



TRINIDAD AND TOBAGO SECURITIES AND EXCHANGE COMMISSION

**In The Matter of the Contravention of Section 65(1) of the Securities Act, 2012 and
By-Law 48 (1) of the Securities (General) By-Laws 2015**

by

Fortress Mutual Fund Limited

ORDER OF THE COMMISSION

Dated this 3rd day of April 2017

WHEREAS Fortress Mutual Fund Limited (“**the Respondent**”) filed its audited annual comparative financial statements with the Commission for its financial year ended September 30, 2016, on December 30, 2016, one (1) day past the due date of December 29, 2016;

AND WHEREAS:

1. By letter dated January 24, 2017 staff of the Commission (“the Staff”) informed the Respondent that it was in breach of Section 65(1) of the Securities Act, 2012 (“the Act”) and By-Law 48(1) of the Securities (General) By-Laws 2015 (“the By-Laws”) by filing its audited annual comparative financial statements with the Commission for its financial year ended September 30, 2016, on December 30, 2016, one (1) day past the due date of December 29, 2016; and
2. By letter dated February 3, 2017, the Respondent acknowledged that it was in Contravention of Section 65(1) of the Act and By-Law 48 (1) of the By-Laws, and paid the administrative fine for the late filing of the said audited annual comparative financial statements.

AND UPON the Board of Commissioners considering the submissions in Board Paper No. 011 of 2017 and being satisfied that the making of this Order is essentially procedural and does not require a Hearing pursuant to Section 159(10)(a) of the Securities Act, 2012.

IT IS HEREBY ORDERED THAT:

1. Fortress Mutual Fund Limited (“the Respondent”) has contravened section 65(1) of the Securities Act, 2012 (“the Act”) and By-Law 48(1) of the Securities (General) By-Laws 2015 (“the By-Laws”) and shall pay an administrative fine of \$1,000.00 in respect of same;
2. Pursuant to section 156(2) of the Act, the Respondent has paid to the Commission an administrative fine in the sum of One Thousand Trinidad and Tobago dollars (TT \$1000.00), which said sum the Commission acknowledges; and
3. The Order shall be published in the Trinidad and Tobago Gazette and posted on the Commission’s website. A notice of the posting shall be published in two daily newspapers of general circulation in Trinidad and Tobago.

Dated this 3rd day of April 2017

BY ORDER OF THE COMMISSION