

ANTIGUA AND BARBUDA



THE SECURITIES BILL, 2020

No. of 2020

ANTIGUA AND BARBUDA
THE SECURITIES BILL, 2020
ARRANGEMENT OF SECTIONS

SECTIONS

PRELIMINARY

1.	Short Title and commencement.....	13
2.	Interpretation.....	13

PART I

LICENSING OF MARKETPLACES AND ANCILLARY FACILITIES

DIVISION 1

LICENSING

3.	Licensing.....	33
4.	Grant of application for licensing.....	33
5.	Conditions for grant of licence.....	33
6.	Renewal or reinstatement of licence	34
7.	Revocation of licence.....	34

DIVISION 2

SECURITIES EXCHANGE

8.	Delisting of securities.....	34
9.	Disciplinary action over members of a securities exchange	34
10.	Closure of securities exchange in emergency	34

DIVISION 3

CLEARING FACILITIES

11.	Market charge or collateral	35
12.	Rules of Clearing Facility	35

13. Validity of default proceedings of clearing facility in insolvency	36
14. Duty to report on completion of default proceedings.....	37
15. Net sum payable on completion of default proceedings	37
16. Enforcement of judgments over property subject to market charge.....	37
17. Participants to be party to certain transactions as principal	38
18. Securities deposited with clearing facility	38
19. Preservation of rights	38

DIVISION 4

GENERAL

20. Rules of a market place and ancillary facility	39
21. Duties of holders of market place and ancillary facility licence	39
22. Amendment of rules.....	39
23. Power to order amendment of rules	40
24. Commission power to supervise	40
25. Assistance to the Commission	40
26. Appointment of auditor.....	40
27. Contingency and assurance fund.....	41
28. Delegation.....	42
29. Voluntary surrender	42
30. Offences	43

PART II

LICENSING OF INTERMEDIARIES AND INDIVIDUALS

31. Licensing.....	43
32. Grant of application for licensing.....	44
33. Conditions for grant of licence.....	44
34. Compliance function	44
35. Offices and branches deemed one licensed intermediary.....	44

36. Authorisation of location and approval of new business premises	45
37. Renewal or reinstatement of licence	45
38. Revocation of licence	45
39. Exemptions	46
40. Offences	46

PART III

CONDUCT OF BUSINESS BY LICENSEES

41. Standards of conduct	46
42. Responsibility for actions of persons acting on behalf of licensee	47
43. Business conduct regulations	47
44. Issue of contract notes	48
45. Customer's property	48
46. Books and Records – General Standard	49
47. Financial resources requirements	49
48. Notices	50
49. Auditor to be appointed	50
50. Auditor to report to Commission in certain cases	51
51. Power to require reports	51
52. Reporting to the Commission	51
53. Continuing licensing requirement	52

PART IV

REGISTRATION AND DISTRIBUTION OF SECURITIES

54. Registration of reporting issuers	52
55. Registration of securities	52
56. Prospectus required	53
57. Advertising	53
58. Delivery of Prospectus	54