

CAPITAL MARKETS AND SERVICES ACT 2007 (Act 671)

An Act to consolidate the Securities Industry Act 1983 [Act 280] and Futures Industry Act 1993 [Act 499], to regulate and to provide for matters relating to the activities, markets and intermediaries in the capital markets, and for matters consequential and incidental thereto.

Section 66 of the CMSA

Power of Commission to enquire into transactions in respect of securities and derivatives

66.

(1) The Commission may enquire into any transaction involving the purchase or sale of securities or derivatives entered into or caused to be entered into by—

(a) an applicant for grant of a licence, its directors, chief executive, managers or controller, whether directly or indirectly, during any period of twelve months preceding the application for grant of the licence; or

(b) a licensed person, its directors, chief executive, managers or controller, whether directly or indirectly, at any time, to ascertain if such person has in such transaction used dishonest, unfair or unethical devices or trading practices, whether such devices or trading practices constitute an offence under this Act or otherwise.

(2) The person referred to in subsection (1) shall submit to the Commission, the detailed information of any transaction involving the purchase or sale of securities or derivatives for such period, in such form and manner, and within such time, as the Commission may specify by notice in writing.

(3) In addition to any other penalty that may be imposed under this Act, a person who fails or refuses to submit information to the Commission within the time specified in the notice referred to in subsection (2) or who gives false or misleading information or the information contains an omission of a material particular, is liable to have his application for a grant of licence rejected or his licence revoked under section 72.

