

STATUTORY DECLARATION

IN THE MATTER OF THE *Container Trucking Act and Regulation* and the application for a Container Trucking Services Licence submitted on the _____ day of _____, 20__

BETWEEN:

BRITISH COLUMBIA CONTAINER TRUCKING COMMISSIONER

(the "Commissioner")

AND:

("Licence Applicant")

I, _____, being the Directing Mind of the Licence Applicant,
(TYPE FULL NAME)

DO SOLEMNLY DECLARE THAT:

1. These terms have the following meaning in this Declaration:

"Application" means the application for a Container Trucking Services Licence submitted by the Licence Applicant to the Commissioner on the date referred to above;

"Act" means the *Container Trucking Act* S.B.C. 2014, chapter 28;

"Directing Mind" – the individual who controls the actions of the business or corporation.

"Licence Applicant" – the business or corporation applying for a license.

"Related Person" means, in relation to the Licence Applicant, any person with the same directing mind as the Licence Applicant, and includes:

- (a) a person controlled directly or indirectly by the Licence Applicant or any entity comprising the Licence Applicant;
- (b) a person that directly or indirectly controls the Licence Applicant or any entity comprising the Licence Applicant;

- (c) a person that is directly or indirectly controlled by another person that:
 - (i) directly or indirectly controls the Licence Applicant or any entity comprising the Licence Applicant; or
 - (ii) the Licence Applicant or any entity comprising the Licence Applicant directly or indirectly controls; or
- (d) a person from whom the Licence Applicant or any entity comprising the Licence Applicant directly or indirectly acquired all or part of the Licence Applicant's container trucking business;

"Regulation" means the *Container Trucking Regulation*, BC Reg 248/2014;

"Container Trucking Services Licence" means any licence at any time issued by the Commissioner to perform Container Trucking Services.

2. Pursuant to section 8(2)(b) of the *Regulation*, the Applicant agrees that:
 - (a) No sanctions have been assessed by the Vancouver Fraser Port Authority, the Commissioner, the provincial government or the government of Canada against the Licence Applicant or against a Related Person whether or not that Related Person exists at the time of the Application,
 - (b) No monies are owed to a Trucker under the *Act* or Regulations by the Licence Applicant, or by a Related Person, whether or not that Related Person exists at the time of the Application.
 - (c) the applicant has not engaged in activity prohibited by the Regulation,
 - (d) no related person, whether or not that related person exists at the time of the application, has engaged in any activity prohibited by this regulation, and
 - (e) the applicant is eligible to obtain access to all marine terminals if the applicant obtains a licence.
3. If any sanctions have been assessed by the Commissioner against the Licence Applicant or the Related Person under the Container Trucking Services Licence, the Licence Applicant or the Related Person has discharged all obligations related to those sanctions, and is currently compliant with all applicable laws;
4. Failure to disclose in the Application or the misrepresentation therein of any and every fact which is material to the Application or to the Container Trucking Services Licence shall render the Container Trucking Services Licence voidable by the Office of the BC Container Trucking Commissioner.

AND I MAKE THIS SOLEMN DECLARATION, conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under Oath.

DECLARED BEFORE ME at

_____, in the
Province of British Columbia, on this
_____ day of _____, _____.

A Commissioner for taking affidavits for
British Columbia

Signature of Directing Mind of the Licence
Applicant

Print Name of Commissioner for taking
affidavits for British Columbia

Note: If you make a false statement, you may be subject to penalties under the *Act* and the *Regulation* or charged with an offence.