

SCHEDULE 2

[Subsections 2(1) and 58(1)]

Regulated activities

Part 1 – Types of regulated activities

1. Dealing in securities.
2. Trading in futures contracts.
3. Fund management.
4. Advising on corporate finance.
5. Investment advice.
6. Financial planning.

Part 2 – Interpretation of regulated activities

1. “Dealing in securities” means, whether as principal or agent—
 - (a) acquiring, disposing of, subscribing for or underwriting securities; or
 - (b) making or offering to make with any person, or inducing or attempting to induce any person to enter into or to offer to enter into—
 - (i) any agreement for or with a view to acquiring, disposing of, subscribing for or underwriting securities; or
 - (ii) any agreement, other than a futures contract, the purpose or avowed purpose of which is to secure a profit to any of the parties from the yield of securities or by reference to fluctuations in the value of securities.
2. “Trading in futures contracts” means, whether as principal or agent, making or offering to make with any person, or inducing or attempting to induce any person, or soliciting or accepting any order for, or otherwise—
 - (a) entering into, or taking an assignment of, the futures contract, whether or not on another person’s behalf;
 - (b) taking or causes to be taken, action that closes out the futures contract, whether or not on another person’s behalf; or
 - (c) in relation to a futures contract that is an eligible exchange-traded option, a futures option or an agreement prescribed to be a futures contract—
 - (i) exercising any option or right under the futures contract; or

- (ii) allowing any option or right under the futures contract to lapse, whether or not on another person's behalf.
- 3. "Fund management" means undertaking on behalf of any other person or persons, whether on a discretionary authority granted by such person or persons or otherwise, the management of a portfolio of securities or futures contracts.
- 4. "Advising on corporate finance" means giving advice concerning—
 - (a) compliance with or in respect of Part VI, any regulation made under section 378 and any guidelines issued under section 377 relating to any matter provided under Part VI, or relating to the raising of funds by any corporation;
 - (b) compliance with the listing requirements of the stock exchange in relation to the raising of funds or related party transactions;
 - (c) arrangement or restructuring of a listed corporation or a subsidiary of the listed corporation of its assets or liabilities.
- 5. "Investment advice" means carrying on a business of advising others concerning securities or futures contracts or as part of a business, issues or promulgates analyses or reports concerning securities or futures contracts.
- 6. "Financial planning" means analysing the financial circumstances of another person and providing a plan to meet that other person's financial needs and objectives, including any investment plan in securities, whether or not a fee is charged in relation thereto.