

2009 BCSECCOM 376

Reciprocal Order

Brian H. Crombie

Section 161(1) of the *Securities Act*, RSBC 1996, c. 418

Introduction

- ¶ 1 This is an order under sections 161(1) and 161(6)(d) of the *Securities Act*, RSBC 1996, c.418.

Background

- ¶ 2 Brian H. Crombie has agreed with the Ontario Securities Commission to be subject to sanctions in a settlement agreement dated February 12, 2009 [*In the matter of Biovail Corporation, Eugene N. Melnyk, Brian H. Crombie, John R. Miszuk and Kenneth G. Howling.*](#)

Order

- ¶ 3 After providing Crombie an opportunity to be heard, and considering staff's submissions, and considering it to be in the public interest, we order:
1. under section 161(1)(d)(i) and (ii) of the Act, that Crombie resign any position he holds as, and is prohibited until February 12, 2017, from becoming or acting as, a director or officer of any issuer, registrant or investment fund manager,
 2. under section 161(1)(d)(iii) of the Act, that Crombie is prohibited until February 12, 2017, from becoming or acting as a registrant, investment fund manager or promoter,
 3. under section 161(1)(d)(iv) of the Act, that Crombie is prohibited until February 12, 2017, from acting in a management or consultative capacity in connection with activities in the securities market, and
 4. under section 161(1)(d)(v) of the Act, that Crombie is prohibited until February 12, 2017, from engaging in investor relations activities

- ¶ 4 July 7, 2009

- ¶ 5 **For the Commission**

Brent W. Aitken
Vice Chair

David J. Smith
Commissioner

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