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THE CONSUMER PROTECTION ACT  
(C.C.S.M. c. C200)

**Consumer Protection Regulation, amendment**

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Regulation 4/2015  
Registered January 9, 2015

**Manitoba Regulation 227/2006 amended**

**1** *The Consumer Protection Regulation, Manitoba Regulation 227/2006, is amended by this regulation.*

**2** **Sections 20, 23, 26, 27 and 32 are amended by striking out "the Schedule" wherever it occurs and substituting "Schedule A".**

**3** **Section 30 is replaced with the following:**

**Provisions for which an administrative penalty notice may be issued**

**30** A notice of administrative penalty may be issued under subsection 136(1) of the Act in respect of one or more provisions of the Act or a regulation under the Act that are set out in Schedule B.

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LOI SUR LA PROTECTION DU CONSOMMATEUR  
(c. C200 de la C.P.L.M.)

**Règlement modifiant le Règlement sur la protection du consommateur**

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Règlement 4/2015  
Date d'enregistrement : le 9 janvier 2015

**Modification du R.M. 227/2006**

**1** *Le présent règlement modifie le Règlement sur la protection du consommateur, R.M. 227/2006.*

**2** **Les articles 20, 23, 26, 27 et 32 sont modifiés par substitution, à « de l'annexe », à chaque occurrence, de « de l'annexe A ».**

**3** **L'article 30 est remplacé par ce qui suit :**

**Dispositions pouvant faire l'objet d'un procès-verbal de sanction administrative**

**30** Un procès-verbal de sanction administrative peut être remis en vertu du paragraphe 136(1) de la *Loi* à l'égard d'une ou de plusieurs des dispositions qui sont énumérées à l'annexe B.

**4 Section 31 is replaced with the following:**

**Administrative penalty amounts**

**31(1)** The amount of an administrative penalty to be imposed on an individual is as follows:

- (a) first contravention . . . . . \$1,000;
- (b) second contravention . . . . . \$3,000;
- (c) third or subsequent contravention . . . . . \$5,000.

**31(2)** The amount of an administrative penalty to be imposed on a corporation is as follows:

- (a) first contravention . . . . . \$5,000;
- (b) second contravention . . . . . \$10,000;
- (c) third or subsequent contravention . . . . . \$20,000.

**5(1) The Schedule is amended by striking out "SCHEDULE" wherever it occurs and substituting "SCHEDULE A".**

**5(2) Forms 2 and 3 in the French version of the Schedule are amended by striking out "corporation" wherever it occurs and substituting "personne morale".**

**5(3) Form 4 in the English version of the Schedule is amended by striking out "Director of the Consumer's Bureau" and substituting "Director of the Consumer Protection Office".**

**5(4) Form 10 in the Schedule is amended**

**(a) by striking out "Amount of penalty:" and substituting the following:**

**Amount of penalty:**  
(Individual/Corporation)

**4 L'article 31 est remplacé par ce qui suit :**

**Montant des sanctions administratives**

**31(1)** Le montant d'une sanction administrative imposée à une personne physique est déterminé comme suit :

- a) première contravention . . . . . 1 000 \$;
- b) deuxième contravention . . . . . 3 000 \$;
- c) chaque autre récidive . . . . . 5 000 \$.

**31(2)** Le montant d'une sanction administrative imposée à une personne morale est déterminé comme suit :

- a) première contravention . . . . . 5 000 \$;
- b) deuxième contravention . . . . . 10 000 \$;
- c) chaque autre récidive . . . . . 20 000 \$.

**5(1) L'annexe est modifiée par substitution, à « ANNEXE », à chaque occurrence, d'« ANNEXE A ».**

**5(2) Les formules 2 et 3 figurant à l'annexe de la version française sont modifiées par substitution, à « corporation », à chaque occurrence, de « personne morale ».**

**5(3) La formule 4 figurant à l'annexe de la version anglaise est modifiée par substitution, à « Director of the Consumer's Bureau », de « Director of the Consumer Protection Office ».**

**5(4) La formule 10 figurant à l'annexe est modifiée :**

**a) par substitution, à « Montant de la sanction : », de ce qui suit :**

**Montant de la sanction :**  
(la première et la deuxième somme s'appliquent respectivement à une personne physique et à une personne morale)

**(b) by striking out "\$1,000" and substituting "\$1,000/\$5,000";**

**(c) by striking out "\$3,000" and substituting "\$3,000/\$10,000"; and**

**(d) by striking out "\$5,000" and substituting "\$5,000/\$20,000".**

**b) par substitution, à « 1 000 \$ », de « 1 000 \$/5 000 \$ »;**

**c) par substitution, à « 3 000 \$ », de « 3 000 \$/10 000 \$ »; and**

**d) par substitution, à « 5 000 \$ », de « 5 000 \$/20 000 \$ ».**

**6 Schedule B to this regulation is added at the end of the regulation.**

**6 L'annexe B du présent règlement est ajoutée à la fin du règlement.**

**Coming into force**

**7 This regulation comes into force on March 1, 2015.**

**Entrée en vigueur**

**7 Le présent règlement entre en vigueur le 1<sup>er</sup> mars 2015.**

SCHEDULE B  
(Section 30)

ANNEXE B  
(article 30)

<i>The Consumer Protection Act</i>	<i>Loi sur la protection du consommateur</i>
<ul style="list-style-type: none"> <li>• subsection 13(2) (prominence of APR disclosure)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 13(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 13(3) (APR for representative transaction)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 13(3)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 14(1) (advertising interest-free periods)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 14(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 14(2) (grace period conditions)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 14(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 20.1(1) (no advance payment to brokers)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 20.1(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 20.2(1) (disclosure by broker)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 20.2(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 20.2(2) (disclosure of brokerage fee)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 20.2(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 20.2(4) (refund of brokerage fee)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 20.2(4)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 21(2) disclosure of borrower's right to choose insurer)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 21(2)</li> </ul>
<ul style="list-style-type: none"> <li>• section 32 (assignment of promissory note)</li> </ul>	<ul style="list-style-type: none"> <li>• article 32</li> </ul>
<ul style="list-style-type: none"> <li>• section 34.1 (credit sales must have scheduled payments)</li> </ul>	<ul style="list-style-type: none"> <li>• article 34.1</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.2(1) (disclosure of term and APR)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.2(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.2(2) (disclosure of cash price)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.2(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.2(3) (disclosure of cost of credit)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.2(3)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.2(4) (disclosure for representative transaction)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.2(4)</li> </ul>
<ul style="list-style-type: none"> <li>• section 34.3 (initial disclosure statement)</li> </ul>	<ul style="list-style-type: none"> <li>• article 34.3</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.4(1) (periodic disclosure: floating interest rate)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.4(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.5(1) (additional disclosure: amendments)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.5(1)</li> </ul>

<ul style="list-style-type: none"> <li>• section 34.6 (notice that payments will not cover interest)</li> </ul>	<ul style="list-style-type: none"> <li>• article 34.6</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.7(2) (renewing a credit agreement)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.7(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.8(1) (notice of mortgage renewal)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.8(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.8(2) (disclosure on mortgage renewal)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.8(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 34.8(6) (charges related to renewal to be refunded)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 34.8(6)</li> </ul>
<ul style="list-style-type: none"> <li>• section 35.1 (disclosure: advertisement for open credit)</li> </ul>	<ul style="list-style-type: none"> <li>• article 35.1</li> </ul>
<ul style="list-style-type: none"> <li>• section 35.2 (contents of initial disclosure statement)</li> </ul>	<ul style="list-style-type: none"> <li>• article 35.2</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.3(1) (frequency of statements of account)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.3(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.3(2) (disclosure in statement of account)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.3(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.4(1) (no issuance of unsolicited credit cards)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.4(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.5(1) (rates and fees to be disclosed in solicitation)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.5(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.5(2) (application for credit card)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.5(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.7(1) (prior notice of change in information)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.7(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.7(2) (other notice of changes)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.7(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 35.9(1) (surrender of credit card)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 35.9(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 38(1) (lease advertising)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 38(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 38(2) (representative transaction)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 38(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 38(3) (advertising in prescribed medium)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 38(3)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 38(4) (records to be kept for three months)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 38(4)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 38(5) (director entitled to copy of record)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 38(5)</li> </ul>

<ul style="list-style-type: none"> <li>• subsection 39(1) (initial disclosure statement)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 39(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 39(2) (additional disclosure: amendments)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 39(2)</li> </ul>
<ul style="list-style-type: none"> <li>• section 40 (maximum residual obligation determined by regulation)</li> </ul>	<ul style="list-style-type: none"> <li>• article 40</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 45(1) (notice of seizure)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 45(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 45(2) (notice of sale)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 45(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 45(3) (combined notice)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 45(3)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 45(4) (notice to persons other than the borrower)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 45(4)</li> </ul>
<ul style="list-style-type: none"> <li>• section 46 (demand payments prohibited)</li> </ul>	<ul style="list-style-type: none"> <li>• article 46</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 47(1) (credit grantor may sue or seize)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 47(1)</li> </ul>
<ul style="list-style-type: none"> <li>• clause 51(2)(b) (price for resale of collateral)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 51(2), en ce qui a trait au compte rendu complet de la vente</li> </ul>
<ul style="list-style-type: none"> <li>• section 53 (refund of payments)</li> </ul>	<ul style="list-style-type: none"> <li>• article 53</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 60(2) (certain selling practices prohibited)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 60(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 75(1) (licensing of vendors)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 75(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 75(2) (licensing of direct sellers)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 75(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 75(3) (use of unlicensed direct seller)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 75(3)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 76(1) (licensing of collection agencies)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 76(1)</li> </ul>
<ul style="list-style-type: none"> <li>• section 82 (licence required)</li> </ul>	<ul style="list-style-type: none"> <li>• article 82</li> </ul>
<ul style="list-style-type: none"> <li>• section 96.1 (requesting or requiring consumers to waive or limit rights)</li> </ul>	<ul style="list-style-type: none"> <li>• article 96.1</li> </ul>
<ul style="list-style-type: none"> <li>• clause 98(a), (b), (c), (e), (g), (m) or (o) (prohibitions)</li> </ul>	<ul style="list-style-type: none"> <li>• alinéas 98a), b), c), e), g), m) ou o)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 102(1) (restriction on use of name)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 102(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 102(3) (use of collection agent by another collection agent)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 102(3)</li> </ul>
<ul style="list-style-type: none"> <li>• section 106 (registration of certain persons with the office)</li> </ul>	<ul style="list-style-type: none"> <li>• article 106</li> </ul>

<ul style="list-style-type: none"> <li>• section 106.1 (restriction on use of name by collector)</li> </ul>	<ul style="list-style-type: none"> <li>• article 106.1</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 108(1) (trust account)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 108(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 108(2) (withdrawals from trust account)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 108(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 109(2) (submission of audited statements)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 109(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 110(1) (accounting to client for collections)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 110(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 110(2) (accounting for seized goods or chattels)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 110(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 110(4) (disclosure of actions)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 110(4)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 110(5) (surrender of documents)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 110(5)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 123(1) (written contract)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 123(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 123(3) (statement required in contract)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 123(3)</li> </ul>
<ul style="list-style-type: none"> <li>• clause 123(4)(b) (effect of cancellation)</li> </ul>	<ul style="list-style-type: none"> <li>• alinéa 123(4)b)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 123(8) (refund)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 123(8)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 125(1) (maximum term)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 125(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 125(2) (fee payable by instalments)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 125(2)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 125(3) (refund)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 125(3)</li> </ul>
<ul style="list-style-type: none"> <li>• clause 133(1)(b) (effect of cancellation)</li> </ul>	<ul style="list-style-type: none"> <li>• alinéa 133(1)b)</li> </ul>
<ul style="list-style-type: none"> <li>• section 175 (negative option marketing prohibited)</li> </ul>	<ul style="list-style-type: none"> <li>• article 175</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 177(2) (supplier must refund)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 177(2)</li> </ul>
<p><i>Direct Sellers Regulation, M.R. 197/97</i></p>	<p><i>Règlement sur les démarcheurs, R.M. 197/97</i></p>
<ul style="list-style-type: none"> <li>• section 2 (content of retail sale or retail hire-purchase agreement)</li> </ul>	<ul style="list-style-type: none"> <li>• article 2</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 3(1) (statement of cancellation rights)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 3(1)</li> </ul>
<ul style="list-style-type: none"> <li>• subsection 3(2) (where statement not on face of agreement)</li> </ul>	<ul style="list-style-type: none"> <li>• paragraphe 3(2)</li> </ul>

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- subsection 3(3) (where statement in a separate document)

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*Internet Agreements Regulation,*  
M.R. 176/2000

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- subsection 3(1) (information to be provided to the seller)
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- paragraphe 3(3)

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*Règlement sur les conventions Internet,*  
R.M. 176/2000

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- paragraphe 3(1)
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