

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT

TO

INTERCAMBIOS, S.A.

AND TO

SEINTER, S.A.

AND TO

CARLOS COLL

AND TO

ALEXANDER COLL PIMENTEL

AND TO

VERONICA PIMENTEL MORALES

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT THEREOF

ISSUE

This Director's Order was issued under s. 157 of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1 of the *Fair Trading Act*, this Director's Order is part of the public record.

For more information on the *Fair Trading Act*, business licensing in Alberta or to search for a licensed business, please click here:

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To view a tipsheet on this business licence category, please click here:

[Tipsheets](#)



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DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT

TO
INTERCAMBIOS, S.A.
AND TO
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AND TO
BARBERO SAMUEL ORLANDO ALVAREZ
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AND TO
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ALLEGATION

Service Alberta has investigated allegations related to breaches of the requirements of the *Fair Trading Act* and Employment Agency Business Licensing Regulation and found evidence that:

1. SEINTER, S.A., CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES have represented themselves as engaged in employment agency activities related to employment in Alberta without the required Employment Agency Business Licence.
2. INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES have demanded fees for employment agency services in violation of s. 12 (1) of the Employment Agency Business Licensing Regulation.
3. INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES have engaged in misrepresentations that their activities have been approved or endorsed by the Government of Alberta. This represents a breach of s. 6 (4)(d) of the *Fair Trading Act*.
4. The employment agency business licence issued to INTERCAMBIOS, S.A. was terminated on October 17, 2016.

Based on the available evidence, the Director has reached the opinion that INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES have breached the *Fair Trading Act* and Employment Agency Business Licensing Regulation.

KEY LEGISLATION

The *Fair Trading Act* RSA 2000 Chapter F-2 states:

- s. 6 (4) Without limiting subsections (2) and (3), the following are unfair practices if they are directed at one or more potential consumers:
 - (d) a supplier's representation that the supplier has a sponsorship, approval, status, qualification, affiliation or connection that the supplier does not have;
- s. 104 No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business.

The Designation of Trades and Businesses Regulation 178/1999 states:

- s. 4 (1) Part 10 of the *Fair Trading Act* applies to the employment agency business.
- (2) In this section, "employment agency business" means any of the following activities:
 - (a) securing or attempting to secure individuals in Alberta for employment;
 - (b) securing or attempting to secure employment in Alberta for individuals;

The Employment Agency Business Licensing Regulation 45/2012 states:

- s. 12 (1) No employment agency business operator shall directly or indirectly demand or collect a fee, reward or other compensation
 - (a) from an individual who is seeking employment or from another person on that individual's behalf.

ORDER

- **INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES, individually or through any employee, representative or agent, must immediately cease engaging representations related to employment agency activities or employment opportunities in Alberta.**
- **INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA PIMENTEL MORALES, individually or through any employee, representative or agent, must immediately cease representing that they have been approved or endorsed by the Government of Alberta or that they hold a valid employment agency business licence under the *Fair Trading Act* using false documentation.**
- **INTERCAMBIOS, S.A., SEINTER, S.A., BARBERO SAMUEL ORLANDO ALVAREZ, CARLOS COLL, ALEXANDER COLL PIMENTEL, and VERONICA**

PIMENTEL MORALES, individually or through any employee, representative or agent, must immediately cease demanding or collecting any fee, reward or compensation related to securing or attempting to secure employment in Alberta.

NON COMPLIANCE WITH ORDER

ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE FAIR TRADING ACT CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE FAIR TRADING ACT.



Darren Thomas
Director of Fair Trading (as delegated)

November 28, 2016