

## Know gift card rules — and hold on to those receipts

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Question: Giving and receiving gift cards has become a significant part of the holiday shopping and gift-giving tradition, but such cards typically include rules on redemption that can affect their value.

What should Hawaii consumers be aware of regarding these convenient cards?

Answer: Consumers should be aware of the legal requirements governing expiration dates of gift certificates and gift cards before making a purchase. Gift certificates, those printed on paper, are good for a minimum of two years from the date of purchase. The date of issuance and the expiration date must be clearly reflected on the face of the gift certificate. If the expiration date is not on the face of the gift certificate, the certificate is good in perpetuity. Gift cards must be valid for at least five years.

Shoppers should keep their receipts for gift cards. Receipts can confirm the value of the gift card as well as its date of issuance and date of expiration. Sometimes there is an issue with the card itself and the receipt can save shoppers money. The issuer of the gift certificate or gift card may charge an activation or issuance fee, but the fee shall not exceed the lesser of 10 percent of the face value of the certificate or card or \$5. They may not charge you service fees for dormancy or inactivity.

Q: People often return gifts. Can gift cards be returned?

A: It would depend on the individual retailer's policy. Generally by law a retailer can refuse to issue a refund, but only if their 'no returns' policies are conspicuously posted in the store.

Q: About how big is the gift card industry?

A: That is a hard number to nail down. I've seen some estimates that place this year's amount of purchases for gift cards and gift certificates in the \$90 billion-to-\$100 billion range for the whole of 2012.

Q: If a consumer has an issue with a gift card, what can he do?

A: First, shoppers should keep the gift card receipt issued at the time of purchase for their own protection. That should avoid most of the issues. If a retailer is unwilling to honor a valid gift card, contact the Office of Consumer Protection and we will help.

Q: What is the role of your office as it pertains to gift cards?

A: The Office of Consumer Protection seeks to inform the public about shoppers' rights regarding gift cards. We also investigate consumer complaints about retailers who may not be following state law and, if necessary, institute legal action to stop violations of the gift card law.

Q: How can consumers get more information or file a complaint with DCCA?

A: You can find some information on our website at [hawaii.gov/dcca/ocp](http://hawaii.gov/dcca/ocp). If you wish to file a complaint, contact our Consumer Resource Center at 587-3222 on Oahu. You can email the Office of Consumer Protection at [ocp@dcca.hawaii.gov](mailto:ocp@dcca.hawaii.gov) if you have more questions.



## PROFILE

**BRUCE B. KIM**

- >> **Position:** Executive director
- >> **Organization:** State Office of Consumer Protection
- >> **Age:** 61
- >> **Education:** 1968 graduate of Punahou School, 1978 graduate of Seattle University School of Law

>> **Career history:** Civil litigation attorney with his father, Edward Y.N. Kim, and own private law practice (1978-2011)

>> **Other service:** Taught English in a South Korean middle school and trained Korean middle-school English teachers through the U.S. Peace Corps (1972-74)

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Maui:984-2400, ext. 73222.  
Hawaii island:974-4000, ext. 73222.  
Molokai and Lanai:800-468-4644, ext. 73222.

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Interviewed by Andrew Gomes

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