



Securities Commission of The Bahamas

Consultation Paper:

DRAFT SECURITIES INDUSTRY (FEE)(AMENDMENT) RULES, 2017

Summary

The Securities Industry (Fee) (Amendment) Rules, 2017 (the “Rules”) have been developed to amend the Securities Industry (Fee) Rules, 2012. The main objective of the Rules is to establish increases in the fees payable by persons licenced to conduct various categories of securities business under the Securities Industry Act 2011 (the “Act”) by the repeal and replacement of the First and Second Schedule of the Securities Industry (Fee) Rules 2012.

Scope

The amended Rules will apply to any person registered under Part V, VI, XI and XVII who may be required to pay an application fee, registration fee, annual renewal fee, filing fee or administrative fee pursuant to the Securities Industry Regulations, 2012.

A late fee is provided for in respect of the late payment of an annual renewal fee at the same rate as was provided in the Securities Industry (Fee) Rules, 2012.

Issued: 21 September 2017

The consultation period commences on Friday 22 September 2017 and ends on Friday 27 October 2017, during which time the Commission invites the public to share comments with regard to the draft Securities Industry (Fee) (Amendment) Rules, 2017. Comments may be submitted via email to SIConsultation@scb.gov.bs. Alternatively, comments may be submitted to:

The Executive Director

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SECURITIES INDUSTRY (FEE) (AMENDMENT) RULES, 2017

Arrangement of Sections

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MINISTRY OF FINANCE

Sl. No. of 2017

SECURITIES INDUSTRY ACT 2011

(NO. OF 2017)

SECURITIES INDUSTRY (FEE) (AMENDMENT) RULES, 2017

The Securities Commission, in exercise of the powers conferred by section 149(1) of the Securities Industry Act, 2011, makes the following amendments to the Securities Industry (Fee) Rules, 2012 –

1. This Rule may be cited as the Securities Industry (Fee) (Amendment) Rules 2017.
2. The First and Second Schedule of the Securities Industry (Fee) Rules, 2012 is repealed and replaced as follows -

FIRST SCHEDULE (Rule 3)

A. FEES FOR PERSONS REGISTERED UNDER PART V

Table of Fees for Persons registered under Part V

Category of Registration	FEE TYPE		
	Application Fee	Registration Fee	Annual Renewal Fee
(a) Marketplace	\$9,500.00	\$26,500.00	\$13,500.00
(b) Clearing Facility	\$3,500.00	\$9,500.00	\$9,000.00
(c) Ancillary Facility	\$2,000.00	\$3,500.00	\$4,500.00

B. FEES FOR PERSONS REGISTERED UNDER PART VI (FIRMS)

Table of Fees for Persons registered under Part VI (Firms)

Category of Registration	FEE TYPE		
	Application Fee	Registration Fee	Annual Renewal Fee
(a) Dealing in securities	\$950.00	\$9,500.00	\$10,500.00

(b) Managing Securities	\$950.00	\$8,000.00	\$9,500.00
(c) Advising on securities	\$950.00	\$5,500.00	\$7,000.00
(d) Arranging deals in securities	\$950.00	\$4,000.00	\$5,500.00
(e) Persons seeking to register for more than one category under (a)-(d) above	\$950.00 per category	Full fee for function with the highest fee and \$2,500.00 for each additional category.	Full fee for function with the highest fee and \$4,000.00 for each additional category.

C. FEES FOR PERSON REGISTERED UNDER PART VI (INDIVIDUALS)

Table of Fees for Persons registered under Part VI (Individuals)

Category of Registration	Application Fee	Annual Fee
(a) Chief Executive Officer	\$350.00	\$500.00
(b) Compliance Officer	\$350.00	\$500.00
(c) Representative – Dealing/Trading	\$300.00	\$450.00
(d) Representative – Discretionary Management	\$300.00	\$450.00
(e) Representative – Advising Only	\$300.00	\$450.00

D. FILING FEES UNDER PARTS XI AND XVII

Description	Filing Fee
(a) Filing of Preliminary Prospectus	\$1,500.00
(b) Filing – Final Prospectus	0.1% of issue value of securities minimum of \$20,000.00
(c) Filing of an amended Final Prospectus	\$700.00
(d) Filing of Documents by approved foreign issuer exempted under Regulation 115	\$2,000.00
(e) Filing of Notice of Exempt Transaction	\$2,500.00
(f) Filing of Takeover Bid Document	0.1% of value of the bid
(g) Filing of Director's Circular	\$1,500.00
(h) Filing of Management Proxy Statement	\$700.00
(i) Filing of Interim Financial Statements	No Fee (if filed within prescribed time period)
(j) Filing of Audited Financial Statements	No Fee (if filed within prescribed time period)

E. ADMINISTRATIVE FEES

Table of Administrative Fees under the Act.

Description	Administrative Fee
(a) Appointment or Change in Directors	\$400.00
(b) Approval of issue, transfer or disposal of shares	\$400.00
(c) Letters of Good Standing	\$300.00
(d) Replacement Certificates (per certificate)	\$300.00
(e) Name Change	\$300.00
(f) Extension to file interim statements for a 3-month period (for a maximum of 2 extension requests)	\$150.00
(g) Extensions to file audited statements for a 3-month period (for a maximum of 2 extension requests)	\$700.00
(h) Surrender of Registration Certificate	\$300.00

F. Table of Late Payment of Annual Renewal Fees under the Act

Description	Late Fee
Late payment of annual renewal fee	1/12 of the amount of annual fee payable for each month the payment remains outstanding

Made this day of , 2017

Signed
ROBERT LOTMORE

**Chairman
Securities Commission**

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