



**IN THE MATTER OF
THE MUTUAL FUND DEALER RULESⁱ
and
Antony Kin San Chau**

ORDER

WHEREAS on March 25, 2024, the Canadian Investment Regulatory Organization (“CIRO”) issued a Notice of Hearing pursuant to Mutual Fund Dealer Rule 7.3 commencing a disciplinary proceeding against Antony Kin San Chau (the “Respondent”);

AND WHEREAS the first appearance in this proceeding was held electronically by videoconference on May 21, 2024 during which a schedule was set for the balance of the proceeding;

AND WHEREAS pursuant to paragraph 1 of the order arising from the first appearance dated May 21, 2024 (the “Order”), Staff of CIRO (“Staff”) sent a copy of the Order by email to the Respondent’s last known email address and by regular mail and registered mail to the Respondent’s last known mailing address as recorded in CIRO’s records;

AND WHEREAS paragraph 4 of the Order required redaction of intimate financial and personal information pending further consideration in the hearing on the merits;

AND WHEREAS on July 23, 2024 and September 11, 2024, a hearing on the merits was conducted before this hearing panel of the Ontario District Hearing Committee (the “Hearing Panel”) electronically by videoconference;

AND WHEREAS the Respondent did not serve and file a Reply to the Notice of Hearing in accordance with Mutual Fund Dealer Rule 7.3.2 and Rule 8.1(1) of the Mutual Fund Dealer Rules of Procedure and did not attend the first appearance or the hearing on the merits in person or by representative, despite having been properly served with the Notice of Hearing and the Order;

AND WHEREAS upon reading the affidavits and written submissions filed by Staff and hearing the oral submissions of Staff, the Hearing Panel has found that:

- (a) in March 2018, the Respondent solicited and arranged for a client to loan money to a third party for the Respondent's benefit, contrary to Mutual Fund Dealer Rule 2.1.4 as then in force;
- (b) in March 2018, the Respondent made misleading representations to the client to have the client loan money to the third party, contrary to Mutual Fund Dealer Rule 2.1.1; and
- (c) the Respondent failed to cooperate with an investigation into his conduct by Staff of CIRO, contrary to Mutual Fund Dealer Rule 6.2.1.

IT IS HEREBY ORDERED THAT:

1. The Respondent is prohibited permanently from conducting any securities related business while in the employ of or associated with any Dealer Member of CIRO, pursuant to Mutual Fund Dealer Rule 7.4.1.1(e).
2. The Respondent shall pay a fine of \$400,000 on the date of this order, pursuant to Mutual Fund Dealer Rule 7.4.1.1(b).
3. The Respondent shall pay costs in the amount of \$15,000 on the date of this order, pursuant to Mutual Fund Dealer Rule 7.4.2.
4. Paragraph 4 of the Order of May 21, 2024 is revoked and shall have no effect.

5. The information specified in paragraph 42 of Schedule A to the Hearing Panel's Decision and Reasons dated November 7, 2024 shall be redacted from the record of this proceeding.

DATED this 7th day of November 2024.

“Philip Anisman”

Philip Anisman,
Chair

“Eugene Park”

Eugene Park,
Industry Representative

“Vas Pachapurkar”

Vas Pachapurkar,
Industry Representative

ⁱ On January 1, 2023, the Investment Industry Regulatory Organization of Canada (“IIROC”) and the Mutual Fund Dealers Association of Canada (the “MFDA”) were consolidated into a single self-regulatory organization recognized under applicable securities legislation that is called the Canadian Investment Regulatory Organization (referred to herein as “CIRO”). CIRO adopted interim rules that incorporate the pre-amalgamation regulatory requirements contained in the rules and policies of IIROC and the by-law, rules and policies of the MFDA (the “Interim Rules”). The Interim Rules include (i) the Investment Dealer and Partially Consolidated Rules, (ii) the UMIR and (iii) the Mutual Fund Dealer Rules. These rules are largely based on the rules of IIROC and certain by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation. Where the rules of IIROC and the by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation have been incorporated into the Interim Rules, Enforcement Staff have referenced the relevant section of the Interim Rules. Pursuant to Mutual Fund Dealer Rule 1A and s.14.6 of By-Law No. 1 of CIRO, contraventions of former MFDA regulatory requirements may be enforced by CIRO.