OTHER RULES & REGULATIONS

SECURITIES AND EXCHANGE BOARD OF INDIA (ANNUAL REPORT) RULES, 1994

In exercise of the powers conferred by sub-section (2) of section 18, read with section 29 of the Securities and Exchange Board of India Act, 1992 (15 of 1992), the Central Government hereby makes the following rules, namely:—

Short title and commencement.

1. (1) These rules may be called the Securities and Exchange Board of India (Annual Report) Rules, 1994.

(2) They shall come into force on the date of their publication in the Official Gazette.

Definitions.

2. In these rules, unless the context otherwise requires,—

(*a*) "Act" means the Securities and Exchange Board of India Act, 1992 (15 of 1992);
(*b*) "Appendix" means an Appendix annexed to these rules;
(*c*) All other words and expressions used in these rules but not defined, and defined in the Act shall have the same meanings respectively assigned to them in the Act.

IndiaCode

Form of Annual Report.

3. (1) The Board shall submit to the Central Government an annual report giving a true and full account of its activities, policies and programmes during the previous financial year in the form specified in the Appendix.

(2) The annual report referred to in sub-regulation (2) shall be submitted to the Central Government within [1][ninety] days after the end of the each financial year.

---

1. Substituted for "sixty" by the SEBI (Annual Report) Amendment Rules, 1997.

APPENDIX

SECURITIES AND EXCHANGE BOARD OF INDIA (ANNUAL REPORT) RULES, 1994

[*See* rule 3]

Form of Annual Report of Securities and Exchange Board of India

PART I

Policies and Programmes

(*a*) Review of the general economic environment and the investment climate
(*b*) Review of policies and programmes in respect of:—
(*i*) Primary securities market
(*ii*) Secondary securities market
(*iii*) Mutual Funds
(*iv*) Intermediaries associated with securities market
(*v*) Foreign Institutional Investment
(*vi*) Other policies and programmes having a bearing on the working of securities market
(*vii*) Assessment and prospects.

PART II

Review of working and operations of the Securities and Exchange Board of India in the securities market in respect of—

(*a*) Primary securities market
(*b*) Secondary securities market
(*c*) Mutual Funds
(*d*) Intermediaries associated with securities market
(*e*) Foreign institutional investment
(*f*) Other activities having a bearing on the working of the securities market.

PART III

Functions of Securities and Exchange Board of India in respect of matters specified in section 11 of Securities and Exchange Board of India Act, 1992:—

(*a*) Regulation of business in stock exchanges:
(Indicate measures adopted for regulation of business in stock exchanges including their trading and settlement practices, etc.).

(*b*) Registration and regulation of working of stock-brokers, sub-brokers, share transfer agents, bankers to an issue, trustees of trust deeds, registrars to an issue, merchant bankers, underwriters, portfolio managers, investment advisers, foreign institutional investors and other intermediaries associated with the securities market:
(Indicate details regarding registration, suspension/cancellation of registration and regulation of activities of the above intermediaries associated with the securities market).

(*c*) Registration and regulation of working of collective investment schemes including mutual funds:
(Indicate details regarding registration, suspension/cancellation of registration of collective investment schemes and mutual funds and regulation of above collective investment schemes and mutual funds).

(*d*) Promotion and regulation of self-regulatory organisations:
(Give an account of measures taken by Securities and Exchange Board of India to promote and regulate self-regulatory organisation).

(*e*) Fraudulent and unfair trade practices:
(Give details regarding fraudulent and unfair trade practices which have come to the notice of Securities and Exchange Board of India and steps taken by them to prevent occurrence of such practices).

(*f*) Investors education and training of intermediaries :
(Mention activities of Securities and Exchange Board of India in the area of investors' education and training of intermediaries).

(*g*) Prohibition of insider trading:
(Give details regarding insider trading practices which have come to the notice of Securities and Exchange Board of India and steps initiated to curb insider trading practices).

(*h*) Substantial acquisition of shares and takeovers:
(Give an account of substantial acquisition of shares in securities market and takeovers of companies and their regulation by Securities and Exchange Board of India).

(*i*) Information called from, inspection undertaken, inquiries and audit of the Stock Exchanges and intermediaries and self-regulating organisations in the securities market conducted by Securities and Exchange Board of India:
(Give details regarding above).

(*j*) Delegated powers and functions:

IndiaCode

[Give details regarding performance of delegated functions and exercise of delegated powers by Securities and Exchange Board of India under the Securities Contracts (Regulation) Act, 1956 (42 of 1956)].

(*k*) Fees and other charges:
(Give an account of fees and other charges collected by Securities and Exchange Board of India during the financial year).

(*l*) Research and studies:
(Give details regarding research and studies conducted by Securities and Exchange Board of India in the areas/of its operations).

(*m*) Other functions:
(Mention other functions carried out by Securities and Exchange Board of India in securities market).

PART IV

Organisational matters of the Securities and Exchange Board of India

Notification : *No. GSR 373(E), dated 7-4-1994.*

IndiaCode