

Securities Alert

January 13, 2015

SECURITIES

SEC Adopts Regulation Systems Compliance and Integrity

A. Executive Summary

On November 19, 2014, the Securities and Exchange Commission ("Commission" or "SEC") voted unanimously to adopt proposed Regulation Systems Compliance and Integrity ("Reg SCI") under the Securities Exchange Act of 1934 ("Exchange Act"), as well as certain conforming amendments to Regulation ATS ("Reg ATS").¹ Reg SCI is intended "to strengthen the technology infrastructure of the U.S. securities markets, to improve its resilience, and to enhance the Commission's ability to oversee it."² The adoption of Reg SCI represents the Commission's latest action in its broader, ongoing efforts to strengthen and reform U.S. equity market structure.³ As explained by SEC Chair Mary Jo White, Reg SCI "provide[s] greater accountability for those responsible for our critical market systems, helping ensure that such systems operate effectively and that any issues are promptly corrected and communicated to market participants and the Commission."⁴

As it explained when proposing Reg SCI in 2013, the Commission believes that high-speed, automated trading that occurs on national securities exchanges and alternative trading systems ("ATSs") has increased the potential for technological problems to broadly impact the equity markets.⁵ The ramifications of such problems have been manifested in recent market events, the occurrence of which further encouraged the Commission to revisit U.S. equity market structure.⁶ The Proposing Release outlined a framework that would replace the voluntary requirements of the SEC's existing Automation Review Policy ("ARP Program"),⁷ and the system capacity, integrity, and security requirements of Rule

¹ Securities Exchange Act Release No. 73639 (Nov. 19, 2014), 79 Fed. Reg. 72252 (Dec. 5, 2014) (the "Adopting Release"). See also Securities Exchange Act Release No. 69077 (Mar. 8, 2013), 78 Fed. Reg. 18084 (Mar. 25, 2013) (proposing Reg SCI) (the "Proposing Release").

² Statement at Open Meeting on Regulation SCI, Mary Jo White, SEC Chair (Nov. 19, 2014).

³ See Enhancing Our Equity Market Structure, Mary Jo White, SEC Chair (June 5, 2014) (outlining the SEC's efforts to enhance U.S. equity market structure by addressing market stability, high frequency trading, market transparency, broker conflicts, and market issues faced by small companies).

⁴ SEC Adopts Rules to Improve Systems Compliance and Integrity, SEC Press Release 2014-260 (Nov. 19, 2014).

⁵ Opening Statement at the SEC Open Meeting, Elise Walter, SEC Chairman (Mar. 7, 2013) (discussing the proposal of Reg SCI).

⁶ Such events included, among others: the Flash Crash of May 6, 2010; systems issues that affected the initial public offerings of BATS Global Markets, Inc. and Facebook, Inc.; the hacking of systems of NASDAQ OMX Group; and the two-day market closure due to superstorm Sandy.

⁷ The ARP Program, established by the Commission's two policy statements, each entitled "Automated Systems of Self-Regulatory Organizations," issued in 1989 and 1991, is a voluntary technology review program ("ARP I" and "ARP II," respectively). ARP I stated that SROs should establish comprehensive planning and assessment programs to test systems capacity and vulnerability, including annual reviews by an independent reviewer. In ARP II, the SEC further articulated its views on how SROs should conduct independent reviews. ARP II also addressed how SROs should notify the SEC of material systems changes and significant systems problems, and suggested the development of standards for meeting the ARP policy statements. The ARP Inspection Program was developed by the SEC to implement the ARP policy statements. All active registered clearing agencies, national securities exchanges, FINRA, one exempt clearing agency and one ATS participate in the program. See Securities Exchange Act Release Nos. 27445 (Nov. 16, 1989), 54 Fed. Reg. 48703 (Nov. 24, 1989) ("ARP I") and 29185 (May 1, 1991), 56 Fed. Reg. 22490 (May 15, 1991) ("ARP II").

Regulation Of Securities Sec Compliance And Practice

**United States. Congress. House.
Committee on Appropriations.
Subcommittee on Science, State,
Justice, and Commerce, and Related
Agencies**

Regulation Of Securities Sec Compliance And Practice:

Regulation of Securities Steven Mark Levy, 2001 The Regulation of Securities SEC Compliance and Practice 2003 Edition is a comprehensive guide to understanding and complying with the day to day requirements of the federal securities laws Using a question and answer format similar to that which the SEC has embraced this guide provides public corporations lawyers and accountants As well as company officers directors and large shareholders with straightforward answers To The most frequently asked questions on securities regulation and convenient access To The relevant rules procedures caselaw and forms The 2003 Edition significantly expands and updates the previous Edition and includes chapters on Introduction to securities regulation including the modernized EDGAR system Periodic reporting under sections 13 a and 15 d Reporting of beneficial ownership under sections 13 d and 13 g Insider reporting under section 16 a Short swing trading and exemptions under section 16 b Tender offer disclosure requirements Proxy solicitations under section 14 a Securities fraud under Rule 10b 5 Use of electronic media Selling restricted and control securities under Rule 144 Private resales to institutional investors under Rule 144A Going private transactions under Rule 13e 3 and a special supplement on Sarbanes Oxley and related developments *Study Guide to FCPA (Foreign Corrupt Practices Act) Compliance* Cybellium, 2024-10-26 Designed for professionals students and enthusiasts alike our comprehensive books empower you to stay ahead in a rapidly evolving digital world Expert Insights Our books provide deep actionable insights that bridge the gap between theory and practical application Up to Date Content Stay current with the latest advancements trends and best practices in IT AI Cybersecurity Business Economics and Science Each guide is regularly updated to reflect the newest developments and challenges Comprehensive Coverage Whether you re a beginner or an advanced learner Cybellium books cover a wide range of topics from foundational principles to specialized knowledge tailored to your level of expertise Become part of a global network of learners and professionals who trust Cybellium to guide their educational journey www.cybellium.com The Consideration of Regulatory Relief Proposals United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs, 2007

Understanding Regulatory Compliance James Fulton, Understanding Regulatory Compliance is a comprehensive guide that delves into the complexities of compliance frameworks across various industries The book explores the fundamental principles of regulatory requirements emphasizing the importance of adhering to laws and standards to mitigate risks and enhance corporate governance Through practical examples and case studies it illustrates how organizations can implement effective compliance programs navigate regulatory environments and cultivate a culture of compliance among employees Ultimately the book serves as a valuable resource for compliance professionals business leaders and anyone seeking to understand the critical role of regulatory adherence in fostering sustainable business practices *Departments of Commerce, Justice, Science, and Related Agencies Appropriations for Fiscal Year ...* United States. Congress. Senate. Committee on Appropriations, 2007 **Regulation of Money Managers** Tamar Frankel, Arthur B. Laby, Ann Taylor

Schwing,2015-09-16 The Regulation of Money Managers with the original subtitle The Investment Company Act and The Investment Advisers Act was published in 1978 and 1980 The Second Edition subtitled Mutual Funds and Advisers was published in 2001 and has been annually updated since then It is a comprehensive and exhaustive treatise on investment management regulation The treatise covers federal and state statutes their legislative history common law judicial decisions rules and regulations of the Securities and Exchange Commission staff reports and other publications dealing with investment advisers and investment companies The treatise touches on other financial institutions such as banks insurance companies and pension funds The work also discusses the economic business and theoretical aspects of the investment management industry and their effects on the law and on policy The treatise contains detailed analysis of the history and development of the Investment Company Act and the Investment Advisers Act It examines the definitions in the Acts including the concept of investment adviser affiliates and interested persons It outlines the duties of investment company directors the independent directors and other fiduciaries of investment companies The treatise deals with the SEC s enforcement powers and private parties rights of action **Law and Practice of Liability Management** Apostolos Ath.

Gkoutzinis,2014-05-01 Tender offers exchange offers and consent solicitations in connection with debt securities are important instruments of corporate restructurings corporate rescues recapitalisations and other types of liability management of public and private companies Although tender offers for shares stocks and other equity securities are covered by a vast literature on public mergers takeovers and acquisitions the literature on liability management transactions for debt securities is scarce Law and Practice of Liability Management rectifies this by providing a systematic treatise of the law relating to this significant aspect of the global capital market It guides students and professionals through the complex legal and regulatory requirements applicable to these transactions the increasing regulatory interest by the world s leading financial regulatory authorities and recent innovations in the structuring legal techniques and execution of the relevant transactions in international capital markets **Corporate Compliance: Principles and Practices** Cybellium, Welcome to

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Fiscal Year 2007: Justifications: Commission on Civil Rights, EEOC, FCC, FTC United States. Congress. Senate. Committee on Appropriations. Subcommittee on Commerce, Justice, Science, and Related Agencies,2006 **Effective Internal**

Control Practices in Banks Sophia Beckett Velez,2025-07-15 This valuable work offers an original contribution to the study of internal controls in banking providing useful insights for undergraduates master s and Ph D students as well as academics researchers and banking professionals **Compliance Risk Management: Concepts and Cases** Cybellium,2024-10-26

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Consideration of Regulatory Relief Proposals United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs,2007 **Research Handbook on the Regulation of Mutual Funds** William A. Birdthistle,John Morley,2018-10-26 With fifty trillion in worldwide assets the growth of mutual funds is a truly global phenomenon and deserves a broad international analysis Local political economies and legal regimes create different regulatory preferences for the oversight of these funds and academics public officials and legal practitioners wishing to understand the global investing environment will require a keen awareness of these international differences The contributors leading scholars in the field of investment law from around the world provide a current legal analysis of funds from a variety of perspectives and using an array of methodologies that consider the large fundamental questions governing the role and regulation of investment funds This volume also explores the identity and behavior of investors as well as issues surrounding less orthodox funds such as money market funds ETFs and private funds This Handbook will provide legal and financial scholars academics lawyers and regulators with a vital tool for working with mutual funds Contributors include W A Birdthistle M Bullard I H Y Chiu B Clarke Q Curtis D A DeMott J Fanto J E Fisch P Hanrahan L P Q Johnson W A Kaal A K Krug A B Laby J D Morley A Palmiter I Ramsay E D Roiter M White D A Zetzsche **Commerce, Justice, Science, and Related Agencies**

Appropriations for Fiscal Year 2007 United States. Congress. Senate. Committee on Appropriations. Subcommittee on Commerce, Justice, Science, and Related Agencies,2006 **Science, the Departments of State, Justice, and Commerce,**

and Related Agencies Appropriations for 2007 United States. Congress. House. Committee on Appropriations.

Subcommittee on Science, State, Justice, and Commerce, and Related Agencies,2006 *Compliance Auditing: Principles and Practice* Cybellium,2024-10-26 Designed for professionals students and enthusiasts alike our comprehensive books

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The Massachusetts register ,1988-12-23 *Review of Current Investigations and Regulatory Actions Regarding the Mutual Fund Industry* United States. Congress. Senate. Committee on Banking, Housing, and Urban Affairs,2004 Legal Looseleafs in Print ,1982 **Regulatory reform compliance guide requirement has had little effect on agency practices.** ,2001

Section 212 does not appear to have had much of an impact in the agencies and years that we examined and its implementation has varied across and sometimes within the agencies The statute gives agencies broad discretion to decide which of their rules require compliance guides what has to be in the guides how they are developed when they have to be published and how they are distributed to affected small entities Using that discretion an agency could legally exclude all of its rules from coverage by the statute designate a previously published document as its small entity compliance guide or develop and publish a guide with no input from small entities years after the covered rule takes effect Some of the ineffectiveness and inconsistency in the implementation of section 212 are traceable to the broad discretion provided to agencies in the RFA regarding the term significant economic impact on a substantial number of small entities Although a single rigid definition of this term may not be feasible we believe that some additional clarity can be provided Other problems with the compliance guide requirement are traceable to section 212 itself We offer suggestions on how Congress may wish to amend the statute to make clear when agencies must prepare a compliance guide under section 212 and the meaning of key terms in the statute

The Top Books of the Year Regulation Of Securities Sec Compliance And Practice The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have captivated audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can succeed. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Regulation Of Securities Sec Compliance And Practice : Delia Owens "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of engaging stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is an exceptional and thrilling novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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