

PENALTY AND INTEREST POLICY

KEY FEATURES:

- **Penalty and/or interest charges will apply to:**
 - **New Members who fail to meet their registration obligations in accordance with the registration deadlines;**
 - **Members whose Ontario One Call fees are not paid within 30 days of the invoice date;**
 - **Members and Excavators who have failed to pay an Administrative Penalty (a “Penalty”) within 30 days**

I. Overview

1. This Policy provides guidance to Members and Excavators regarding penalties and interest permitted by the Ontario One Call Rules (the “**Rules**”).
2. Capitalized terms have the same meanings as provided for in the Rules.
3. Nothing in this Policy limits Ontario One Call’s ability to undertake any of the actions provided in the Rules or By-Laws.

II. Purpose

4. The Penalty and Interest Policy promotes fairness and consistency for Members, Excavators, and Ontario One Call (collectively, “**Stakeholders**”). It supports Ontario One Call’s ability to operate in a cost-effective manner by applying a set of consistent penalties and interest to serve as a deterrent to non-compliance regarding payment deadlines.

III. Scope

5. The Penalty and Interest Policy applies to all Members and Excavators with respect to Ontario One Call fees and Administrative Penalties.

IV. Policy

6. Penalties and interest will be applied by Ontario One Call in the scenarios outlined in the following chart:

Scenario	Step I	Step II
New Member Not Registered New Ontario One Call Members must register within 30 days of meeting the criteria for Membership in Ontario One Call	31 to 120 Days For new Members that Register between the 31st and 120th day past the day on which they met the criteria for Membership in Ontario One Call under the Rules: Fees calculated and imposed in accordance with the date on which the new Member met the membership criteria in the Rules Penalty of 5% of all fees	After 120 Days For new Members that Register on or after the 120th day past the day on which they met the criteria for Membership in Ontario One Call under the Rules: Fees calculated and imposed in accordance with the date on which the new Member met the membership criteria in the Rules Penalty of 10% of all fees
Member's Fees not Paid within 30 Days of Invoice Date Member is registered with Ontario One Call but has not paid its fees in accordance with the 30-day payment requirement	31 to 120 Days Between the 31st day past the invoice date and 120th day past the invoice date: Interest on the outstanding amount of 19.56 % per annum, compounded monthly	After 120 Days Beginning the 120th day past the invoice date: In addition to the continued accrual of interest in accordance with Step I, a penalty of 10 % of the amount of fees that remain unpaid as of the 120th day and a further compounded 10 % penalty for each 120 day period or part thereof thereafter.
Administrative Penalty not Paid by Deadline in Order Ontario One Call has issued an Administrative Penalty to a Member or Excavator and: The Administrative Penalty remains unpaid after the Payment Deadline in the Order in the absence of an appeal; or In accordance with section 17.3(6) of the Act, the Appeal Body has issued an order which takes effect immediately and the Member or Excavator has not obtained a stay from the Divisional Court.	31 to 120 Days Between the 1st day and 120th day past the Payment Deadline in the Order: Interest on the outstanding amount of 19.56 % per annum, compounded monthly; and a late fee of 5 % of the total amount of the administrative penalty	After 120 Days Beginning the 120th day past the Payment Deadline in the Order: In addition to the continued accrual of interest at 19.56 % per annum , a late fee of 10 percent of the amount of the administrative penalty that remains unpaid as of the 120th day; and a further compounded 10 % penalty for each 120 day period or part thereof thereafter during which the administrative penalty remains unpaid.