

RESTRAINING ORDER

Served by fax to (613)679-4894, e-mail to d.cadieus30@sympatico.ca, and courier

April 29, 2010

898608 Ontario Inc.
o/a Canadian Trucking Academy
4916 Highway 17
Alfred, ON K0B1A0

Attention: Dominique Cadieux, Director

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER 898608 Ontario Inc. o/a Canadian Trucking Academy (Canadian Trucking Academy) TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, Canadian Trucking Academy is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively.

Canadian Trucking Academy must provide written confirmation signed by a person with authority to bind the school, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered **immediately** by registered mail or courier to my attention and confirm that Canadian Trucking Academy:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval.

If Canadian Trucking Academy is currently providing unapproved vocational programs as an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Canadian Trucking Academy would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Canadian Trucking Academy:

- must stop operating as a private career college;
- must stop providing unapproved vocational programs that require approval;
- must stop charging fees for unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current students;
- must provide refunds to students who have made a written demand and who were enrolled in unapproved vocational programs that require approval;
- must not hold, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- must hold student files to be available for the Superintendent's staff to review; and
- must not reopen as a private career college until such time, if any, as it has been registered.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Application for a court order from the Superior Court of Justice to Canadian Trucking Academy to comply;
2. The issuance of further Administrative Monetary Penalties;
3. Prosecution for offences under the Act. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including an officer or director of a corporation who concurs in the commission of the offence, is subject to a fine of up to \$25,000, a prison term of up to one year, or both.

Obtaining a Copy of the PCCA, 2005

As noted above, the applicable legislation is the *Private Career Colleges Act, 2005* and the regulations made thereunder. The legislation and regulations are available at www.e-laws.gov.on.ca. If you are unable to access any relevant information on e-laws, you may contact our offices at (416) 314-0500 to request that a copy of the legislation and regulations be sent to you.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott
 Superintendent
 Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A

Act, s. 11 — Restrictions on advertising and soliciting (\$1,000)

On April 14, 2010, the website belonging to Canadian Trucking Academy, <http://www.canadiantruckingacademy.com/>, was reviewed by Ministry staff who found it advertising an A, C, and Z course. The website did not list a price, but stated that the classes ranged from 25 to 200 hours in duration. This website also contains a description of the content of the A, C, Z course, and bears the school's name, logo, address (4916 Highway 17, Alfred, ON, K0B1A0), e-mail address, and two telephone numbers. It also contains a blank application form.

On April 14, 2010, Ministry staff phoned Canadian Trucking Academy and spoke with Dominique about the AZ course. He advised that it is 40 hours in length, and costs \$3,000. This course corresponds to National Occupational Classification (NOC) code 7411 – Other Truck Drivers, and is thus a vocational program within the meaning of the Private Career Colleges Act, 2005 and is required to be approved by the Superintendent pursuant to section 23 of the Act.

Further promotional material was found on the websites <http://www.askedu.net/course.asp?CourseNo=129704>; and http://www.canadian-universities.net/Career-Colleges/Canadian_Trucking_Academy.html. Both websites contained a description of the courses being offered by Canadian Trucking Academy as well as a link to the school's website. The Canadian-universities.net website also described the courses as being between 40 and 200 hours in duration, and also provided the school's above listed address, and two phone numbers.

Since this college is not registered, and this program is not approved, advertising of them is prohibited in accordance with section 11 as noted above.

The screenshot shows a web browser window displaying the Canadian Trucking Academy website. The browser's address bar shows the URL http://www.canadiantruckingacademy.com/truck_course.html. The website has a blue header with the text "Class A - C - D - Z" and "CANADIAN TRUCKING ACADEMY". Below the header, there is a navigation menu with links for "HOME", "TRUCKING COURSE", "GENERAL FREIGHT", "AWARDS", "RELATED LINKS", "APPLICATION FORM", and "CONTACT US". The main content area is titled "Trucking Courses Offered" and is divided into two columns. The left column is for "see Class A, C, Z" and the right column is for "see Class D, Z".

see Class A, C, Z	see Class D, Z
Types of vehicles allowed to drive: ANY TRACTOR-TRAILER COMBINATION ANY REGULAR BUS	Types of vehicles allowed to drive: ANY TRUCK OR COMBINATION PROVIDED THE TOWED VEHICLE IS NOT OVER 4,600 KG
May also drive vehicle in class: D, F and G	May also drive vehicle in class: G

At the bottom of the page, there is a footer with the text "TRUCKING COURSE * GENERAL FREIGHT * AWARDS * RELATED LINKS * APPLICATION FORM * CONTACT US" and "WEBSITE CREATED BY AVATEK.CA". The browser's status bar shows the date "April 21, 2010" and the time "10:47 AM".

BACKGROUND

Previous Registration

Canadian Trucking Academy was previously a registered Private Career College, and was registered on August 15, 2006. That previous registration included approval to deliver a Tractor Trailer (AZ) Driving Program. The school's registration was voluntarily withdrawn on November 11, 2007.

Legal and Operating Entities

On April 21, 2010, Ministry staff conducted an ONBIS search and found that Canadian Trucking Academy was registered as a business name of 898608 Ontario Inc, on July 25, 2006.