

Tobacco Control Act

ADMINISTRATIVE PENALTY NOTICE

To: Malcolm Sargent, 0749470 B.C. Ltd. (sometime doing business as Kimberley Shell), 445 Street, Kimberley, BC V1A 2C5.

On July 23, 2014, Adjudicator Hugh McCall, acting as my delegate, conducted a teleconference hearing and determined that you have contravened the following provisions of the *Tobacco Control Act* or the Tobacco Control Regulation:

1. Section 2(2) of the Act, "A person must not sell, offer for sale, provide or distribute tobacco to an individual who has not reached the age specified by regulation under section 11 (2) (g)." As provided by this section in the regulation, "The age for the purposes of section 2 (2) of the Act is 19 years."

Pursuant to section 6.1 of the *Tobacco Control Act*, it is hereby ordered that:

1. 0749470 B.C. Ltd. (sometime doing business as Kimberley Shell) must pay a monetary penalty in the amount of \$1000.00, no later than 30 days after the date of this Order. You may pay this by cheque or money order, payable to the Minister of Finance, mailed to the administrator at the following address:

Attention: Lee Scalzo
Tobacco Control Program
1515 Blanshard St, 4-2
Victoria BC V8W 3C8

2. 0749470 B.C. Ltd. (sometime doing business as Kimberley Shell) must not sell or offer to sell tobacco at retail for a period of 30 consecutive calendar days at the following location; 445 Street, Kimberley, BC, V1A 2C5. Suspension period is September 3, 2014 until October 2, 2014.

Dated: July 25, 2014

Signature of Administrator

