



December 18, 2015

Good morning.

Please be advised that the Office of the BC Container Trucking Commissioner has retained an investigator to conduct investigations pursuant to s.31 of the *Container Truck Act*. The CTC investigator will work in conjunction with the two auditors.

The investigator will primarily be reviewing complaints made pursuant to section 26 of the *Act*. Please be advised that the inspection powers of the investigator is outlined in s.32 of the *Act*. That provision reads:

- 32 (1) For the purpose of an audit or investigation under section 31 or for the purposes of reviewing, investigating or adjudicating a complaint, the commissioner may, if the commissioner has reasonable grounds to believe that there has been a contravention of this *Act* or the regulations, do one or more of the following:
- (a) enter during regular working hours any place, including any means of conveyance or transport, where
 - (i) a licensee carries on business or stores assets or records relating to the licensee's business,
 - (ii) a record required for the purposes of this Part is kept, or
 - (iii) anything to which this Part applies is taking place or has taken place;
 - (b) inspect, and question a person respecting, any work, container, means of conveyance or transport or other thing in the place;
 - (c) inspect any records and things that may be relevant to an investigation under this Part;
 - (d) on giving a receipt for a record inspected under paragraph (c), remove the record to make copies or extracts;
 - (e) require a person to disclose, under oath or affirmation, either orally or in writing, a matter required under this Part;
 - (f) require a person to produce, or to deliver to a place specified by the commissioner, any records and things for inspection under paragraph (c).

Please note that all TLS licensed companies are required to comply with the requests for information from the investigator. Failure to do so will likely result in penalties pursuant to s. 34 of the *Act*. Further note that section 28 is very clear that truckers must not be mistreated because of a complaint, audit or investigation.

Sincerely,

Corinn Bell
Acting Commissioner

Vince Ready
Acting Deputy Commissioner