



**TRINIDAD AND TOBAGO SECURITIES AND EXCHANGE COMMISSION**

**In The Matter of the Contravention of Sections 63 (a) of Securities Act Chapter 83:02 of the Laws of the Republic of Trinidad and Tobago and By-Law 47 (c) of the Securities (General) By-Law 2015**

**By**

**Scotia Canadian Equity Fund**

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**ORDER OF THE COMMISSION**

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Dated this 2<sup>nd</sup> day of August, 2022

**WHEREAS** Section 63(a) of the Securities Act, Chapter 83:02 of the Laws of the Republic of Trinidad and Tobago (“the Act”) and By-Law 47(c) of the Securities (General) By-Laws, 2015 (“the By-laws”) require a reporting issuer to file its annual report with the Commission, within the prescribed timeframe,;

**AND WHEREAS** Scotia Canadian Equity Fund (“the Respondent”) filed its annual report for the financial year ended December 31, 2020 with the Commission, past the due date;

**AND WHEREAS** the staff of the Commission (“the Staff”) advised the Respondent that it was in contravention of Section 63(a) of the Act and By-Law 47(c) of the By-Laws for failing to file its annual report for the financial year ended December 31, 2020, within the prescribed timeframe;

**AND WHEREAS** the Respondent entered into a settlement agreement dated April 26, 2022 with Staff (“the Settlement Agreement”), and the Settlement Agreement was approved by the Settlement Panel and the Board of Commissioners;

**AND WHEREAS** pursuant to the Settlement Agreement the Respondent shall pay the sum of the One Hundred and Forty-Five Thousand and Trinidad and Tobago Dollars (TT \$145,000.00) to the Commission within twenty-eight (28) days of the making of this Order;

**AND UPON** the Board of Commissioners considering the submissions in the Settlement Agreement and being satisfied that the making of this Order is essentially procedural and does not require a Hearing pursuant to Section 159 of the Act.

**IT IS HEREBY ORDERED THAT:**

1. Scotia Canadian Equity Fund (“the Respondent”) has contravened Section 63(a) of the Act and By-Law 47(c) of the By-Laws;
2. Pursuant to Section 156(2) of the Act, the Respondent shall pay an administrative fine in the total sum One Hundred and Forty-Five Thousand, Trinidad and Tobago Dollars (TT\$145,000.00) to the Commission within twenty-eight (28) days of the making of this Order; and
3. This Order shall be published in the Trinidad and Tobago Gazette and posted on the Commission’s website. A notice of the posting shall be published in two daily newspapers of general circulation in Trinidad and Tobago.

**BY ORDER OF THE COMMISSION**