



Eastern Caribbean Securities Regulatory Commission

ECSRC

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ABOUT THE ECSRC

The Eastern Caribbean Securities Regulatory Commission (ECSRC) is a body corporate responsible for the regulation of the securities market, exchanges, persons engaged in securities business and the public issue of securities in the eight territories comprising the Eastern Caribbean Currency Union. These territories are Anguilla, Antigua and Barbuda, Commonwealth of Dominica, Grenada, Montserrat, St. Kitts and Nevis, Saint Lucia, and St. Vincent and the Grenadines. The ECSRC was established by an agreement, "The Eastern Caribbean Securities Regulatory Commission Agreement" signed by these countries in 2000 and passed into law in 2001 as a schedule to the common Securities Act of the region. This agreement established the ECSRC as an independent and autonomous regional body, accountable to the ECCB Monetary Council.

As a regulator the ECSRC:

- licenses market intermediaries and institutions;
- monitors the market and its participants;
- makes rules which impact the behavior of licensed intermediaries and issuers of securities;
- administers compliance and enforcement programmes which seek to enforce the requirements of the securities legislation;
- adjudicates through a Disciplinary Committee;
- assesses penalties relevant to infringements of the continuing disclosure obligations of issuers whose securities are publicly offered or publicly traded.

In their role as a Board the ECSRC Commissioners:

- approve policies and rules;
- approve annual work programmes and budgets;
- manage the ECSRC finances.





ECSRC MANDATE

The ECSRC mandate, as stated in the statute, is the protection of investors in securities.



ECSRC VISION

To be a centre for competence in the regulation of securities markets and investment business in the Eastern Caribbean Currency Union.



ECSRC MISSION

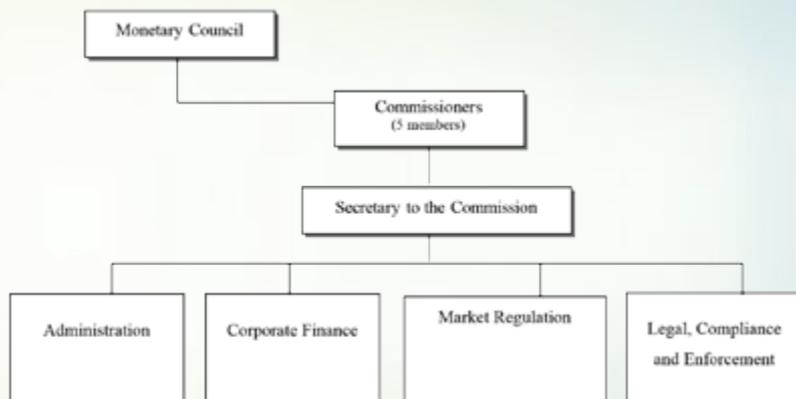
To ensure integrity, probity, efficiency and transparency in the operations of the Eastern Caribbean Securities Market and its participants, while facilitating market development.



ECSRC GOALS

- Deliver effective investor protection;
- Deliver relevant regulation;
- Deliver strong supervision;
- Deliver effective compliance and enforcement programmes;
- Deliver effective public education programmes;
- Operate an efficient, accountable organisation;
- Support and promote the development of a regional securities market in the Eastern Caribbean Currency Union;
- Support and promote financial sector stability;
- Cooperate with similar organisations for the effective regulation of capital markets.

Structure of the Eastern Caribbean Securities Regulatory Commission



The ECSRC is comprised of five part-time Commissioners who are nominated by the industry and appointed by the Monetary Council of the Eastern Caribbean Central Bank for terms of three to five years, with opportunity for reappointment.

The daily operations of the ECSRC are carried out by the ECSRC Secretariat which is managed by the Secretary. The Secretariat's resources are provided by the Eastern Caribbean Central Bank in accordance with the terms of a Letter of Agreement for the Provision of Advisory and Administrative Services between the two institutions. The ECSRC Secretariat is divided functionally as follows to achieve the ECSRC mandate:

Administration

This division ensures the effective and efficient delivery of the ECSRC's mandate, coordinating all its activities to ensure that the ECSRC's initiatives and work programme are aligned with its strategic goals and that it performs as a responsive regulator. The division also manages the public records and the successful implementation of the ECSRC's investor education program.

Market Regulation Division

This division establishes and maintains appropriate standards for fair, orderly and efficient securities dealings in the Eastern Caribbean Securities Market. The division:

- establishes certification, operating, licensing, reporting and conduct requirements for licensees;
- assesses applications for licence from prospective market participants;
- conducts on-site examinations of market participants;
- undertakes market surveillance; and
- sets examinations for and certifies potential licensees.

Legal, Compliance and Enforcement Division

Responsible for enforcing the requirements of the securities legislation to protect investors from fraud and to encourage investor confidence, the division:

- drafts laws, rules and regulations for the fair and orderly dealing in securities
- advises the ECSRC
- assists with the interpretation of laws and rules
- liaises with other regulatory bodies.

Corporation Finance Division

This division:

- establishes financial reporting and public disclosure standards;
- registers reporting issuers;
- reviews prospectuses and filings of issuers;
- reviews prospectuses issued on the Regional Government Securities Market (RGSM) in collaboration with the governments' fiscal agent, the Eastern Caribbean Central Bank;
- maintains the Eastern Caribbean Securities Information Network (ECSIN).

THE SECURITIES LEGISLATION

The regional securities market of the Eastern Caribbean Currency Union, usually referred to as the Eastern Caribbean Securities Market (ECSM) is governed by common primary and supporting legislation – the Securities Act 2001; Regulations made under the Securities Act 2001; Rules and Directives issued by the ECSRC.

THE REGULATED COMMUNITY

REPORTING ISSUERS

Reporting issuers are all public companies and companies proposing to issue securities to the public. Reporting issuers are subject to initial and continuing disclosure requirements of the Securities Act, Regulations as well as Rules implemented by the ECSRC.

SECURITIES INTERMEDIARIES

Securities intermediaries are entities licensed under the Securities Act 2001 by the ECSRC to provide the following services:

- investment advice;
- securities portfolios management;
- securities trading;
- underwriting;
- securities custodian;
- collective investment scheme management;
- collective investment scheme custodian.

MARKET INSTITUTIONS

- securities exchange;
- securities registry;
- securities clearing agency.

SELF-REGULATORY ORGANISATIONS

Self-Regulatory Organisations are institutions possessing statutory responsibility to regulate their members through the adoption and enforcement of rules governing fair, ethical and efficient practices.



THE PUBLIC

The ECSRC provides service to the general investing community through its regulatory oversight of the Eastern Caribbean Securities Market and its Public Education Programme.



REGULATORY COOPERATION

The legislation provides that the ECSRC, a securities exchange, a clearing agency and other regulatory bodies shall have the right to supply each other with information about their securities business, including, the business of the members of a securities exchange and the business of the participants of a clearing agency.

For the purpose of minimising duplication in regulation and to maximise the protection of investors and the public interest, the legislation empowers the ECSRC to consult and co-operate with:

- the Eastern Caribbean Central Bank;
- any other agency that exercises regulatory authority under any enactment over a financial institution, insurance company or other body.

The legislation further provides that the ECSRC may co-operate:

- with any agency of a foreign government in connection with the investigation of a contravention of the Act or any similar written law whether the activities in question occurred within or outside a Member Territory;
- in the work of national, regional or international organisations dealing with the regulation of securities markets.

NOTES

CONTACT INFORMATION

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