

NOTICE / NEWS RELEASE

For immediate release

Enforcement Notice Decision 13-0145

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IN THE MATTER OF Henry Gerald Martens – Settlement Accepted

June 3, 2013 (Vancouver, B.C.) – On May 21, 2013, a Hearing Panel of the Investment Industry Regulatory Organization of Canada (IIROC), accepted a Settlement Agreement, with sanctions, between IIROC staff and Henry Gerald Martens.

Mr. Martens admitted that he failed to use due diligence to know the essential facts relative to two of his customers and to ensure that the recommendations he made for them were suitable.

Specifically, Mr. Martens admitted to the following violation(s):

- a) From approximately January 26, 2007 to June 2, 2009, he failed to use due diligence to learn and remain informed of the essential facts relative to two customers, contrary to IDA Regulation 1300.1(a) (IIROC Rule 1300.1(a) after June 1, 2008); and
- b) From approximately February 1, 2007 to April 13, 2008, he failed to use due diligence to ensure the recommendations he made for two customers were suitable based on their financial situation, investment knowledge, investment objectives and risk tolerance, contrary to IDA Regulation 1300.1(q).

Pursuant to the Settlement Agreement, Mr. Martens agreed to the following penalty:

- a) A fine in the amount of \$50,000; and
- b) A one-year suspension of approval in any capacity.

Mr. Martens also agreed to pay costs in the amount of \$5,000.



The Settlement Agreement is available at:

<http://docs.iiroc.ca/DisplayDocument.aspx?DocumentID=2DFB4B826C50408495748F1DCB530916&Language=en>

and the decision of the Hearing Panel will be made available at www.iiroc.ca.

Documents related to ongoing IIROC enforcement proceedings – including Reasons and Decisions of Hearing Panels – are posted on the IIROC website as they become available. Click [here](#) to search and access all IIROC enforcement documents.

IIROC formally initiated the investigation into Mr. Martens' conduct in February 2012. The alleged violations occurred when he was a Registered Representative with the Kelowna branch of Wolverton Securities Ltd., an IIROC-regulated firm. Mr. Martens is no longer a registrant with an IIROC-regulated firm.

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IIROC is the national self-regulatory organization which oversees all investment dealers and trading activity on debt and equity marketplaces in Canada. Created in 2008 through the consolidation of the Investment Dealers Association of Canada and Market Regulation Services Inc., IIROC sets high quality regulatory and investment industry standards, protects investors and strengthens market integrity while maintaining efficient and competitive capital markets.

IIROC carries out its regulatory responsibilities through setting and enforcing rules regarding the proficiency, business and financial conduct of dealer firms and their registered employees and through setting and enforcing market integrity rules regarding trading activity on Canadian equity marketplaces.

IIROC investigates possible misconduct by its member firms and/or individual registrants. It can bring disciplinary proceedings which may result in penalties including fines, suspensions, permanent bars, expulsion from membership, or termination of rights and privileges for individuals and firms.

All information about disciplinary proceedings relating to current and former member firms is available in the [Enforcement section](#) of the IIROC website. Background information regarding the qualifications and disciplinary history, if any, of advisors currently employed by IIROC-regulated firms is available free of charge through the [IIROC AdvisorReport](#) service. Information on how to make investment dealer, advisor or marketplace-related complaints is available by calling 1.877.442.4322.