



The Securities Commission of The Bahamas

Document for Consultation

Published May 11, 2009

The Securities Commission of The Bahamas (“the Commission”) is pleased to issue the first draft of the proposed Securities Industry Regulations (“the draft Securities Regulations”) along with an Executive Summary, which outlines the key provisions in the draft Regulations and other key documents for industry-wide consultation and public review. In addition, the Commission is re-issuing the final draft of the proposed Securities Industry Act (“the draft Securities Act”) which was originally issued for public consultation on January 28, 2009. The draft Act will also be accompanied by an Executive Summary providing an outline of the pertinent provisions therein. The draft Act and draft Regulations are together referred to as the “draft Securities Legislation, 2009”. Documents posted to the website include:

1. Cover letter from the Commission;
2. Index of Sections of the draft Securities Industry Act;
3. The draft Securities Industry Act;
4. First Schedule of the draft Securities Industry Act;
5. Executive Summary of the draft Securities Industry Act;
6. Index of Sections of the draft Securities Industry Regulations;
7. The draft Securities Industry Regulations;
8. Forms for the draft Securities Industry Regulations; and
9. Executive Summary of the draft Securities Industry Regulations.

The draft Securities Legislation, 2009 was prepared to improve the current securities legislation in light of international best practices utilizing a legislative framework commonly used for securities legislation. The key legal obligations appear in the Act itself, while detailed requirements have been set out in the regulations and will be further developed through Commission-made rules.

Please be advised that rules required for the implementation of the draft Securities Legislation are presently being developed as follows:

- i. Securities Industry (Fees) Rule, 2009;
- ii. Securities Industry (Transitional Provisions) Rule, 2009;
- iii. Securities Industry (Physical Presence) Rule, 2009;
- iv. Securities Industry (Regulatory Capital) Rule, 2009; and
- v. Securities Industry (Disciplinary Process) Rule, 2009.

It is anticipated that these various rules will be issued during the process of finalizing the draft Securities Act and the draft Securities Regulations. The Commission further expects to develop Rules relating to other areas of the draft legislation incrementally and in order of priority.

There is a 45 day consultation period with respect to this document and the deadline for comment is June 24, 2009. The Commission welcomes comments on the draft Securities Legislation which may be found on the Commission's website, www.scb.gov.bs. Comments may be posted directly to the website through the link provided.

Alternatively, comments may be submitted to:

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