



Ontario
Securities
Commission
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Commission des
valeurs mobilières
de l'Ontario

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FILE NO.: 2017-66

**IN THE MATTER OF
OMEGA SECURITIES INC.**

Mark J. Sandler, Commissioner and Chair of the Panel
AnneMarie Ryan, Commissioner

October 4, 2018

ORDER
(Subsection 127(1) of the
Securities Act, RSO 1990, c S.5)

WHEREAS on October 4, 2018, the Ontario Securities Commission (the **Commission**) held a hearing at the offices of the Commission, located at 20 Queen Street West, 17th Floor, Toronto, Ontario, to consider an application made jointly by Omega Securities Inc. (**OSI**) and staff of the Commission (**Staff**) for approval of a settlement agreement dated September 21, 2018 (the **Settlement Agreement**);

ON READING the Settlement Hearing Brief, including the Statement of Allegations dated November 16, 2017, the Settlement Agreement and the Consents of the parties, and on hearing the submissions of the representatives for OSI and Staff;

IT IS ORDERED THAT:

1. the Settlement Agreement is approved;
2. pursuant to paragraph 1 of subsection 127(1) of the *Securities Act*, RSO 1990, c S.5 (the **Act**), the following terms and conditions are imposed on OSI's registration:
 - (a) OSI shall continue to ensure that:
 - (i) the broker IDs of counterparties to a trade are recorded accurately;
 - (ii) timestamps pertaining to the "time of order receipt" and the "time of the trade" are disseminated in accordance with Part 7 of National Instrument 21-101 *Marketplace Operation (NI 21-101)*, and if transmission times are disseminated, they are disseminated in addition to the aforementioned timestamps and identified as such; and

- (iii) the MRF Feed is providing the Investment Industry Regulatory Organization of Canada (**IIROC**) with accurate timestamps of order receipt and execution of trades;
 - (b) OSI shall continue to retain the Independent Systems Reviewer to perform quarterly reviews and provide written reports regarding the effectiveness of the MRF Patch, on a quarterly basis for a 12-month period following December 11, 2017, and provide these reports to Staff and IIROC, if IIROC so requests;
 - (c) OSI shall continue to retain the Independent Systems Reviewer to perform quarterly reviews and provide written reports regarding the effectiveness of the upgrade to the ITCH 5.0 protocol on a quarterly basis for the four quarters ending after June 8, 2018, and provide these reports to Staff and IIROC, if IIROC so requests; and
 - (d) OSI shall maintain policies and procedures designed to ensure, on an ongoing and consistent basis, that mechanisms are in place that are designed to ensure that OSI's systems and their operations are compliant with NI 21-101;
3. pursuant to paragraph 9 of subsection 127(1) of the Act, OSI pay to the Commission an administrative penalty in the amount of \$500,000, which shall be designated for allocation or for use by the Commission in accordance with subclause 3.4(2)(b)(i) or (ii) of the Act; and
 4. the hearing date for the Second Attendance of October 4, 2018 is vacated.

"Mark J. Sandler"
Mark J. Sandler

"AnneMarie Ryan"
AnneMarie Ryan