

May 8, 2017; Gift Cards and Expiration Dates

Raise your hand if you've ever had this happen to you: A friend or family member gives you a gift certificate for your birthday. You put the certificate in a drawer and forget about it. A few months later as you're looking for something else you stumble upon the gift certificate. You feel a rush of excitement as you envision finally making your way to the store and scoring that hamburger, CD, or book. Suddenly, your excitement is dashed when you spy the expiration date. Despite the fact that your birthday was only 6 months ago, the date to redeem your gift certificate has come and gone! Damn!

Through the process of virtual imagination, I sense that scores of hands are waving in the air. I suspect that many readers have experienced the frustration caused by an expired gift card or certificate. I certainly have suffered this fate as a result of my habit to procrastinate. In fact, it happened to me very recently. I didn't think that there was anything I could do about it.

However, as I was researching family-related laws passed by the 33rd Guam Legislature, I came across a law passed in the 32nd Guam Legislature that gives me hope! Public Law 32-108 specifically addresses gift certificates and gift cards sold by businesses on Guam. The statute is closely linked to a federal law known as the Credit Card Accountability Responsibility and Disclosure Act of 2009, but provides specific provisions governing gift certificates and cards sold on Guam.

I wondered if the Consumer Protection Division of the Attorney General's Office could provide me with further details. I contacted the office and was referred to helpful online guide that summarizes the law. To request a copy send an email to: balvarez@guamag.org

Here are some of the law's specifics:

- Gift cards and gift certificates that are purchased and redeemable for a set amount of money may not expire within five years of the date of purchase.
- These include cards, codes, or paper slips issued by a business that are purchased and may be redeemed for such services as massages, food, clothes, toys, books, among other items and activities.
- Paper gift certificates must have a clear date of issue printed on the document. If no date of issue is provided or it is unclear, the gift certificate does *not* expire.
- When purchasing an electronic gift card, the store must provide the date of issue and the date of expiration. This information can be provided by a print receipt, online, or through a toll-free hotline.
- The law applies to any gift card or certificate issued after February 10, 2014, the date the law went into effect.

There are some exceptions under the law. For example, promotional, award, or loyalty program items given out by a merchant for free aren't covered under the

law. Also, phone cards are not considered gift cards and therefore are also exempted.

So, if you have an expired gift card that falls under the protection of this law, take a copy of the Attorney's General's flyer to the merchant and insist on redeeming the card. If the merchant refuses, call the Attorney General's Consumer Protection Division at 475-3324 extension 3320.