

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"). "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." 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. "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."

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. The ramifications of such problems have been marifested in recent market events, the occurrence of which further encouraged the Commission to revisit U.S. equity market structure. The Proposing Release outlined a framework that would replace the voluntary requirements of the SEC's existing Automation Review Policy ("ARP Program"), and the system capacity, integrity, and security requirements of Rule

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").

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).

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

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 II 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").

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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 <u>Internal Control Practices in Banks</u> 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 **Compliance Risk Management: Concepts and Cases** academics researchers and banking professionals Cvbellium.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 Al 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 Consideration of Regulatory Relief Proposals United States. Congress. Senate. Committee on Banking, Housing, Departments of Commerce, Justice, Science, and Related Agencies Appropriations for and Urban Affairs, 2007 **Fiscal Year ...** United States. Congress. Senate. Committee on Appropriations, 2007 **Corporate Compliance: Principles** and Practices Cybellium, Welcome to the forefront of knowledge with Cybellium your trusted partner in mastering the cutting edge fields of IT Artificial Intelligence Cyber Security Business Economics and Science 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 Al 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 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

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