COMPLIANCE

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NEWSLETTER

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IN THIS ISSUE:

SPECIAL POINTS OF INTEREST:

- Proposal for a regulation on information accompanying transfers of funds
- Proposal for a directive on money-laundering and terrorist financing
- UCITS V: EU Council Presidency publishes compromise text

Chers Collègues,

Chers Membres,

Une Newsletter un peu tardive, nous vous prions de nous en excuser. Eh oui, la fin de l'année est chargée et la disponibilité pour les travaux du Forum n'est pas optimale.

Plusieurs engagements n'ont pas été tenus mais pour de bonnes raisons tout de même. Nous n'avons pas tenu notre séance d'informations prévue en novembre mais ce n'est que partie remise. Plus d'informations seront disponibles en début d'année prochaine et nous avons donc préféré la différer au 11 février 2014.

La conférence MiFID, organisée par IFE le 12 décembre, a également été postposée sine die. Cela n'avait guère de sens de la maintenir dans la mesure où les textes définitifs se font attendre. Ce sera visiblement pour le printemps prochain.

Vous trouverez néanmoins dans ce numéro une série d'informations utiles sur les priorités de la Commission Européenne et celles de l'EBA en 2014, sur les évolutions de la Directive "Transparence" et sur les lourdes sanctions subies par certains établissements particulièrement en cas de misselling. Vous y découvrirez également l'extrême générosité de la SEC quand elle gratifie les whistleblowers...

Bon nombre de priorités continuent d'être au centre de nos préoccupations: les ESMA guidelines on remuneration policies and practices devenues définitives, le futur rôle de la "Single Supervisory Authority" et son interaction avec les régulateurs nationaux, le Twin Peaks II et les projets d'arrêtés royaux qui l'accompagnent, y compris en matière de publicité, mais aussi la codification en matière d'assurances, le projet de Johan Vande Lanotte sur les pratiques de marché, la proposition de Sabine Laruelle sur les crédits aux PME, le questionnaire blanchiment de la BNB a compléter pour le mois de février, le concept de "fraude fiscale grave", et aussi les régularisations fiscales, les développements en matière d'abus de marché et la récente consultation de l'ESMA y afférente commentée ici, les Inspections de la FSMA en matière de "suitability" et bien d'autres sujets encore.

Enfin, le gouvernement compte finaliser son projet de loi bancaire d'ici la fin de l'année. Le cabinet du ministre des Finances Koen Geens a présenté à la presse quelques éléments d'une loi annoncée "ambitieuse". Mais les mesures les plus emblématiques, comme la séparation des métiers et la limitation des bonus, doivent encore être discutées.

Je me permets, dans cet éditorial, d'attirer encore votre attention sur une décision de la 21ème chambre du Tribunal de commerce de Bruxelles, rendue en février de cette année qui, nonobstant l'article 20 de la loi blanchiment, retient la responsabilité de l'établissement financier considérant qu'il a failli à son

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EDITORIAL (PART II)

obligation de discrétion en effectuant une déclaration à la Cellule de Traitement des Informations Financières (CTIF).

Le 5 mai 2004, le Compliance Officer effectue une déclaration de soupçons de blanchiment doutant de l'origine des 2 millions de dollars, en provenance du compte du client ouvert en les livres d'un broker auprès duquel une filiale de l'établissement concerné aurait introduit le client, tout en évoquant qu'ils pourraient provenir de la vente de la boulangerie industrielle de celui-ci.

La CTIF transmet au Parquet qui bloque les avoirs le 7 mai avant de les débloquer le 27 décembre apparemment sans motivation dans les deux cas.

Le Tribunal admet la recevabilité de la demande du client et considère que la défenderesse "op een lichtzinnige wijze niet alleen de Witwaswet ("blijkbaar" geen aandachtig onderzoek) maar ook haar discretieplicht manifest heeft geschonden."

Le Tribunal considère que l'établissement ne peut pas ignorer la fortune du client, lui qui avait déjà confié respectivement en 1992 et en 1994 sur les comptes auprès de l'établissement et de sa filiale l'équivalent total de plus de 6 millions d'euros. Il s'agit d'opérations de compte a compte. L'origine potentielle des fonds a été mentionnée dans la déclaration, la bonne foi n'est pas prouvée, une enquête approfondie n'a vraisemblablement pas été menée... La défenderesse n'établit pas qu'elle savait ou devait suspecter que la transaction demandée par le client avait un lien avec le blanchiment.

Au contraire, elle devait savoir et présumer que l'origine des fonds n'avait pas de rapport avec le blanchiment.

Bref, l'établissement est responsable du dommage subi par le client !

Vous lirez en parallèle la dernière communication de la CTIF que vous trouverez sur son site invitant à effectuer un suivi de l'aboutissement ou non des procédures de régularisation aux fins de déterminer s'il y a, le cas échéant, lieu d'effectuer une déclaration de soupçon de blanchiment.

Les Compliance Officers ne sont pas prêts de sortir de la quadrature du cercle.

Bonne lecture et excellente fin d'année à tous...quand même !

Marie-France De Pover

Chairwoman

L'établissement financier a failli à son obligation de discrétion en effectuant une déclaration à la CTIF

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TWO FINANCIAL ADVISERS BANNED AND FINED AFTER INVESTORS LOSE OUT

On October 18, 2013 two investments advisers have been fined a total of £885,000 and been banned by the UK Financial Conduct Authority (FCA) from holding any position at a financial firm. Mark Bentley-Leek and Mustafa Dervish, who were both directors of Bentley Leek Financial Management, were found by the regulator to have lacked integrity and to have misled clients as investments they recommended were affected by the economic downturn. The FCA has also cancelled the permissions of Bentley-Leek Financial Management, which is now in liquidation.

Between 5 March 2004 and 23 November 2010 Bentley-Leek and Dervish advised over 300 customers to invest over £35m in a series of property developments in the UK and abroad. Despite the riskiness of the investments they were selling, the pair told some of their clients that their money and a 6%-18% return on the investment was guaranteed.

Bentley-Leek and Dervish also failed to adequately inform investors that they were directors and owners of some of the property development companies they were advising clients to invest in, which created a conflict of interest.

By June 2009 both men were aware that the property investment companies were in difficulty, with the market falling and bank lending seizing up. Despite that they continued to advise clients to invest. Within 17 months, however, Bentley Leek Financial Management was in administration and had entered insolvency by November 2011.

Despite the promise of guaranteed returns, most of those who invested during this period are likely to suffer substantial losses. The Financial Services Compensation Scheme (FSCS) is currently considering whether those affected may be entitled to some compensation.

The European Commission focusses on the finalisation of the banking union

EUROPEAN COMMISSION ADOPTS WORK PROGRAMME FOR 2014

2014 will be a year of delivery and implementation For the first time, the Commission Work Programme includes a list of already-adopted legislative proposals which the Commission believes deserve special attention, given their importance and given that they are sufficiently advanced to have a realistic chance of adoption in the coming months. These issues give a clear indication of the areas where the Commission will invest its attention in the six months before the European Parliament elections.

List of priority items for adoption by the European Parliament and/or the Council:

- Framework for Bank Recovery and Resolution,
- Deposit Guarantee Schemes,
- Markets in Financial Services Directive (MiFID),
- Helping consumers in retail banking,
- Long-term investment funds,
- Fight against money laundering,
- Network and information security,
- Payments package,
- E-identification and signatures,
- Reform of insolvency rules,
- Data protection package,
- Administrative cooperation: mandatory automatic exchange of tax information,
- Financial Transaction Tax.

Click here to read the full document.

THE FCA FINES FORMER COMPLIANCE OFFICER

On September 30, 2013 the FCA censured Catalyst Investment Group Limited for misleading investors and fined former compliance officer.

Catalyst offered bonds issued by Luxembourg-based ARM to investment intermediaries and independent financial advisers (IFAs) in the UK, who in turn promoted and sold them to retail investors. ARM applied for a licence to issue the bonds from the Luxembourg financial regulator, the CSSF.

Catalyst knew that ARM had applied for a licence in July 2009, and had been asked to stop issuing bonds by the CSSF in November 2009 pending a decision. However, Catalyst continued to accept funds from investors without disclosing ARM's position, or the risk that ARM could be liquidated if its licence application failed. This should have been included in Catalyst's marketing material for ARM bonds. Catalyst also wrote to IFAs and investors on separate occasions suggesting that ARM's licence application was voluntary, but did not spell out the implications if the licence wasn't granted.

Alison Moran, Catalyst's former compliance officer, has been fined £20,000 for failing to act with due skill, care and diligence. Although she was aware of the issues with ARM's licence in December 2009, she failed to ensure this was properly communicated to investors.

LES VISITES MYSTÈRE DE L'AUTORITÉ DES MARCHÉS FINANCIERS FRANÇAISE

Suivi sur le terrain des conditions de vente des produits financiers

En conduisant des visites mystère, l'AMF souhaite renforcer son action préventive en matière de protection de l'épargne par un suivi sur le terrain des conditions de commercialisation de produits financiers auprès du grand public. Les visites mystère conduites en 2013 ont repris les mêmes scénarios de 2010 et 2012 avec deux types de profils bien différenciés : des épargnants averses aux risques (risquophobes) et des épargnants prêts à prendre une certaine dose de risque (risquophiles).

Les principaux constats des visites conduites en 2013 :

- une découverte du prospect parfois encore insuffisante,
- une présentation orale spontanée des frais encore perfectible,
- une présentation toujours déséquilibrée des avantages et des inconvénients des investissements proposés,

Les visites mystère n'ont pas décelé de propositions commerciales manifestement inadaptées même si les propositions commerciales sont parfois davantage guidées par la politique commerciale de l'enseigne que par la réelle prise en compte du profil et de la demande exprimée par le prospect.

FATF ANNOUNCES OUTCOMES OF PLENARY MEETING

The Financial Action Task Force (FATF) has announced the outcomes of its plenary meeting in Paris on 16-18 October 2013.

Following the meeting, the FATF published a document identifying those jurisdictions whose anti-money laundering and combating the financing of terrorism (AML/CFT) regimes it considers to be strategically deficient.

In particular, Iran and the Democratic People's Republic of Korea are subject to a FATF call on its members and other jurisdictions to apply countermeasures to protect the international financial system from the ongoing and substantial

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FATF ANNOUNCES OUTCOMES OF PLENARY MEETING (PART II)

money laundering and terrorist financing risks emanating from them.

The FATF has also published a list of jurisdictions which have strategic AML/CFT deficiencies for which they have developed an action plan with the FATF.

This list comprises Afghanistan, Albania, Angola, Antigua and Barbuda, Argentina, Bangladesh, Cambodia, Cuba, Iraq, Kuwait, Kyrgyzstan, Lao DPR, Namibia, Nepal, Nicaragua, Sudan, Tajikistan, Vietnam, Zimbabwe.

Amongst other things, the FATF has also approved and published a best practices paper on the use of the FATF recommendations to combat corruption.

IAIS PUBLISHES PAPER ON COMBATING MONEY LAUNDERING

The International Association of Insurance Supervisors (IAIS) has published on October 17, 2013 an application paper on combating money laundering and terrorist financing.

The paper provides information on how money laundering and terrorist financing can occur within the insurance sector, and on measures to mitigate the associated risks. It provides instructive information that can be used by insurers (including reinsurers) and insurance intermediaries.

The IAIS considers there is need for specific information for insurers and insurance intermediaries which is consistent with, and supplements, the FATF standards.

The application paper has adopted selected references from the FATF Recommendations, and seeks to encourage their implementation relating to insurers and intermediaries by exploring complementary areas and leveraging the expertise of both organisations.

The Money Laundering Reporting Office of Switzerland will exchange financial information with its foreign counterparts

SWITZERLAND REVISED ITS ANTI-MONEY LAUNDERING LEGISLATION

The revision is intended to improve the exchange of information and allow the Money Laundering Reporting Office of Switzerland (MROS) to obtain information from financial intermediaries.

Furthermore, under the revised AMLA, the MROS will now be able to exchange financial information with its foreign counterparts. The revision of the Ordinance on the Money Laundering Reporting Office, which contain more details on certain provisions of the AMLA, came into effect on November 1, 2013.

UPDATED TRANSPARENCY REQUIREMENTS FOR ISSUERS OF SECURITIES

The EU Council has given, on October 17, 2013 its final approval to a Directive amending the Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market, the Directive 2003/71/EC on the prospectus to be published when securities are offered to the public or admitted to trading and the Commission Directive 2007/14/EC laying down detailed rules for the implementation of certain provisions of Directive 2004/109/EC.

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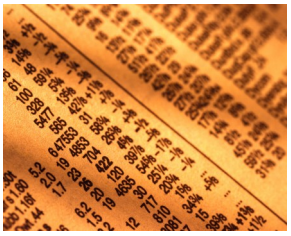
UPDATED TRANSPARENCY REQUIREMENTS FOR ISSUERS OF SECURITIES (PART II)



Amongst other things, the Directive is intended to:

- make obligations applicable to listed small and medium-sized issuers more proportionate, whilst guaranteeing the same level of investor protection, and to facilitate cross-border access to information. The draft directive clarifies for instance provisions in relation to third country issuers, and eliminates administrative burdens that are now considered unnecessary. It reviews the definition of which types of financial instruments are covered, as well as the calculation of thresholds for the notification of major holdings;
- improve legal clarity and effectiveness, notably with respect to the disclosure of corporate ownership; and
- harmonise Member States' legal frameworks for administrative sanctions, setting minimum common standards on certain key aspects of sanction regimes.

The Directive also includes a requirement for listed companies operating in the oil, gas and mineral extractive as well as the forestry industry, to disclose payments to governments in countries where they operate.

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EBA ISSUES WORK PROGRAMME FOR 2014

On October 2, 2013 the European Banking Authority (EBA) published its work programme for 2014, describing the main objectives and deliverables of the EBA in the forthcoming year. Activities will focus on three core areas: regulation, oversight and consumer protection.

In the regulatory policy area, the EBA will continue to play a central role in the development of the Single Rulebook in banking, which will contribute to the achievement of a level playing field for financial institutions, as well as to raise the quality of financial regulation and the overall functioning of the EU Single Market. The EBA's regulatory work stems from the European Commission's legislation on capital requirements, the CRDIV/CRR package, and in 2014 will focus in particular on credit and market risk, the prudential areas of liquidity and leverage, as well as on recovery and resolution.

The EBA's oversight activities will focus on identifying, analysing and addressing key risks in the banking sector in the EU.

The EBA will also continue to monitor capital levels, as well as capital plans with the aim of converging towards the new standards.

Finally, in the area of consumer protection, the EBA will work towards fulfilling its mandates as laid down under the Mortgage Credit Directive (MCD), the proposed Bank Account Package, the proposed review of the Payment Services Directive (PSD), and on initiatives such as the self-placement of financial instruments.

The EBA will focus on three core areas : regulation, oversight and consumer protection

SEC AWARDS $14 MILLION TO WHISTLEBLOWER

On October 1, 2013, the US Securities and Exchange Commission (SEC) awarded more than $14 million to a whistleblower who provided information that led to an SEC enforcement action. The SEC did not disclose the name of the whistleblower, the subject of the tip, or the action that resulted from the tip. This is the SEC's third and by far the most significant payment to a whistleblower under the Dodd-Frank Act's bounty program. This award is likely to raise the profile of the SEC's whistleblower program and lead to an increase in the number of tips submitted to the SEC.

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LA FRANCE COOPERE AVEC LES ETATS-UNIS DANS LE CADRE DE FATCA

Le 14 novembre 2013, le ministre français de l'Economie et des Finances, a signé avec l'ambassadeur des Etats-Unis un accord en vue de mettre en œuvre la loi FATCA (Foreign Account Tax Compliance Act).

L'enjeu de FATCA est le développement de l'échange automatique d'informations comme nouveau standard mondial pour lutter contre la fraude fiscale internationale.

L'accord FATCA fixe un cadre pour la mise en oeuvre de l'échange automatique entre la France et les Etats-Unis et précise à cette fin l'ensemble des définitions et procédures en vue de mettre en œuvre le dispositif de manière homogène. Il décrit les informations qui doivent être échangées ainsi que le calendrier et les modalités pratiques.

MARKET ABUSE: ESMA SETS OUT POLICY ORIENTATIONS ON IMPLEMENTING MEASURES

The European Securities and Markets Authority (ESMA) has published on November 14, 2013 a Discussion Paper setting out its initial views on the implementing measures it will have to develop for the new Market Abuse Regulation (MAR).

In preparing this paper, ESMA has, to the extent possible, taken into consideration the existing level 2 texts and the sets of CESR Guidance on the operation of the Market Abuse Directive; in such instances, the rules have been reviewed in light of the broadening of the scope of MAR. In addition, ESMA has dealt more extensively with the sections relating to new requirements introduced with MAR. These concern the market soundings (Section II), the public disclosure of inside information (Section VI) and the reporting of violations (Section x).

This DP is structured in accordance to the ten areas of MAR to which input from ESMA is required. It follows the order of the sections in the level 1 compromise text.

Section I relates to the conditions to be met by buyback programmes and stabilization measures to benefit from the exemption from market abuse prohibitions.

Section II deals with the arrangement and procedures required for Market soundings, from the perspective of both the sounding and the sounded market participants.

Section III concerns the indicators and signals of market manipulation.

Section IV deals with the criteria to establish Accepted Market Practices.

Section V relates to the arrangement, systems and procedures to put in place for the purpose of suspicious transactions and order reporting as well as its content and format.

Section VI covers issues relating to public disclosure of inside information and the conditions for delaying it.

Section VII relates to the format for Insider lists.

Section VIII contemplates issues concerning the reporting and public disclosure of managers' transactions.

Section IX deals with the arrangements for fair presentation and disclosure of conflict of interests by producers and disseminators of investment recommendations.

Finally, section X addresses the reporting of violations and related procedures.

Each section summarises the relevant provisions and their objectives, it provides an explanation of the related policy issues and discusses various policy options. For each issue, the paper describes the orientations ESMA is envisaging and/or poses questions on aspects where views of stakeholders are considered to be helpful for the final decision making.

MAR aims to enhance market integrity and investor protection

FSMA COMMUNICATES ON INSIDER TRADING & MARKET MANIPULATION REPORTING DUTIES

The Financial Services and Markets Authority (FSMA) has issued a communication reminding intermediaries of the obligation to notify the FSMA of suspicious transactions in terms of insider dealing or market manipulation.

This notification obligation is set out in article 25bis of the law of 2 August 2002, and articles 16 and 18 of the royal decree of 5 March 2006 relating to market abuse. The communication also reminds intermediaries that certain transactions may require a notification to be made to the FSMA under the market abuse rules and to the CTIF/CFI under anti-money laundering legislation.

ESMA AND EBA CONSULT ON COMPLAINTS HANDLING GUIDELINES FOR THE BANKING SECTOR

On November 6, 2013, the European Securities and Markets Authority (ESMA) and the European Banking Authority (EBA) have jointly launched a consultation on guidelines for complaints handling in the securities and markets sectors. The proposed Guidelines will build on the existing guidelines on complaints handling by insurance undertakings published by the European Insurance and Occupational Pensions Authority (EIOPA) in June 2012. The consultation runs until 7 February 2014.

Consumers in the EU can purchase, and firms can offer, financial services and products in the banking, investment and insurance sectors across the EU. In order to increase market confidence of all participants, the Joint Committee of the three European Supervisory Authorities (ESAs) is seeking to develop a harmonised approach to handling complaints. The three ESAs are doing so through guidelines that, once adopted, would apply equally across all 28 Member States and will be the same for all three sectors of financial services.

ESMA and the EBA are proposing to develop complaint handling guidelines for the investment and banking sectors that are identical to the existing EIOPA guidelines for the insurance sector. The objective is to provide EU consumers with a single set of complaints handling arrangements, irrespective of the type of product or service and of the geographical location of the firm in question. This will also allow firms to streamline and standardise their complaints handling arrangements and national regulators to supervise the same requirements across all sectors of financial services.

ESMA and the EBA expect to publish the final guidelines in Q1 2014.

Strengthen the consumer protection is a key objective for ESMA and for the EBA

ESMA PUBLISHES UPDATED Q&As ON THE PROSPECTUS DIRECTIVE

ESMA has published on October 28, 2013 an updated Questions and Answers on the Prospectus Directive (PD), revising a number of current market practices and addressing a number of new issues related to the implementation of the PD.

The Q&A also includes revisions of two previous Questions, which deal with pro forma financial information and the level of disclosure concerning price information for share offerings.

New Questions The updated Q&A addresses a number of new issues under the PD, specifically the agreement of the auditor (in relation to profit estimates), the proportionate disclosure regime for prospectuses for rights issues and the proportionate disclosure regime for rights issues and admission to trading.

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PRIPS: ECON COMMITTEE PUBLISHES ITS REPORT ON KEY INFORMATION DOCUMENTS

On November 6, 2013 the EU Parliament's Committee on Economic and Monetary Affairs has published a report on the proposed regulation on key information documents for investment products.

The report highlights a number of areas of concern, including the scope of the regulation, taxation regimes, risk indicators, information to investors on the destination of funds and liability regime and sanctions.

THE FCA FINES RABOBANK £105 MILLION FOR SERIOUS LIBOR-RELATED MISCONDUCT

On October 29, 2013 the UK Financial Conduct Authority (FCA) has fined Rabobank for serious, prolonged and widespread misconduct relating to the London Interbank Offered Rate (LIBOR). The £105 million fine is the third highest ever imposed by the FCA or its predecessor, the Financial Services Authority, and the fifth penalty for LIBOR-related failures.

Rabobank's poor internal controls encouraged collusion between traders and LIBOR submitters and allowed systematic attempts at benchmark manipulation. Rabobank did not fully address these failings until August 2012, despite assuring the FCA in March 2011 that suitable arrangements were in place.

Traders and submitters treated LIBOR submissions as a potential way to make money, with no regard for the integrity of the market.

Rabobank's flawed assurances and failure to get a grip on what was going on in its business were extremely disappointing.

LIBOR is based on daily estimates of the rates at which a panel of banks borrow funds from one another. Between May 2005 and January 2011, Rabobank allowed derivatives and money market traders to:

- Make, or influence others at the bank to make LIBOR submissions that benefitted trading positions linked to Sterling (GBP), Dollar (USD) and Yen (JPY) LIBOR;
- Collude with individuals at other LIBOR panel banks and interdealer firms to influence JPY and USD LIBOR submissions made by other panel banks; and
- Collude with individuals at other LIBOR banks and interdealer broker firms who sought to influence Rabobank's JPY LIBOR submissions

This meant that the affected LIBOR submissions from Rabobank, and some of the LIBOR submissions made by other panel banks, didn't fairly reflect the cost of interbank borrowing, undermining the overall integrity of LIBOR.

Rabobank failed to act with due skill care and diligence; identify, manage or control the relevant risks; or meet proper standards of market conduct. This breached three of the FCA's fundamental principles for businesses, which underpin its objectives to ensure that markets function effectively, and to promote market integrity.

The FCA found over 500 instances of attempted LIBOR manipulation, directly or indirectly involving at least 9 managers and 19 other individuals based across the world. At least one manager was actively involved in attempted manipulation and facilitated a culture where this practice appeared to be accepted, or even endorsed by the bank. In April 2009, a JPY LIBOR submitter informed Rabobank's internal audit group that his submissions were based on direct instructions from traders, yet the bank failed to address the issue.

Rabobank cooperated with the FCA's investigation and agreed to settle early, qualifying for a 30% discount on its fine. Without the discount, the fine would have been £150 million.

Rabobank's poor internal controls encouraged collusion between traders and LIBOR submitters

SEC CHARGES ROYAL BANK OF SCOTLAND SUBSIDIARY WITH MISLEADING INVESTORS

On November 7, 2013, the US Securities and Exchange Commission charged RBS Securities Inc., a subsidiary of the Royal Bank of Scotland, with misleading investors in a 2007 subprime residential mortgage-backed security (RMBS) offering.

The SEC alleges that RBS said the loans backing the offering "generally" met the lender's underwriting guidelines even though nearly 30 percent fell so short of the guidelines that RBS should have excluded them from the offering entirely and that RBS knew or should have known that was false because due diligence before the offering showed that almost 30% of the loans underlying the offering did not meet the underwriting guidelines.

In its complaint, the SEC said RBS gave investors a misleading impression of the quality of the loans backing the offering and the likelihood of their repayment.

RBS, without admitting or denying the SEC's allegations, has agreed to a final judgment that orders it to disgorge $80.3 million, plus prejudgment interest of $25.2 million, and pay a civil penalty of $48.2 million.

SEC SANCTIONS THREE FIRMS UNDER COMPLIANCE PROGRAM INITIATIVE

On October 23, 2013 the Securities and Exchange Commission sanctioned three investment advisory firms for repeatedly ignoring problems with their compliance programs.

Under what is known as the "Compliance Rule" investment advisers are required to adopt and implement written policies and procedures that are reasonably designed to prevent securities law violations. The rule requires advisers to review their policies and procedures at least once a year for adequacy and effectiveness of implementation.

The SEC's order against Modern Portfolio Management (MPM) finds that they failed to correct ongoing compliance violations at the firm despite prior warnings from SEC examiners. In particular, they failed to complete annual compliance reviews in 2006 and 2009 and made misleading statements on MPM's website and investor brochure.

According to the SEC's orders against New Orleans-based Equitas Capital Advisers and Equitas Partners these companies failed to adopt and implement written compliance policies and procedures and conduct annual compliance reviews to satisfy the Compliance Rule.

The owners of an investment firm must complete 30 hours of compliance training

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Maak ons uw suggesties over artikelen over of laat u schrappen van de distributielijst van deze Newsletter op volgend adres : info@forumcompliance.be

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