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Canada

Department of Justice  
Canada

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Services juridiques

Competition Bureau Legal  
Services

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COMPETITION TRIBUNAL  
TRIBUNAL DE LA CONCURRENCE

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CT-2025-001  
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**VIA EMAIL**

March 17, 2026

**Re: Commissioner of Competition v. Canada's Wonderland Company (CT-2025-001)**

Dear Madam Justice Gagné:

Pursuant to Rule 81(1) of the *Competition Tribunal Rules*, the Commissioner of Competition brings this informal motion seeking leave to amend his Notice of Application in the above referenced matter. Specifically, the Commissioner seeks an order permitting the amendment of the Application to add Six Flags Entertainment Corporation ("**Six Flags**") as a respondent to this proceeding. The proposed amended Notice of Application is attached.

Leave is sought pursuant to Rule 104(1)(b) of the *Federal Courts Rules*. Six Flags satisfies both bases for joinder under that provision. In particular, Six Flags is directly affected by the relief sought in this proceeding. In addition, its participation as a respondent will assist in ensuring that the matters in issue in this proceeding are fully and effectively determined.

The proposed amendments arise from admissions made during discovery and will cause no prejudice. The Commissioner does not seek additional discovery as a result of the proposed amendments nor to change the schedule.

Counsel for Canada's Wonderland has confirmed that they also act for Six Flags and will accept service on its behalf. They consent to the proposed amendments on the understanding that the Commissioner does not seek additional discovery or any modification to the existing schedule as a result of the proposed amendments, and without prejudice to any position Wonderland and/or Six Flags may take in this proceeding going forward.

If the motion is granted, Wonderland and Six Flags would retain the right to file an amended response to the Application, and the Commissioner would correspondingly be entitled to file an amended reply.

Regards,

*Jonathan Hood*

Jonathan Hood

CT-2025-001

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for an order pursuant to section 74.1 of the *Competition Act* regarding conduct reviewable pursuant to paragraph 74.01(1)(a) and as clarified for greater certainty by subsection 74.01(1.1) of the *Competition Act*;

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

– and –

**CANADA'S WONDERLAND COMPANY AND SIX FLAGS  
ENTERTAINMENT CORPORATION**

**Respondents**

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**AMENDED NOTICE OF APPLICATION**

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**TAKE NOTICE** that the Commissioner of Competition (the “**Commissioner**”) will make an application (the “**Application**”) to the Competition Tribunal (the “**Tribunal**”) for an order pursuant to section 74.1 of the *Competition Act*, R.S.C. 1985, c. C-34, as amended (the “**Act**”), in respect of conduct reviewable pursuant to paragraph 74.01(1)(a) and as clarified for greater certainty by subsection 74.01(1.1) of the Act.

**AND TAKE NOTICE** that the Commissioner relies on the following Statement of Grounds and Material Facts in support of this Application and on such further or other material as counsel may advise and the Tribunal may permit.

**AND TAKE NOTICE** that if you do not file a Response with the Registrar of the Tribunal within 45 days of the date upon which this Application is served upon you, the Tribunal may, upon application by the Commissioner and without further notice, make such order or orders as it may consider just, including the order sought in this Application.

TO: **Canada's Wonderland Company**

9580 Jane Street  
Vaughan, Ontario  
L6A 1S6

**Six Flags Entertainment Corporation**

8701 Red Oak Boulevard  
Charlotte, North Carolina  
28217

**APPLICATION**

1. The Commissioner makes this Application pursuant to section 74.1 of the Act for:
  - a. a declaration that the Respondents, Canada's Wonderland Company ("**Canada's Wonderland**") and Six Flags Entertainment Corporation ("**Six Flags**") (collectively "**Wonderland**"), have engaged in, and continue to engage in, reviewable conduct contrary to paragraph 74.01(1)(a) and as clarified for greater certainty by subsection 74.01(1.1) of the Act;
  - b. an order prohibiting Wonderland from engaging in the reviewable conduct or substantially similar reviewable conduct in Canada for a period of ten years from the date of such order;
  - c. an order requiring Wonderland to publish or otherwise disseminate notices of the determinations made herein pursuant to paragraph 74.1(1)(b) of the Act in such manner and at such times as the Commissioner may advise and this Tribunal may permit;
  - d. an order requiring Wonderland to pay such an administrative monetary penalty as the Tribunal deems appropriate;
  - e. an order requiring Wonderland to pay an amount, not exceeding the total amounts paid to Wonderland for the products in respect of which the reviewable conduct was engaged in, to be distributed among those persons to whom the products were sold, in an amount and manner to be assessed by the Tribunal;
  - f. costs; and
  - g. such further and other relief as the Commissioner may advise and this Tribunal may permit.

## STATEMENT OF GROUNDS AND MATERIAL FACTS

### I. OVERVIEW

1. Canadians seeking to enjoy all that Wonderland has to offer cannot purchase park admission or related services, such as parking and Fast Lane passes, at Wonderland's advertised prices. Those advertised prices are unattainable online because they omit a mandatory fixed processing fee.
2. Wonderland has engaged in this deceptive marketing practice, known as drip pricing, since at least June 2022 when the Act was amended to deem this type of conduct misleading. The processing fee is an ongoing source of revenue for Wonderland.

### II. THE PARTIES

3. The Commissioner is an officer appointed by the Governor in Council pursuant to section 7 of the Act and is responsible for the administration and enforcement of the Act.
4. Canada's Wonderland is incorporated under the *Companies Act* of Nova Scotia, is registered to do business in Ontario as an extra-provincial corporation pursuant to the Ontario *Extra-Provincial Corporations Act*, and is a subsidiary of ~~the American-based~~ Six Flags Entertainment Corporation. Its registered head office is located at 9580 Jane Street, Vaughan, Ontario, L6A 1S6. Wonderland's park is a dual amusement and water park situated on 300 acres in Vaughan, Ontario.
5. Headquartered in Charlotte, North Carolina, Six Flags is incorporated under the laws of Delaware. As the parent company of Canada's Wonderland, Six Flags ultimately controls Canada's Wonderland's operations by setting prices and the processing fee; determining the manner in which prices and the processing fee are advertised to the

public; and overseeing and directing corporate compliance in relation to those pricing and advertising practices. In doing so, Six Flags directs and controls the representations at issue in this proceeding.

6. Wonderland operates Canada's largest amusement park featuring over 200 attractions including 18 roller coasters and a 20-acre water park (the "**Park**"). It sells a variety of Park related products and services through its website, formerly Canadaswonderland.com and now Sixflags.com/canadaswonderland ("**Online**"), including for example, Park admissions (such as seasons passes or daily tickets) and services such as VIP lounge access, parking, food and drinks, Fun Pix digital photos, cabana rentals and Fast Lane passes (which allow consumers to skip the line at select rides) (collectively the "**Product(s)**").

### III. **WONDERLAND'S DECEPTIVE MARKETING PRACTICES**

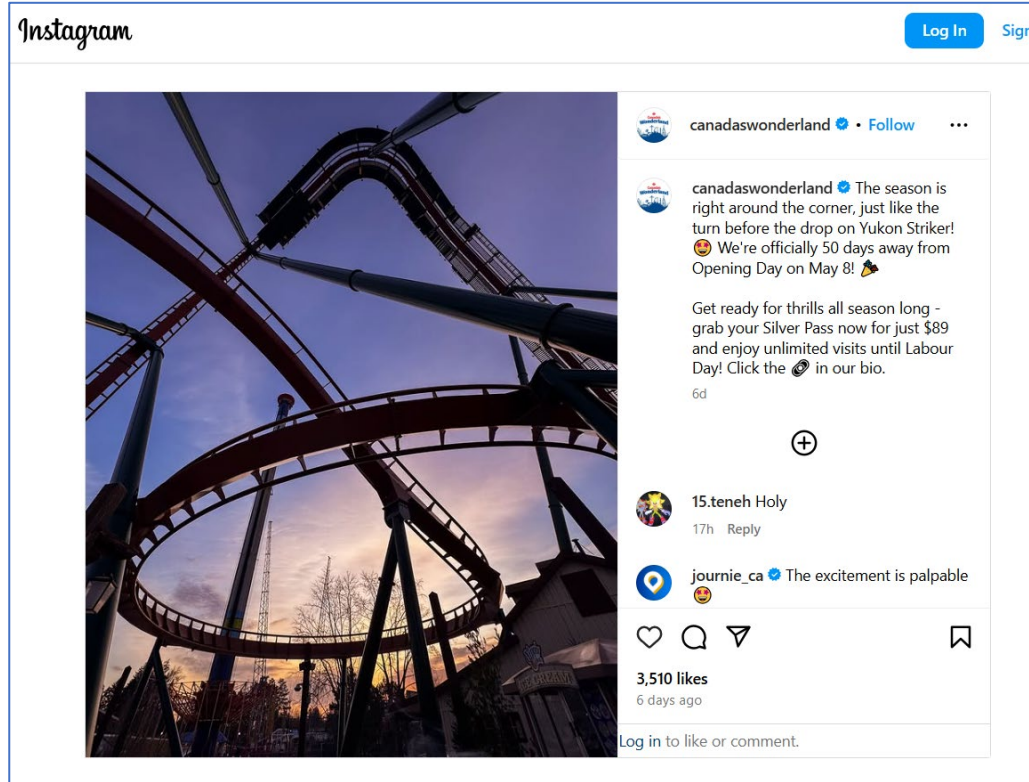
7. Contrary to paragraph 74.01(1)(a) of the Act, for the purpose of promoting the supply and use of its Products and business interests more generally, Wonderland makes representations to the public that are false or misleading in a material respect about the price consumers must pay to buy its Products.
8. Wonderland makes these representations in a variety of channels including, for example: Online; in its Facebook, X (Twitter), and Instagram (collectively "**Social Media**") posts; in promotional emails; and, in the former Canada's Wonderland Mobile App and now the Six Flags app (the "**App**").
9. Specifically, Wonderland promotes its Products to the public at prices that are unattainable (the "**Unattainable Price Representation(s)**"). The prices are unattainable because consumers purchasing Products Online must also pay a fixed obligatory fee (the "**Processing Fee**") in addition to the price represented for those Products.

10. Six Flags determines the pricing of Wonderland's products, including the Processing Fee, and controls the manner in which these unattainable prices are communicated to the public across Wonderland's marketing materials and channels.
11. The Act provides in subsection 74.01(1.1) that, for greater certainty, the making of a representation of a price that is not attainable due to fixed obligatory charges or fees constitutes a false or misleading representation, unless the obligatory charges or fees represent only an amount imposed on the purchaser of the product by or under an Act of Parliament or the legislature of a province, which the Processing Fee is not.

### **The Unattainable Price Representations**

12. The two examples below show that Wonderland makes the same or similar Unattainable Price Representations in its Social Media posts, in promotional emails, in the App, and on Product specific web pages and throughout the Online purchase process. Each example is followed by enlarged images of the relevant portion of the Unattainable Price Representations. Green boxes have been added to highlight the unattainable price and fine print (where applicable) contained in the representations.

### Example A



The screenshot shows an Instagram post from the account 'canadaswonderland'. The main image is a roller coaster track against a sunset sky. The post text reads: 'canadaswonderland The season is right around the corner, just like the turn before the drop on Yukon Striker! 😊 We're officially 50 days away from Opening Day on May 8! 🎢'. Below this, it says: 'Get ready for thrills all season long - grab your Silver Pass now for just \$89 and enjoy unlimited visits until Labour Day! Click the 👁️ in our bio.' The post has 3,510 likes and was posted 6 days ago. There are two replies: one from '15.teneh Holy' saying 'Holy' and one from 'journie\_ca' saying 'The excitement is palpable'. The interface includes 'Log In' and 'Sign Up' buttons at the top right.



This block is a close-up of the promotional text from the Instagram post. It features the 'canadaswonderland' profile picture and name. The main text is: 'canadaswonderland The season is right around the corner, just like the turn before the drop on Yukon Striker! 😊 We're officially 50 days away from Opening Day on May 8! 🎢'. The second paragraph reads: 'Get ready for thrills all season long - grab your Silver Pass now for just \$89 and enjoy unlimited visits until Labour Day! Click the 👁️ in our bio.' The price '\$89' is highlighted with a green box. The post is dated '6d'.

## Example B

The screenshot shows the Canada's Wonderland website with the following elements:

- Navigation: Tickets & Passes, Rides & Experiences, Park Info
- Header: Choose Another Park, Park Closed, Waterpark Closed, View Hours
- Section: What type of admission are you looking for?
  - Season Pass
  - Daily Tickets** (selected)
  - Groups
- Three ticket options are displayed:
  - Daily Tickets**: From \$45. Buy Now button.
    - Buy Online & Save!
      - Save up to \$40 off the front gate price
      - Single day admission
    - Plus taxes and processing fee up to \$9.99.
  - 2025 Gold Pass**: \$115. Buy Now button.
    - Includes Haunt + Winterfest
    - Unlimited visits in 2025
    - Includes Halloween Haunt and Winterfest
    - \*Or 7 easy payments of \$16.42. Plus taxes and processing fee up to \$9.99. [View terms and conditions.](#)
  - Bring-A-Friend Tickets**: From \$30. Buy Now button.
    - Share the Thrills!
      - Exclusive discount for Season Passholders
      - Purchase up to 6 tickets
    - Plus taxes and processing fee up to \$9.99.
- Bottom left: STAY UPDATED button.
- Bottom right: 11:55 AM 10/25/22

This detailed view highlights the ticket options with green boxes around key elements:

- Daily Tickets**: From **\$45**. Buy Now button.
  - Buy Online & Save!
    - Save up to \$40 off the front gate price
    - Single day admission
  - Plus taxes and processing fee up to \$9.99.
- 2025 Gold Pass**: **\$115**. Buy Now button.
  - Includes Haunt + Winterfest
  - Unlimited visits in 2025
  - Includes Halloween Haunt and Winterfest
  - \*Or 7 easy payments of \$16.42. Plus taxes and processing fee up to \$9.99. [View terms and conditions.](#)
- Bring-A-Friend Tickets**: From **\$30**. Buy Now button.
  - Share the Thrills!
    - Exclusive discount for Season Passholders
    - Purchase up to 6 tickets
  - Plus taxes and processing fee up to \$9.99.

### The fixed obligatory fees

13. Wonderland uses its Unattainable Price Representations to attract consumers Online to purchase its Products. It is only after consumers

have selected the Products they want to purchase, including deciding whether to accept numerous unsolicited offers to also purchase various “add-ons” (i.e., complementary items that can enhance a visit to the Park), that Wonderland adds a pre-determined and pre-set fixed Processing Fee to the cost of each Online purchase.

14. Depending on the number and type of Products selected, Wonderland uses a clearly defined and predictable set of rules to impose a fixed transaction-based Processing Fee in the pre-determined and set amounts of \$0.99, \$6.99, \$8.99 or \$9.99.
15. Wonderland applies a fixed \$0.99 Processing Fee to transactions involving the purchase of almost all non-admission related Products (e.g., souvenirs, meals and beverages or parking). Regardless of how many of these items are selected, or if they are purchased in combination with each other, Wonderland only applies a single fixed \$0.99 Processing Fee.
16. However, Wonderland applies a higher Processing Fee to certain Products, such as Park admission (e.g., season passes and daily tickets), VIP lounge access or Fast Lane passes, either when purchased on their own or in conjunction with the non-admission related Products described in paragraph 65 above.
17. For these transactions, the Processing Fee is based on a clearly defined and predictable set of rules, with pre-determined and set amounts already incorporated into the Online purchase process before the Unattainable Price Representations are made to consumers. In those instances, the pre-determined and set amount of the Processing Fee is based on the number of items selected for purchase, and is subject to the following clearly defined and predictable rules:
  - \$6.99 if one to two items are selected for purchase;

- \$8.99 if three to four items are selected for purchase; and
  - \$9.99 if five or more items are selected for purchase.
18. The Processing Fee is obligatory because consumers must pay the Processing Fee to complete their Online purchase for virtually all of the Products Wonderland offers for sale. Wonderland knows that it will be following its clearly defined and predictable rules in adding the pre-determined and set amount of the Processing Fee to each Online transaction. As such, the obligatory fees have been fixed before Wonderland's Unattainable Price Representations are made.

**The Unattainable Price Representations are false or misleading to consumers**

19. Subsection 74.01(1.1) simplifies the process of determining whether a price representation is false or misleading when assessing whether a person has engaged in reviewable conduct contrary to paragraph 74.01(1)(a) of the Act. With the sole exception of legislated charges or fees imposed directly on consumers, subsection 74.01(1.1) deems making a representation of a price that is not attainable due to a fixed obligatory charge or fee to be false or misleading.
20. The initially advertised prices featured in the Unattainable Price Representations are not attainable due to Wonderland's fixed obligatory Processing Fee. Unlike HST, Wonderland's Processing Fee is not imposed on consumers by or under an Act of Parliament or the legislature of a province. As the fixed obligatory Processing Fee does not fall within the sole legislative exemption, the Unattainable Price Representations are deemed to be false or misleading for the purposes of paragraph 74.01(1)(a) of the Act.

**The Unattainable Price Representations are material to consumers**

21. Price is an essential element in every consumer purchase transaction and is invariably material to a consumer's decision making. That includes decisions about whether to purchase Products from Wonderland, to visit other attractions or water parks or deciding not to purchase anything at all.

**IV. EXAMPLES OF WONDERLAND'S MATERIALLY FALSE OR MISLEADING REPRESENTATIONS**

22. Wonderland has made, and continues to make Unattainable Price Representations Online, in its Social Media posts, in promotional emails and in the App, promoting the Online sale of its Products. Wonderland's Unattainable Price Representations have reached, and continue to reach, the Canadian public countless number of times on a daily basis. A few examples of Wonderland's materially false or misleading Unattainable Price Representations are set out below.

**Social Media Example 1 – July 29, 2022 Facebook post**

23. The image below depicts an example of how the Unattainable Price Representation appeared in Wonderland's July 29, 2022 Facebook post. Wonderland made the following Unattainable Price Representation "... Season Passholders can bring up to four friends each day for only \$34.99\* each when purchased online." This example is followed by an enlarged image of the relevant portion of the Unattainable Price Representation. Green boxes have been added to highlight the unattainable price and fine print contained in the representation.

facebook.com/CanadaWonderland

Canada's Wonderland

**Intro**  
Canada's Wonderland is the country's premier amusement park featuring more than 200 attractions.

Page - Amusement & Theme Park  
1 Canadas Wonderland Drive, Vaughan, ON, Canada, Ontario  
(905) 832-8131  
guestservices@canadawonderland.com  
canadawonderland.com  
Price Range - \$\$\$

**Photos** See all photos

Canada's Wonderland  
July 29, 2022

Weekdays Aug. 2 to Aug. 12 Season Passholders can bring up to four friends each day for only \$34.99\* each when purchased online. This summer sizzler sale is on for a limited time! Purchase tickets at: bit.ly/3881999  
#CanadasWonderland #SummerFun  
\*See details online

**SEASON PASSHOLDER  
SUMMER SIZZLER SALE**

**PROMO  
\$34.99**

Weekdays: August 2-12  
**BRING-A-FRIEND TICKETS**

127 46 comments 50 shares

Canada's Wonderland  
July 29, 2022 · 🌐

Weekdays Aug. 2 to Aug. 12 Season Passholders can bring up to four friends each day for only **\$34.99\*** each when purchased online 📧 This summer sizzler sale is on for a limited time! 🍷

Purchase tickets at: [bit.ly/3BlS191](https://bit.ly/3BlS191)

#CanadasWonderland #SummerFun

\*See details online

**SEASON PASSHOLDER  
SUMMER SIZZLER SALE**

**PROMO  
\$34.99**  
\*SEE DETAILS ONLINE

Weekdays: August 2-12  
**BRING-A-FRIEND TICKETS**

24. The initially advertised price of \$34.99 for Bring-A-Friend Tickets is rendered unattainable by the fixed obligatory Processing Fee that is applied to the Online transaction. In line with Wonderland's clearly defined and predictable set of rules guiding the application of the fixed obligatory Processing Fee, the full cost of a Bring-A-Friend Ticket is actually \$41.98 (\$34.99 + the \$6.99 Processing Fee) if purchased on its own and not the unattainable price of \$34.99 as advertised.

25. While the fine print instructs consumers to “See details online”, it does not render the Unattainable Price Representation attainable.

**Promotional Email Example 2 – February 14, 2025, Family Day Sale**

26. The image below depicts an example of how the Unattainable Price Representation appeared in Wonderland’s February 14, 2025, Family Day Sale promotional email. Wonderland made the following Unattainable Price Representation that consumers could purchase “... tickets to Canada’s Wonderland for just **\$35 each**, a savings of over 60% off Single Day Admission ...” [Emphasis in the Original]. Green boxes have been added to highlight the unattainable price and fine print contained in the representation.

**Zimmerman, Adam (CB/BC)**

**From:** Canada's Wonderland <canadaswonderland@parks.sixflags.fun>  
**Sent:** February 14, 2025 9:15 AM  
**To:** Zimmerman, Adam (CB/BC)  
**Subject:** Don't Wait - Last Chance for Our Family Day Sale



Our Family Day Sale is ALMOST OVER! Celebrate with tickets to Canada's Wonderland for just **\$35 each**, a savings of over 60% off Single Day Admission, today through next Monday. Experience an unforgettable day of rides, shows, and more starting Opening Day, May 8.

Don't wait - this sale ends in less than 48 hours.

**BUY NOW**

**FOLLOW US:**



\* Plus taxes and processing fee of up to \$9.99. Price per ticket when purchased online only. Valid any public operating day through 6/30/2025.

**Unsubscribe Now**

**SUBSCRIPTION INFORMATION:** This message was sent to ADAM.ZIMMERMAN@CB-BC.GC.CA as a result of your election to receive email from Canada's Wonderland. Visit our [online profile center](#) where you can manage your profile, control your list preferences, or unsubscribe from all e-mail from Six Flags Entertainment Corporation.

**ADMINISTRATIVE INFORMATION:** This e-mail is published by Canada's Wonderland, 9580 Jane St., Vaughan, ON L6A 1S6. Canada's Wonderland is a brand of Six Flags Entertainment Corporation.

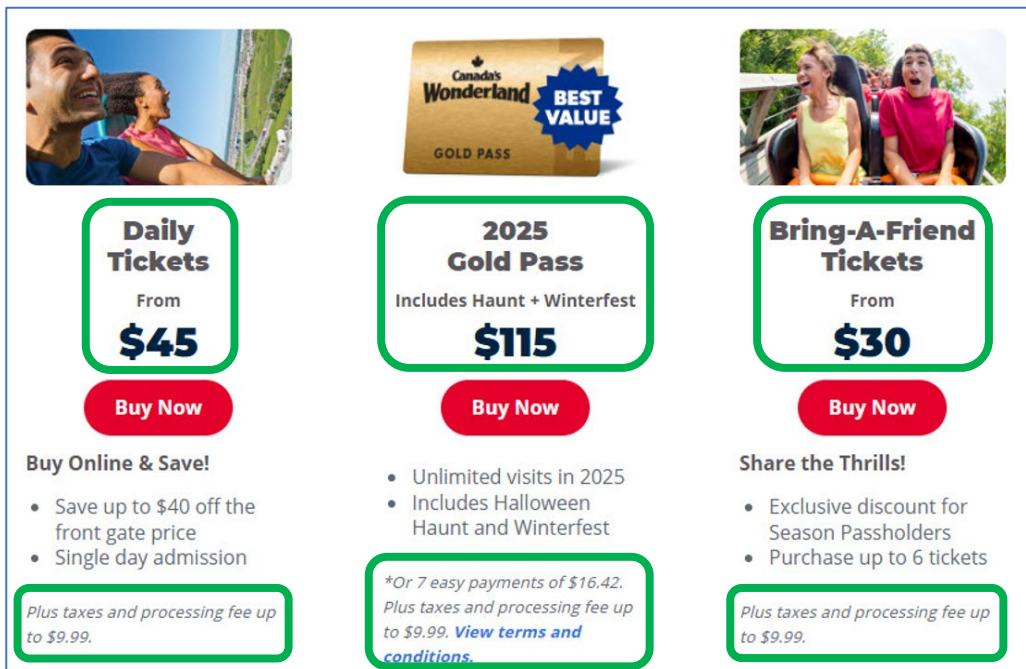
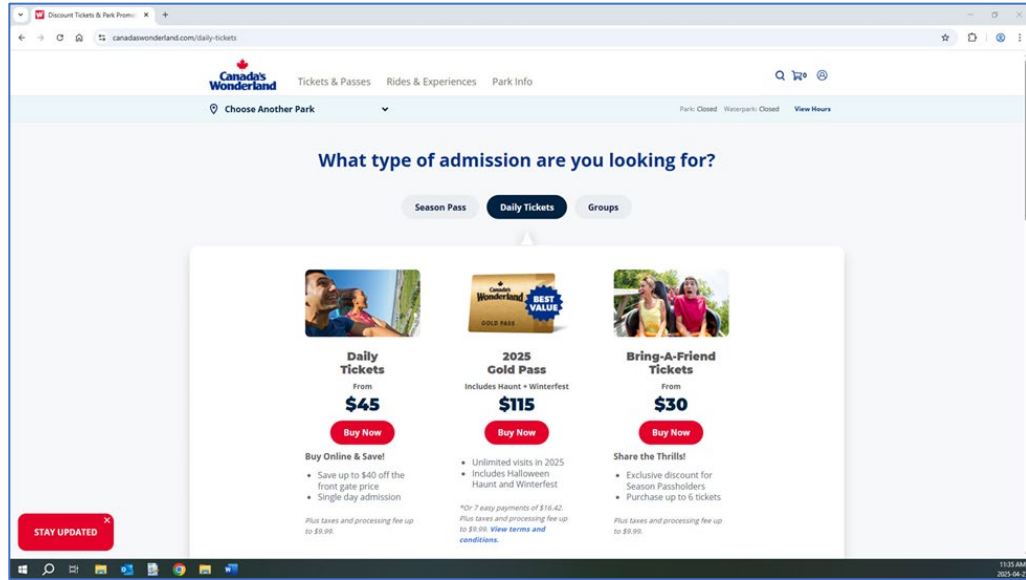
© 2025 SIX FLAGS ENTERTAINMENT CORPORATION  
 © 2025 PEANUTS WORLDWIDE LLC

**PRIVACY POLICY:** We respect your right to privacy. This Canada's Wonderland publication is subject to the Six Flags Entertainment Corporation online [privacy policy](#).

27. The initially advertised price of \$35 for a Single Day Admission is rendered unattainable by the fixed obligatory Processing Fee that is applied to the Online transaction. In line with Wonderland's clearly defined and predictable set of rules guiding the application of the fixed obligatory Processing Fee, the full cost of a Single Day Admission is actually \$41.99 (\$35 + the \$6.99 Processing Fee) if purchased on its own, and not the unattainable price of \$35 as advertised.
28. While the fine print in this email notes that consumers will also have to pay "taxes and processing fee of up to \$9.99", it contradicts the initial price representation and does not render the advertised \$35 price attainable.

**Online Example 3 – April 27, 2025 Single Day Admission and Parking**

29. The image below depicts an example of how the Unattainable Price Representation appeared on the Daily Tickets page Online on April 27, 2025. Wonderland made the following Unattainable Price Representation that consumers could purchase "Daily Tickets from \$45", a "2025 Gold Pass ... [for] \$115", or "Bring-A-Friend Tickets from \$30". This example is followed by an enlarged image of the relevant portion of the Unattainable Price Representation. Green boxes have been added to highlight the unattainable price and fine print contained in the representation.

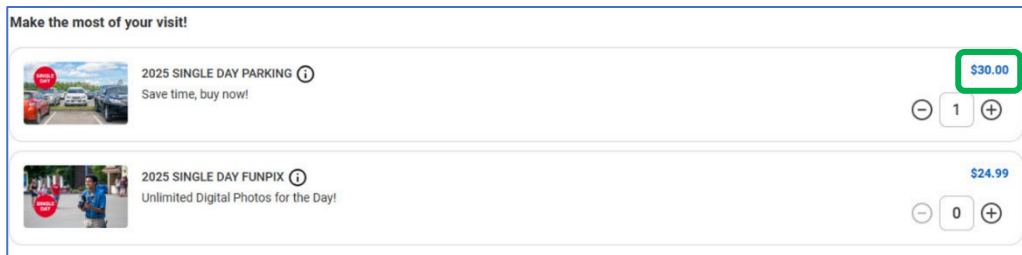
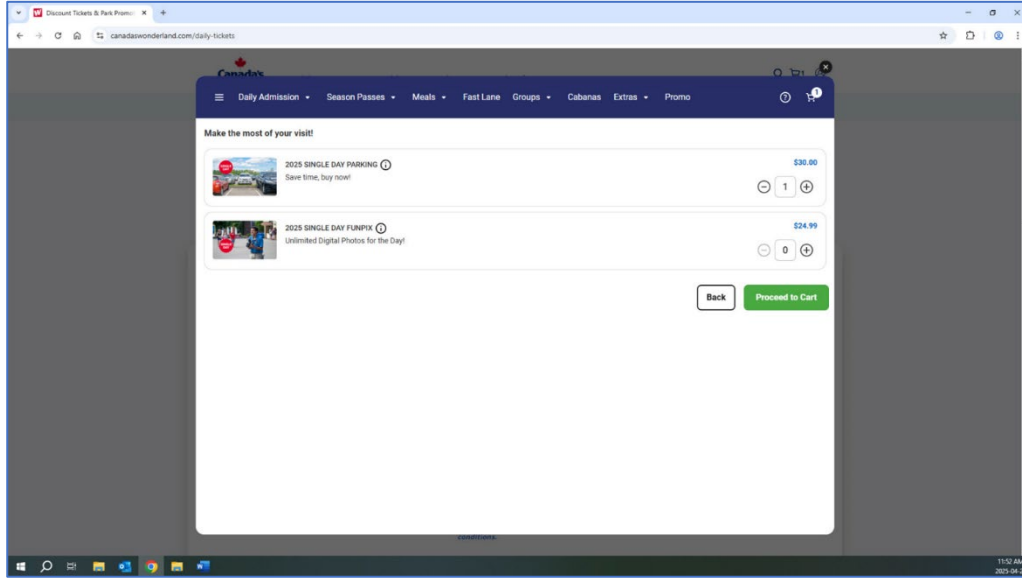


30. After clicking on the Daily Tickets “Buy Now” button the consumer moves further down the purchase funnel and begins a 4-step Product selection process.

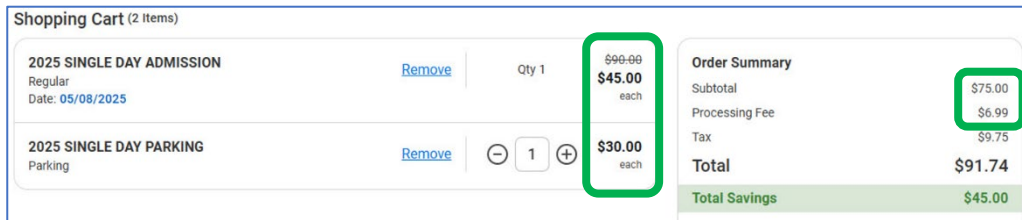
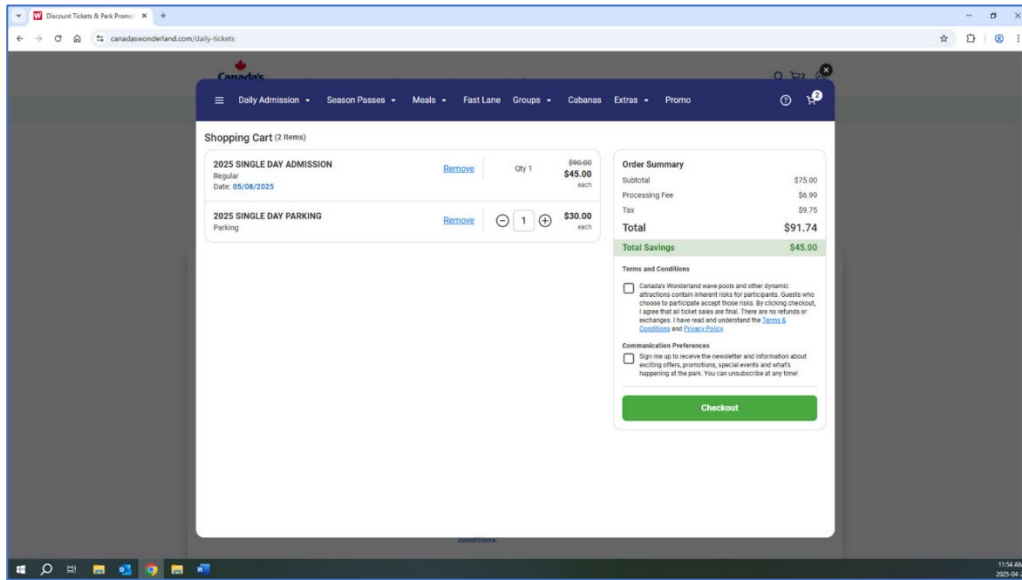
31. While telling customers Wonderland is “Preparing your Admission offers!”, Wonderland shows its Products in a set order using pop-up

windows: 1/ Admissions (including multiple offers to upgrade from the initially selected Daily Ticket); 2/ Fast Lane; 3/ Meals; and finally 4/ Extras.

32. At the Admission stage, there is fine print saying that the unattainable \$45 price of a 2025 Single Day Admission (described as Daily Tickets in the image above) is subject to a “processing fee up to \$9.99”. However, there is no indication that – based on Wonderland’s own clear and predictable rules for applying the mandatory Processing Fee – the more items a customer selects the higher the Processing Fee will be.
33. Similarly, as consumers navigate the remaining stages of the selection process there is nothing to indicate that purchasing other items also impacts the applicable pre-determined and set amount of the Processing Fee that will be applied to the transaction.
34. The image below depicts an example of the Extras pop-up window and how the Unattainable Price Representation appeared when the consumer is presented with the option to add parking to their purchase after adding a 2025 Single Day Admission to their Online cart on April 27, 2025. Wonderland made the following Unattainable Price Representation that consumers could purchase “2025 Single Day Parking [for] \$30.00”. This example is followed by an enlarged image of the relevant portion of the Unattainable Price Representation. A green box has been added to highlight the unattainable price contained in the representation.



35. The following image reveals the full cost of a Daily Ticket and parking *after* Wonderland has added the fixed obligatory Processing Fee to the Unattainable Price Representations featured in the images above. This example is followed by an enlarged image of the relevant portion of the Unattainable Price Representation. Green boxes have been added to highlight the unattainable prices and the addition of the Processing Fee in the image.



36. The initially advertised combined price of \$75 for a 2025 Single Day Admission and a 2025 Single Day Parking is rendered unattainable by the fixed obligatory Processing Fee that is applied to the Online Transaction. In line with Wonderland's clearly defined and predictable set of rules guiding the application of the fixed obligatory Processing Fee, the full cost of a 2025 Single Day Admission and a 2025 Single Day Parking is actually \$81.99 (\$45 + \$30 + the \$6.99 Processing Fee), and not the unattainable combined price of \$75 as advertised.
37. While the fine print accompanying the Daily Ticket pricing (as illustrated in the image above) notes that consumers will also have to pay "taxes and processing fee of up to \$9.99", it contradicts the initial price

representation and does not render the combined advertised price of \$75 attainable.

## V. AGGRAVATING FACTORS

38. The deceptive conduct described herein is aggravated by the factors referred to in subsection 74.1(5) of the Act, including (but not limited to) the following:

- a. Wonderland is the largest and only combination amusement and water park in Canada and the Unattainable Price Representations have been made and continue to be made across Canada;
- b. Wonderland has been engaged in drip pricing since at least June 2022 when the Act was amended to add subsection 74.01(1.1);
- c. Wonderland's reviewable conduct of engaging in drip pricing and misrepresenting the cost of Products has a material impact on consumer behaviour;
- d. While amendments to the Act came into force in June 2022 that expressly recognize drip pricing as a harmful business practice, the Commissioner has treated the practice as a contravention of the Act for many years:
  - i. The Bureau first publicly signalled its concerns about the practice of drip pricing in 2015, in an article entitled *Online advertising in Canada*, published in volume 1 of the Bureau's Deceptive Marketing Practices Digest. That same year, the Bureau took public enforcement action on drip pricing in Canada's car rental industry. Enforcement efforts culminated in consent agreements that were announced publicly in 2016, 2017 and two in 2018. The

Bureau reiterated its position on drip pricing in 2020 in an article entitled *Changing the status quo for car rental pricing practices: ensuring that the prices you see are the prices you pay*, published in Volume 5 of the Competition Bureau's Deceptive Marketing Practices Digest;

- ii. In 2017, the Commissioner focused on the ticketing industry, starting with a public warning to all ticket vendors about drip pricing. The warning urged ticket vendors to avoid drip pricing and display the real price of tickets upfront whenever the additional fees are mandatory for consumers. This was followed by enforcement efforts that culminated in two consent agreements with ticket vendors that were made public in 2019 and 2020;
- iii. In October 2021, Senator Wetston launched a public consultation, inviting Canadians to comment on Canada's competition policy framework, including possible amendments to the Act. As part of the Commissioner's February 2022 submission to that consultation, he recommended that drip pricing be explicitly recognized as harmful in the Act. Shortly thereafter, in April 2022, Parliament introduced Bill C-19 *Budget Implementation Act, 2022*;
- iv. In May 2023, the Commissioner filed a Notice of Application against Cineplex Inc. ("**Cineplex**") before this Tribunal with respect to its deceptive drip pricing practices. In September 2024, this Tribunal concluded that Cineplex's price representations constituted drip pricing under subsection 74.01(1.1), that it engaged in reviewable conduct contrary to paragraph 74.01(1)(a) of the Act, and

ordered it to pay an administrative monetary penalty of almost \$39 million;

- v. In November 2023, the Commissioner entered into yet another consent agreement to address drip pricing, among other practices, in the ticketing industry. This was followed by another consent agreement, in June 2024, to address drip pricing in the satellite and streaming radio industry; and
- vi. Finally, on July 14, 2023, the Commissioner sent Wonderland a warning letter, expressing his concerns that the conduct at issue in this Application may raise concerns under paragraph 74.01(1)(a) of the Act.

Yet despite the information available, Wonderland engaged in and continues to engage in the conduct at issue. As such, it is unlikely that Wonderland will cease the conduct at issue and self-correct.

## **VI. RELIEF SOUGHT**

- 39. The Commissioner claims the relief set out in paragraph 1, above.

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**VII. PROCEDURAL MATTERS**

40. The Commissioner requests that this proceeding be conducted in English.

41. The Commissioner requests that this Application be heard in the City of Ottawa.

**DATED AT** Gatineau, this \_\_\_\_ day of ~~May 2025~~ February 2026.

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~~Matthew Boswell~~ Jeanne Pratt  
Interim Commissioner of Competition

For the purposes of the Application, service of all documents on the Commissioner may be served on:

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