

2011 BCSECCOM 68

Notice of Hearing

Dirk Christian Lohrisch

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

¶ 1 The British Columbia Securities Commission will hold a hearing at which the Executive Director will tender evidence, make submissions and apply for orders against Dirk Christian Lohrisch (Lohrisch) under sections 161 and 174 of the *Securities Act*, RSBC 1996, c. 418 (the *Act*), based on the following facts:

Background

1. Lohrisch is a resident of Vancouver, British Columbia.
2. Lohrisch was registered under the *Act* as:
 - (a) an investment advisor with Canaccord Genuity Corp. (Canaccord) from February 6, 2001 to March 14, 2003; and
 - (b) a salesperson with Canaccord from March 14, 2003 to December 22, 2008, and from April 7, 2009 to May 8, 2009.
3. On July 26, 2010, a hearing panel (the Panel) of the Investment Industry Regulatory Organization of Canada (IIROC), formerly the Investment Dealers Association (the IDA), found that on August 7, 2003 and April 13, 2009, Lohrisch had contravened Dealer Member Rule 29.1, and on October 7, 2009 contravened both Rules 29.1 and 19.6 as follows:
 - (a) On August 7, 2003, Lohrisch submitted a Change of Registration Form - form 33-109F5 to the IDA in which he stated that he had completed a required professional financial planning course (PFPC) on July 30, 2003, when he was aware that he had in fact failed it.
 - (b) On April 13, 2009, Lohrisch submitted a transcript to IIROC that he had forged to show that he had passed the PFPC on July 30, 2003 with a grade of 73%.
 - (c) On October 7, 2009, Lohrisch attempted to obstruct IIROC staff's investigation into his conduct by lying to them about his completion of the PFPC and his reasons for forging the transcript.
4. The Panel permanently banned Lohrisch from IIROC approval in any capacity, fined him \$40,000.00 and imposed costs of \$27,000.00 against him.

2011 BCSECCOM 68

Reciprocal Order

- ¶ 2 Lohrisch's conduct, as set out in this Notice, was contrary to the public interest.
- ¶ 3 The Executive Director seeks the following final order:
1. under section 161(1)(b) of the *Act*, that Lohrisch cease trading in, and is permanently prohibited from purchasing, securities and exchange contracts;
 2. under section 161(1)(d)(i) of the *Act*, that Lohrisch resign any position he holds as a director of any issuer, registrant or investment fund manager;
 3. under section 161(1)(d) (ii) of the *Act*, that Lohrisch is permanently prohibited from becoming or acting as a director of any issuer, registrant or investment fund manager;
 4. under section 161(1)(d)(iii) of the *Act*, that Lohrisch is permanently prohibited from becoming or acting as a registrant, investment fund manager or promoter;
 5. under section 161(1)(d)(iv) of the *Act*, that Lohrisch is permanently prohibited from acting in a management or consultative capacity in connection with activities in the securities market; and
 6. under section 161(1)(d)(v) of the *Act*, that Lohrisch is permanently prohibited from engaging in investor relations activities.

Hearing Process

- ¶ 4 The Executive Director applies to have questions of liability and sanction heard at the same time and to have the hearing conducted in writing only. Lohrisch may respond to either or both applications by providing the Secretary to the Commission with his written submissions and any supporting materials by **March 16, 2011**. Lohrisch may mail his response to the Secretary to the Commission at PO Box 10142, Pacific Centre, 701 West Georgia Street, Vancouver, BC V7Y 1L2, or he may email his response to commsec@bcsc.bc.ca.

2011 BCSECCOM 68

¶ 5 In the hearing, Lohrisch may be represented by counsel, make submissions and tender evidence. Lohrisch is requested to advise the Commission of his intention to participate in the hearing by informing the Secretary to the Commission.

¶ 6 February 7, 2011

Paul Bourque

¶ 7 Paul C. Bourque, Q.C.
Executive Director