

ANNUAL REPORT OF ACTIVITIES

2019-20



Infected Marketplace

Notices & Contact Information

Consumers Council of Canada

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

Ways to Get Involved: <https://www.consumerscouncil.com/get-involved/>

Contact Us: <https://www.consumerscouncil.com/about-us/contact-us/>

Telephone: 416-483-2696

Website: <https://www.consumerscouncil.com>

Content Store: <https://cccshop.consumerscouncil.com>

Apple News Channel: https://apple.news/Tp_T80AgKRAC_x4E1h6N5Rg

News Blog: <https://www.consumerscouncil.com/news-blog/>

RSS News Feed: <https://www.consumerscouncil.com/feed/>

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

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

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

Keywords: consumer protection, consumer education, consumer research, consumer representation, consumer organizations, consumer groups

© 2020, Consumers Council of Canada

2019-20 Annual Report of Activities

Table of Contents

| | |
|--|----|
| Before & After COVID-19 Infected the Marketplace | 3 |
| President's Report | 7 |
| Special Initiatives | 11 |
| Recently Completed Research | 31 |
| Ongoing Research | 35 |
| Consumer Representation | 37 |
| About the Council | 53 |



Before & After COVID-19 Infected the Marketplace



MENU ▾

Q Search

Sign In

COVID-19

Local updates

Live broadcast

COVID-19 tracker

Subscribe to newsletter

NEWS

Top Stories

Local

The National

Opinion

World

Canada

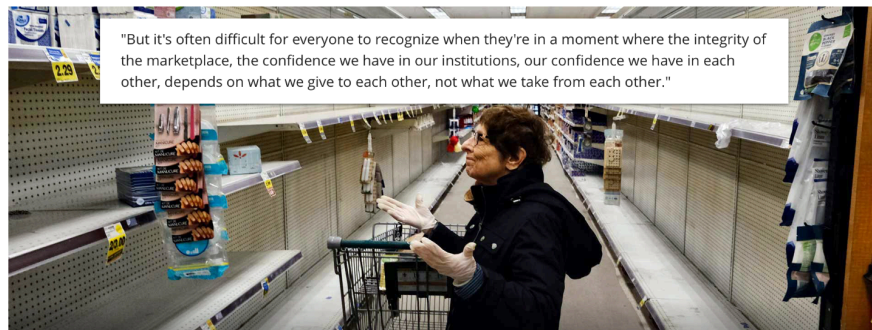
More ▾

Business

Kijiji bans listings for toilet paper, surgical masks amid COVID-19 price-gouging

Listings for such items had popped up on the site well above market value

The Canadian Press · Posted: Mar 14, 2020 8:46 PM ET | Last Updated: March 14



2019-20: A year divided into before and after COVID-19 – Supplies of common consumer goods went from plentiful to none.

Our year as a consumer organization seems like two, one before consumers felt the full impact of pandemic-associated, marketplace risks and the other after experiencing those risks directly.

All Canadian governments had difficulty protecting consumer safety against a threat that governments have talked about for a decade and that is hardly without historical precedent.

Consumer safety and other consumer protections have been a lower priority for Canadian governments, thus we are where we are. And, in this instance, the low preparedness to assure safety for all humanity represents a global political failure. Better public health data collection and greater transparency internationally of data needed to manage pandemic-related risks are required.

Canadian governments were not closely attuned or engaged with the unfolding responses of the democracies of Southeast Asia to protect their citizens and permanent residents. Taiwan, New Zealand and Singapore invoked precautions in early January and seemed far more conscious of the risks of infectious disease spread inherent in global travel. Australia seems to have been far better prepared than Canada to keep seniors in long-term care safe.

The message to individual consumers has been as unacceptable during the COVID-19 emergency as it was before.

Unprepared governments and companies in Canada responded by putting the responsibility, first, on consumers to protect others, and second, to protect themselves. And while millions of Canadians accepted the responsibility handed them, some essential questions emerged:

1. Why didn't business and government protect people better against the immediate and consequential risks of a pandemic?
2. Why were business and government so badly prepared for such a widely anticipated risk?
3. Why were some suppliers of important goods and services ill-prepared for a widely forecast kind of disruption and sometimes unable or slow to meet consumer needs or expectations?

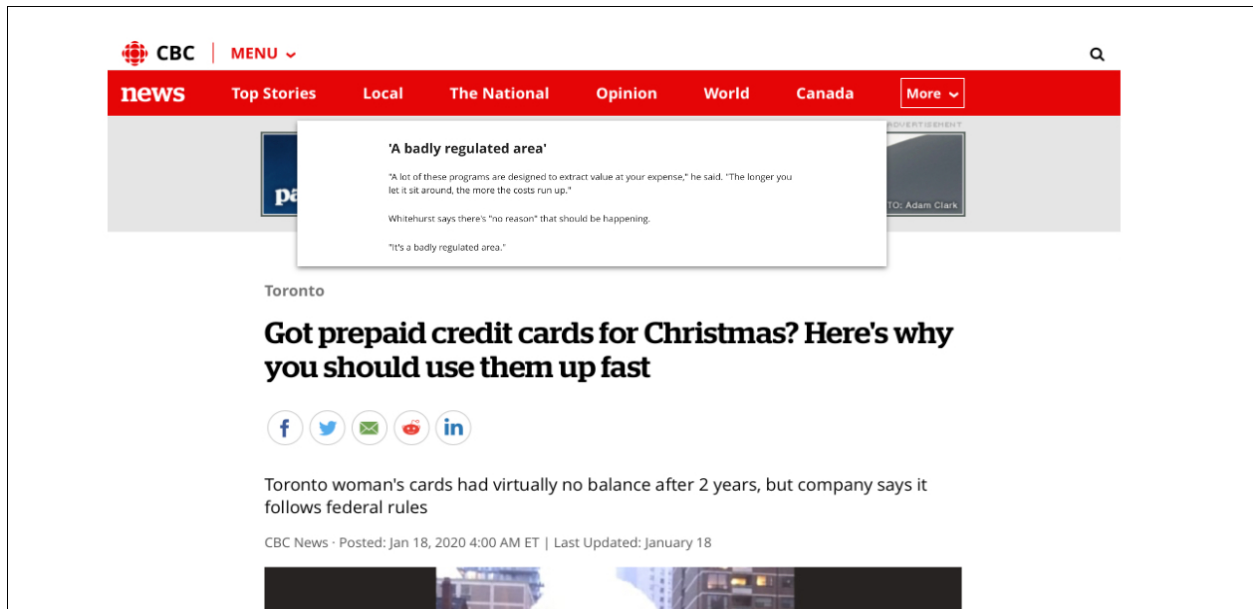
For sure, Canada's governments rose to address the crisis. For instance, they moved quickly to partially replace income or be ready for hospital beds for the COVID-19 stricken. But the measures necessary to do so seemed like acts of desperation rather than outcomes of sound advance planning. And they were too late to save many of the country's most vulnerable senior citizens or to prevent unemployment and hardship for many. Governments were so ill-prepared they couldn't protect themselves from sellers of 'counterfeit' personal protection equipment, much less safeguard the rest of us. In desperation, they even nullified certain consumer protections, to secure ad hoc sources of essential goods.

Worldwide, governments need reminding that no matter each person's status as citizen, permanent resident, immigrant, migrant, displaced or stateless, we are all consumers, and consumer safety has been compromised everywhere.

Across the globe, people are learning an important lesson about the need to be ready and willing to speak 'truth to power' when they experience the failure of services meant to protect them or products meant to enhance their lives.

And the 'truth to power' thing cuts both ways. Leaders need to reflect on their own responsibility to speak 'truth to power' to their electorates, business special interests and each other about *what is required* to safely and securely operate a prosperous economy for all.

Consumers Council of Canada works to improve the marketplace for Canadian consumers. The cascading series of marketplace regulatory failures warned about before the COVID-19 emergency and then experienced during it, demonstrate that the Council's mission to engage in fact-based advocacy on behalf of consumers has never been more important. Clearly such advocacy will be required for Canada to achieve an efficient, equitable, effective and safe marketplace in which people can live safely and prosperously.



Consumers' problems claiming entitlements to future products and services delivery or reimbursement went from bad to worse.



President's Report



A year of strengthening capacity by developing and testing new and renewed methods of service delivery to members, stakeholders and consumers.

The arrival of COVID-19 demonstrates the weak protection of consumers globally and in Canada. The breakdown of consumer safety results from the accumulated action and inaction over many years of municipal, provincial and territorial, and the federal governments to establish and enforce standards and readiness necessary to avoid the breadth of the impact Canada has suffered.

Consumers Council of Canada's experienced and capable volunteers have worked hard for 25 years towards an improved marketplace for Canadian

consumers. Yet, Canada's consumers deserve a stronger voice to press for their protection. The Council's focus on fact-based advocacy leads to its frequent invitation to participate in many important policy discussions affecting consumers in Canada. However, the public and private investment in the Council's representation is inadequate to meet the demands of participation.

The result is that consumers in Canada often do not get the quality, independent representation they deserve in regulatory processes or in standards development. This leads directly and indirectly to declining levels of consumer protection and ultimately to a loss of consumer confidence in public institutions and business.

Civil society organizations and people who associate to take judicial action are having their ability reduced to participate in various forms of due process, from regulatory governance to class action – contrary to public expectations of democratic government.

Today's economy and its markets are volatile, wracked by 'disruption', complex to understand and increasingly challenging to manage well.

Consumers require highly capable, informed and inclusive representation if the Canadian economy is to achieve acceptable marketplace outcomes. So much more needs to be invested in the Council and other civil society organizations like it. The need for consumer representation deserves respect.

A Year of Progress

The year gone by has been one of bold initiatives by the Council, to both represent consumers and to reform itself to better address the challenging operating conditions it faces.

The Council sustained its ongoing commitment to representing consumers in many vital areas of regulation and economic activity. This report covers a sampling of Council activities in the past year.

While working on developing potential new revenue streams, the Council also managed to reduce its previous year operating loss by two-thirds. However, the Council, led by its board of directors and its executive director, knows the organization cannot live by cost control alone. It needs better funding to capably represent consumers into the future.

The Council is at the half-way point of executing a capacity development initiative contributed to by the Office of Consumer Affairs, Innovation, Science and Economic Development Canada aimed at restructuring, diversifying and expanding the Council's methods of earning income and safeguarding its independence.

Thank You

As President of the Council, I wish to thank our board of directors, members, the participants in the Council's Public Interest Network of concerned consumers, executive director, professional consultants and contractors, all of whom – in recognition of this organization's challenging role and difficult operating environment – work at levels well above the common to execute on the Council's important mission.



Special Initiatives

Strengthening and modernizing the Council's capacity as a social enterprise is vital to its future.

The Council's mission is to work towards a better marketplace for Canadian consumers. To accomplish this, the Council requires a strategic objective to increase and diversify its sources of income. Its plan for capacity and revenue growth depends on developing synergies among its different areas of initiative and integrating revenue generations opportunities into all of them.

The Council is seeking to develop or enhance its capacity, and is particularly focused on seven areas compatible with its consumer protection mandate:

- Consumer perspective consulting
- Consumer perspective research
- Supporting through consumer representation, information and analysis the mandates of consumer protection regulators and self regulators
- Consumer protection publishing
- Activity related to class action, including increasing awareness
- Obtaining access to government monetary penalties
- Consumer complaints aggregation

The Council has spent the past year establishing brand standards for its content products, implementing systems necessary to pursue its various revenue objectives, updating its accounting system, expanding the implementation of its stakeholder relationship management system, increasing

its direct-to-the-public communication by increasing the consumer-interest related news on its website and implementing an Apple News™ Channel.

It is developing a by-subscription periodical to serve Council members and the consumer protection professional community – to be delivered online.

The implementation of core processes and systems to implement the Council's organizational capacity development initiatives is supported in part by the contributions program for not-for-profit consumer organizations of Office of Consumer Affairs, Innovation, Science and Economic Development Canada. And the Council has begun testing many of its new approaches to delivering value to its stakeholders and generating revenue. The Council has used its new tools and methods in a variety of contexts during the past year.

Engaging, Informing & Educating Consumers

One important responsibility of the Council is to engage, inform and educate its most important stakeholders – consumers. This is also one of its greatest challenges, because the costs of developing the necessary services and information to do this well can be large.

To facilitate engagement, the Council has put in place a number of systems and programs.

Annual Report of Activities

This Annual Report of activities is one important way the Council reports on its activities to its members, interested consumers and stakeholders. This report is available on the Council's website and is distributed online proactively.

Re-Energizing the Public Interest Network

Participation in the Council's Public Interest Network (PIN) is growing and has topped 460 registrants. The Council has stepped up its questionnaire program to monthly. It asks participants their views about current issues and offers them an opportunity to freely share their concerns. The PIN is one of the easy, no-cost ways any Canadian resident can participate in the Council.



**Public Interest Network
Issue Questionnaire
COVID-19 and Consumers (#1
March)**

Thank you for your interest in offering your views by participating in the Consumer Council of Canada's Public Interest Network questionnaires. Questionnaires like this one are part of the Council's engagement with residents of Canada who have expressed an interest in sharing their views with the Council about consumer protection issues.

Throughout the world, COVID-19 is taking a serious toll on people's health, finances, and standard of living. Our thoughts are with all Canadians as we work to get through this extraordinary challenge together.

One way the Consumers Council of Canada is working to learn from this period is to regularly survey consumers and consumer experts on the challenges Canadians are facing in the marketplace during this pandemic. Please share your experiences in the questionnaire on the next page.

Next

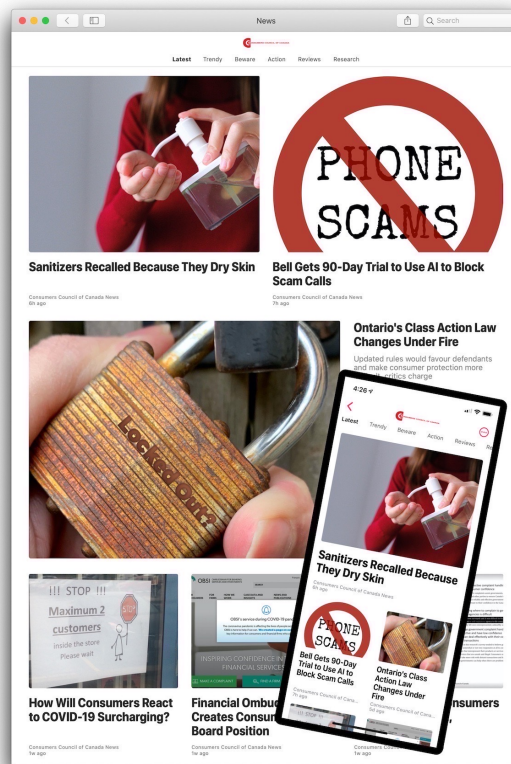


Reaching Consumers with News They Can Use

The Council has stepped up its coverage of consumer interest and protection news on its website and by establishing its own Apple News Channel. The Council's news on its website can be followed proactively by non-Apple device

users by subscribing to its RSS feed using any of the many available feed-reading applications for computers and mobile devices.

The establishment of the Apple News Channel also creates an opportunity for the Council to test its ability to obtain revenue as a result of its ability to host consumer-protection-related advertising.



Consumers Council of Canada's Apple News™ Channel is available now to users of Apple computers and mobile devices.

Active in Social Media

Facebook

The Council maintains a largely volunteer-driven organization page on Facebook. The page promotes awareness of consumer protection issues and educational opportunities.

**Consumers Council of Canada**
Published by [Sharon Mackinnon](#) · March 4 · 

March is Fraud Prevention Month. The Competition Bureau and its partners will share tools to recognize, reject and report fraud throughout this month.

 Competition Bureau Canada Bureau de la concurrence Canada



Fraud Prevention Month
Recognize, reject and report fraud

Competition Bureau Canada
March 3 · 

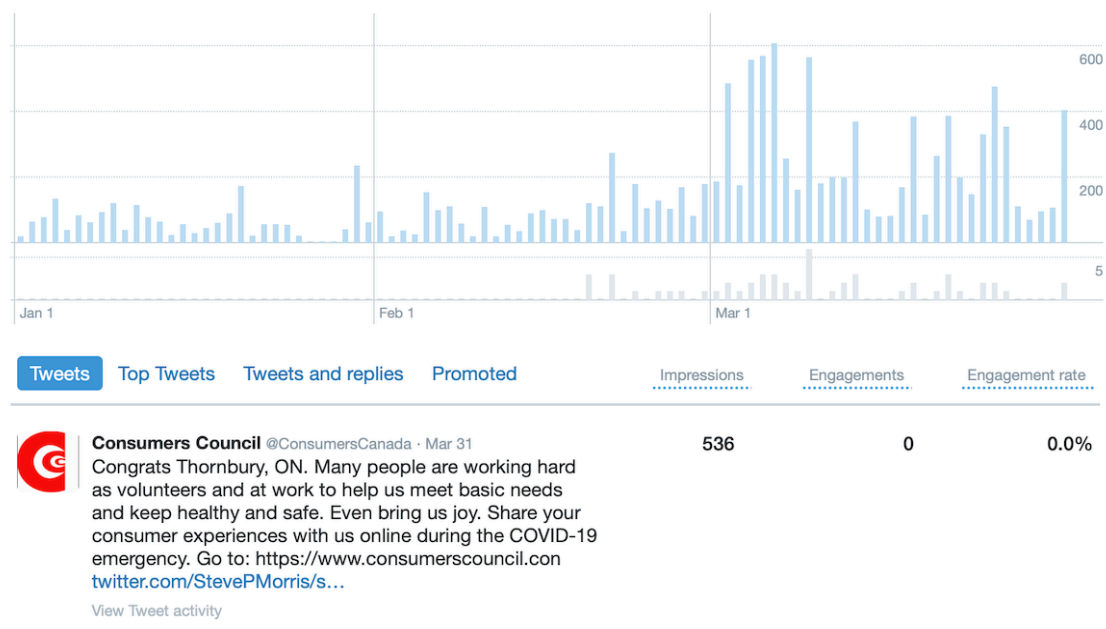
 Like Page

We're happy to be working with our partners [Consumers Council of Canada](#), [Option consommateurs](#) and [Union des consommateurs](#) to help consumers like YOU! You have the power to recognize, reject and report fraud! [#emPOWERment](#) [#Knowledgeispower](#) [#FPM2020](#)

Twitter

Many opinion leaders follow the Council on Twitter. The Council now has more than 1,100 active followers, and its Twitter feed reaches many more people online through re-tweets and searches.

Your Tweets earned **13.0K impressions** over this **91 day** period

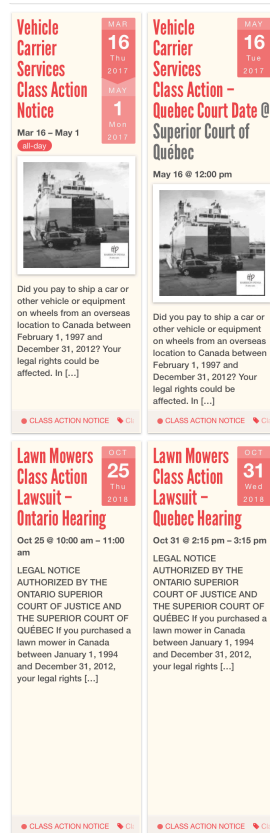


An 'Agenda' for Consumers and Consumer Protection Professionals

Organizations with a consumer protection mandate are eligible contributors of event and milestone information to the Council's Consumer Agenda online calendar. Examples of eligible contributors to the Consumer Agenda are:

- Authorized sources of public and legal notices
- Consumer groups
- Consumer interest researchers
- Delegated authorities
- Dispute resolution services and ombudservices
- Government regulators
- Governments
- Organizations involved in consumer interest research and publishing
- Police services

- Recognized not-for-profit organizations devoted to marketplace literacy, protection, supervision and standards
- Self-regulatory organizations



Court ordered class action notices are of high interest to Council website visitors who seek a way to validate legal notice information presented elsewhere online, which is sometimes fraudulent. Consumers look to recognizable organizations to help them with their information needs. In the age of search-fuelled 'reach', the Council's information services offer a way to help consumers identify reliable information sources.

Putting Fraud on the Consumer Agenda

The Council is an active participant in Canada's anti-fraud forum, and has offered free access in recent years to its Consumer Agenda calendar to other forum participants. The forum initiative needs attention and money from governments, which have allowed resources to dwindle for this initiative to educate consumers about how to protect themselves from and report fraud.

As well, planned anti-fraud month activities this year were disrupted by the pandemic. Ironically, fraudsters seized on the emergency as an opportunity.

The screenshot shows the Consumers Council of Canada's Consumer Agenda for March 2020. The header includes the organization's logo and navigation links: ABOUT US, INITIATIVES, HELP LIBRARY, NEWS BLOG, CONSUMER AGENDA, GET INVOLVED, and REPORTS. The calendar features several events:


- Fraud Prevention Month Launch @ Facebook** (Mar 2 @ 7:00 am – 8:00 pm): An internet streamed event featuring the Canadian Anti-Fraud Centre (CAFC) and other partners.
- BBB Top 10 Scams Press Launch @ Vancouver Police Department Media Room** (Mar 3 all-day): A news conference where the BBB and the Vancouver Police Department will discuss the top 10 scams.
- FraudChat: Fraud Initiated by Telephone Call @ Twitter** (Mar 4 @ 1:00 pm): A Twitter chat session where the CAFC will host a discussion on fraud initiated by telephone calls.
- Free Car-Buying Seminar @ Burlington Public Library** (Mar 5 all-day): A seminar where consumers can learn about protecting themselves against fraud while buying a car.
- Fraud Prevention Month Office Fair @ WorkSafe BC (Richmond Head Office)** (Mar 5 all-day): An appreciation date for the Fraud Prevention Month Office Fair.
- Talk to an RCMP Expert @ Bank of Canada Canada Museum** (Mar 7 – Mar 8 all-day): A presentation where an RCMP expert will be on hand to show real-life modern counterfeit notes and teach how to spot them.

The Canadian Anti-Fraud Centre, British Columbia Better Business Bureau, Ontario Motor Vehicle Industry Council and the Bank of Canada were among organization who published anti-fraud month events on the Council's Consumer Agenda calendar.

The Consumer Agenda calendar also offers an opportunity for police and regulators to publish milestone date information that demonstrates their enforcement actions against fraud. Publishing this information would build consumer confidence in enforcement, and make potential fraudsters more aware of their risks of prosecution.


An Online Content Store

The Council serves Canadians by publishing information to assist consumers and consumer protection professionals. Some content is distributed for free, with an opportunity for voluntary payment, and other content is for sale. The Council, which operates as a social enterprise, needs the support of contributors and customers to help pay for its research and consumer representation.




[Home](#) [Catalog](#) [My Account](#) [Help Center](#) [Shopping Cart](#)

Category: [Featured](#)




Co-living: A Room of One's Own
Consumer Essentials
April 2019
Consumers Council of Canada

Co-living: A Room of One's Own [EPUB]
C\$ 14.95 [More](#)




Comments on RIAS Concerning Food and Drug Regulations
Standard Sizes & Unit Pricing
Consumer Activated Spotlight
September 2019
Consumers Council of Canada

Comments on RIAS Concerning Food and Drug Regulations: Standard Sizes & Unit Pricing [EPUB]
C\$ 250.00 [More](#)



Perspective on Ontario's Revocation of the Upholstered and Stuffed Articles Regulation
December 2018
Consumers Council of Canada
IMPORTANT

Perspective on Ontario's Revocation of the Upholstered and Stuffed Articles Regulation [EPUB]
free [More](#)




A CONSUMER PERSPECTIVE ON HOME RENOVATIONS
2018
The Complete Series
Consumers Council of Canada

A Consumer Perspective on Home Renovation [EPUB]
C\$ 14.95 [More](#)

[<](#) [>](#)

Category: [New Additions](#)



Class Actions and Access to Justice in Ontario
Consumer Activated Spotlight
May 2020
Consumers Council of Canada

Class Actions and Access to Justice in Ontario [EPUB]

The Consumers Council of Canada content store.


A Room with a Crowd

In what has proven to be a prescient move, the Council began looking into the topic of 'co-living' in the months ahead of the COVID-19 pandemic. It published a short e-book, which should be of assistance to both public policy experts and individual consumers, such as mobile young professionals, students or low-income tenants, who seek out co-living arrangements. Information technology

entrepreneurs have been changing the face of access to and the conditions of co-living, and the impacts on consumers and the demand for new public policy may be significant.

Co-living: A Room of One's Own [EPUB]

[Home](#) / [Co-living: A Room of One's Own \[EPUB\]](#)



Available Licenses

[Add to cart](#) **C\$ 14.95** Consumer Help - ePUB

Description

As household expenses outpace wages, more people are living with roommates. The 2016 census shows that Canadian multi-generational households are the fastest-growing. Non-census family households of two or more persons, such as roommates or siblings, and other family households excluding multi-generational households also sharply increased. Similarly, urbanization, pressure on land use, increasing social mobility, and growth in student participation push demand for housing in cities around the world. Amidst these changes, the growing tech sectors and the lack of affordability and housing choices encourage the trend of commercial co-living. Consumers will find inconsistent regulation and consumer protection enforcement in this segment of the housing market. This book explores the challenges.

Size: 2.4 MB

New book on co-living in Canada.

Collecting Consumer Experiences

The Council collects consumer experiences, and considers them to help inform its research and advocacy. But it also collects them to help direct affected consumers to complaint-takers and potential sources of redress. It measures consumer awareness of complaint takers.



Have a consumer experience to share?

Help us learn from your marketplace experiences, problems and complaints. We'll protect your privacy. We don't act for individuals. But sharing can help you think and will bring you knowledge. You'll help us help all consumers.

START SHARING



Revitalizing Our Membership

The Council, led by its Membership Committee, is taking steps towards better serving the changing needs and objectives of its members. The Council has been a pillar of the Canadian consumer advocacy space for more than 20 years, because it has made many good decisions without being afraid to embrace change. The Membership Committee, led by its chair Dorothy Buchanan, implemented a regular bi-weekly meeting schedule and started in motion a “refresh” of the Council’s approach to finding new members, bringing them into the organization and serving their interests and needs once involved.

The Committee has taken immediate steps, in conjunction with the Council’s strategic institutional capacity building project initiative, to stimulate new engagement with its Public Interest Network and initiate regular questionnaires in support of more member engagement. It is reviewing the details of the organization’s relationships with members.

Members have a new periodical to look forward to, the Council has prepared a thorough document on best practices for effective consumer representation, which is now available to members as both an educational and advocacy tool, and it created a member's only library, featuring research, policy representation documents and consumer help documents.

A detailed new member "on-boarding" process is in development, as well a volunteer-driven mentorship program.

Member questionnaires have been prepared to explore with members the different kinds of services and engagement activities they would find motivating and useful.

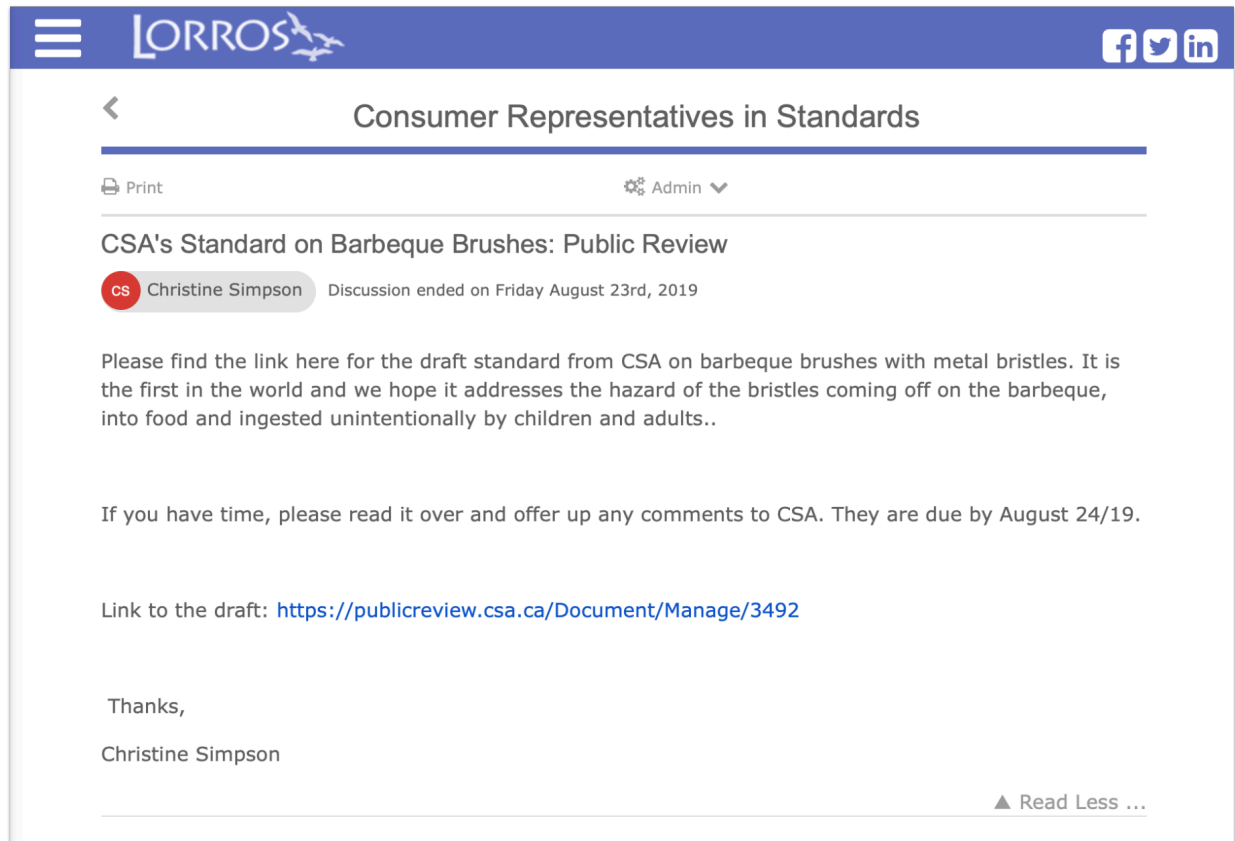
Criteria and methods are being considered for identifying potential new members. The Council needs members who volunteer in ways that expand the Council operating capacity. This includes bringing consumer protection and technical expertise to the organization, and then applying that expertise to help the Council produce the intellectual property essential to its social enterprise and fact-based consumer representation.

An Organization Fully Equipped for Democratic Participation Online

Members of the Council use an asynchronous, online democratic meetings platform to facilitate their work within the Council's working groups and issues committees.

A fully-featured online audio-video conferencing solution is also used to enable in-person meetings and webinars with participants from across Canada.

The Council also operates a fully featured stakeholder relationship management system to facilitate its relationships with thousands of contacts, stakeholders and program participants.



The Council supports and promotes democratic decision-making online.

Rallying the Consumer Protection Professional Community

THINK
Serving Canada's consumer protection and empowerment sector.
CONSUMERS

The Council is developing a new online-delivered subscription periodical to serve the consumer protection professional community and its members – *Think Consumers*.

The Council sees a void in services to help bind together Canada's consumer protection professional community and experts. With the demise of government ministries with well-resourced and -supported, all-of-government responsibility for consumer protection, business consumer affairs departments and post-secondary academic departments coordinating research into consumer protection or interests, it has become difficult for persons professionally involved with consumer protection to work together. The Council has identified mutual awareness of the members of this important professional community is low and the sharing of best practices and new knowledge in easy to digest form is almost non-existent. So, the Council hopes to rise to the challenge of meeting this need, with the support through subscription of the professional community to a new e-periodical to be called *Think Consumers*. Issues of *Think Consumers* will be made available through single issue sales, by subscription and included in Council membership.

Academic Partnership

The Council expands its reach and works to accomplish its mission through its partnership with significant academic initiatives, leveraging relationships to reinforce and expand its capacity to do its work. Previously the Council engaged with the Canadian Partnership for Public Policy-Oriented Consumer Interest Research (PPOCIR), hosted by the University of Waterloo and funded by the Social Sciences and Humanities Research Council (SSHRC). With the completion of that project the Council has turned its attention to a new opportunity for engagement with academia – the BIOrg (Behaviourally Informed Organizations) Partnership. The developing field of 'behavioural economics' is of high interest

to public policy and has resulted in three Nobel Prize winners in economics since 2002.

BIOrg

Every organization is fundamentally in the business of behaviour change. Despite the central role of behaviour change in organizations, there is no strong scientific framework for behaviour change, nor a good understanding of how organizations can embed insights from behavioural science into their operations.

The goal of the BIORg partnership, led by the University of Toronto Rotman School of Management's BEAR group and involving 17 researchers and 17 partner organizations, is to develop a framework for using behavioural science within organizations. This partnership, which includes Consumers Council of Canada, is made possible by a grant from the Social Sciences and Humanities Research Council of Canada (SSHRC) over five years (2019-2024).

The partnership has completed Year 1 of 5 and [its annual report is available to the public](#). It's research themes are:

1. Developing a comprehensive framework of behaviour change.
2. Understanding and applying this framework to complex behaviour change challenges (business and social).
3. Identifying mechanisms (resources, capabilities and operating models) by which organizations can best deliver on the promise of behavioural insights.

In addition to the Council, partner organizations include:

1. The Behavioural Insights Team (BIT)
2. Behavioural Insights Unit (BIU), Treasury Board Secretariat (TBS) 3) BEworks Inc.
3. Canada Revenue Agency (CRA)

4. Center for Decision Research (CDR) at the University of Chicago
5. Consumers Council of Canada
6. Deloitte Inc.
7. Employment and Social Development Canada (ESDC)
8. Environment and Climate Change Canada (ECCC)
9. Financial Consumer Agency of Canada (FCAC)
10. ideas42
11. Manulife Financial Corporation
12. Ontario Securities Commission (OSC)
13. PricewaterhouseCoopers (PwC) LLP
14. Privy Council Office (PCO) - Impact Canada
15. The Workplace Safety and Insurance Board (WSIB)
16. World Bank Mind, Behavior, and Development (eMBed) Unit

The Partnership has an agreement with University of Toronto Press (UTP) to publish a book series. The first book of the series is expected to be available in the Winter of 2021 and will reflect the conceptual thinking around the Partnership's research agenda and summarize relevant work to date by the team. Authors will include Dilip Soman, Catherine Yeung, Kyle Murray, Elizabeth Hardy, and Jenifer Robson, as well as contributions from BEworks, PwC, Consumers Council of Canada, Deloitte, Privy Council Office of Canada, World Bank, and Employment and Social Development Canada.

Paths to Engagement with the Council

A Public Policy Oriented Consumer Interest Researcher can easily take action to increase their awareness of consumer issues, learn about other researchers and their work, mobilize knowledge they have created, and have their expertise recognized within the Council's research and representation.

The Council offers some easy steps academic researchers can take to engage with the Council and strengthen the Public Policy Oriented Consumer Interest Research Discipline.

- Bookmark Consumers Council of Canada website: <https://www.consumerscouncil.com>
- Subscribe to the Council's Apple News Channel: https://apple.news/Tp_T80AgKRAC_x4E1h6N5Rg
- Subscribe to the Council's RSS feed: <https://www.consumerscouncil.com/feed/>
- Register with the Council as a Public Policy Oriented Consumer Interest Researcher: <https://www.consumerscouncil.com/about-us/contact-us/register-as-consumer-interest-researcher/>
- Join the Council's Public Interest Network. If they are prepared to share their personal insights when the Council seeks out external insights through questionnaires in support of its consumer interest policy development or research, they can participate. This is easily done from the Council's homepage: <https://www.consumerscouncil.com>

Strengthening Accountable Consumer Protection Regulation and Access to Redress

The Council has long been a participant in formal processes, representing consumers. (See later section of this report on Consumer Representation.)

The Council is actively seeking the support of regulators and dispute resolvers for its initiatives to better connect consumers to regulatory processes, complaints and dispute resolution opportunities and consumer education.

The Council's research has determined consumers do not think regulators or dispute resolvers are stepping up to serve them. And consumers feel regulatory

and dispute resolution organizations should be working with consumer organizations, and helping to support those who represent them to act independently and capably.

Spending on consumer groups in Canada is minuscule in comparison to the levels in most other industrialized countries. The few supportive public programs have been inadequate and ravaged by inflation over 20 years.

This neglect is empowering special interests working to enfeeble Canadian federal, provincial and municipal consumer protection law and regulation.

The Council spent 2019-20 seeking to assure consumers' access to class action in Ontario. The Ontario government proposed changes to Ontario's *Class Proceedings Act* that will make it harder to certify class action lawsuits. The Council opposed those changes, but supported new provisions related to the payment of awards that could represent a step forward.

Government policy mistakes across Canada have led to notable consumer protection reductions and failures concerning:

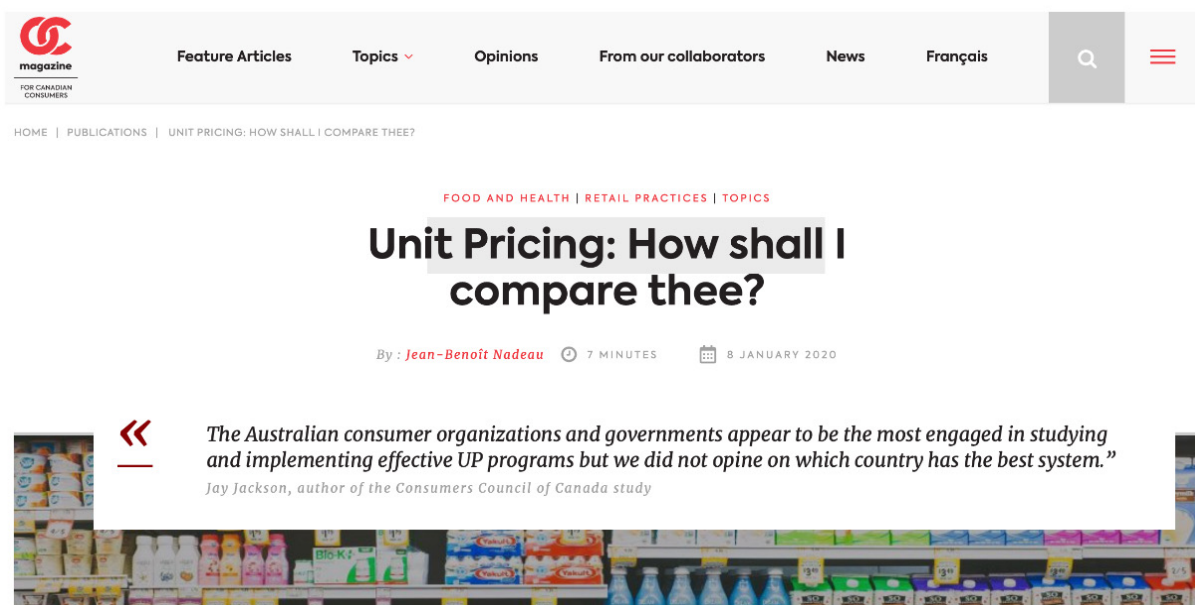
- banking and investing
- telecommunications
- air travel,
- new home warranty
- protection of occupant condo owners and condo tenants
- long-term care
- unit pricing regulation
- upholstered and stuffed goods labeling and health and safety inspection
- protection against consumer fraud everywhere from online
- over the telephone and door-to-door sales practices
- high-interest lending
- consumer goods fraud

- online security and authentication
- environmental protection

This trend must be reversed, and can be by honourable, responsible and better informed governments and business regulators.



Recently Completed Research



2019 saw the publication of three new important and prescient Council research reports. Council research is consulted by government, business, academics, consumer groups and consumers for many years after its release and represents an enduring investment in creating a better Canada.

To fund a significant share of its consumer interest research, the Council participates actively in the Contributions Program for Non-Profit Consumer and Voluntary Organizations, administered by the Office of Consumer Affairs,

Innovation, Science and Economic Development Canada for the Canadian government. Three research projects undertaken in 2018-19 were released to the public this year.

Supercomplaints

A primary source of information for market conduct reviews and enforcement investigations is regulators' consumer complaint data. Regulators rely on consumer complaint data to identify business practices, unusual trends and sector- or industry-wide patterns that warrant investigation. Yet regulators tend to pay little regard to consumers and the detriment they experience once the complaint is filed.

The Council's research report *Super Complainers: Greater Public Inclusiveness in Government Consumer Complaint Handling* reveals consumer and government views concerning the current government complaint handling systems, gauges receptivity to alternative systems being implemented in other countries where greater transparency, consumer and consumer advocacy group participation is encouraged, and discusses the challenges and barriers to adopting similar alternative systems in Canada.

Among the recommendations resulting from the research:

- Governments should place greater emphasis on effective, inclusive and interactive consumer complaint handling systems.
- Governments, delegated administrative authorities and self-regulatory agencies should seek more meaningful relationships with consumer organizations.
- Governments can play an active role by working with, and investing in, consumer-empowered artificial intelligence and information and

communications technology (ICT) programs to help curb consumer detriment before complaints arise.

- Governments should ensure that reliance on complaints as primary indicators of consumer detriment does not serve as an excuse to abandon proactive surveillance and inspection.

Counterfeit Products

Counterfeiting and piracy impacts middle class jobs, new innovations and consumer health and safety. Experts forecast that if current trends continue, the total value globally of “counterfeit” goods by 2022 will reach at least \$991 billion. This does not take into account the economic, social, environmental, and consumer costs which are borne by business, government and consumers. For example, the online safety coalition Digital Citizens Alliance released a 2015 report finding that one-third of content theft websites distribute malware.

The Council conducted research, resulting in its report *Consumer Attitudes and Their Role in Reducing the Impact of Counterfeit and Pirated Goods and Services*, exploring consumer attitudes regarding counterfeit goods, to be able to discuss the demand-side dimension of counterfeiting and make recommendations. The report found governments and businesses were not leveraging the legitimate interests of consumers in combatting product fraud and were not working on the common ground that exists between the interests of consumers, business and government to combat product fraud, and that consumers think doing so would be helpful.

Among the recommendations resulting from the research:

- A single coordinating body for anti-fraud initiatives.
- Meaningful engagement and partnership by regulators with consumer organizations, with related sustainable funding for them.

Home Energy Efficiency Labels

The Council released its report *Home Energy Labels: How well do they serve consumers?*, the result of research that examined how consumers understand home energy labels and whether they want further information that is not currently available on these labels, in order to make informed home purchasing, renovating and upgrading decisions.

The objective of the research was to identify ways to strengthen the usefulness of energy labels for consumers.

Among the reports recommendations:

- Regulated home energy efficiency labels could be improved through use of colour, saliency, and simplicity.
- Home energy label could be improved through the use of consumer-friendly language.
- Home energy labels could be improved by providing additional standardized label formats.
- At least nine research opportunities could be usefully undertaken to add to knowledge about how to improve home energy efficiency labels.



Ongoing Research

The events of early 2020 demonstrated the Council's approach to consumer protection is more on-trend than ever before, as the COVID-19 emergency led to consumers' use of the Internet to meet basic needs.

The On-Demand Consumer

The past decade has seen a massive increase in disruptive business models enabled by digital technology that can supply goods and services when, where, and at a price consumers want. This is sometimes referred to as the “on-demand economy.” Consumers have responded positively and developed new behaviours and expectations along the way. They appear to be more confident, empowered and ready to place trust in these on-demand providers – sometimes exposing themselves to undue risks to their health, safety, and economic well-being in the process. The Council is currently conducting research, funded by the Contributions Program for Non-Profit Consumer and Voluntary Organizations, administered by the Office of Consumer Affairs, Innovation, Science and Economic Development Canada for the Canadian government, to obtain insights into how consumers have responded to the opportunities presented by on-demand services; how, if at all, they have changed their behaviour and expectations; the risks they are willing to accommodate to acquire what they want when they want it; and the impact the massive

consumer response is having on suppliers, supply chains, retailers, labour, the environment, regulators and consumer organizations.

The final report is expected to be complete and public in 2021.



Consumer Representation



CBC

MENU ▾



news

Top Stories

Local

The National

Opinion

World

Canada

More ▾

Toronto

No answers from company after pricey exercise bike breaks, leaving Toronto man badly cut

Warning: This story includes an image that some readers might find disturbing

[Lucas Powers](#) · CBC News · Posted: Feb 18, 2020 5:00 AM ET | Last Updated: 5 hours ago



Consumers Council of Canada is a go-to organization for national, regional and local news media concerning consumer protection topics.

Members of the Consumers Council of Canada represent consumers in a wide range of roles and forums key to the economy, from Canada's system of payments, to retail energy price setting or public safety licensing in Ontario.

Members of the Consumers Council of Canada are highly active representing consumers in a wide range of roles and forums. Almost all of this work is unpaid volunteer work. The Council is recognized as an experienced contributor to

many important public processes that enable consumer protection. Because of its limited resources, the Council must turn down many important requests to consult. It observes consumer commonly do not get even a shadow of the representation they deserve in public processes.

Treasury Board External Advisory Committee on Regulatory Competitiveness Stumbles, then Stops

The federal government through the Treasury Board of Canada created the External Advisory Committee on Regulatory Competitiveness as a response to recommendations from reports by the Canadian Chamber of Commerce, the Advisory Council on Economic Growth, and the Economic Strategy Tables, asking for a better way for stakeholders to engage with government. Council President Don Mercer was named to serve on the committee, which was briefly active up until the last federal election.

The Committee was supposed to:

- bring together business, academic and consumer representatives from across the country to provide an independent perspective on barriers to business success.
- help identify opportunities to streamline regulations while protecting health, security, safety, and environmental standards.

The Committee also was to:

- provide guidance on how regulatory frameworks are necessary to deal with emerging technologies.
- champion the use of pilots.
- identify possible areas of focus for the Centre for Regulatory Innovation announced in the federal government's 2018 Fall Economic Statement.

The committee's mandate was to advise Treasury Board by:

- providing recommendations on how to improve regulatory competitiveness in Canada while protecting health, security, safety, and environmental standards.
- supporting the modernization of Canada's regulatory system into one that further enables investment and innovation.

The advice was to be based on consensus and reflect diverse industry (including small and medium-sized enterprises) and consumer voices.

The committee's work has not been restarted since the election.

The Council unsuccessfully sought public funding to enable it to conduct research and otherwise effectively support its representation of consumers on the committee. This because representing all consumers well in a room filled with exceptionally well-paid and -briefed people employed to represent powerful, well-funded interests is a big responsibility for a volunteer. The government should at least help the Council rise to this important occasion.

Payments Canada

PaymentsJournal

New Payments Canada Rule Enables Wider Use of Digital Debit Payments

 by PaymentsJournal — January 31, 2020



Consumers Council of Canada works towards improvements to the system of payments that will improve consumer service and ease of transactions.

Consumers Council of Canada President Don Mercer was re-appointed to a new term representing Canadian consumers on Payments Canada's Stakeholder Advisory Council.

A major development during the year was the announcement of new rules to make it possible for merchants to accept payment by debit in situations where this was previously difficult, such as in airline, rail travel or other payments situations where 'real-time' access to a payments network may be inaccessible.

Data from the [annual Canadian Payments Methods and Trends](#) Report released by Payments Canada reveals that debit card use continued to outpace cash in 2018. Debit cards were used for approximately 35 per cent more transactions as compared to cash in Canada. People have started to use their debit cards more frequently for their everyday lower value purchases and this trend will only continue with changes to the underlying rule framework, the report noted.

"Rule E5 benefits consumers as it enables the ability to offer debit card use to pay for transit and other services where rapid payment is needed," said Don Mercer, president of the Consumers Council of Canada. "Canadians stand to benefit from new secure ways to pay. However, as with all payment choices, consumers should become informed on the terms and conditions before choosing any method of payment."

New rules governing debit card transactions will make it easier for consumers to use their debit card to pay for goods and services, even when the seller is not connected electronically to a payments network.

Consumer Protection in Financial Services – Slip-slidin' Away

For much of 2019-20, improvements to consumer protection in financial services were elusive. Governments and regulatory authorities seemed tamed by special interests. With a changes of leadership at Financial Consumer Protection Agency (FCAC) federally and at the ministerial and major regulatory

levels in Ontario, measures to better protect consumers stalled or were abandoned.

Banking Consumer Protections Stalled

The federal consumer protection regulator had released damning reports on bank sales practices and consumer dispute resolution. However, FCAC's responded as if Canada's banks only required customer service education. The consumer advisory committee function at FCAC languished for many months, even as the federal Department of Finance was supposedly considering a new financial consumer protection framework to better protect consumers, but meaningful results have been slow to come. The federal government still has taken no meaningful, visible action to fix the unfair system of banking dispute resolution for consumers that lets banks choose their own arbitrator. The consumer protection advisory committee function at FCAC has been in abeyance because the previous appointments to the committee lapsed at the end of February, and then COVID-19 disrupted life in Canada.

Ontario Lags Country in Protecting Consumers from Deferred Sales Charge Practices

Ontario went from being a leader to a laggard in improving pricing practices of investment funds. All provincial governments except Ontario's could agree that deferred sales charges have harmed investors. The Ontario government's action was at odds even with the direction of its own regulator, the Ontario Securities Commission (OSC). So, after years of work by Council members and others on the OSC's Investor Advisory Panel to end these charges, the IAP's victory benefits investors everywhere but in their own province of residence – a cruel irony. The OSC's regulatory independence now appears compromised.

Energy

The Council formed a new Energy Working Group (EWG) in late November 2019. The Group has been giving thought to a strategy and priority issues to focus on. The energy sector is both large and complex, so the group will consider the best use of its capacity in this area.

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.

In January 2020, the new Energy Working Group focussed on the expansion of natural gas distribution in Ontario pursuant to the *Access to Natural Gas Act* proclaimed in December 2019. This required swift attention, because project proponent guidelines were issued on December 19, 2019 by the OEB, which called for stakeholder comment by January 16, 2020.

A review of the Act, related policy and the draft guidelines led to more questions than answers among members of the working group.

Accordingly, a letter was sent January 29, 2020 by Council President Don Mercer to the Honourable Greg Rickford, Ontario Minister of Energy, Northern Development and Mines. To date, no response to the letter has been received.

In that letter, the Council registered concerns about the policy and approach taken for expanding natural gas into communities where it would not otherwise be economically feasible without government support and subsidization. This included questions about whether:

- Sufficient notice to and consultation with consumers had taken place.
- Subsidization (via micro charge of \$1 per month on all existing natural gas consumers) was fair to consumers and was in their longer term best interest in communities proposed for natural gas delivery expansion.

- The total amount of subsidization was made clear.
- A false incentive had been created to transfer from existing energy services that may have well-served their communities.
- The impact on other existing or alternative energy had been evaluated.
- Expansion of natural gas was consistent with a climate change agenda and an overall energy plan for Ontario.
- The OEB was the appropriate vehicle for implementing such policy.
- Justification had been advanced for not accepting OEB's independent rejection of such policy after due consideration.

The Council hoped its concerns would be taken into account in any future deliberations on continuing to further expand natural gas into communities where it is not economically feasible and using subsidization to make it possible.

Ontario Energy Board Representation

The following sets out the major applications and policy reviews the Council engaged in at the Ontario Energy Board over the last year.

Electricity Sector

Distribution Rates

The OEB regulates the electric utilities under the Renewed Regulatory Framework for Electricity. The utilities may choose to apply for a number of multi-year rate-setting models within the framework. Over the last year the larger utilities have been on multi-year plans and applied for relatively simple one-year rate adjustments consistent with those plans. The Council participated in the proceeding for Alectra Utilities Corporation, to set rates for year 3 of its 5-year rate plan. That application was the subject of a hearing process.

Alectra sought approval from the OEB for 5 years of capital spending (which is usually approved on a one-year basis) in addition to the annual rate

adjustments. Most parties including the Council opposed the 5-year capital approval, arguing the plan was inconsistent with OEB policy and contained unjustified expenditures. The OEB rejected Alectra's proposals and directed that utility to only apply for one-year capital approvals going forward consistent with its longstanding ratemaking policies.

The Council participated in a rate proceeding for Oakville Hydro Electricity Distribution Inc. (Oakville Hydro). Oakville Hydro sought approval of its annual rate adjustment and incremental capital subject to the OEB's incremental capital module. The Council opposed the relief sought on the basis that Oakville Hydro did not require the additional funding (based on its recent returns) and that no overall distribution system plan was filed to support the proposed projects. The OEB issued its Decision on April 16, 2020, and rejected Oakville Hydro's incremental capital amounts.

The Council also participated in the proceedings to set base rates for PUC Distribution Inc., and Energy Plus Inc. The rates for these utilities will be set by an incentive regulation formula for the next 4 years. The PUC Distribution Inc. application was settled by all parties (subject to a negotiated settlement process with the final settlement agreements approved by the OEB) resulting in rates lower than those included in the Application. The Energy Plus Inc. application was partially settled with some rate design and cost allocation issues going to hearing. The OEB accepted the settlement agreement and approved the rate design and cost allocation issues as proposed by Energy Plus Inc.

Mergers and Acquisitions

Hydro One Networks Inc. applied for approval to acquire both Peterborough Distribution Inc. (Peterborough Distribution) and Orillia Power Distribution Corporation (Orillia Power) through separate applications. The OEB ultimately combined the hearing of the two applications. The applications were to be

determined using the OEB's "no-harm" test for approving mergers and acquisitions. The Council opposed the applications on the basis that there was no evidence Hydro One customers would not be worse off, as HON's cost structure and rates are higher than either of the acquired utilities. HON proposed a 1% rate reduction for five years for both utilities, but beyond that commitment there was no guarantee that in the long term the acquired utility customers would avoid higher rates. The OEB approved the transactions on the basis that they met the "no-harm" test.

Hydro One Networks Inc. (Transmission) -2019 Rates

Hydro One Networks Inc. (Transmission) applied to the OEB for approval of rates for the period 2020-2022. There was no settlement process established by the OEB and the full Application was subject to a full hearing process. HON was seeking to rebase its rates in 2020 and obtain approval of a custom incentive rate-making model to set rates in 2021 and 2022, consistent with the model approved for the distribution side of its business. The Council opposed many aspects of the application, including the proposed levels of operating and capital costs. The OEB released its decision on April 23, 2020. The OEB made reductions to the capital program costs (10.4 % over the three years) and the proposed operating costs (2.7%), primarily to reflect HON's higher than market compensation costs. The OEB also adjusted the rate-making formula to further incent HON to pursue productivity initiatives throughout the rate plan term.

Smart Meter Entity

The Council participated in a proceeding to consider an application by the Smart Meter Entity (part of the Independent Electricity System Operator). The SME maintains and operates the Ontario smart meter data repository, which processes electricity consumption data for Ontario's electric utilities. The SME had been directed by the OEB to look for ways to potentially market the smart

meter data to third parties. The application was seeking approval to sell SME data to third-parties at market rates. The Council and other ratepayer groups opposed the application on the basis it posed potential risks that the data could be potentially “re-identified”. The OEB did not approve the application on the basis that the SME failed to demonstrate it could overcome those risks.

Hydro One Networks – Seasonal Rates

In 2015 the OEB decided to eliminate HON’s seasonal rate classes. Since 2015 HON has filed a number of reports setting out proposals regarding the seasonal rate classes. HON had expressed concern regarding the significant rate impacts that could result for seasonal customers if the OEB’s decision was fully implemented. In 2019 the OEB decided to hear HON’s request to review the original decision. The OEB intends to consider alternatives to the elimination of the seasonal class. That proceeding is ongoing.

Consultation Processes

The Council has actively participated in the following OEB Consultation processes:

- Responding to Distributed Energy Resources
- Utility Remuneration
- Post 2020 Demand Side Management Framework for Natural Gas Distributors
- Consultation to Review Natural Gas Supply Plans

The Council also made a presentation to a Standing Committee of the Legislative Assembly regarding Bill 87, *Fix the Hydro Mess Act*, which dealt with OEB reform. Its focus was on stressing the need to maintain funded customer access to OEB proceedings and consultation processes.

Natural Gas Sector

Enbridge Gas Inc.

Enbridge Gas Inc. (EGI) applied through separate applications for approval of its rates for 2019 and 2020. 2019 was the first rate year for the newly amalgamated company formed when Enbridge Gas Distribution Inc. and Union Gas Limited merged. The OEB had approved the merger in 2018 and EGI's rates were to be set on the basis of an incentive rate-making formula. The Council participated in the two rate applications, which dealt with a limited set of issues given the formulaic approach to setting rates

Other Initiatives

Independent Electricity System Operator

Julie Girvan continues to be a member of the Stakeholder Advisory Committee to the Board of Directors. This stakeholder group advises the IESO's independent Board.

Housing

Early in 2019, the Council presented Ontario's Ministry of Municipal Affairs and Housing with its views on a new housing supply action plan for the province. It made proposals for municipal Official Plans and zoning bylaws, purpose-built rentals, how to promote an affordable housing mix, affordable rent and building innovation.

In June, as mentioned earlier in this report, the Council released *Home Energy Labels: How well do they serve consumers?* Research for this report set out to determine what consumers would expect from a label describing the energy performance of an existing house.

Work is under way to launch the new Ontario Home Construction Regulatory Authority, a new regulator that will have the responsibility for licensing new

home builders and setting and enforcing licensing standards . The Council has encouraged the establishment of meaningful consumer representation at the new authority.

The Council since 2016 has participated in Canada Mortgage and Housing Corporation's (CMHC) "National Housing Strategy" – a 10-year, \$55-billion plan that intends to create a new generation of housing. The Council's 16-page "Perspective" submitted in the Fall of that year reflects its position on what federal leadership in housing should look like.

From its outset in 2017, the Council has been a participating stakeholder in the "Canadian Housing Statistics Framework", a joint project of Statistics Canada and the CMHC. The Framework continues to bring forward new information on residential properties and their owners that assists in policy making.

Consumer Representation in Standards

The Consumer Representatives in Standards Committee (CRISC) of the Council was revived in August/September of 2017. A new Chair, Jay Jackson, was appointed and members were recruited. There are currently 15 members, and many are highly experienced in standards and regulatory policy and development, and actively engaged with international, national and sub-national regulatory and standards development agencies such as:

- International Organization for Standardization (ISO)
- International Consumer Product Health and Safety Organization (ICPHSO)
- Canadian Standards Association (CSA)
- Canadian General Standards Board (CGSB)
- Underwriters Laboratories of Canada (ULC)
- Advertising Standards Canada
- Pharmaceutical Advertising Advisory Board

- Province of Ontario Designated Administrative Authorities (in particular TSSA)
- Health Canada/Canadian Food Inspection Agency

CRISC endeavours to represent the Canadian consumer interest in the creation of technical standards, especially those developed to support the implementation of Canadian laws and public policies developed at all levels of government. Members also engage in policy fora on the application of standards, including market surveillance and enforcement, accreditation and conformity assessment schemes. It seeks to influence the development or revision of Canadian legislation related to products and services that is likely to affect the consumer, including where reference is made to standards.

CRISC supports Council's objectives by:

- Identifying, reviewing, and describing, needs for consumer interest advocacy in standards development;
- Providing an institutional interface with standards organizations;
- Providing a forum for the Council's members engaged with standards development and development organization to develop best practices and training for consumer representatives in standards;
- Working towards the institutionalization of relationships between the Council and organizations involved with the development of standards;
- Developing the financial and human resources necessary for the Council to participate effectively in standards development and operate the committee;
- Proposing to the Executive Committee of the Council policy recommendations and/or the Council's position in the area of subject responsibility for the purpose of supporting Council priority identification

for engaging with the development of standards and for development of its relationships with standards organizations;

- Advocating for meaningful engagement of independent role players for the consumer perspective and interest in the development of standards; and
- Making known the Council's involvement in standards development.

CRISC is currently a forum for group or individual discussions and peer support to advance advocacy, consultations, and standards development.

This year members used the LORROS online discussion forum to seek peer support and discussion on a variety of matters including:

- Ontario's decision to revoke the TSSA Upholstered and Stuffed Articles Regulations;
- Proposed international standards on graphical symbols;
- Health Canada's Canadian Chemical Management Plan;
- A new CSA standard on barbecue wire brushes;
- New Council research on anti-counterfeiting and pirating of consumer goods;
- Federal working group on accessibility;
- Council research on unit pricing
- Council research on third party consumer complaint management systems; and
- Membership sought for BNQ standard on compostable plastics;

A recent discussion about a recommendation from the Chair that the Council assume a more active role in promoting consumer representation in standards

instigated some robust feedback from members. Some members expressed an interest in pursuing this objective further as a committee in 2020-21.

Ongoing Consumer Representation

| Organization | Role | Sector |
|--|---|-----------------------|
| Treasury Board of Canada | External Advisory Committee on Regulatory Competitiveness | Regulatory Innovation |
| Independent Electricity System Operator | IESO Stakeholder Advisory Committee | Energy |
| Hydro One Networks | Customer Advisory Board | Energy |
| ICANN | North American Regional At-Large Organisation | Internet |
| Ontario Motor Vehicle Industry Council | Consumer Advisory Committee | Automotive |
| Competition Bureau | Fraud Prevention Forum | Fraud Avoidance |
| Pharmaceutical Advertising Advisory Board | Board of Directors | Health |
| Condominium Management Regulatory Authority of Ontario | Member is Chair, Interim Board of Directors | Housing |
| Bereavement Authority of Ontario | Member participated on Interim Board of Directors | Bereavement |
| Standards Council of Canada | Consumer Panel | Standards |
| Technical Standards and Safety Authority | Consumer Advisory Council | Standards Enforcement |

2019-20 Annual Report of Activities
Consumer Representation

| | | |
|--|---|--------------------|
| Commissioner for Complaints in Telecommunications Services | Consumer Representatives Working Group - consumer and public interest board member nomination | Telecom |
| Broadcast Participation Fund | Stakeholder and participant in board selection process | Broadcasting |
| Canadian Standards Association | Consumer Representation | Many |
| Finance Canada | Payments Consultative Committee (FinPay) | Payments |
| Canadian Payments Association | Stakeholder Advisory Council | Payments |
| Financial Consumer Agency of Canada | Consumer Protection Advisory Committee | Financial Services |
| Ombudsman for Banking Services and Investments | Consumer and Investor Advisory Council | Financial Services |
| Ontario Securities Commission | Investors Advisory Panel | Financial Services |
| Behaviourally Informed Organizations Partnership | Partner | Academia |

Table 1



About the Council

Board of Directors

Don Mercer, President – Don Mercer has been involved in a variety of roles with the Council since 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.

From 2014 to present, Don has been an active member of the Payments Canada Stakeholder Advisory Council, an Advisory Council mandated by the federal law governing Payments Canada which operates the core of the Canadian payments system and currently processes over 3 million dollars CAD in transactions per second (\$51 trillion CAD per year). From 2010 and 2011, he was a Member of the External Stakeholder Advisory Committee with the Financial Consumer Agency of Canada. He is a current member of the Financial Consumer Agency of Canada Consumer Protection Advisory Committee.

Don and spouse Susan are ardent boaters, walkers and global travellers. Don has held senior positions locally, regionally and nationally in Canadian Power and Sail Squadrons – volunteers focused on teaching boating skills. He is also Director, International Service, Rotary Club of

Ladysmith, B.C., which has a long-term involvement in sustainable development projects with other Rotary Clubs with a Mayan Women's group in Guatemala.

Residence: Ladysmith, B.C.

Dennis Hogarth, Vice President – After graduating from the Ivey School of Business at Western University, Dennis Hogarth entered the audit and accounting profession. He 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. 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. 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. Since returning to Canada in 2009, Dennis has resided in Cobourg, Ontario, with his wife and two children. He currently serves as Treasurer of the Port Hope Heritage Foundation and as a Trustee of the Capitol Theatre Endowment Trust Foundation. Dennis

also serves as Chief Privacy Officer for the Green Climate Fund, located in Incheon, South Korea.

Residence: Cobourg, Ontario

Trevor Shaw, Treasurer – Trevor Shaw is a professional auditor and accountant with designations of Chartered Professional Accountant (CPA), Chartered Accountant (CA), Certified Management Consultant (CMC), and Certified Quality Auditor (CQA). He is a member of various professional bodies including CPA Institute, the Institute of Internal Auditors (IIA), the Canadian Evaluation Society (CES), the Institute of Certified Management Consultants, and the American Society for Quality. Trevor has more than 40 years of diverse audit experience in both public and private sectors. In approaching his work he is innovative and integrative and values both people and results. He is familiar with accounting, audit and evaluation standards, guidance, and functions as pronounced by various professional bodies. For 30 years (1984 to 2014) Trevor was a Director and then Principal (senior management) with the Office of the Auditor General of Canada. He conducted many performance audits to evaluate a wide range of government departments, agencies and Crown corporations at both the federal and provincial levels in Canada.

Residence: Ottawa.

Simon Wong, Secretary – 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.

Residence: Toronto.

Chris Ballard, Director – Chris Ballard is Chief Executive Officer of Passive House Canada, a national non-profit professional association advocating for the Passive House high-performance building standard. He is a former

member of the Ontario Legislature and Ontario cabinet, serving as Minister of Housing, Minister of Environment and Climate Change, and Minister Responsible for the Poverty Reduction Strategy. Chris is an experienced communications and public affairs executive with a background that also includes 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, where he served as a Town Councilor.

Residence: Aurora, Ontario.

Dorothy Buchanan, Director – Dorothy Buchanan is Coordinator, Professional Development for Students, Recruitment and Retention (Faculty of Education) for Brock University. Her career also included eight years at FirstOntario Credit Union as Director, Marketing Strategy, and 11 years as an instructor at Ryerson University, including in Consumer Studies, Research Methods. She has a Bachelor of Education from Brock University, a Bachelor of Applied Science from Guelph University in Consumer Behaviour and a Masters of Science, Consumer Studies, from

Guelph University. She is a former board member of Advertising Standards Canada.

Residence: St. Catharines, Ontario.

Julie Caissie, Director – Julie Caissie is president of the New Brunswick Home Economics

Association, a professor in Family Studies at Université de Moncton and the owner of JC Research and Consultation. She has bachelor's and master's degrees in family studies and a doctorate in francophone minority education from the Université de Moncton. She has obtained the Newborn Behavioral Observation certification (level 1) from the Brazelton Institute located in Boston. She is a member of the Greater Moncton Chamber of Commerce, the International Federation for Home Economics, the New Brunswick Common Front for Social Justice and the New Brunswick Home Economics Association.

Residence: Dieppe, New Brunswick.

Evan Leibovitch, Director – Evan Leibovitch is Director of Community Relations for Linux Professional Institute, a former Senior Consultant and Partner with Xunil Corporation, a Community Technology Access Coordinator for UNHCR, a co-founder and a former President of the Canadian Chapter of the Internet Society. He has BAs from Ryerson and York Universities. He volunteers as Director of the Greater Toronto Area Linux User Group and is Director and Chair of the Governance Committee of the Linux Professional Institute. He has had various roles within ICANN At-Large.

Residence: Toronto.

Marshall Leslie, Director – Marshall Leslie is the owner and principal of M. Leslie Inc., a consulting firm in Toronto, Ontario, Canada. Since 1985 – employing a project based business model – the firm has helped integrate the market plans, competitive analyses, market research, forecasts, and distribution plans of manufacturers, and other organizations, that serve the construction industry. Clients include some of North America's largest

manufacturers of building products, Canadian and American trade associations, independent power generators, First Nations, and standards development organizations.

Residence: Toronto.

Tracy MacCharles, Director – Tracy MacCharles is a former politician in Ontario, Canada. She was a Liberal member of the Legislative Assembly of Ontario from 2011 to 2018 who represented the riding of Pickering—Scarborough East. She was a member of cabinet in the government of Kathleen Wynne. MacCharles was born and raised in Scarborough, Ontario. She went to Brock University where she obtained a degree in Business and Public Administration. She worked in human resources management in various roles including Vice President of Human Resources at Manulife Financial. She was chair of the Ontario Accessibility Standards Advisory Council and was a member of the Durham Board of Education's Special Education Advisory Committee. MacCharles ran successfully in the 2011 provincial election as the Liberal candidate in the riding of Pickering—Scarborough East. She was re-elected in 2014.

While a member of the legislature, MacCharles served as Parliamentary Assistant to the Minister of Children and Youth Services, Minister of Consumer Services, Minister of Children and Youth Services, Minister responsible for Women's Issues and Minister of Government and Consumer Services.

MacCharles retired from provincial politics in April 2018.

Residence: Pickering, Ontario.

Christine Simpson, Director – Christine Simpson is an experienced consultant with extensive knowledge of consumer product safety issues. She developed her experience based on her many years of public service as a Consumer Product Safety Officer at Health Canada. She has specialized knowledge about toys, children's products, textiles and consumer chemical products and has more than 35 years of experience

working with manufacturers, importers and third-party test labs in Asia and the U.S. related to ensuring compliance with Canadian requirements.

Residence: Waterdown, Ontario.

Larry Swartz, Director – Larry Swartz is a professional leader, award-winning lawyer, CFA Charterholder, in-house counsel. He has expertise in independent financial, regulatory compliance, pensions, corporate governance practice. He is a member of the adjunct Faculty at Osgoode Hall Law School, with an emphasis on investments and insurance, administration and risk management, contracts and drafting, restructuring and insolvency, mergers and acquisitions, negotiation and litigation, benefits and tax. He has worked for Canada's largest firm administering pensions and fastest growing administrator of retirement savings plans. Experience includes public sector, financial institutions, and international law.

Residence: Toronto.

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.

Residence: Aurora, Ontario.

Supporters

Canadian Fuels Association

Consumer Health Products Canada

Electrical Safety Authority
Enbridge Gas Distribution
Ontario Motor Vehicle Industry Council
Real Estate Council of Ontario
Retail Council of Canada
Technical Standards & Safety Authority

Principles

The Consumers Council of Canada works towards an improved marketplace for consumers in Canada, 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 labelling. *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