

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO OF 2020

**The Securities Act
(Act No. 41 of 2016)**

**The Securities (Compensation Fund) (Amendment) Regulations,
2020**

IN EXERCISE of the powers contained in sections 181, 182 and 221 of the Securities Act, the following Regulations are made:

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| Title | 1. These Regulations may be cited as the Securities (Compensation Fund) (Amendment) Regulations, 2020 and shall be read as one with Securities (Compensation Fund) Regulations, 1993, in these Regulations referred to as the principal Regulations. |
| S.I. No 162 of 1993 | |
| Amendment of Regulation 2 | 2. The principal Rules are amended in Regulation 2 by the – (a) deletion of the definitions of “compensation fund”, “compensation fund committee” and “licensee” and the substitution therefor of the following: <p style="margin-left: 40px;"><i>“compensation fund” and “fund” mean the compensation fund <u>continued and maintained under section one hundred and seventy-six of the Act;</u></i></p> <p style="margin-left: 40px;"><i>“Compensation Fund Committee” and “Committee” mean the Compensation Fund Committee constituted under section <u>one hundred and seventy-eight of the Act;</u> and</i></p> |

“Licensee” means a dealer or an investment adviser, as the case may be, licensed under Part V of the Act; and

- (b) insertion, in the appropriate place, of the following new definition:

“Tribunal” means the Capital Markets Tribunal established under section one hundred and eighty-four of the Act;

Amendment of
Regulation 5

3. The principal Rules are amended in Regulation 5 by the deletion of –

- (a) clause (1) and the substitution therefor of the following:

(1) The Compensation Fund Committee shall establish and keep proper accounts of the fund and shall before 31st March in each year cause a statement of financial position in respect of such accounts to be made out as at the preceding 31st December.; and

- (b) the word “Commission” in clause (4), and the substitution therefor of the word “fund”.

Amendment of
Regulation 7

4. Regulation 7 of the principal Rules is amended –

- (a) in clause (1), by the deletion of the words “sixty-seven” and the substitution therefor of the number “177”;

- (b) in clause (2) –

(i) by the deletion of the words “Subject to clause (3)” and the substitution therefor of the words “Subject to clauses (3) and (4),”; and

(ii) by the deletion of the words “one million kwacha” and substitution therefor of the words “three hundred and thirty-three thousand three hundred and thirty-three fee units”; and

- (c) by the insertion of the following new sub-Regulation after clause (3):

(4) A person who has received a claim for compensation under subsection (2) of section 182 of the Act and the compensation is insufficient to meet the claim can make a claim on the fund.

Amendment of
Regulation 8

5. Regulation 8 of the principal Rules is amended in clause (3) by the deletion of the word “Commission” and the substitution therefor of the word “Committee”.

Amendment of
Regulation 9

6. Regulation 9 of the principal Rules is amended in clause (3) by the deletion of the word “offer” and the substitution therefor of the word “officer”.

General
amendment

7. The principal Rules are amended by the deletion of the word “Court” wherever it appears and the substitution therefor of the word “Tribunal”.

B. NG'ANDU,
Minister of Finance

LUSAKA
, 2020
[MF.102/9/240]
