

Reportable complaints aggregate report guide¹

Consumer Provisions		
Classification	Examples	Section of the Act BA = <i>Bank Act</i> TLCA = <i>Trust & Loan Companies Act</i> CCAA = <i>Cooperative Credit Association Act</i> ICA = <i>Insurance Companies Act</i>
Account		
Agreement and Complaint Procedures	Failure to provide a copy of the account agreement and complaint procedures	445, 564 BA; 431 TLCA 385.1 CCAA
	Failure to provide disclosure when opening a 2 nd account by telephone	445, 564 BA; 431 TLCA 385.1 CCAA <i>Disclosure on Account Opening by Telephone Request (Banks) Regs</i>
Disclosure of Charges	Failure to disclose, in prescribed manner and time, charges for deposit account and for services normally provided to customers and the public	446, 565 BA; 432 TLCA 385.11 CCAA <i>Disclosure of Charges Regulations</i>
	Failure to provide advance notice to customers of any new or increase in charges to personal deposit account Failure to provide advance notice for services on deposit accounts,	447, 566 BA 433 TLCA 385.12 CCAA <i>S. 4 Disclosure of Charges Regulations</i>

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

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to waive fees after 2 nd deposit account (opened by telephone) is closed within 14 days of opening	445, 564 BA; 431 TLCA 385.1 CCAA Disclosure on Account Opening by Telephone Request (Banks) Regs
	Failure to provide information on how customers will be notified of increases to fees or addition of new fees	445, 564 BA 431 TLCA 385.1 CCAA
	Failure to provide information on all account charges	445, 564 BA; 431 TLCA 385.1 CCAA
	Failure to have express agreement with customer regarding fees charged on accounts	440, 559 BA; 426 TLCA 385.06 CCAA
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to give prescribed information regarding insurance of deposit	413.1, 545 BA <i>Notice of Uninsured Deposits Regulations</i>
Interest	Failure to disclose interest rate on deposit account in Canada and how interest is	441, 560 BA; 427 TLCA 385.07 CCAA

Consumer Provisions

Classification	Examples	Section of the Act
	calculated when opening an account	<i>S.3 Disclosure of Interest Regulations</i>
	Failure to disclose in advertisement, in accordance with the Disclosure of Interest Regulations, the amount of interest to be calculated on a deposit account or debt obligation	442, 561 BA 428 TLCA 385.08 CCAA <i>S. 6 Disclosure of Interest Regulations</i>
	Failure to disclose a change in the rate of interest or manner of calculating the amount of interest	441/560 BA; 427 TLCA 385.07 CCAA <i>S. 4 of Disclosure of Interest Regulations</i>
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	<i>S. 9 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	<i>S. 4 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	<i>S. 5 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	<i>S. 6 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	<i>S. 7 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and	<i>S. 8 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	conditions that apply in respect of an agreement for an optional product or service	
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Refusal to Open - General	Refusal to open retail deposit account if no initial deposit or minimum balance maintained	448.1 BA
	Refusal to open retail deposit account for bankruptcy reasons	448.1 BA S.3(2) ABBS Regs.
	Refusal to open a retail deposit account	448.1 BA ABBS Regs.
	Failure to display & make available information on Access to Basic Banking	448.1 BA S. 13 ABBS Regs.
	Information missing from written notice	448.1 BA S.5 ABBS Regs.
	No notice of refusal to open provided	448.1 BA S. 5 ABBS Regs
Branch Closure		
General	Failure to provide notice to customers and public	459.2 BA; 444.1 TLCA 385.27 CCAA <i>Notice of Branch Closure Regulations</i>
Cheques		
Availability of first \$100	Failure make the first \$100 of all funds deposited by a cheque or other instrument on any one day to a retail deposit account available for withdrawal <ul style="list-style-type: none"> • immediately, if it is deposited in person with an employee at one of the institution's branches or points of service; and 	S. 4 <i>Access to Funds Regulations</i> BA, TLCA, CCAA

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	<ul style="list-style-type: none"> on the business day following the day of the deposit, if it is deposited in any other manner. 	
	Information missing from written notice	S. 6(2) <i>Access to Funds Regulations</i> BA, TLCA, CCAA
	No notice of refusal provided	
Federal – Fee to Cash	Failure to cash a federal government cheque free of charge	458(4), 575(4) BA 443(4) TLCA 385.25 (4) CCAA
Federal – Refusal to cash	Failure to cash federal government cheque (under \$1,500)	458.1 BA ABBS Regs
	Information missing from written notice	458.1 BA S.10 ABBS Regs
	No notice of refusal to cash provided	458.1 BA S. 14 ABBS Regs
	Failure to display and make available information concerning cashing federal government cheques	458.1 BA S. 14 ABBS Regs.
Holds	Failure to disclose in writing to any person who opens a retail deposit account to which they may deposit cheques, the information as prescribed in Regulations	S. 7 <i>Access to Funds Regulations</i> BA, TLCA, CCAA
	Failure to disclose the information referred to in section 7 to its customers and to the public by means of a written notice, copies of which must be displayed and made available at each of the institution’s branches where personal deposit accounts are offered, at each of the institution’s points of service and on each of the institution’s websites through	S. 8 <i>Access to Funds Regulations</i> BA, TLCA, CCAA

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	which it offers products and services in Canada.	
	Failure to make available for withdrawal any funds deposited by cheque to a retail deposit account or to a deposit account held by an eligible enterprise as prescribed in Regulations.	<i>S. 3 Access to Funds Regulations</i> BA, TLCA, CCAA
	Failure to disclose any change that is made to the information referred to in section 7 as prescribed in Regulations.	<i>S. 9 Access to Funds Regulations</i> BA, TLCA, CCAA
	Information missing from written notice	<i>S. 6(2) Access to Funds Regulations</i> BA, TLCA, CCAA
	No notice of refusal provided	
Coercive Tied Selling		
General	Refusal of a product or service from the bank or any of its affiliates as a condition of obtaining another product or service	459.1, 576.1 BA
	A bank shall disclose the prohibition on coercive tied selling set out in subsection (1) in a statement in plain language that is clear and concise, displayed and available to customers and the public at all of its branches where products or services are offered in Canada, on all of its websites through which products or services are offered in Canada and at all prescribed points of service in Canada.	459.1(4.1), 576.1(4.1) BA
Complaint Procedures		
General	Failure to designate a committee of the board to monitor the procedures referred to in paragraph (e) and satisfy itself that they are	157(2)(f) BA 161(2)(f) TLCA 167(2)(g) CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	being adhered to by the FRFI	165(2)(g) ICA
	Failure to designate an officer or employee to be responsible for implementing procedures and designate one or more officers or employees to receive and deal with those complaints	455, 573 BA 441 TLCA 385.22 CCAA 486, 604 ICA
	Make their complaints handling procedures (CHP) available in the following manner: <ul style="list-style-type: none"> • In a brochure available in branches where products and services are offered in Canada • On websites where products and services are offered in Canada • In written format to be sent to any person who requests them 	455, 573 BA 441 TLCA 385.22 CCAA 486 / 604 ICA
	Failure to have procedures in place	455, 573 BA; 441 TLCA 385.22 CCAA 486/604 ICA
	Failure to file or include required elements in complaint handling procedures	455, 573; 456, 574 BA 441, 442 TLCA 385.22, 385.24 CCAA 486, 604; 487, 605 ICA
	Failure to inform customers with consumer provision complaints how to reach the FCAC	456, 574 BA; 442 TLCA 385.24 CCAA 487, 605 ICA
	Failure to be member of 3 rd party dispute resolution body	455.1(2), 573.1 BA 441.1 TLCA 385.23 CCAA 486.1, 604.1
Compliance of Affiliate		
Compliance of Affiliate	Affiliate to comply with sections 449-455, subsection 451(1) & (3) & 459.1 of <i>Bank Act</i>	459.5 BA

Consumer Provisions		
Classification	Examples	Section of the Act
Credit Card		
Allocation of payment	Failure to allocate payments as prescribed in Regulations	s. 4 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Amendment	Failure to disclose amendment to credit agreement	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.12(3) COB Regs.
Application - General	Failure to disclose information in application as required in Regulations	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.11 COB Regs.
Application – information box	Failure to disclose information box and content as prescribed	s. 6 COB Regs BA, TLCA, ICA, CCAA
Credit limit	Failure to obtain express consent prior to increasing the credit limit	s. 6 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations	s. 7 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to disclose required information when	453, 571 BA; 439 TLCA

Consumer Provisions

Classification	Examples	Section of the Act
	advertising	385.2 CCAA 483, 601.2 ICA S.21 COB Regs.
	Forced to maintain a minimum credit balance	458, 575 BA; 443 TLCA 385.25 CCAA
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.6(4) COB Regs.
	Denied opportunity to prepay money advanced or installment before due date	458(1), 575(1) BA 443(1) TLCA 385.25(1) CCAA 488(1), 606(1) ICA
Grace period	Cannot require payment prior to 21 days after last day of billing cycle	s. 3(2) Credit Business Practices Regs BA, TLCA, ICA, CCAA
	Payment due on weekend or holiday must be accepted on the next business day as due date	s. 3(2) Credit Business Practices Regs BA, TLCA, ICA, CCAA
	Cannot charge interest on purchases or charges during a billing cycle until the date after the day on which payment is due in respect of the billing cycle	s. 3(2) Credit Business Practices Regs BA, TLCA, ICA, CCAA
Initial disclosure – general	Failure to disclose in the prescribed manner the cost of borrowing before loans that are repayable in Canada are made to a natural person	450, 452, 568, 570 BA 436, 438 TLCA 385.16, 385.18 CCAA 480, 482, 599, 601 ICA
Initial disclosure – Information box	Failure to include information box and content as prescribed	s. 6 COB Regs BA, TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font/white space, etc.)	6 COB Regs BA, TLCA, ICA, CCAA
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented	12(5)(d) COB Regs BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	otherwise	
	If consent oral, FRFI must without delay confirm to the borrower in writing	
Non-interest charges	Failure to disclose amendment of non-interest charges	452, 570 BA; 438 TLCA 385.18 CCAA; 482, 601 ICA; S.12(3) COB Regs.
	Failure to disclose information on non interest charges when card was issued or when applying	450, 568BA; 436 TLCA 385.16 CCAA; 480, 599 ICA ; S. 12(1); 10(1)(c); 11(1)(c) COB Regs.
	Fee charged when credit limit surpassed due to hold on card	s. 5(1) Credit Business Practices Regs
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	S. 7 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30	S. 8 <i>Negative Option Billing</i>

Consumer Provisions		
Classification	Examples	Section of the Act
	days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	<i>Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S 12(1); 10 (1) (i) & 16(1) COB Regs.
Rate Per Annum	Failure to disclose cost of borrowing as rate per annum and calculated in the prescribed manner and circumstance	451, 569 BA; 437 TLCA 385.17 CCAA 481, 600 ICA 12(1) (a) COB Regs.
Statement - General	Statement required at least once a month	450, 568 BA; 436 TLCA 385.16 CCAA; 480, 599 ICA S.12(5) COB Regs.
	Failure to disclose information in monthly statements as required by Regulations	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.12(5) COB Regs.
	Itemized statement of account must permit verification of each transaction by linking to borrower's transaction record	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.12(6) COB Regs.
	Failure to advise if interest rate will increase in next period circumstances why and what new rate is	12(5)(d) COB Regs BA, TLCA, ICA, CCAA
	Failure to provide statement not less than 21	s. 3(1) Credit Business Practices

Consumer Provisions		
Classification	Examples	Section of the Act
	days before the payment due date	Regs BA, TLCA, ICA, CCAA
Statement – Estimate repay balance	Failure to disclose an estimate of the length of time in years and month required to repay the outstanding balance	s. 12(5)(d) COB Regs BA, TLCA, ICA, CCAA
Deposit Type Instrument		
Advertisements	Failure to disclose in an advertisement: <ul style="list-style-type: none"> • how the public may obtain information about the instruments • the manner in which interest is to be accrued and any limitations in respect of the interest payable • if the instruments relate to deposits that are not eligible for deposit insurance coverage by the Canada Deposit Insurance Corporation 	S. 8 Deposit Type Instrument Regs. BA, TLCA, CCCA
Amendments	Failure to disclose the amendment, and its potential impact on the interest payable, in writing to the person to whom the instrument was issued before making an amendment to any terms or conditions of a deposit type instrument.	S. 5 Deposit Type Instrument Regs. BA, TLCA, CCCA
Disclosure	Failure to disclose information orally and in writing at or before the time an institution enters into an agreement for the issuance of a deposit type instrument.	S.3 Deposit Type Instrument Regs. BA, TLCA, CCCA
Early redemption	Failure to disclose to the person to whom the instrument was issued the amount of the principal and accrued interest, any penalty or charge for the redemption and the net amount payable by the institution on redemption, before the end of the investment	S. 7 Deposit Type Instrument Regs. BA, TLCA, CCCA

Consumer Provisions		
Classification	Examples	Section of the Act
	period.	
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to disclose required information as prescribed by Regulations	S. 6, 9 Deposit Type Instrument Regs. BA, TLCA, CCCA
Knowledgeable person	Failure to disclose the telephone number of a person who is knowledgeable about the terms and conditions of the instruments for agreements entered into by electronic means or by mail as prescribed by the Regulations.	S. 3(3) Deposit Type Instrument Regs. BA, TLCA, CCCA
Clear and simple language	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 2 Deposit Type Instrument Regs. BA, TLCA, CCCA
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	prescribed by Regulations.	
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	<i>S. 4 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	<i>S. 5 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	<i>S. 6 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	<i>S. 7 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	<i>S. 8 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Timing	Failure to disclose required information at or before the time an institution enters into an agreement in person, by telephone, by electronic means or by mail as prescribed by Regulations.	S. 3 and 4 Deposit Type Instrument Regs. BA, TLCA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
Line of Credit		
Amendment	Failure to disclose amendment to credit agreement	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.13 COB Regs
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations	s. 7 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to disclose required information when advertising	453, 571 BA; 439 TLCA 385.2 CCAA 482, 601 ICA S.20 COB Regs.
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.6(4) COB Regs.
	Denied opportunity to prepay money advanced or installment before due date	458, 575 BA; 443 TLCA 385.25 CCAA 488, 606 ICA S.17 COB Reg.

Consumer Provisions		
Classification	Examples	Section of the Act
Initial Disclosure - General	Failure to disclose in the prescribed manner the cost of borrowing regulations before loans that are repayable in Canada are made to a natural person	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA
Initial Disclosure – information box	Failure to present the information and content as prescribed	S. 6(2.1)(b) and 6(2.2)(b) COB Regs BA, TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font/white space, etc.)	
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise	12(5)(d) COB Regs BA, TLCA, ICA, CCAA
	If consent oral, FRFI must without delay confirm to the borrower in writing	
Non-interest charges	Failure to disclose amendment of non interest charges	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.13 COB Regs.
	Failure to disclose information on non interest charges when line of credit was taken	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.10(1)(c) COB Regs.
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	S. 7 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	S. 8 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.10 (1) (i) & 16(1) COB Regs
Rate Per Annum	Failure to disclose cost of borrowing as rate per annum and calculated in the prescribed manner and circumstance	451, 569 BA; 437 TLCA 385.17 CCAA 481, 600 ICA S. 10(1)
Statement - General	Failure to provide monthly statement	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.10(3) COB Reg.

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to disclose information in monthly statements as required by Regulations	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 10 (3) COB Regs.
	Failure to provide quarterly statements as prescribed in Regulations	s. 10(5) COB Regs BA, TLCA, ICA, CCAA
Loan		
Amendment	Failure to disclose amendment in credit agreement	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.13 COB Regs.
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations	s. 7 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Forced to maintain a minimum credit balance	458, 575 BA; 443 TLCA 385.25 CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
		488, 606 ICA
	If a borrower under a credit agreement fails to make a payment when it becomes due or fails to comply with an obligation in the agreement, in addition to interest, the bank may impose charges for the sole purpose of recovering the costs reasonably incurred.	452, 570 BA 438 TLCA 385.18 CCAA 482, 601 ICA S. 9(1); 8(1)(m); 18 COB Regs.
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear & concise	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.6(4) COB Regs.
	Failure to disclose required information when advertising	453, 571 BA; 439 TLCA 385.2 CCAA 483, 601.2 ICA S.19 COB Regs.
	Failure to disclose if borrower has right to repay loan, how to repay loan, if and what are rebates, charges or penalties for prepayment and if there are any changes or penalties for late payment or failure to pay an amount at loan maturity	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S. 8(1); 9(1); 17 COB Regs.
Initial Disclosure - General	Failure to disclose in the prescribed manner the cost of borrowing before loans that are repayable in Canada are made to a natural person	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 8 & 9 COB Regs.
Initial Disclosure – information box	Failure to present the information and content as prescribed	S. 6(2.1)(b) and 6(2.2)(b) COB Regs BA, TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font / white space, etc.)	6(2.4) COB Regs
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise	12(5)(d) COB Regs BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	If consent oral, FRFI must without delay confirm to the borrower in writing	
Non-interest charges	Failure to disclosure amendment of non interest charges	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.13 COB Regs.
	Failure to disclose information on non interest charges when loan was taken	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 8(1); 9(1) COB Regs.
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	S. 7 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and	S. 8 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	conditions that apply in respect of an agreement for an optional product or service	
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 8 (1) (k); 16(1) COB Regs
Rate Per Annum	Failure to provide the cost of borrowing as a rate per annum and calculated in the prescribed manner and circumstance	451, 569 BA; 437 TLCA 385.17 CCAA 481, 600 ICA S. 9(1); 3(1) COB Regs.
Statement	Failure to provide statement as prescribed	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 9(2); 9(3) COB Regs.
	Failure to provide quarterly statements as prescribed by Regulations	s. 10(5) COB BA TLCA, ICA, CCAA
Mortgage		
Amendment	Failure to disclose amendment in credit agreement	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.13 COB Regs.
Debt collection practices	Failure to comply with debt collection practices as prescribed by Regulations	s. 7 Credit Business Practices Regs BA, TLCA, ICA, CCAA
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express	<i>S. 3 Negative Option Billing</i>

Consumer Provisions		
Classification	Examples	Section of the Act
	consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	<i>Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to disclose required information when advertising	453, 571 BA; 439 TLCA 385.2 CCAA 483, 601.2 ICA
	If a borrower under a credit agreement fails to make a payment when it becomes due or fails to comply with an obligation in the agreement, in addition to interest, the bank may impose charges for the sole purpose of recovering the costs reasonably incurred.	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.9(1); 8(1)(m); 18 COB Regs.
	Disclosure statement or consent in relation to a disclosure statement must be in plain language that is clear and concise	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.6(4) COB Regs.
	Failure to provide initial disclosure within the disclosed period of time	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S.7 COB Regs.
Initial Disclosure - General	Failure to disclose in the prescribed manner the cost of borrowing regulations before loans that are repayable in Canada are made to a natural person	450, 568 BA 436 TLCA 385.16 CCAA 480, 599 ICA
Initial Disclosure – information box	Failure to present the information and content	S. 6(2.1)(b) and 6(2.2)(b)

Consumer Provisions		
Classification	Examples	Section of the Act
	as prescribed	COB Regs BA, TLCA, ICA, CCAA
	Failure to present information in information box as prescribed (font / white space, etc.)	6(2.4) COB Regs
Multiple borrowers	Failure to disclose to all borrowers an initial disclosure statement unless consented otherwise If consent oral, FRFI must without delay confirm to the borrower in writing	12(5)(d) COB Regs BA, TLCA, ICA, CCAA
Non-interest charges	Failure to disclose amendment of non interest charges	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S.13 COB Regs.
	Failure to disclose information on non interest charges when mortgage was taken	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA 8(1); 9(1) COB Regs.
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	Regulations.	
	Failure to provide information on cancelling the product or service.	<i>S. 7 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	<i>S. 8 Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
	Information on all optional services including charges and how to cancel	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S 8 (1) (k); 9(1); 16(1) COB Regs
Penalty – Info on Rebates/Repayment/Charges	Failure to disclose if borrower has right to repay loan, how to repay loan, if and what are rebates, charges or penalties for prepayment and if there are any changes or penalties for late payment or failure to pay an amount at loan maturity	452, 570 BA; 438 TLCA 385.18 CCAA 482, 601 ICA S. 8(1); 9(1); 17 COB Regs.
Rate Per Annum	Failure to provide the cost of borrowing as a rate per annum and calculated in the prescribed manner and circumstance	451, 569 BA; 437 TLCA 385.17 CCAA 481, 600 ICA S. 9(1); 3(1) COB Regs.
Renewal	Failure to notify, in accordance with the <i>Cost of Borrowing Regulations</i> intention not to renew	452.1, 570.1 BA; 438.1 TLCA 385.19 CCAA 482.1, 601.1 ICA S. 14 COB Regs.

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to provide disclosure statement upon renewal that includes prescribed information	452.1, 570.1 BA; 438.1 TLCA 385.19 CCAA 482.1, 601.1 ICA 14 COB Regs.
Statement	Failure to provide statement as prescribed	450, 568 BA; 436 TLCA 385.16 CCAA 480, 599 ICA S. 9(2); 9(3) COB Regs.
Prepaid payment products		
Clear and simple language	Failure to disclose in language and presented in a manner, that is clear, simple and not misleading.	S. 3 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
Initial disclosure – general	Failure to disclose the information in writing, before prepaid payment product is issued, to any person applying as prescribed.	S. 4 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose the information orally, as prescribed by Regulations, for applications made by telephone before the product is issued.	S. 5 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
Initial disclosure – information box	Failure to present the information in an information box as prescribed.	4(2) <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
Additional disclosure	Any charges for which a natural person to whom a prepaid payment product is issued becomes responsible by accepting or using the product, as well as the following information, must be disclosed in writing to that person on issuance of the product: (a) the product's terms and conditions, including the product holder's rights and responsibilities with respect to a lost or stolen	S. 6 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	<p>product;</p> <p>(b) a description of how the product holder can verify the balance of the funds loaded on the product;</p> <p>(c) a description of how the product holder may, in certain circumstances, use funds loaded on the product towards partial payment of a purchase; and</p> <p>(d) the information referred to in paragraphs 4(1)(a) to (f) unless the product is issued in person and that information was disclosed under subsection 4(1) immediately before the issuance of the product.</p>	
	<p>Failure to disclose, on issuance of a prepaid product to a person other than a natural person, any charges for which they become responsible for by accepting or using the products as well as the information as prescribed.</p>	
Disclosure on product	<p>Failure to disclose the information by setting it out directly on the prepaid payment product or, if the product is electronic, by disclosing it electronically on the product holder's request, as prescribed.</p>	<p><i>S. 7 Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA</p>
Fee changes	<p>Failure to provide notice of fee increase or new fees associated with a prepaid payment product that is issued to a natural person as prescribed.</p>	<p><i>S. 8 Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA</p>
Expiry date	<p>An institution must not impose an expiry date on a prepaid payment product holder's right to use the funds that are loaded on a prepaid payment product unless it is a promotional product.</p>	<p><i>S. 9 Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA</p>

Consumer Provisions		
Classification	Examples	Section of the Act
General	Failure to comply with the <i>Prepaid Payment Products Regulations</i> .	454, 458.3, 459.4, 572, 575.1, 576.2, 978 BA 385.21, 385.252, 385.28, 463 CCAA 485, 488.1, 489.2, 603, 606., 607.1, 1021 ICA 440, 443.2, 444.3, 531 TLCA <i>Prepaid Payment Products Regulations</i>
Fees	An institution must not impose a maintenance fee on a prepaid payment product holder for a period of 12 months after the day on which the product is activated unless it is (a) a promotional product; or (b) a reloadable product and the product holder has given their express consent to the imposition of the fee.	S. 10 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
	An institution must not charge overdraft fees or interest in respect of a prepaid payment product without the express consent of the product holder.	S. 11 <i>Prepaid Payment Products Regulations</i> BA, TLCA, ICA, CCAA
Principal protected notes		
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
General	Failure to comply with <i>Principal Protected Notes Regulations</i>	459.4, 576.2 BA 385.28 CCAA 443.3 TLCA <i>Principal Protected Notes Regulations</i>
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	S. 7 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	S. 8 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Public Accountability Statement		
General	Filing requirements not met Applies to Canadian FRFIs over \$1 billion equity	459.3 BA; 444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>
	Failure to disclose to public a copy of the Public Accountability Statement Applies to Canadian FRFIs over \$1 billion equity	459.3 BA; 444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>
	Failure to publish Public Accountability Statement Applies to Canadian FRFIs over \$1 billion equity	459.3 BA; 444.2 TLCA 489.1 ICA <i>Public Accountability Statements Regulations</i>
Registered Products		
Amendments	Failure to disclose the proposed amendment in writing to the person to whom the product was provided before amending any terms and conditions.	S.4 Registered Products Regs. BA, TLCA, CCCA
Complaint procedures	Failure to provide information about the bank's procedures relating to complaints about the application of any charge applicable to the registered product.	448.3 BA; 434.1 (1) TLCA; 385.131(1) CCCA Registered Products Regs.
Disclosure of charges	Failure to maintain a list of the charges applicable to registered products at each of its branches and points of service where registered products are officer in Canada and on each of its websites through which	S.5 Registered Products Regs.

Consumer Provisions		
Classification	Examples	Section of the Act
	registered products are offered in Canada. Failure to provide information about: <ul style="list-style-type: none"> • all charges applicable to the registered product • how the customer will be notified of any increase in those charges and of any new charge applicable to the registered product 	448.3 BA; 434.1 (1) TLCA; 385.131(1) CCA Registered Products Regs.
Clear and simple language	Information must be made in language and presented in a manner that is clear, simple and not misleading.	S. 2(1) Registered Products Regs.
Electronic Documents	Failure to comply with electronic documents as prescribed by Regulations	978(1), 993, 995, 996, 998, 1002 and 1003 BA <i>Electronic Documents Regulations</i>
Express Consent	Failure to obtain the person's express consent, either orally or in writing, prior to providing a person with a new primary financial or optional product or service.	S. 3 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide the person without delay with confirmation in writing of their express consent for the new product or service, if the consent is provided orally.	
	Failure to provide information in language and presented in a manner that is clear, simple and not misleading.	
Optional Product and Service	Failure to provide, without delay, a refund or a credit to the person with the amount of any charges paid by the person for any part of the product or service that is unused as of the day the cancellation takes effect, as calculated in accordance to the formula as prescribed by Regulations.	S. 9 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA

Consumer Provisions		
Classification	Examples	Section of the Act
	Failure to disclose in language and presented in a manner that is clear, simple and not misleading.	S. 4 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide, orally or in writing, an initial disclosure statement that contains information as prescribed by Regulations.	S. 5 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide subsequent disclosure statement containing all relevant information about the product or service as prescribed by Regulations.	S. 6 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to provide information on cancelling the product or service.	S. 7 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in writing, not less than 30 days before the day on which the changes take effect, any changes to the terms and conditions that apply in respect of an agreement for an optional product or service	S. 8 <i>Negative Option Billing Regulations</i> BA, TLCA, ICA, CCAA
	Failure to disclose, in a subsequent disclosure statement, if person agrees to a promotional, preferential, introductory or special offer for an optional product or service as prescribed.	
Timing	Failure to provide information in writing and orally when an account is opened in person, by telephone or by electronic means as prescribed by Regulations.	S. 2(2), 2(3), 2(4), 2(5) Registered Products Regs.

¹ For greater certainty please refer to the *Bank Act*, *Trust and Loan Companies Act*, the *Cooperative Credit Associations Act*, the *Insurance Companies Act* and relevant *Regulations* pertaining to these Acts. This is a guideline. The examples provided are suggestions only.

