

PROPOSED AMENDMENT TO BILL 7

Honourable Mike Farnworth to move, in Committee of the Whole, on
Bill 7

Business Practices and Consumer Protection Amendment Act, 2019

to amend as follows:

SECTION 10, in the proposed sections 112.24 and 112.27, by deleting the text shown as struck out and adding the underlined text as shown:

Payment must be payable to high-cost credit grantor

112.24 A high-cost credit grantor must not require, request or accept a cheque, pre-authorized debit or other negotiable instrument from a borrower unless the instrument

- (a) is made payable to the high-cost credit grantor directly, and
- (b) states the ~~date on which the funds will be transferred~~ frequency of payments to be made to the high-cost credit grantor.

Repeated attempts by high-cost credit grantor to access payment prohibited

112.27 (1) ~~A~~ Subject to subsection (2), a high-cost credit grantor must not present, more than once, a cheque, pre-authorized debit or other negotiable instrument provided by the borrower in exchange for regularly scheduled payments, or initiate, more than once, an electronic funds transfer, for the purpose of processing a regularly scheduled payment.

(2) If a high-cost credit grantor attempts to process a regularly scheduled payment and the payment is dishonoured, the high-cost credit grantor may make one additional attempt to process the payment by presenting a cheque, pre-authorized debit or other negotiable instrument or initiating an electronic funds transfer, as referred to in subsection (1), if

- (a) the additional attempt to process the payment is for the same payment amount as the first attempt, and
- (b) the additional attempt to process the payment is made within 30 days after the high-cost credit grantor received notice that the first payment was dishonoured.

The Honourable Mike Farnworth