

SCLE Revision:

Funds Management Regulation (Module 9)



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Funds Management Regulation (Module 9)

Programme Objective

This course equips participants with comprehensive understanding and knowledge based on their good understanding from module 9 study outline. Participants expected to advance their knowledge and comprehension further via an interactive teaching and learning experience while increasing their confidence in sitting for the examination. This course will be facilitated by an experienced and qualified trainer.

Programme Overview

This 2 ½ -day course is designed to match the licensing study outline for Module 9 on funds management regulation. It covers the comprehensive introduction to fund management, regulatory structure, fund management industries, licensing requirements, compliance and corporate governance relating fund management.

Learning Outcome

Candidates are expected to apply the requisite knowledge, understanding and ability in the following areas:

- The fund management industry and describe its significance to the Malaysian economy
- Regulatory structure of the funds management industry in Malaysia
- Laws, regulations and guidelines governing the operation of the funds management industry in Malaysia
- Relationship between a fund management company and its client
- Duty and standard of care applicable to a fund management company
- Licensing requirements of fund management companies and their representatives
- Various securities offences and how they are regulated
- Purpose of an Investment Management Agreement and Investment Mandate
- Compliance and explain its significance to a fund management company
- Corporate governance and other issues affecting a fund management company

Candidates' Prerequisites

Candidates are expected to have relatively strong capability in the application and analysis of information provided in this outline and its reference.

Methodology

This course will be delivered using effective learning methods which include presentations, discussions and review examination questions.

Programme Details

Venue

Securities Commission (SC)

Target audience

Candidates preparing for the Module 9 licensing examination

New entrants to the capital market industry and staff of investment banks

Number of participants

Maximum of 25 participants

Duration

2 ½ days:

0900 – 1730 (Day 1)

0900 – 1745 (Day 2)

0900 – 1235 (Day 3)

Trainer

To be advised upon confirmation

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PROGRAMME - DAY ONE	
8.30 am	Registration
9.00 am	<p>The Fund Management Industry in Malaysia</p> <ul style="list-style-type: none"> • What is the Fund Management Industry • Significance of the Fund Management Industry • Providers of Fund Management Services • Fund Structures in Malaysia • Support Services Providers • Why Does the Fund Management Industry Need to be Regulated?
10.45 am	Refreshments
11.00 am	<p>Laws and Organisations Regulating the Fund Management Industry</p> <ul style="list-style-type: none"> • Overview of Law • The Securities Industry Laws • Other Relevant Laws and Regulations • Organisations Regulating the Fund Management Industry and Industry Regulation • Industry Regulation <p>The Law of Contract</p> <ul style="list-style-type: none"> • What is the Law of Contract • Essential Elements of a Contract?
1.00 pm	Lunch
2.00 pm	<p>Negligent Misstatement</p> <ul style="list-style-type: none"> • What is Negligence? • Elements of the Tort of Negligence • Negligent Conduct – the Duty and Standard of Care • Negligent Misstatement • Statutory Liability <p>Relationship between Fund Management Company and Client</p> <ul style="list-style-type: none"> • Analysing the Relationship between a Fund Management Company and its Client • Laws Governing the Fund Management Company/Client Relationship • Ethical Considerations

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	<p>Conduct of a Fund Management Company's Business</p> <ul style="list-style-type: none">• The Investment Management Agreement• Duties to Clients• Records and Segregation of Assets• Substantial Shareholders Notices• Insurance Cover
3.45 pm	Refreshments
4.00 pm	<p>The Licensing Handbook</p> <ul style="list-style-type: none">• Chapter 1: Introduction• Chapter 2: Licences under the CMSA• Chapter 4: Licensing Criteria• Chapter 7: Conditions and Restrictions of Licence <p>Securities Offences</p> <ul style="list-style-type: none">• Short Selling• Market Manipulation by Market Rigging• Market Manipulation by Information• Other Offences Relating to Dealing• Other Offences Relating to False and Misleading Statements• Insider Trading• Other Offences
5.30 pm	End of Day One

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PROGRAMME – DAY TWO	
8.30 am	Registration
9.00 am	Compliance <ul style="list-style-type: none"> • Compliance • The Compliance System • Implementing the Compliance Plan • Requirement to Adopt Compliance Procedures • Authority of the Compliance Officer
10.45 am	Refreshments
11.00am	Topical Issues in Funds Management Regulation <ul style="list-style-type: none"> • Corporate Governance • Performance Presentation Standards • Key Elements of Performance Presentation Standards
1.00 pm	Lunch
2.00 pm	Related Guidelines for Fund Management Regulation <ul style="list-style-type: none"> • Guidelines on Compliance Function for Fund Management Companies • Guidelines for Public Offerings of Securities of Closed-end Funds • Guidelines for the Establishment of Foreign Fund Management Companies • Guidelines on Prevention of Money Laundering and Terrorism Financing for Capital Market
3.45 pm	Refreshments
4.00 pm	Related Guidelines for Fund Management Regulation (cont') <ul style="list-style-type: none"> • Guidelines on Unlisted Capital Market Products Under the Lodge and Launch Framework • Lodgement Kit: Unlisted Capital Market Products Under the Lodge and Launch Framework • Guidelines on Unit Trust Funds
5.30 pm	End of Day Two

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PROGRAMME - DAY THREE	
9.00am	Related Guidelines for Fund Management Regulation (cont') <ul style="list-style-type: none">• Guidelines on Exchange-Traded Funds• Guidelines on Islamic Fund Management• Guidelines on Outsourcing for Capital Market Intermediaries
10.30am	Refreshments
10.45am	Revision and Feedback Session on Set of Questions
12.30pm	End of Day Three