

A Hearing under Section 6 of the *Tobacco Control Act* R.S.B.C. 1996, c. 451
as amended

Regarding an alleged Contravention of Section 2.4(a) of the
Tobacco Control Act R.S.B.C. 1996, c.451

- by -

786 Bentley Convenience Store Ltd.
Sometime doing business as Bentley Convenience Store

(the “Respondent”)

Administrator’s Delegate under Section 5 of the <i>Tobacco Control Act</i> :	Helen Pinsky
Date of Hearing:	February 11, 2014
Place of Hearing:	Surrey, BC
Date of Decision:	March 6, 2014
Appearing: For 786 Bentley Convenience Store Ltd.	Abdul Hafeez Abdul Noor
For Fraser Health Authority:	Edward Wong Tobacco Enforcement Officer

Addendum to Decision and Order

1. **In my ORDER** dated March 6, 2014, I included the following:
 - a. **As I have found that** the Respondent 786 Bentley Convenience Store Ltd. contravened Section 2.4 (a) of the *Act*, **I ORDER**, pursuant to Section 6.1 (1) of the Act, that the company pay a penalty of **\$1,500**, which sum is due and payable upon service of this Decision and Order.

- b. **I FURTHER ORDER** that the Respondent is prohibited selling tobacco products for a period of ten days, the dates of such prohibition to be determined by the Administrator.
2. Having been requested to establish exact dates for the prohibition as described in the Order, I requested and obtained submissions from the parties as to effective dates.
 3. Mr. Wong on behalf of Fraser Health Authority submitted his desire that the matter be dealt with in a timely manner without undue delay. He was prepared to accept a date within the next four months.
 4. Mr. Hafeez on behalf of the respondent proposed various dates, the latest proposal of which was June 29 – July 8, 2014.
 5. Both parties agreed that this would be a suitable date for the suspension to take place, and after consideration of the circumstances I was prepared to accept the dates as well.
 6. Accordingly, I make the following addendum to my original order as follows:
 7. **I ORDER AS AN ADDENDUM TO MY ORIGINAL ORDER** that the Respondent is prohibited selling tobacco products from the opening of business on Sunday, June 29, 2014, to the close of business on Tuesday, July 8, 2014.
 8. Dated this 9th day of April, 2014.

Helen Pinsky

Helen Pinsky, Administrator's Delegate