

In April 2014 some changes were made to the *Wireless Services Agreements Act (WSSA)* and the *Wireless Code (Code)*. These laws cover wireless contracts for personal, family or household use.

Contracts for wireless services must be clear and easy to understand. Your wireless provider must also give you a copy of your contract, which must include:

- Your name and the wireless provider's name/contact information
- The date the contract begins, how long the contract lasts and when it expires
- The regular or minimum monthly service costs
- A list of all the services provided and the maximum usage you have for each
- A description of any limits/restrictions you have on your plan
- How your provider will calculate extra fees if you go above your usage limits/restrictions
- A description of any fees that you may have to pay and how those fees are calculated
- A description of any free or discounted items that you get under the contract

Cancellation:

If a wireless service provider does not include the required information in the contract, you can cancel within 1 year and get a full refund. However, you will have to give back any free or discounted items you received under the contract if the provider asks for them.

If you have signed a contract, and then change your mind, you can cancel at no cost within a 15 day-trial period if you follow the rules for cancellation. You must give notice of cancellation, return the phone in near-new condition with its packaging and you must not have gone over usage limits.

If your agreement was **not for a fixed term** and you did not receive a free or discounted device, you cannot be charged a cancellation fee.

If your agreement **was for a fixed term** and you did not receive a free or discounted device, the cancellation fee cannot be more than \$50, or 10% of the price for services for the time left under the agreement (based on a two-year term), whichever is less.

If you received a device for free or at a discount, a cancellation fee can be charged that takes the value of the device into consideration. The WSAA specifies the formula that the provider must use to determine the allowable cancellation fee.

You must also pay for the services you received before cancelling the agreement.

There should be no cancellation fee if you have had your contract for more than two years.

Repairs:

If your phone is being repaired:

- You cannot be billed for wireless services you can't use if you received the device as part of your contract and it's still under warranty
- If your provider lends you a phone:
 - You cannot be charged for the borrowed phone
 - You can still be charged for your regular service

Stolen:

- Let your wireless provider know right away if your cell phone is lost or stolen.
- Once you have reported the loss to your provider:
 - you can't be charged for any calls that another person makes with your phone if those calls add extra charges to your bill
 - you can still be charged for your regular service

You can contact the Federal Commissioner for Complaints for Telecommunications Services (CCTS) if you have a question or complaint at 1-888-221-1687 or by emailing response@ccts-cpst.ca.

For more detailed information see the CALC tip sheet entitled "**Wireless Services Contracts**" (www.communitylegalcentre.ca/legal_information/Tips/Consumer/Cell-Phone-Contracts.pdf)

Article adapted from Government of Ontario website, "Your Rights When Signing a Wireless Service Contract," found at <https://www.ontario.ca/page/your-rights-when-signing-wireless-service-contract>

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