

# NEWS RELEASE

*For immediate release*

## **Launch of Canadian Foundation for the Advancement of Investor Rights (FAIR Canada)**

**September 29, 2008 (Toronto, Ontario)** - The Canadian Foundation for the Advancement of Investor Rights (the "Foundation" or "FAIR") today announced the launch of its operations as a non-profit, independent national organization to represent the interests of Canadian investors in securities regulation. "While regulators and government policy makers receive input from industry, listed issuers, financial institutions and their legal and other advisors, too often they have limited input from investors, particularly retail investors who lack the necessary legal, accounting and financial resources that are available to other stakeholders to advance their interests" said Mr. Pascutto, FAIR's initial Executive Director.

Mr. Pascutto originally proposed the concept of a national non-profit investor advocacy organization to the boards of directors of Market Regulation Services Inc. (RS) and the Investment Dealers Association of Canada (IDA). The Boards of the IDA and RS, which recently merged to form the [Investment Industry Regulatory Organization of Canada \(IIROC\)](#) have approved one time start up funding from their discretionary and restricted funds to create FAIR.

Mr. Stanley Beck, the Chair of FAIR, said "We would like to acknowledge the decisions of two financial industry self-regulatory organizations to use restricted funds to finance the establishment of a national investor rights organization. We believe that the use of restricted funds for this purpose will provide real tangible benefit to the investing public and the Canadian financial markets".

In addition, Osgoode Hall Law School has agreed to provide FAIR with physical premises and other support for three years, as part of the school's ongoing efforts to engage on issues at the intersection of law, business and public policy.

### **Objects of FAIR Canada**

Fair Canada will seek to advance the interests of investors and the integrity and fairness of Canadian capital markets by:

- making submissions to securities regulators, stock exchanges, government and other bodies on priorities, policy, legislative change and enforcement to advance the interests of investors;

- proactively identifying emerging issues that affect investors and seeking reform to mitigate harm to investors; and
- identifying actual conduct by issuers, registered persons and other market persons that is, or may be detrimental to, investors and where appropriate encouraging action to enhance investor rights and protections.

### **Initiatives for First Year**

During its first year of start-up activities, the Foundation will focus on:

- building an organization staffed with individuals with expertise in investor rights issues;
- establishing relationships with investor rights, corporate governance and consumer organizations to help identify the issues which are of greatest concern to them;
- developing a web site and establishing other processes to facilitate dialogue and communication between investors and the Foundation; and
- creating ties with law and business law schools across Canada with the objective of involving them in developing educational programs on investor rights.

"During our first year of operations, we plan to focus our efforts on identifying and addressing some key issues related to listed issuers and shareholder rights, said Executive Director Ermanno Pascutto. We intend to carry out research to compare the rights of Canadian investors, as shareholders and as consumers of financial services, with investors in the U. S., U.K. and other leading jurisdictions".

### **Governance of FAIR**

The Board of Directors of FAIR is composed of:

- *Stanley Beck*, Q.C., Chairman of the Board of FAIR, President - Granville Arbitrations (commercial and labour arbitration and mediation), former Chair of the Ontario Securities Commission and Professor and Dean at Osgoode Hall Law School
- *Neil de Gelder* - Executive Vice President of Stern Partners ( an investment firm with investments in private and public companies); a leading Vancouver corporate lawyer for some 25 years and a former Executive Director of the British Columbia Securities Commission

- *Stephen A. Jarislowsky* - Chairman and CEO of Jarislowsky Fraser, one of the largest investment management firms in Canada, and a co-founder of the Canadian Coalition for Good Corporate Governance ( CCGG)
- *Claude Lamoureux* - Recently retired head of the Ontario Teachers Pension Plan and co-founder of the Canadian Coalition for Good Corporate Governance
- *Ermanno Pascutto* - Executive Director of the Foundation, Canadian and Hong Kong lawyer, former Executive Director of the Ontario Securities Commission and former Deputy Chairman Hong Kong Securities and Futures Commission
- *Whipple Steinkrauss* - Former Assistant Deputy Minister, Business Practices Division, Ontario Government, Ministry of Consumer and Commercial Relations, Director of the Consumer Council of Canada, and past Member of the OSC Investor Advisory Committee
- *Ed Waitzer* – Partner, Stikeman Elliott (including Chair from 1999 to 2006); Jarislowsky Dimma Mooney Chair in Corporate Governance at Osgoode Hall Law School and Schulich School of Business and former Chair of the OSC

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