverships, and special statutory remedies.

Paul is experienced in complex international reinsurance claims and disputes, including AIRROC and ARIAS-U.S. practice.

Paul is a frequent presenter at continuing legal education programs sponsored by The Cana-

dian and Ontario Bar Associations, the Law Society of Upper Canada, the Advocates Society and commercial providers of CLE. Paul's papers have been published in numerous professional journals, including the prestigious Advocates Quarterly, on diverse topics.

Dolly Gerrior, Director

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.

She resides in Toronto, Ontario.

Lesley Jacobs, Director

Lesley Jacobs is a Full Professor in Law and Society and Political Science at York University. He is former Executive Director of the Canadian Forum on Civil Justice, one of the country's leading independent think tanks on civil justice reform and access to justice. He was the founding director of

the York Centre for Public Policy and Law. He has a PhD from Oxford

University. He has lead numerous research projects on access to justice and public policy issues using legal consciousness methodology supported by funders including the Law Foundation of Ontario, Social Sciences and Humanities Research Council of Canada, Pro Bono Alberta, Office of the Privacy Commissioner of Canada, Law Commission of Ontario, Ontario Literacy Coalition, and Elections Canada.

Professor Jacobs is a resident of Toronto.

Bonnie McIlmoyl, Director

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.

Elizabeth Nielsen, Director

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 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.

Andrea Rosen, Director

Andrea Rosen has more than 30 years experience in law enforcement and regulation. She was a senior executive in the Canadian public service, and has deep and extensive experience in law enforcement and fostering compliance with regulations. Andrea is now President and CEO of Andrea Rosen & Associates, and draws on this experience when providing private sector firms with advice on how to design compliance programs to ensure adherence to laws and regulations and demonstrate due diligence. She also provides advice and technical assistance to governments that seek to optimize their legal and regulatory regimes, providing blueprints for concept and design, mounting and operating enforcement programs, and advising on strategic direction.

Andrea Rosen resides in Ottawa.

Simon Wong, Director

Simon Wong is an information professional who focuses on the complex interplay between business needs and information systems. He has been involved in the design and implementation of a variety of information system projects, including the Public Policy and Governance

Portal spearheaded by the University of Toronto, and the OCREB Online system under the Ontario Institute for Cancer Research. Simon established

the Consumers Council of Canada's Facebook page, and works with other committee members on social media and research initiatives of interest.

Simon Wong resides in Markham, Ontario.

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.

Don Mercer, Vice President, Outreach & Federal Affairs

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 and spouse Susan are ardent boaters, hikers, walkers and global travellers. Don is past Commander, Vancouver Power and Sail Squadron, a Unit of Canadian Power and Sail Squadrons (CPS), and is currently national MAREP (marine reporting re navigation chart and aids to navigation issues), officer of CPS as well as holding CPS Pacific Mainland District and Vancouver Island North District positions.

He resides in Ladysmith, B.C.

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

Technical Standards & Safety Authority

Visa Canada

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

