

2002 BCSECCOM 809

Settlement Agreement

**Investax Management Inc.
Andrew Richard Jukes**

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

¶ 1 The following settlement of issues has been reached between Investax Management Inc. (Investax), Andrew Richard Jukes (Jukes) and the Executive Director.

Agreed Statement of Facts

¶ 2 As the basis for the undertakings referred to below, Investax and Jukes acknowledge the following facts as correct:

1. Investax is resident in Vancouver, B.C. and was registered under the *Securities Act*, RSBC 1996, c. 418, as a Securities Dealer, from December 23, 1986 until December 23, 1992, when it changed to its present category of registration of Investment Counsel.
2. Jukes is resident in Richmond, B.C. and from February 24, 1987 to February 23, 1991, was registered under the Act, as a registered representative with Investax, and from December 23, 1992 to February 23, 1997, was an advising partner, director or officer. Jukes has not been registered under the Act, since February 23, 1997.
3. Since February 23, 1997, Jukes has advised and traded in securities on behalf of Investax clients, with the knowledge of John D. Cantelon and Donald W. Wood, who are advising partners, directors or officers of Investax. In addition, Jukes also acted as Investax's compliance officer even though Mr. Cantelon was the compliance officer of record.

Mitigating Factors

¶ 3 The Executive Director has taken into account the following facts as factors mitigating the sanctions, which would otherwise have applied in the public interest:

1. Investax and Jukes have no previous disciplinary history with the British Columbia Securities Commission (Commission).

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2. Investax and Jukes cooperated with staff of the Commission in the course of this investigation.

Undertakings

¶ 4 Investax undertakes to:

1. pay to the Commission, at the signing of this Agreement, the sum of \$7,500, of which \$500 represents the costs to the Commission of the investigation; and
2. comply with the Act and the *Securities Rules*, BC Reg 194/97, and all applicable regulations, policies and guidelines from the date of this agreement.

¶ 5 Jukes undertakes to:

1. pay to the Commission, at the signing of this Agreement, the sum of \$5,000, of which \$500 represents the costs to the Commission of the investigation; and
2. comply with the Act and the Rules and all applicable regulations, policies and guidelines from the date of this agreement.

Waiver

¶ 6 Investax and Jukes waive any right they may have, under the Act or otherwise, to a hearing, hearing and review, judicial review or appeal related to, in connection with, or incidental to this Agreement.

¶ 7 August 28, 2002

_____)
Andrew Richard Jukes)

_____)
Witness Signature)

_____)
Witness Name (Please Print))

_____)
Address)

_____)
Occupation)

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August 28, 2002

Investax Management Inc.

_____)
Authorized Signature)
_____)
Name (Please Print))
_____)
Capacity)
_____)
Witness Signature)
_____)
Witness Name (Please Print))
_____)
Address)
_____)
Occupation)

¶ 8 September 11, 2002

Steve Wilson
Executive Director