

2004 BCSECCOM 182

Donald Wayne Busby

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

Background

- ¶ 1 The Executive Director has entered into a Settlement Agreement with Donald Wayne Busby, a copy of which is attached as Schedule A.

The Order

- ¶ 2 The Executive Director, considering it to be in the public interest to do so, orders (the Order) by consent that:

1. under section 161(1)(c) of the Act, the exemptions described in sections 44 to 47, 74, 75, 98 and 99 of the Act, do not apply to Busby until the later of:
 - (a) four years from the date of the Order; and
 - (b) the date he successfully completes a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers,subject to the following conditions:
 - (c) he may sell those securities held in his brokerage accounts in British Columbia as of March 18, 2004 (the Exempted Trades);
 - (d) before any Exempted Trades take place and within two weeks of the date of the Order, Busby must deliver a sworn declaration to the Executive Director listing the securities of any issuer over which Busby has direct or indirect beneficial ownership or control or direction;
 - (e) any such Exempted Trades must take place within one year of the date of the Order through a single registered dealer designated in writing by Busby and approved by the Executive Director;
 - (f) before any such Exempted Trades take place, Busby must deliver to the registered dealer a copy of the Order;
2. under section 161(1)(d) of the Act, Busby be prohibited from engaging in investor relations activities for four years from the date of the Order; and

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3. under section 161(1)(d) of the Act, Busby resign any position that he may hold as a director or officer of any issuer and be prohibited from becoming or acting as a director or officer of any issuer until the later of:
 - (a) four years from the date of the Order; and
 - (b) the date he successfully completes a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers.

¶ 3 March 19, 2004

“Martin Eady”

¶ 4 Martin Eady
Acting Executive Director