Passenger Transportation Board
MOVING FORWARD, TOGETHER

Transfers - Administrative

Context

The Board looks for opportunities to streamline processes and reduce the administrative burden for licensees and applicants wherever possible.

Under the Act, the Board may approve transfer applications if it considers that an applicant is a fit and proper person and capable of providing a service.

Note: a transfer application is not required when there is an ownership change within a corporation (i.e. change of shareholders).

Applicability

This policy applies to the following:

- Licence applications
- Application process
- Fit and proper assessments

Policy

Transfer requirements may be streamlined when the Board is satisfied that the transfer application is administrative in nature, such as when the principals for the transferor and transferee are the same or mostly the same individuals.

Examples of circumstances when an administrative transfer may be possible are:

1. A sole proprietor converts the business to a limited corporation and the proprietor becomes the sole shareholder of the new corporation.

2. A partner leaves the partnership and the company changes from a partnership to (a) a sole proprietorship, (b) a new partnership or (c) a new corporation. Streamlined transfer application requirements would apply only where a majority of the original partners continue as principals for the transferee.

3. One corporation is voluntarily being dissolved and a new corporation is established with the same principals or majority of the same principals.

Legislation

28 (1) The board may approve, in whole or in part, an application forwarded to the board under section 26 (1) [other licence applications] after considering the following:

(a) whether the applicant

(i) is a fit and proper person to provide the service the applicant proposes to provide under the special authorization, and

(ii) is capable of providing the service;

30 (1) A licensee must apply to the registrar before transferring the licence and, in that event,

a) Division 2 applies to an application to transfer a licence issued under that Division, and

b) Division 3, other than section 28 (1) (b), applies to an application to transfer a licence issued under that Division.

(3) Promptly after a licence is transferred, the person who is transferring the licence must do the following:

a) ensure that each vehicle identifier the person was required to display on or in motor vehicles operated under the licence ceases to be displayed on or in those motor vehicles;

b) collect the vehicle identifiers referred to in paragraph (a), or notify the registrar if the person fails to collect each of those vehicle identifiers;

c) if the vehicle identifiers collected under paragraph (b) were issued by the registrar, return those vehicle identifiers to the registrar in the prescribed manner.

Related topics:

- Fit and proper policy