

2009 BCSECCOM 402

Revocation Order

Brian H. Crombie

Section 171 of the *Securities Act*, RSBC 1996, c. 418

Introduction

¶ 1 This is an order under section 171 of the *Securities Act*, RSBC 1996, c.418.

Background

¶ 2 By letter dated May 28, 2009, the director of enforcement wrote to Mr. Crombie to advise him that the executive director was applying for orders under sections 161(6)(c) and (d) and 161(1) of the Act. The letter advised Mr. Crombie that he was entitled to respond and that submissions should be delivered to the secretary to the Commission by July 6, 2009. The OSC gave the director an incorrect address for Mr. Crombie. Consequently, the letter did not come to Mr. Crombie's attention until after July 6, 2009.

Order

¶ 3 On July 7, 2009, the Commission made an order as follows:

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.

Order

¶ 4 Considering that to do so would not be prejudicial to the public interest, we order under section 171 of the Act, the July 7, 2009 order is revoked immediately. We ask the executive director to reapply for an order under section 161(6)(d) and

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161(1), and to send the application to Mr. Crombie's lawyer, Paul Le Vay, Stockwoods LLP, The Sun Life Tower, Suite 2512, 150 King Street West, Toronto, ON, M5H 1J9 (Email Address: paullyv@stockwoods.ca).

¶ 5 July 16, 2009

¶ 6 **For the Commission**

Brent W. Aitken
Acting Chair

David J. Smith
Commissioner