

MODULE 9: FUND MANAGEMENT REGULATION

LIVE WEBINAR AVAILABLE ON
5 & 6 DECEMBER 2020
9.00AM - 6.00PM



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PROGRAMME OVERVIEW

This 13 hours webinar conducted over 2 days 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.

PROGRAMME OBJECTIVE

This course equips participants with comprehensive understanding and knowledge based on their good understanding from module 9 Study Outline. Participants are 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.

LEARNING OUTCOMES

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

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

CANDIDATES' PREREQUISITES

It is estimated that this module will require a minimum of 120 hours of study time. Candidates are expected to have relatively strong capability in the application and analysis of information provided in this outline and its reference. The amount of study hours needed depends on the education background and work experience of the candidates. Candidates are also expected to update themselves with the latest changes relevant to this module as all questions will be continuously updated to reflect these changes.

METHODOLOGY

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

WHO SHOULD ATTEND

- Candidates preparing for the Module 9 Licensing Examination
- New entrants to the capital market industry and staff of investment banks

PROGRAMME

DAY 1

The Fund Management Industry in Malaysia

- 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?

1 hour (9am -10am)

Break

Laws and Organisations Regulating the Fund Management Industry

- Overview of Law
- The Securities Industry Laws
- Other Relevant Laws and Regulations
- Organisations Regulating the Fund Management Industry
- Industry Regulation

The Law of Contract

- What is the Law of Contract?
- Essential Elements of a Contract

2 hours (11am – 1pm)

Lunch Break

PROGRAMME

Negligent Misstatement

- What is Negligence?
- Elements of the Tort of Negligence
- Negligent Conduct – the Duty and Standard of Care
- Negligent Misstatement
- Statutory Liability

Relationship between Fund Management Company and Client

- Analysing the Relationship between a Fund Management Company and its Client
- Laws Governing the Fund Management Company/Client Relationship
- Ethical Considerations

Conduct of a Fund Management Company's Business

- The Investment Management Agreement
- Duties to Clients
- Records and Segregation of Assets
- Substantial Shareholders Notices
- Insurance Cover

2 hours (2pm – 4pm)

Break

The Licensing Handbook

- Chapter 1: Introduction
- Chapter 2: Licences under the CMSA
- Chapter 4: Licensing Criteria
- Chapter 7: Conditions and Restrictions of Licence
- Chapter 10: Outsourcing Arrangement by CMSL Holders

Securities Offences

- 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

1.5 hours (4.30pm – 6pm)

End of Day One

DAY 2

Compliance

- Compliance
- The Compliance System
- Implementing the Compliance Plan
- Requirement to Adopt Compliance Procedures
- Authority of the Compliance Officer

Topical Issues in Funds Management Regulation

- Corporate Governance
- Performance Presentation Standards
- Key Elements of Performance Presentation Standards

1 hour (9am -10am)

Break

Related Guidelines for Fund Management Regulation

- 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

2 hours (11am – 1pm)

Lunch Break

Related Guidelines for Fund Management Regulation (cont')

- Guidelines on Prevention of Money Laundering and Terrorism Financing for Capital Market Intermediaries
- Guidelines on Unlisted Capital Market Products Under the Lodge and Launch Framework
- Lodgement Kit: Unlisted Capital Market Products Under the Lodge and Launch Framework

2 hours (2pm – 4pm)

Break

Related Guidelines for Fund Management Regulation (cont')

- Guidelines on Unit Trust Funds
- Guidelines on Guidelines on Exchange-Traded Funds
- Guidelines on Islamic Fund Management

1.5 hours (4.30pm – 6pm)

End of Programme

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