

2008 BCSECCOM 124

Foresight Capital Corporation and Gilbert Kenneth Wong

Securities Act, RSBC 1996, c 418

Application

Panel	Brent W. Aitken, Vice Chair John K. Graf, Commissioner
Date of application	December 23, 2007
Submissions completed	January 26, 2008
Date of ruling	February 29, 2008
Submissions filed by Gilbert Kenneth Wong	For himself and Foresight Capital Corporation
Wietzke Gerber	For the Executive Director

Ruling

- ¶ 1 This is an application by Foresight Capital Corporation and Gilbert Kenneth Wong for an order to “recover costs” in connection with the hearing arising from the notice of hearing involving those parties. See *Foresight Capital Corporation* 2004 BCSECCOM 721 (Notice of Hearing), 2007 BCSECCOM 101 (Findings), and 2007 BCSECCOM 365 (Decision).
- ¶ 2 The executive director is the only party against whom an order for costs could be made to enable the applicants to recover their costs.
- ¶ 3 The commission has the jurisdiction to make only the orders that the *Securities Act*, RSBC 1996, c 418 authorizes it to make. Although section 174 of the Act authorizes the commission to make costs orders against persons whose affairs are the subject of a hearing, the Act contains no authority for the commission to make costs orders against anyone else. We therefore do not have jurisdiction to make the order sought in the application.

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¶ 4 We dismiss the application.

¶ 5 February 29, 2008

¶ 6 **For the Commission**

Brent W. Aitken
Vice Chair

John K. Graf
Commissioner