

BRITISH COLUMBIA SECURITIES COMMISSION  
*Securities Act*, RSBC 1996, c. 418

Citation: *Re Manna Trading*, 2018 BCSECCOM 16

Date: 20180115

**Manna Trading Corp Ltd., Manna Humanitarian Foundation,  
Legacy Capital Inc., Legacy Trust Inc.,  
Hal (Mick) Allan McLeod, David John Vaughan,  
Kenneth Robert McMordie (also known as Byrun Fox),  
Dianne Sharon Rosiek and Robert (Robb) Murray Perkinson**

**Variation Order**

- [1] On May 31, 2017, the BC Court of Appeal issued its judgment in *Poonian v. British Columbia Securities Commission* (2017 BCCA 207). In the judgment, the Court considered the interpretation of section 161(1)(g) of the *Securities Act*.
- [2] The Commission's decision in *Re Manna Trading*, 2009 BCSECCOM 595 includes orders under section 161(1)(g) of the Act. The facts in the decision raise issues that the Court of Appeal considered in the judgment. As the decision predates the judgment, the section 161(1)(g) orders in the decision were made without the benefit of the principles established by the judgment.
- [3] It is in the public interest that a section 161(1)(g) order that may be affected by the judgment be stayed until a party makes an application to the Commission under section 171 of the Act to lift the stay or to vary or revoke the order. At that time, the Commission will consider whether the order is consistent with the judgment.
- [4] Considering that it would not be prejudicial to the public interest to do so, the Commission, under section 171 of the Act, varies the decision by staying the order in:
  - a) paragraph 58(7) against McLeod,
  - b) paragraph 58(15) against Vaughan,
  - c) paragraph 58(23) against McMordie,
  - d) paragraph 58(31) against Rosiek, and

e) paragraph 58(35) against Manna Trading, Manna Foundation, Legacy Capital,  
Legacy Trust.

January 15, 2018

**For the Commission**

Brenda M. Leong  
Chair

Nigel P. Cave  
Vice Chair