

Competition Tribunal



Tribunal de la Concurrence

Reference: *The Commissioner of Competition v. Premier Career Management Group et al.*,
2007 Comp. Trib. 31
File No.: CT-2007-006
Registry Document No.: 0073

IN THE MATTER of the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

AND IN THE MATTER of an inquiry pursuant to subparagraph 10(1)(b)(ii) of the *Competition Act* relating to certain marketing practices of Premier Career Management Group Corp. and Minto Roy;

AND IN THE MATTER of an application by the Commissioner of Competition for an order under section 74.1 of the *Competition Act*.

B E T W E E N:

The Commissioner of Competition
(applicant)

and

**Premier Career Management Group Corp. and
Minto Roy**
(respondents)



Decided on the basis of the written record
Presiding Judicial Member: Simpson J.
Date of Order: November 16, 2007
Order signed by: Madam Justice Sandra J. Simpson

**ORDER ALLOWING MOTION TO AMEND REVISED MOTION RECORD FOR AN
ORDER IN DEFAULT OF RESPONSE**

[1] FURTHER TO a notice of application filed by the Commissioner of Competition (the “Commissioner”) on May 8, 2007 for an order with respect to alleged false or misleading representations made by the Respondents contrary to subsection 74.01(1) of the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

[2] AND FURTHER TO the Commissioner’s Motion to Amend her Revised Motion Record for an Order in Default of Response (the “Motion to Amend”) to add the affidavit of Raffaele Rocca (the “Affidavit”) and to amend the Written Representations to refer to the Affidavit;

[3] AND UPON concluding that the Commissioner’s Motion to Amend should be granted because the Affidavit was not available when the Revised Motion Record was filed and because it includes relevant information.

NOW THEREFORE THE TRIBUNAL ORDERS THAT:

[4] The Commissioner’s Motion to Amend is granted without costs.

[5] The Amended Written Representations which were served and filed as part of the Commissioner’s Motion to Amend, shall replace the Written Representations found at Tab 2 of the Commissioner’s Revised Motion Record for an Order in Default, and the Affidavit of Raffaele Rocca, shall be added at Tab 12 of the Commissioner’s Revised Motion Record.

DATED at Ottawa, this 16th day of November, 2007

SIGNED on behalf of the Tribunal by the Chairperson.

(s) Sandra J. Simpson

COUNSEL:

For the applicant:

The Commissioner of Competition

Stéphane Lilkoff
Roger Nassrallah

For the respondents:

Premier Career Management Group Corp. and Minto Roy

Sarah Swan
Michael G. Thomas