

NOTICE OF PUBLIC HEARING TO REVIEW MAXIMUM ALLOWABLE CHARGES AND FEES FOR PAYDAY LOANS

PURSUANT to The Consumer Protection Act (Act) (C.C.S.M.2006 c.2006 c.200) the Manitoba Public Utilities Board (Board) will conduct a public hearing to review charges and fees for payday loans and consider the impacts of possibly reducing the maximum allowable rate from \$17 per \$100 borrowed to \$15 per \$100 borrowed. Additionally, the Board will consider the impacts of reducing the proportion of a borrowers net pay, which is used to determine the maximum loan amount, from 30 percent to 25 percent. These considerations, and other related matters, will be included in the Board's report to the Minister.

Specifically Sec. 164 of the Act provides:

164(2) Within three years after the first regulation under clause 163(1)(f.1) (maximum cost of credit) comes into force, the board must commence a review of

- (a) the meaning of "cost of credit" for the purposes of this Part;
- (b) the maximum cost of credit — or any rate, tariff or formula for determining the maximum cost of credit — that may be charged, required or accepted in respect of a payday loan; and
- (c) the maximum amounts, or the rates, tariffs or formulas for determining the maximum amounts, that may be charged, required or accepted
 - (i) in respect of any component of the cost of credit for a payday loan,
 - (ii) in respect of the extension or renewal of a payday loan,
 - (iii) in respect of a replacement loan, or
 - (iv) in respect of a default by the borrower under a payday loan.

Further, the Board will submit its report to the Minister which will include

- (i) a description of the board's consultation and the results of the consultation, and
 - (ii) the board's recommendations about the matters reviewed under subsection (2); and
- (b) may include any other recommendations about the regulation of payday lenders or payday loans.

HEARING DATES AND LOCATIONS:

A Public Hearing will be held on the following days:

Date: Tuesday, April 12 to Monday, April 18, 2016 at 9:00 a.m.

Location: Board's Hearing Room – 4th floor, 330 Portage Avenue Winnipeg, Manitoba

PARTICIPATION AND SCOPE OF HEARING:

Public Participation as an Intervener

The public may participate in this review as an Intervener. Interveners provide evidence to the Board and are subject to cross-examination. Those seeking Intervener status should file their application with the Board by February 29, 2016. Intervener Application Forms are available on the Board's website at: <http://www.pub.gov.mb.ca/faq.html>

Interveners must identify their reasons for intervention and be prepared to cooperate with other interveners to avoid duplication of interventions.

The Board may determine whether an intervener is entitled to costs for participating in the hearing and may fix the amount of those costs. Criteria defining the award of costs are described in the Board's Rules of Practice and Procedures which are also available on the website.

The Board will issue a procedural order dealing with scope, process and intervener status following the February 29, 2016 filing deadline.

Public Participation as a Presenter

The Public is welcome to provide written submissions to the Board. Written submissions should be received by March 11, 2016.

The public may also present their views orally to the Board during the Hearing. Anyone wishing to present oral submissions to the PUB should contact the Board Secretary by March 11, 2016.

Persons wishing to address the Hearing in French are required to notify the Board's Secretary prior to March 11, 2016.

Scope of Review

Intervener's may also wish to make written submissions regarding the scope of the review and to address any specific issues, beyond the mandatory review requirements that they seek to have the Board consider.

Filing of Information

The Board will set out a timetable for the orderly filing of information and confirm the hearing dates in its Procedural Order.

All material filed by approved Interveners, as well as public presentations, will be provided on the Board's website.

Procedure

The Board's Rules of Practice and Procedure will apply to the conduct of these hearings. All Interveners must familiarize themselves with the Board's requirements. This document is viewable on the Board's website or is available upon request to the Secretary of the Board at 400 - 330 Portage Avenue, Winnipeg, Manitoba, R3C 0C4 or by calling (204) 945-2638 or 1-866-854-3698 (toll free). The Board's email address is publicutilities@gov.mb.ca.

The Manitoba Ombudsman has recently issued privacy guidelines for administrative tribunals. The Board is mindful of its obligations under those guidelines. Its decisions in respect of the Application being considered will be sensitive to the guidelines. Personal information will not be disclosed unless it is appropriate and necessary to do so. However, the Board advises participants that these proceedings are public and that as a result personal information protections are reduced. The proceedings before the Board are transcribed and the transcript is posted on the Board's website. Names of Presenters and their written or oral presentations are included in the publicly available transcripts.

DATED this 14th day of October, 2015.

Darren Christle
Secretary, Public Utilities Board

Wheelchair access available



Five days notice required

