



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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**FILE NO.:** 2018-23

**IN THE MATTER OF  
WAYNE J. BERRY**

D. Grant Vingoe, Vice-Chair and Chair of the Panel

July 16, 2018

**ORDER**

(Subsections 127(1) and 127(10) of the  
*Securities Act*, RSO 1990, c S.5)

WHEREAS the Ontario Securities Commission held a hearing in writing to consider a request by Staff of the Commission (**Staff**) for an order imposing sanctions against Wayne J. Berry (**Berry**) pursuant to subsections 127(1) and 127(10) of the *Securities Act*, RSO 1990, c S.5; and

ON READING the Settlement Agreement between Berry and the Nova Scotia Securities Commission (**NSSC**) dated May 11, 2017, an order of the NSSC dated May 26, 2017 (**NSCC Order**), and on reading the materials filed by Staff and Berry;

IT IS ORDERED that:

1. pursuant to paragraph 2 of subsection 127(1) of the Act, trading in any securities by Berry cease until May 26, 2022, with the exception that Berry is permitted to trade through a registrant to whom Berry must provide a copy of the NSSC Order and a copy of this order;
2. pursuant to paragraph 3 of subsection 127(1) of the Act, any exemptions contained in Ontario securities law do not apply to Berry until May 26, 2022;
3. pursuant to paragraphs 7, 8.1 and 8.3 of subsection 127(1) of the Act, Berry resigns any positions that he holds as a director or officer of any issuer, registrant or investment funds manager;
4. pursuant to paragraphs 8, 8.2 and 8.4 of subsection 127(1) of the Act, Berry be prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager until May 26, 2020;
5. pursuant to paragraph 8.5 of subsection 127(1) of the Act, Berry be prohibited from becoming or acting as a registrant, investment fund manager or promoter until May 26, 2022; and
6. pursuant to subsection 127(2) of the Act, as a term and condition of this order, should Berry become aware that EnChargeCanada Corp. is to be revived or has been

revived between the date of this order and May 26, 2027, Berry is to immediately advise Staff of the Commission that EnChargeCanada Corp. is to be or has been revived.

*"D. Grant Vingoe"*

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D. Grant Vingoe