

IIROC & MFDA Release Enforcement Reports

September 22, 2019

Both IIROC and MFDA released their annual enforcement reports at the beginning of summer, which can be found [here](#) (IIROC) and [here](#) (MFDA).

IIROC

IIROC highlighted its success in obtaining greater legal authority in five more provinces and three territories, for a total of eight provinces. This significantly expands IIROC (and the MFDA's) ability to collect and enforce fines through the courts and compel evidence and witnesses from non-registrants.

It also noted that its focus continued to be on seniors, with an emphasis on suitability. Seniors cases represented the greatest portion of cases (one third of all cases reviewed and a quarter of all prosecutions).

It highlighted numerous completed cases, with a particular emphasis on conflicts of interest and suitability.

MFDA

The MFDA report focused on its "significant increase in enforcement activity" for 2018 by highlighting that it commenced 136 proceedings in 2018 (the highest amount of proceedings to date). It also noted that it concluded several hearings resulting in 19 permanent prohibitions, 41 suspensions against Approved Persons and levied \$6,080,031 in fines and \$592,000 in costs.

The most common type of allegations in 2018 was pre-signed forms (74 proceedings), followed by policies and procedures (45) and active signature falsification (27).

It also emphasized its new sanction guidelines which came into effect in November 2018 which are intended to promote consistency, fairness and transparency.

As part of its key enforcement activity going forward, it highlighted sales incentive practices, reasonable supervisory investigations, concentration and KYC uniformity and branch reviews.

By

[Maureen Doherty](#)

Expertise

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BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

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