

May 1, 2019

Canaan Shipping Co. Ltd.  
11371 Twigg Place  
Richmond, BC V6V 3C9

## **Canaan Shipping Co. Ltd. (CTC Decision No. 03/2019) – Decision Notice**

In Canaan Shipping Co. Ltd. (CTC Decision No. 03/2019) (the “Original Decision”), I determined that between April 3, 2014 and September 25, 2017 Canaan Shipping Co. Ltd. (“Canaan”) failed to comply with the *Container Trucking Act* (the “Act”), *Container Trucking Regulation*, and Container Trucking Services Licence when it deducted 20% from its independent operator’s (“I/O”) pay. Canaan also failed to comply with the records requirements of the Act when it failed to provide records as requested by the Commissioner. The audit and investigation findings indicate that over this period Canaan owed three I/Os adjustments totaling \$162,106.75. An administrative fine of \$20,000.00 was proposed and, consistent with s. 34(2) of the Act, Canaan was given 7 days to provide a written response setting out why the proposed penalty should not be imposed.

Canaan has provided a written response within the time specified in the notice but has not set out why the proposed penalty should not be imposed. Canaan has indicated its intention to seek a reconsideration of the Original Decision and will file a notice of reconsideration within 30 days of the issuance of this Decision Notice.

In the result, I hereby order Canaan Shipping Co. Ltd. to pay an administrative fine in the amount of \$20,000.00. Section 35(2) of the Act requires that this fine be paid within 30 days of the issuance of this Decision Notice. Payment should be made by delivering to the Office of the BC Container Trucking Commissioner a cheque in the amount of \$20,000.00 payable to the Minister of Finance.

Canaan is also reminded that pursuant to the Original Decision it is required to pay, by no later than May 22, 2019 the following:

- (a) Pun Wai Shek Trucking \$63,017.82;
- (b) Timble Trucking Ltd. \$33,046.04; and
- (c) S-Line Transport Ltd. \$66,042.89

Finally, I note that Canaan Shipping Co. Ltd.'s Notice of Reconsideration must be filed with the Commissioner not more than 30 days after Canaan's receipt of this Decision Notice. A Notice of Reconsideration must be:

- a. made in writing,
- b. identify the decision for which a reconsideration is requested,
- c. state why the decision should be changed,
- d. state the outcome requested,
- e. include the name, an address for delivery, and telephone number of the applicant and, if the applicant is represented by counsel, include the full name, address for delivery and telephone number of the applicant's counsel,
- f. signed by the applicant or the applicant's counsel.

Despite the filing of a Notice of Reconsideration, the above order remains in effect until the reconsideration application is determined. This Order will be published on the Commissioner's website.

Dated at Vancouver, B.C., this 1<sup>st</sup> day of May, 2019.



---

Michael Crawford, Commissioner