

**In the Matter of
The Securities Act, 1988**

and

**In the Matter of
Aidan Trading
Catalyst CM Limited
and
Peter Jensen**

Notice of First Appearance

To: **Aidan Trading
Catalyst CM Limited
Peter Jensen**

TAKE NOTICE THAT you or a representative are to attend before a Panel of the Financial and Consumers Affairs Authority of Saskatchewan (the Authority) via teleconference on Friday, November 30, 2018 at 9:00 a.m. (CST) to set a date for a hearing into the matters alleged in the Statement of Allegations, dated November 23, 2018, a copy of which is attached hereto.

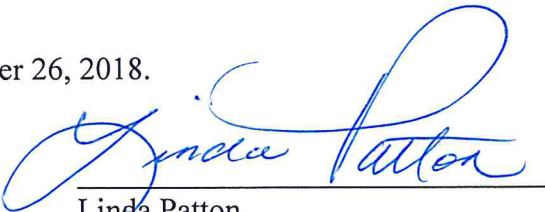
The teleconference number is: [REDACTED]
Pass code: [REDACTED]

TAKE NOTICE that you are entitled to be represented by legal counsel and to make representations on the return date;

AND FURTHER TAKE NOTICE that if you do not attend at the time and place as aforesaid, the conference call will proceed in your absence and the Panel of the Authority may set hearing dates in the above matter without further notice to you;

AND FURTHER TAKE NOTICE that any order made by the Authority may form the basis for a parallel order in another jurisdiction in Canada. The securities laws of some other Canadian jurisdictions may allow orders made in this matter to take effect in other jurisdictions automatically, without further notice to you. If an order is made or a settlement is reached in relation to the matters set out in the Statement of Allegations attached hereto, you should contact the securities regulator of any other jurisdiction in which you may intend to engage in any securities related activities.

DATED at Regina, Saskatchewan on November 26, 2018.



Linda Patton
Registrar

For Delivery To:

Peter Jensen/Aidan Trading

Via Email: [REDACTED]

Peter Jensen/Catalyst CM Limited

[REDACTED]

Via Email: [REDACTED]

Note: Saskatchewan Policy Statement 12-602 *Procedure on Hearings and Reviews* (SP 12-602) sets out information on the procedures for this hearing. SP 12-602 can be found on the Authority's website at www.fcaa.gov.sk.ca.

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**STATEMENT OF ALLEGATIONS
OF STAFF OF FINANCIAL AND CONSUMER AFFAIRS
AUTHORITY OF SASKATCHEWAN**

Staff of Financial and Consumer Affairs Authority of Saskatchewan (Staff of FCAA) make the following allegations:

The Respondents

1. The Respondent, Catalyst CM Limited (Catalyst), is a private limited company registered with the United Kingdom's registrar of companies, with a head office purportedly located in Broadstairs, England.
2. The Respondent, Aidan Trading is either an operating name used by, and therefore, one and the same as Catalyst., or alternatively, is an entity of unknown status or whereabouts, related to Catalyst.
3. The Respondent, Peter Jensen (Jensen) is an individual on unknown residence or whereabouts. At all material times, Jensen held himself out as a "Senior Account Manager" with Aidan Trading.

Contraventions of subsection 27(2) of *The Securities Act, 1988* (the Act)

4. From time to time from in or around July 2017 to in or around February 2018, Aidan Trading and Jensen acted as advisers as defined in the Act, by engaging in the business of advising another as to the investing in or the buying or selling of securities or derivatives in Saskatchewan.

5. From time to time from in or around July 2017 to in or around March 2018, Aidan Trading, Catalyst and Jensen acted as dealers as defined in the Act by engaging in the business of trading in securities or derivatives or holding themselves out as engaging in the business of trading in securities or derivatives in Saskatchewan.
6. The details of these activities include, but are not limited to, the following:

Solicitations

- a. From time to time between in or around July 2017 to in or around February 2018, Aidan Trading, through Jensen, contacted Investor 1, a resident of Saskatchewan, via telephone and advised him as to the investing in or the buying of heating oil options, forex and cryptocurrencies;
- b. In telephone conversations, Jensen told Investor 1 that he worked as an account manager with Aidan Trading, and encouraged Investor 1 to open a trading account with Aidan Trading;
- c. In or around February 2018 Jensen emailed Investor 1 on behalf of Aidan Trading, encouraging Investor 1 to visit their website, and advising as follows:
 - i. “Here at Aidan Trading we offer real time spot, CFD and options trading”, and
 - ii. “Client funds are segregated and deposited into each client’s online private account therefore, you can be assured that your funds are safe and secured.”.
- d. In or around February 2018 Catalyst also emailed Investor 1 and attached a document entitled “CUSTOMER ACCOUNT APPLICATION For Same-Account, Cross-Asset Margin Forex, CFD & Option Self-Directed Trading”;
- e. Investor 1 did not open a trading account with Aidan Trading, and never invested any money with Jensen, Aidan Trading or Catalyst;
- f. From time to time from in or around July 2017 to in or around February 2018, Jensen told Investor 1 that if he had invested with Aidan Trading, he would have made him various certain sums of money (i.e. if Investor 1 had invested \$5,000 in heating oil options in the summer of 2017, by November of 2017, he would have made \$20,000, or if Investor 1 had invested \$5,000 in bitcoin in November of 2017, by February of 2018 he would have made \$54,000);

The Website

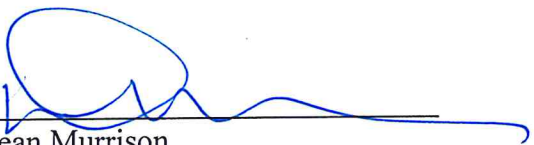
- g. In or around March 2018 Catalyst and/or Aidan Trading owned or maintained a website at www.aidantrading.com (the Website);
- h. The Website provided an online trading platform, offering users the ability to

trade “on a wide range of financial instruments, ranging from foreign exchange, foreign exchange options, to Contracts for Differences (CFDs) on stocks”;

- i. The Website explains a “CFD” as being “simply the settling of a contract for the difference between the purchase price and the sale price of a financial instrument.” It goes on to state, “A CFD offers the benefits of trading financial instruments such as Equities, Commodities or Treasuries without having to physically own the underlying instrument itself.”;
 - j. Catalyst and/or Aidan Trading offered users of the Website, upon the acceptance of certain terms and conditions, “limited access to the electronic trading platform (“Platform”) of Catalyst Limited (“Catalyst”) for the purchase and/or sale of off-exchange (“OEX”), over-the-counter (“OTC”) (collectively “OTC/OEX”) spot instruments, forward contracts, contracts for difference (“CFD”), and related options, as well as other over-the-counter derivatives trading instruments and products.”; and
 - k. Through the Website, Catalyst and/or Aidan Trading provided a simplistic, user-friendly interface, accessible to members of the general public.
7. In carrying out the acts indicated in paragraph 6, above, the Respondents engaged in actions, or held themselves out as engaging in actions in furtherance of trades in securities or derivatives with or on behalf of Investor 1 and/or the general public, including that resident in Saskatchewan, and as such, acted as ‘dealers’ as defined in the Act.
 8. None of the Respondents has ever been registered as a ‘dealer’ as required by the Act, and therefore, the Respondents have contravened clause 27(2)(a) of the Act.
 9. In carrying out the acts indicated in paragraph 6, above, Jensen and Aidan Trading engaged in the business of advising another as to the investing in or the buying or selling of securities or derivatives in Saskatchewan, and as such, acted as ‘advisers’ as defined in the Act.
 10. Neither Jensen nor Aidan Trading has ever been registered as an ‘adviser’ as required by the Act, and therefore, Jensen and Aidan Trading have contravened clause 27(2)(b) of the Act.
 11. Based on the above, Staff of FCAA ask the hearing panel to consider whether it is in the public interest to make the following orders:
 - a. Pursuant to clause 134(1)(a) of the Act, all of the exemptions in Saskatchewan securities laws do not apply to the Respondents;
 - b. Pursuant to subsection 134(1)(d) of the Act, the Respondents shall cease trading in securities and derivatives in Saskatchewan;

- c. Pursuant to subsection 134(1)(d.1) of the Act, the Respondents shall cease acquiring securities or derivatives for and on behalf of residents of Saskatchewan;
- d. Pursuant to clause 134(1)(e) of the Act, Jensen and Aidan Trading shall cease giving advice respecting any securities, trades or derivatives;
- e. Pursuant to section 135.1 of the Act, the Respondents shall pay an administrative penalty to the Financial and Consumer Affairs Authority of Saskatchewan, in the amount of \$25,000; and
- f. Pursuant to section 161 of the Act, the Respondents shall pay the costs of or relating to this hearing in this matter.

DATED at Regina, Saskatchewan, this 23 day of November, 2018.



Dean Murrison
Director,
Securities Division
Financial and Consumer Affairs Authority of
Saskatchewan