

ALBERTA SECURITIES COMMISSION

BLANKET ORDER 15-502

Citation: Notice to Attend (Hearing), Re, 2010 ABASC 402

Date: 20100823

Notice to Attend (Hearing): Authorization of Form

Background

1. Section 29(c) of the *Securities Act*, R.S.A. 2000, c. S-4 (the "Act") provides that, for the purpose of a hearing before the Commission or the Executive Director (a "Hearing"):

the Commission or the Executive Director, as the case may be, has the same power as is vested in the Court of Queen's Bench for the trial of civil actions

- (i) to summon and enforce the attendance of witnesses,
- (ii) to compel witnesses to give evidence on oath or otherwise, and
- (iii) to compel witnesses to produce documents, records, securities, exchange contracts, contracts and things; . . .

2. Section 4 of the *Alberta Securities Commission Rules (General)* prescribes a form of summons to a witness (the "Prescribed Form") for various purposes including a Hearing.
3. A variant of the Prescribed Form (the "Form of Notice to Attend", a copy of which is annexed to this Order) has been developed that conveys the essential information contemplated by the Prescribed Form but is tailored more specifically to the circumstances of a Hearing.

Order

4. The Commission hereby orders that a notice substantially consistent with the Form of Notice to Attend may be used, in lieu of a summons in the Prescribed Form, for purposes of section 29(c) of the Act.

23 August 2010

For the Commission:

"original signed by"

Glenda Campbell, QC
Vice-Chair

"original signed by"

Stephen Murison
Vice-Chair

ANNEX

ALBERTA SECURITIES COMMISSION

NOTICE TO ATTEND

(Sections 29(c), (d) and (m) of the *Securities Act* (Alberta))

● [Style of Cause]

TO: ● [Name of witness]
● [Address of witness]

TAKE NOTICE that you are hereby required to attend a hearing before the ● [Alberta Securities Commission (the "Commission") / Executive Director of the Alberta Securities Commission (the "Executive Director")] at ● [the 6th Floor, 300 - 5th Avenue SW, Calgary, Alberta or other applicable address] on ● [date] at ● [time] (and to remain or return there from time to time and day to day as may be directed by the ● [Commission / Executive Director]) for the purpose of giving evidence on oath or otherwise regarding the allegations in the attached ● [title of notice of hearing or application] dated ● [date of notice of hearing or application].

AND FURTHER TAKE NOTICE that you are hereby required to bring with you and produce at the same time and place the following ● [documents, records, securities, exchange contracts, contracts and things] in your custody or possession: ●.

If you fail or refuse to attend at the hearing or to answer questions, then on application to the Court of Queen's Bench of Alberta by the ● [Commission / Executive Director], you may be liable to be committed for contempt by the Court of Queen's Bench in the same manner as if you were in breach of an order or judgment of that Court.

Calgary, Alberta

_____ [month] [year]

ALBERTA SECURITIES COMMISSION

[● [Panel Member (for Commission)] /
●, Executive Director]

● [Panel Member (for Commission)] or delete]