

1975 Bill 215

~~ALBERTA~~ Session, 17th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 215

THE CONSUMER RECORDS ACT

MR. WILSON

First Reading

Second Reading

Third Reading

Bill 215
Mr. Wilson

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1975

THE CONSUMER RECORDS ACT

(Assented to , 1975)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. (1) In this Act,

- (a) "consumer" means a natural person but does not include a person engaging in a transaction, other than relating to employment, in the course of carrying on a business, trade or profession;
- (b) "consumer report" means a written, oral or other communication by a consumer reporting agency of credit information or personal information, or both, pertaining to a consumer for consideration in connection with a purpose set out in clause (d) of subsection (1) of section 8;
- (c) "consumer reporting agency" means a person who for gain or profit or on a regular co-operative non-profit basis furnishes consumer reports;
- (d) "credit information" means information about a consumer as to name, age, occupation, place of residence, previous places of residence, marital status, spouse's name and age, number of dependants, particulars of education or professional qualifications, places of employment, previous places of employment, estimated income, paying habits, outstanding debt obligations, cost of living obligations and assets;
- (e) "Director" means the Director of the Consumer Affairs Branch;
- (f) "employment purposes" means the purposes of taking into employment, granting promotion, reassigning employment duties or retaining as an employee;
- (g) "file", when used as a noun, means all of the information pertaining to a consumer that is recorded and retained by a consumer reporting agency, regardless of the manner or form in which the information is stored;

Explanatory Notes

1. The Bill regulates the giving of consumer reports and governs the disclosure and review of the information. Information as to credit history and as to character and health is included in the controls.

The main principles include the following:

1. Consumer reporting agencies are required to be registered.
2. Persons ordering consumer reports are required to notify the consumer.
3. If a credit information results in adverse action, the creditor is required to notify the consumer of the report.
4. The consumer may inspect all the information about him in the files of any consumer reporting agency.
5. The consumer may have information corrected, through the authority of a tribunal, if necessary.
6. The information that may be included in a consumer report is restricted to maintain a standard of accuracy, recency and corroboration.

- (h) "Minister" means the Minister of Consumer Affairs;
 - (i) "person" means a natural person, an association of natural persons, a partnership or a corporation;
 - (j) "personal information" means information other than credit information about a consumer's character, reputation, health, physical or personal characteristics or mode of living or about any other matter concerning the consumer;
 - (k) "personal information investigator" means a person who obtains or reports personal information to a consumer reporting agency for hire or reward;
 - (l) "Registrar" means the Registrar of Consumer Reporting Agencies;
 - (m) "regulations" means the regulations made under this Act;
 - (n) "Tribunal" means The Commercial Registration Appeal Tribunal.
- (2) This Act applies notwithstanding any agreement or waiver to the contrary.

2. (1) There shall be a Registrar of Consumer Reporting Agencies who shall be appointed in accordance with The Public Service Act.

(2) The Registrar may exercise the powers and shall perform the duties conferred or imposed upon him by or under this Act under the supervision of the Director.

3. No person shall conduct or act as a consumer reporting agency or act as a personal information investigator unless he is registered by the Registrar under this Act.

4. (1) An applicant is entitled to registration or renewal of registration as a consumer reporting agency by the Registrar except where,

- (a) having regard to his financial position, the applicant cannot reasonably be expected to be financially responsible in the conduct of his business; or
- (b) the past conduct of the applicant affords reasonable grounds for belief that he will not carry on business in accordance with law and with integrity and honesty; or
- (c) the applicant is a corporation and,
 - (i) having regard to its financial position, it cannot reasonably be expected to be financially responsible in the conduct of its business, or

- (ii) the past conduct of its officers or directors affords reasonable grounds for belief that its business will not be carried on in accordance with law and with integrity and honesty; or
- (d) the applicant is carrying on activities that are, or will be, if the applicant is registered, in contravention of this Act or the regulations.

(2) An applicant is entitled to registration or renewal of registration as a personal information investigator by the Registrar except where the past conduct of the applicant affords reasonable grounds for belief that he will not carry out his duties in accordance with law and with integrity and honesty.

(3) A registration is subject to such terms and conditions to give effect to the purposes of this Act as are imposed by the Tribunal or prescribed by the regulations.

(4) A registration is not transferable.

5. (1) Subject to section 6, the Registrar may refuse to register an applicant where in the Registrar's opinion the applicant is disentitled to registration under section 4.

(2) Subject to section 6, the Registrar may refuse to renew or may suspend or revoke a registration for any reason that would disentitle the registrant to registration under section 4 if he were an applicant, or where the registrant is in breach of a term or condition of the registration.

6. (1) Where the Registrar proposes to refuse to grant or renew a registration or proposes to suspend or revoke a registration, he shall serve notice of his proposal, together with written reasons therefor, on the applicant or registrant.

(2) A notice under subsection (1) shall inform the applicant or registrant that he is entitled to a hearing by the Tribunal if he mails or delivers, within fifteen days after the notice under subsection (1) is served on him, notice in writing requiring a hearing to the Registrar and the Tribunal, and he may so require such a hearing.

(3) Where an applicant or registrant does not require a hearing by the Tribunal in accordance with subsection (2), the Registrar may carry out the proposal stated in his notice under subsection (1).

(4) Where an applicant or registrant requires a hearing by the Tribunal in accordance with subsection (2), the Tribunal shall appoint a time for and hold the hearing and, on the application of the Registrar at the hearing, may by order direct the Registrar to carry out his proposal or

refrain from carrying out his proposal and to take such action as the Tribunal considers the Registrar ought to take in accordance with this Act and the regulations, and for such purposes the Tribunal may substitute its opinion for that of the Registrar.

(5) The Tribunal may attach such terms and conditions to its order or to the registration as it considers proper to give effect to the purposes of this Act.

(6) The Registrar, the applicant or registrant who has required the hearing and such other persons as the Tribunal may specify are parties to proceedings before the Tribunal under this section.

(7) Notwithstanding subsection (1), the Registrar may cancel a registration upon the request in writing of the registrant in the prescribed form surrendering his registration.

(8) Where within the time prescribed therefor or, if no time is prescribed, before expiry of his registration, a registrant has applied for renewal of his registration and paid the prescribed fee, his registration shall be deemed to continue,

(a) until the renewal is granted; or

(b) where he is served with notice that the Registrar proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing has expired and, where a hearing is required, until the Tribunal has made its order.

7. A further application for registration may be made upon new or other evidence or where it is clear that material circumstances have changed.

8. (1) No consumer reporting agency and no officer or employee thereof shall knowingly furnish any information from the files of the consumer reporting agency except,

(a) in response to the order of a court having jurisdiction to issue such an order;

(b) in accordance with the written instructions of the consumer to whom the information relates;

(c) in response to an order or direction made under this Act; or

(d) in a consumer report given to a person who it has reason to believe,

(i) intends to use the information in connection with the extension of credit to or the purchase or collection of a debt of the consumer to whom the information pertains,

- (ii) intends to use the information in connection with the entering into or renewal of a tenancy agreement,
- (iii) intends to use the information for employment purposes,
- (iv) intends to use the information in connection with the underwriting of insurance involving the consumer,
- (v) intends to use the information to determine the consumers eligibility for any matter under a statute or regulation where the information is relevant to the requirement prescribed by law,
- (vi) otherwise has a direct business need for the information in connection with a business or credit transaction involving the consumer, or
- (vii) intends to use the information for the purpose of up-dating the information in a consumer report previously given to him for one of the reasons referred to in subclauses (i) to (vi).

(2) No person shall knowingly obtain any information from the files of a consumer reporting agency respecting a consumer except for the purposes referred to in subsection (1).

(3) Notwithstanding subsections (1) and (2), a consumer reporting agency may furnish identifying information respecting any consumer, limited to his name, address, former addresses, places of employment, or former places of employment, to the Government of Alberta or of Canada or any province thereof or of any agency of such government or the government of any municipality in Canada or any agency thereof or to any police officer acting in the course of his duties, notwithstanding that such information is not to be used for a purpose mentioned in clause (d) of subsection (1).

(4) No person who is or has been registered as a consumer reporting agency shall sell, lease or transfer title to its files or any of them except to a consumer reporting agency registered under this Act.

9. (1) Every consumer reporting agency shall adopt all procedures reasonable for ensuring accuracy and fairness in the contents of its consumer reports.

- (2) A consumer reporting agency shall not report,
 - (a) any information that is not stored in a form capable of being produced under section 11;
 - (b) any information that is not extracted from information appearing in files stored or collected in a repository located in Canada regardless of whether

or not the information was obtained from a source outside Canada, except where the consumer report is in writing and contains the substance of any prior information orally acquired that conforms to the requirements of this Act.

(3) A consumer reporting agency shall not include in a consumer report,

- (a) any credit information based on evidence that is not the best evidence reasonably available;
- (b) any unfavourable personal information unless it has made reasonable efforts to corroborate the evidence on which the personal information is based, and the lack of corroboration is noted with and accompanies the information;
- (c) information as to judgments after seven years after the judgment was given, unless the creditor or his agent confirms that it remains unpaid in whole or in part, and such confirmation appears in the file;
- (d) information as to any judgment against the consumer unless mention is made of the name and, where available, the address of the judgment creditor or his agent as given at the date of entry of the judgment and the amount;
- (e) information as to the bankruptcy of the consumer after seven years from the date of the discharge except where the consumer has been bankrupt more than once;
- (f) information regarding any judgments, collections or debts that on their face are statute barred unless it is accompanied by evidence appearing in the file that recovery is not barred by the expiration of a limitation period;
- (g) information as to the payment or non-payment of taxes or lawfully imposed fines after seven years;
- (h) information as to convictions for crimes, after seven years from the date of conviction or, where the conviction resulted in imprisonment, from the date of release or parole, provided information as to convictions for crimes shall not be reported if at any time it is learned that after a conviction an absolute discharge or a full pardon has been granted;
- (i) information regarding writs that are more than seven years old or writs that were issued against the consumer more than twelve months prior to the making of the report unless the consumer reporting agency has ascertained the current status of the action and has a record of this on file;

- (j) information regarding any criminal charges against the consumer where the charges have been dismissed, set aside or withdrawn;
- (k) any other adverse item of information where more than seven years have expired since the information was acquired or last reaffirmed;
- (l) information as to race, religious beliefs, colour, sex, ancestry, place of origin, or political affiliation; or
- (m) any information given orally in the consumer report unless the content of the oral report is recorded in the file;

(4) Every consumer reporting agency shall maintain in its file respecting a person all the material and information of which the person is entitled to disclosure under section 11.

10. (1) Every person shall, where requested by a consumer in writing or personally, inform the consumer whether or not a consumer report respecting him has been or is to be referred to in connection with any specified transaction or matter in which such person is engaged, and, if so, of the name and address of the consumer reporting agency supplying the report.

(2) No person shall procure from a consumer reporting agency or cause it to prepare a consumer report containing personal information respecting a consumer unless he notifies the consumer of the fact in writing before the report is requested and, where the consumer so requests in writing or personally, he shall inform the consumer of the name and address of the consumer reporting agency supplying the report.

(3) Where a person proposes to extend credit to a consumer and a consumer report containing credit information only is being or may be referred to in connection with the transaction, he shall give notice of the fact to the consumer in writing at the time of the application for credit, or if the application is made orally, orally at the time of the application for credit.

(4) Where, before extending credit, the proposed creditor obtains the acceptance or refusal of an assignment or proposed assignment of the credit transaction by an assignee or proposed assignee, subsection (3) applies to the assignee or proposed assignee in the same manner as to the person proposing to extend credit, but the giving of a notice under subsection (3) by a person proposing to extend credit or under this subsection by his assignee or proposed assignee shall be deemed to be sufficient notice by both.

(5) No person extending credit to a consumer shall divulge to other credit grantors or to a consumer reporting

agency any personal information respecting the consumer except with the consent of the consumer or on his referral unless he notifies the consumer in writing at the time of the application for credit that he intends to do so.

(6) Any notice referred to in this section shall be clearly set forth in bold type or underlined and in letters not less than ten point in size.

(7) Where a benefit is denied to a consumer or a charge to a consumer is increased either wholly or partly because of information received from a consumer reporting agency or a person other than a consumer reporting agency, the user of such information shall deliver to the consumer at the time such action as communicated to the consumer notice of the fact and, upon the request of the consumer made within sixty days after such notice, shall inform the consumer,

- (a) of the nature and source of the information where the information is furnished by a person other than a consumer reporting agency; or
- (b) of the name and address of the consumer reporting agency, where the information is furnished by a consumer reporting agency.

and the notice required to be given by the user under this subsection shall contain notice of the consumers right to request the information referred to in clauses (a) and (b) and the time limited therefor.

11. (1) Every consumer reporting agency shall at the written request of a consumer and during normal business hours clearly and accurately disclose to the consumer, without charge;

- (a) the nature and substance of all information in its files pertaining to the consumer at the time of the request;
- (b) the sources of credit information;
- (c) the names of the recipients of any consumer report pertaining to the consumer that it has furnished, containing.
 - (i) personal information, within the one year period preceding the request, and
 - (ii) credit information, within the six month period preceding the request;
- (d) copies of any written consumer report pertaining to the consumer made to any other person or, where the report was oral, particulars of the content of such oral report, furnished,
 - (i) where the report contains personal information, within the one year period preceding the request, and

(ii) where the report contains credit information, within the six month period preceding the request.

and shall inform the consumer of his right to protest any information contained in the file under sections 12 and 13 and the manner in which a protest may be made.

(2) A consumer reporting agency shall withhold from the disclosures required by subsection (1) any medical information obtained with the written consent of the consumer which the consumers own physician has specifically requested in writing be withheld from the consumer in his own best interest.

(3) The disclosures required under this section shall be made to the consumer,

(a) in person if he appears in person and furnishes proper identification;

(b) by telephone if he has made a written request, with sufficient identification, for telephone disclosure and the toll charge, if any, for the telephone call is prepaid or charged directly to the consumer.

(4) Every consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished to him under this section.

(5) The consumer shall be permitted to be accompanied by one other person of his choosing to whom the consumer reporting agency may be required by the consumer to disclose his file.

(6) The consumer reporting agency shall permit the consumer to whom information is disclosed under this section to make an abstract thereof.

(7) A consumer reporting agency shall require reasonable identification of the consumer and a person accompanying him before making disclosures under this section.

(8) A consumer reporting agency shall not require a consumer to give any undertaking or waive or release any right as a condition precedent to his access to his file under this section.

12. (1) Where a consumer disputes the accuracy or completeness of any item of information contained in his file, the consumer reporting agency within a reasonable time shall use its best endeavours to confirm or complete the information and shall correct, supplement or delete the information in accordance with good practice.

(2) Where a consumer reporting agency corrects, supplements or deletes information under subsection (1), the consumer reporting agency shall furnish notification of the correction, supplement or deletion to,

- (a) all persons who have been supplied with a consumer report based on the unamended file within sixty days before the correction, supplement or deletion is made; and
- (b) the persons specifically designated by the consumer from among those who have been supplied with a consumer report based on the unamended file,
 - (i) where the report contains personal information, within the one year period preceding the correction, supplement or deletion, and
 - (ii) where the report contains credit information, within the six month period preceding the correction, supplement or deletion.

13. (1) The Registrar may order a consumer reporting agency to amend or delete any information, or by order restrict or prohibit the use of any information, that in his opinion is inaccurate or incomplete or that does not comply with the provisions of this Act or the regulations.

(2) The Registrar may order a consumer reporting agency to furnish notification to any person who has received a consumer report of any amendments, deletions, restrictions or prohibitions imposed by the Registrar.

(3) Where the consumer or consumer reporting agency considers himself aggrieved by a decision of the Registrar under this section, he may apply to the Tribunal for a hearing and section 6 applies, *mutatis mutandis*, to the decision in the same manner as to a proposal by the Registrar under section 6 and as if the consumer and the consumer reporting agency each were an applicant or registrant, except that an order of the Registrar may be issued and take effect immediately, but the Tribunal may grant a stay until the order becomes final.

(4) At a hearing before the Tribunal for the purposes of subsection (3), the Tribunal may require the consumer reporting agency to disclose the source of any information contained in its files.

14. Every consumer reporting agency shall, within five days after the event, notify the Registrar in writing of,

- (a) any change in its address for service;
- (b) any change in the officers in the case of a corporation or of the members in the case of a partnership;
and

- (c) any commencement or termination of employment of a personal information investigator.

15. (1) Where the Registrar receives a written complaint in respect of a consumer reporting agency and so directs in writing, the consumer reporting agency shall furnish the Registrar with such information respecting the matter complained of as the Registrar requires.

(2) The direction under subsection (1) shall indicate the nature of the inquiry involved.

(3) For the purposes of subsection (1), the Registrar or any person designated in writing by him may on notice at any reasonable time enter upon the business premises of the consumer reporting agency to make an inspection in relation to the complaint.

16. The Minister may by order appoint a person to make an investigation into any matter to which this Act applies as may be specified in the Minister's order and the person appointed shall report the result of his investigation to the Minister, and for the purposes of the investigation, the person making it has the powers of a commissioner under *The Public Inquiries Act*, which Act applies to such investigation as if it were an inquiry under the Act.

17. (1) Where, upon a statement made under oath, the Director believes on reasonable and probable grounds that any person has,

- (a) contravened any of the provisions of this Act or the regulations; or
- (b) committed an offence under the *Criminal Code* (Canada) or under the law of any jurisdiction that is relevant to his fitness for registration under this Act,

the Director may by order appoint one or more persons to make an investigation to ascertain whether such a contravention of the Act or regulation or the commission of such an offence has occurred and the person appointed shall report the result of his investigation to the Director.

(2) For purposes relevant to the subject-matter of an investigation under this section and, notwithstanding section 8, the person appointed to make the investigation may inquire into and examine the affairs of the person in respect of whom the investigation is being made and may,

- (a) upon production of his appointment, enter at any reasonable time the business premises of such person and examine books, papers, documents, consumer files and things relevant to the subject-matter of the investigation; and

(b) inquire into negotiations, transactions, loans, borrowings made by or on behalf of or in relation to such person and into property, assets or things owned, acquired or alienated in whole or in part by him or any person acting on his behalf that are relevant to the subject-matter of the investigation, and for the purposes of the inquiry, the person making the investigation has the powers of a commissioner under *The Public Inquiries Act*, which Act applies to such inquiry as if it were an inquiry under the Act.

(3) No person shall obstruct a person appointed to make an investigation under this section or withhold from him or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the investigation.

(4) Where a provincial judge is satisfied, upon an *ex parte* application by the person making an investigation under this section, that the investigation has been ordered and that such person has been appointed to make it and that there is reasonable ground for believing there are in any building, dwelling, receptacle or place any books, papers, documents or things relating to the person whose affairs are being investigated and to the subject matter of the investigation the provincial judge may, whether or not an inspection has been made or attempted under clause (a) of subsection (2), issue an order authorizing the person making the investigation, together with such police officer or officers as he calls upon to assist him, to enter and search, if necessary by force, such building, dwelling, receptacle or place for such books, papers, documents or things and to examine them, but every such entry and search shall be made between sunrise and sunset unless the provincial judge, by the order, authorizes the person making the investigation to make the search at night.

(5) Any person making an investigation under this section may, upon giving a receipt therefor, remove any books, papers, documents or things examined under clause (a) of subsection (2) or subsection (4) relating to the person whose affairs are being investigated and to the subject-matter of the investigation for the purpose of making copies of such books, papers or documents, but such copying shall be carried out with reasonable dispatch and the books, papers or documents in question shall be promptly thereafter returned to the person whose affairs are being investigated.

(6) Any copy made as provided in subsection (5) and certified to be a true copy by the person making the investigation is admissible in evidence in any action, proceeding or prosecution as *prima facie* proof of the original book, paper or document and its contents.

(7) The Minister or Director may appoint any expert to examine books, papers, documents or things examined under clause (a) of subsection (2) or under subsection (4).

18. (1) Every person employed in the administration of this Act, including any person making an inquiry, inspection or an investigation under section 15, 16 or 17 shall preserve secrecy in respect of all matters that come to his knowledge in the course of his duties, employment, inquiry, inspection or investigation and shall not communicate any such matters to any other person except,

- (a) as may be required in connection with the administration of this Act and the regulations or any proceedings under this Act or the regulations; or
- (b) to his counsel; or
- (c) with the consent of the person to whom the information relates.

(2) No person to whom subsection (1) applies shall be required to give testimony in any civil suit or proceeding with regard to information obtained by him in the course of his duties, employment, inquiry, inspection or investigation except in a proceeding under this Act or the regulations.

19. (1) Any notice or order required to be given, delivered or served under this Act or the regulations is sufficiently given, delivered or served if delivered personally or sent by registered mail addressed to the person to whom delivery or service is required to be made at his last-known address except that a notice under section 10, 12 or 14 is sufficiently given if sent by ordinary mail.

(2) Where service is made by mail, the service shall be deemed to be made on the third day after the day of mailing unless the person on whom service is being made establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control receive the notice or order until a later date.

20. (1) Where it appears to the Director that any person does not comply with any provisions of this Act, the regulations or an order made under this Act, notwithstanding the imposition of any penalty in respect of such non-compliance and in addition to any other rights he may have, the Director may apply to a judge of the Supreme Court for an order directing such person to comply with such provision, and upon the application, the judge may make such order or such other order as the judge thinks fit.

(2) An appeal lies to the Appellate Division of the Supreme Court from an order made under subsection (1).

21. No person shall knowingly supply false or misleading information to another who is engaged in making a consumer report.

22. (1) Every person who,

- (a) knowingly, furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act or the regulations;
- (b) fails to comply with any order, direction or other requirement made under this Act; or
- (c) contravenes any provision of this Act or the regulations,

and every director or officer of a corporation who knowingly concurs in such furnishing, failure or contravention is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

(2) Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

(3) No proceeding under clause (a) of subsection (1) shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Director.

(4) No proceeding under clause (b) or (c) of subsection (1) shall be commenced more than two years after the time when the subject-matter of the proceeding arose.

23. (1) A statement as to,

- (a) the registration or non-registration of any person;
 - (b) the filing or non-filing of any document or material required or permitted to be filed with the Registrar;
 - (c) the time when the facts upon which proceedings are based first came to the knowledge of the Director;
- or
- (d) any other matter pertaining to such registration, non-registration, filing or non-filing,

purporting to be certified by the Director is, without proof of the office or signature of the Director, receivable in evidence as *prima facie* proof of the facts stated therein for all purposes in any action, proceeding or prosecution.

(2) Any document under this Act purporting to be signed by the Minister, or any certified copy thereof, is receivable in evidence in any action, prosecution or other proceeding as *prima facie* proof that the document is signed by the Minister without proof of the office or signature of the Minister.

24. The Lieutenant Governor in Council may make regulations,

- (a) exempting any class of persons from this Act or the regulations or any provision thereof;
- (b) governing applications for registration or renewal of registration and prescribing terms and conditions of registration;
- (c) requiring the payment of fees on application for registration or removal of registration, and prescribing the amounts thereof;
- (d) requiring registered consumer reporting agencies to be bonded in such form and terms and with such collateral security as are prescribed, and providing for the forfeiture of bonds and the disposition of the proceeds;
- (e) prescribing further procedures respecting the conduct of matters coming before the Tribunal;
- (f) requiring and governing the books, accounts and records relating to the due compliance with the provisions of this Act that shall be kept by consumer reporting agencies;
- (g) prescribing information that may not be reported by a consumer reporting agency or contained in its files;
- (h) prescribing information that must be contained in a consumer report;
- (i) requiring consumer reporting agencies to make returns and furnish information to the Registrar;
- (j) prescribing forms for the purposes of this Act and providing for their use;
- (k) requiring any information required to be furnished or contained in any form or return to be verified by affidavit.

25. (1) The Lieutenant Governor in Council may establish a board to be known as the "Commercial Registration Appeal Tribunal" composed of not more than three members appointed by the Lieutenant Governor in Council.

(2) No member of the Tribunal shall be appointed for a term of more than three years but any member is eligible for reappointment.

(3) The Lieutenant Governor in Council shall prescribe the fees or remuneration to be paid to members of the Tribunal.

(4) The members of the Tribunal shall be paid expenses as prescribed by the regulations for subsistence and traveling while absent from their ordinary places of residence and in the course of their duties as members of the Tribunal.

(5) The Lieutenant Governor in Council shall designate one of the members of the Tribunal as chairman.

(6) In the case of illness, absence or other disability of the chairman, the member with the longest period of service on the Tribunal and present, shall act in the stead of the chairman.

(7) For the purpose of subsection (6) where two persons have an equal period of service on the Tribunal the member earliest named in the order appointing the members and present shall act in the stead of the chairman.

26. (1) Notwithstanding any provision of this Act, a consumer reporting agency is not required to disclose the source of any information acquired before this Act comes into force.

(2) This section is repealed on the 1st day of July, 1975.

27. This Act comes into force on a day to be fixed by proclamation.