



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

CONSUMER REPORTING ACT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to July 1, 2012. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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CONSUMER REPORTING ACT
Chapter C-20
REGULATIONS

Made by the Lieutenant Governor in Council under the *Consumer Reporting Act* R.S.P.E.I. 1988, Cap. C-20

REGISTRATION

1. Form of application

(1) An application for registration as a consumer reporting agency shall be in Form 1.

Renewal of license

(2) A renewal of license shall be in Form 2.

Registration of investigator

(3) A registration as a personal information investigator shall be in Form 3. (EC170/75)

2. Fees

Fees payable to the Registrar are as follows:

- (a) upon application for registration as a consumer reporting agency,.....\$200.00
- (b) for each branch office,40.00
- (c) upon application for renewal of license of a consumer reporting agency,100.00
- (d) upon application for registration as a personal information investigator,.....40.00

(EC170/75; 377/85; 349/12)

TERMS AND CONDITIONS OF REGISTRATION

3. Expiration and renewal

Every registration shall remain in force for a period not exceeding two years, shall expire on such date as may be specified therein, and, may be renewed by the registrar on application therefor. (EC377/85)



4. Registration, qualifications

- (1) No person shall be registered as a consumer reporting agency or a personal information investigator unless the applicant
- (a) in the case of an individual, is the full age of eighteen years, is a Canadian citizen or has been lawfully admitted to Canada, and is ordinarily resident in Canada;
 - (b) in the case of a partnership, each member of the partnership is the full age of eighteen years, is a Canadian citizen or has been lawfully admitted to Canada, and is ordinarily resident in Canada;
 - (c) in the case of a corporation, the corporation is incorporated in Canada, and is registered to do business in Prince Edward Island.

Idem

- (2) No person shall be registered as a consumer reporting agency or a personal information investigator unless the applicant
- (a) in the case of an individual, has at least two years of actual related experience in all phases of consumer reporting;
 - (b) in the case of a partnership, each member of the partnership has at least two years of actual related experience in all phases of consumer reporting;
 - (c) in the case of a corporation, the principal officers of the corporation and the managers of the head office and of each branch thereof, have at least two years of actual related experience in all phases of consumer reporting. *(EC170/75)*

5. Persons excepted

A personal information investigator does not include a permanent and full-time employee of a consumer reporting agency who carries out investigations for his employer without special or separate remuneration. *(EC170/75)*

6. Address

Every applicant for registration shall state in the application an address for service in Prince Edward Island and notification of any change shall be made to the Registrar forthwith. *(EC170/75)*

7. Office open to the public

Every person registered as a consumer reporting agency shall operate from a fixed place of business in Prince Edward Island that shall be open to the public during normal business hours. *(EC170/75)*

8. Branch office

No registrant shall operate a branch office in Prince Edward Island unless such branch office has been authorized by the registration. *(EC170/75)*

9. Return of certificate

Where the registration of a consumer reporting agency is revoked or suspended or where the registrant has voluntarily gone out of business, he shall immediately return his certificate of registration to the Registrar. *(EC170/75)*



10. Changes in ownership

For the purposes of compliance with clause 14(c) of the Act, the disclosure of any change in the ownership of shares will only be required where the ownership of twenty-five per cent or more of the voting shares is changed. (EC170/75)

11. Information to be supplied

An applicant for registration or for renewal of registration, or registered consumer reporting agency shall furnish the Registrar with information or material concerning its officers, organization and operating practices and procedures and such information will be furnished within a specified time limit and may require verification by affidavit if so requested by the Registrar. (EC170/75)

12. Records of consumer report

- (1) Every consumer reporting agency registered under the Act shall keep and retain in the files at his business address in the province the original records with respect to personal information contained in any consumer report made under the Act.

Credit information

- (1.1) For the avoidance of doubt it is declared that subsection (1) does not preclude the keeping and retention of credit information for the purpose of any consumer report at a location outside the province.

Idem

- (2) The records referred to in subsection (1) shall be open to inspection by the Registrar or an investigator appointed under section 16 or 17 of the Act and a copy of any record shall be given to the Registrar or an investigator upon request. (EC345/81; 584/88)

FORM 1

OFFICE OF THE ATTORNEY GENERAL CONSUMER SERVICES DIVISION - REGISTRATION OFFICE

CONSUMER REPORTING ACT

APPLICATION FOR REGISTRATION

Application is made for registration under the *Consumer Reporting Act* as a Consumer Reporting Agency and the following statements of fact are made in respect thereof:

Separate schedules or particulars MUST be attached if space on this form is not sufficient.

1. (a) Name under which applicant will carry on business
.....

(b) Head Office Address
.....

(c) Business Address (chief place of business in Prince Edward Island)
.....

(d) Address of Branch Office(s) if any
.....

(e) Telephone Number

2. Indicate by a check mark whether Individual (), Partnership (), or Corporation (). Please give particulars below as indicated.

Name in Full	Home Address or Street No. and City	Office Held or Title

3. Length of time applicant has been doing business as a Consumer Reporting Agency in
Canada
Prince Edward Island
Other

4. The applicant's consumer reports will be developed from information contained or stored in a repository located in Canada at the following address(es):
.....
.....
.....

5. Information developed in Prince Edward Island will be forwarded to repositories at the following address(es):
.....
.....
.....

6. Attached hereto and forming part of this application are copies of all report forms, contracts, fee structures and agreements used by the applicant in the course of doing business.
.....
.....
.....

7. The applicant, partner, officer, or director is or has been registered or licensed under a law respecting the registration or licensing of a Consumer Reporting Agency in another province, state or country. If yes, give full particulars. Yes () No ()

.....
.....
.....

8. The applicant, or a partner, officer, or director, has been refused a license or registration under a law respecting registration or licensing of a Consumer Reporting Agency in a province, state or country, and has had a license or registration suspended or cancelled under such law or laws. If yes, give full particulars. Yes () No ()

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.....
.....

9. The applicant is/is not (strike out as necessary) presently licensed under the *Collection Agencies Act* of Prince Edward Island.

.....
.....

10. The name of the bank and branch through which the applicant's banking business is transacted in Prince Edward Island is:

.....
.....

11. Has the applicant or any of the persons listed in Item 2 preceding been convicted of a criminal offence within the last seven years. If yes, give full particulars. Yes () No ()

.....
.....

12. The applicant, individual or partner of the applicant, partnership or officer of the applicant corporation has gone into bankruptcy in the past or is presently party to bankruptcy proceedings; if yes, give full particulars (this information need not be disclosed if a discharge of bankruptcy has been granted more than seven years ago).

Yes () No ()

.....
.....

13. Have any judgments been registered against the applicant individual, partnership or corporation; if yes, give full particulars including whether or not these have been satisfied.

Yes () No ()

.....
.....

DATED AT..... this day of 20....

.....
Name of Applicant

By
Signature of Applicant, Partner
or Corporation Official

.....
Official Capacity



FORM 2

OFFICE OF THE ATTORNEY GENERAL
CONSUMER SERVICES DIVISION - REGISTRATION OFFICE
CONSUMER REPORTING ACT

APPLICATION FOR RENEWAL

FEE

REGISTRATION NO.

Application for renewal is made for registration under the Consumer Reporting Act of a Consumer Reporting Agency and the following statements of fact are made in respect thereof:

(All information to be printed or typed - use separate schedule if space insufficient)

- 1. A. Name
B. Business Address
C. Address of Branch office(s) if any
D. Address for Service - Same as B above or
E. Name of registered agent in Province of Prince Edward Island, if applicable
Telephone Number

2. Attached hereto and forming part of this application are copies of all report forms, contracts, fee structures, agreements used by the applicant in the course of doing business.

3. Judgment(s) has/have been filed against the applicant within the previous 12 months. If yes, give particulars. Yes () No ()

4. Has the applicant, partner, director or an officer, been convicted of a criminal offence within the previous 12 months or have any pending charges against him regarding any criminal or summary conviction matters where the charges have not been dismissed, set aside, withdrawn or in respect of which a stay of proceedings has been entered. If yes, give particulars. Yes () No ()

5. Since the last registration, has the applicant, a partner or a director or an officer, become A. a discharged or undischarged bankrupt; or B. is he(they) presently a party to bankruptcy proceedings. Yes () No () If Yes, give full particulars.

.....

6. State the number of inquiries received from consumers requesting disclosure as provided under section 11 of the Consumer Reporting Act during the past 12 months.

.....

7. State briefly whether there has been a change in any other material part of your operation since you filed your application for registration or from your last renewal for registration, whichever is applicable, including but not to restrict the generality of the foregoing, the following matters: method of transacting business, including the bank through which business is transacted; use and location of information repositories; inter-relationship with other consumer reporting agencies; registration or suspension or cancellation of the licensing of a consumer reporting agency in another province, state or country; licensing or registration to operate a business under an Act of Prince Edward Island or Canada; or association with an independent collection agency.

DATED AT..... this day of 20....

.....
Name of Applicant

By
Signature of Applicant, Partner
or Corporation Official

.....
Official Capacity

FORM 3

OFFICE OF THE ATTORNEY GENERAL

CONSUMER SERVICES DIVISION - REGISTRATION OFFICE CONSUMER REPORTING

APPLICATION FOR REGISTRATION AS A PERSONAL INFORMATION INVESTIGATOR

The undersigned applies to the Registrar for registration as a personal information investigator under the *Consumer Reporting Act* and in support of this application gives the following information.

1. Name of applicant (in full)

Address of residence (giving street, number and municipality).....

Address for service (if different from above).....

Telephone Number.....

2. Name of prospective employer

Address

3. Place of residence (during the three years immediately prior to the date of this application)

Address in full

Period of residence

4. Age of applicant

5. Will you be engaged or employed in any business, occupation or profession other than a personal information investigator? Yes () No () If yes, give full particulars.

6. Business record of the applicant during the past three years.

7. Have you ever been convicted under any law of any country or state or province thereof of a criminal offence or are there any proceedings now pending. Yes () No () If yes, give full particulars.



8. Are you,
(a) a discharged or undischarged bankrupt; or
(b) presently a party to bankruptcy proceedings,
or have you ever been involved as an officer or director or majority shareholder with a corporation that is bankrupt or that is presently a party to bankruptcy proceedings?
Yes () No () If yes, give full particulars including dates.

.....
.....
.....

9. Is there any unpaid judgment(s) outstanding against you? Yes () No ()
If yes, give full particulars.

.....
.....

10. Have you ever been licensed or registered as a personal information investigator anywhere, including the Province of Prince Edward Island? Yes () No ()
If yes, give full particulars.

.....
.....
.....

11. Has any license or registration of any kind been refused you or suspended or cancelled?
Yes () No () If yes, give full particulars.

.....
.....
.....

12. Have you ever been expelled or suspended from any professional association, society or organization? Yes () No () If yes, give full particulars.

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.....
.....

13. The applicant asks for registration for the period ending on the 31st day of May, 20

DATED AT..... this day of 20

.....
Name of Applicant

By
Signature of Applicant, Partner
or Corporation Official

.....
Official Capacity