

Tobacco Control Act

ADMINISTRATIVE PENALTY NOTICE

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

On April 14, 2015, Adjudicator Helen Pinsky, acting as my delegate, conducted a 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 **\$2500.00**, 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
Ministry of Health
Tobacco Control Program
PO Box 9646 Stn Prov Gov't
Victoria BC V8W 9P1

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 Ross Street, Kimberley, BC V1A 2C5. Suspension period is June 8, 2015 until July 7, 2015.

Dated: May 19, 2015

Signature of Administrator

