

Securities Board of Nepal Regulations, 2064

In exercise of the powers conferred by 116 of Securities Act, 2063, Securities Board of Nepal has formulated the following Rules, with the approval of Government of Nepal.

Chapter-1

Preliminary

1. Short Title and Commencement

- (1) The name of these Rules shall be "Securities Board of Nepal Rules, 2064."
- (2) These Rules shall be effective from the date of specified by Securities Board.

2. Definitions

Unless repugnant by the subject or context, in these Rules:-

- (a) "Act" shall mean securities Act, 2063.
- (b) "Board" shall mean Securities Board of Nepal established as per Section 3 of the Act.
- (c) "Employee" shall mean the person employed in any post of the Board.
- (d) "Investigation Officer" shall mean the officer employee appointed pursuant to Rule 17.
- (e) "Onsite Inspection" shall mean the inspection effected at the office or concerned spot of Stock Market, Stock entrepreneurs, authorized representative of Stock entrepreneurs or body corporate having registered stock.
- (f) "Other Regulations" shall mean other regulations except these regulations framed under the Act.

Chapter-2

Functions, Powers and Duties of the Board

3. Functions, Powers and Duties

Including the functions, powers and duties as specified in Section 5 of the Act, the Board shall have the following functions, powers and duties:

- (a) To assist in the execution of the Policy and Program of Government of Nepal in respect of Securities and Capital Market.
- (b) To formulate and implement professional code of conduct to be observed by Securities Market and Securities Entrepreneurs in order to maintain investor's interest and market fairness.
- (c) To formulate and implement good governance code to be observed by the body corporate which registers and lists the Securities for the good governance of organized sector.
- (d) To develop regional and international relations by obtaining the membership of regional and international organizations or authorities relating to Capital Market.
- (e) To approve annual program and budget as well as annual audit for the Board.
- (f) To approve annual report pertaining to the function and activities of the Board.
- (g) To effect other works as may be required for the regulation and development of Capital Market.

4. Functions, Powers and Duties of the Chairperson

- (1) The Chairperson appointed as per Section 7 of the Act shall be a full time Chief Administrative Officer of the Board.
- (2) The functions, powers and duties of the Chairperson, including the functions powers and duties as mentioned in Section (8) of the Act, shall be as follows:-
 - (a) To manage and operate day to day affairs while taking full administrative responsibilities of the Board, Subject to the Act, these Rules, other Rules, bye-laws or directives and the decision of the Board taken from time to time.

- (b) To monitor, inspect and investigate or cause to have monitored, inspected, and investigated the functions related to Securities or body corporate having registered Securities, Securities Market, and Securities Businesspersons.
- (c) To represent or cause to be represented on behalf of the Board in Government of Nepal, Courts or domestic or foreign organizations.
- (d) To sign the contract on behalf of the Board and execute or cause to be executed the same.
- (e) To accomplish other functions under the authority as delegated by the Board.

5. **To Issue Order or Directives under the Special Authority:**

- (1) While issuing any order or directives by the Board as per Section 90 (1) of the Act, under special authority, the Board may issue such order or directives specifying the functions to be effected by the concerned organization and the time frame and procedure thereof as mentioned therein.
- (2) The Board may request for the clarification from the concerned body corporate prior to the issuance of order or directives as per Sub-Rule (1), if it is deemed necessary to have any matter clarified from the concerned organization.
- (3) The Board may issue necessary order or directives or initiate appropriate action on the clarification as submitted by the concerned body corporate with due evaluation thereon.

6. **Oath to be Taken**

The Chairperson or member of the Board shall, prior to the commencement of the job as per the post, administer the oath of confidentiality and honesty in a format as mentioned in Schedule-1.

7. **Remuneration and Terms of Services of Chairperson**

The monthly remuneration, allowances and other facilities entitled to the Chairperson shall as determined by the Board under the approval of Government of Nepal.

8. **Remuneration and Facilities Entitled to the Member**

If any member is required to work full time in the Board for any special work, the remuneration, allowances and other facilities entitled to such member shall be as determined by the Board under the approval of Government of Nepal.

9. **Deputation and Travel and Daily Allowances of the Chairperson and Member**

(1) While deputing the Chairperson to the place within the country in the course of works of the Board, a prior approval of the Chairperson himself, for a period of seven days and of Ministry of Finance, for a period exceeding such period or for foreign tour, shall be obtained.

(2) The Chairperson may depute the members of the Board within the country for a period of up to 7 days, in the case of requirement of deputation exceeding 7 days or in foreign countries, the Board may effect the deputation with the approval of Government of Nepal.

(3) Travel and Daily allowances, other allowances as well as facilities entitled to the Chairperson in the course of his travel for the works of the Board, shall be as mentioned in the Financial Administrative Rules of the Board.

(4) The members shall, while traveling in the course of the works of the Board, be entitled to travel and daily allowances, other allowances and facilities equivalent to the entitlement to the Chairperson.

10. **Meeting Allowances of the Chairperson and Members**

(1) Each member shall be entitled to a meeting allowances of Rupees One Thousand Five Hundred for his participation in the meeting.

(2) The Board may alter the meeting allowances entitled to the members from time to time with the prior approval of Government of Nepal.

11. **Constitution of Investigation Committee**

- (1) In the case of requirement of release of the chairperson or members from their respective post as per Sub-Section (2) of Section 12 of the Act, due to any of the reason, whatsoever, the Government of the Nepal may constitute an investigation committee with specific period as per Sub-Section (7) of Section 7 of the Act in order to effect the investigation in relation thereto.
- (2) The investigation committee to be constituted as per Sub-Section (1) shall consists of the members as mentioned hereunder:
 - (a) The person specified by the Government of Nepal
Who is serving or has served at least as a judge of
The Appellate Court - Chairperson
 - (b) One person of minimum Gazetted first Class
Officer of Nepal Judicial Service currently
Serving Government of Nepal - Member
 - (c) One expert specified by Government of Nepal
with specified knowledge of capital market - Member
- (3) The remuneration, allowances and other facilities to be entitled to the members of the investigation committee constituted as per Sub-Rule (1) shall be as specified by the Government of Nepal.
- (4) The investigation committee as per Sub-Rule (1) may inquire with take statements or demand the clarification from the chairperson or concerned members.
- (5) The procedure to be adopted while effecting the investigation shall be determined by the investigation committee itself.
- (6) The Government of Nepal may, on the basis of the report submitted by the investigation committee, take action against or release from the post, such chairperson or member.

Chapter-3

Provision on the List of Auditors

12. List of Auditor

- (1) The Auditor having passed the examination of Chartered Accountant or equivalent with professional certificate from Institute of Chartered Accountants of Nepal shall be eligible to be enlisted in the list of Auditor to be maintained by the Board in order to effect the audit of the securities entrepreneurs.
- (2) Subsequent to the receipt of the information to the Board by the Institute of Chartered Accountants of Nepal or the concerned Auditor of his eligibility as per Sub-Rule (1), such auditor shall automatically deemed to have been enlisted in the list of the Board.

13. Particulars to be Specified in the Audit Report

- (1) While auditing the books of accounts and securities transactions of securities entrepreneurs by the listed auditor as per Rule 12 following particulars, including the particulars to be specified as per prevailing laws, shall be specified in the report to be prepared and submitted to the Board:
 - (a) Whether or not the capital reserve, net liquid asset and deposit as specified by the laws on securities have been maintained or deposited.
 - (b) The particulars, if any, on any action of securities entrepreneurs organizations or its officials which is irregular or contrary to the Act, or Rules, Directives, orders of the Board or other prevailing laws.
 - (c) Existence or non existence of necessary internal control system.
 - (d) Particulars, if any, of the action against the interest of securities market and investors.
 - (e) Existence or non-existence of Internal Audit Committee and the effectivity, thereof, if exists.
- (2) Notwithstanding anything specified in Sub-Rule (1), while effecting the audit of the securities entrepreneurs, the Board may prepare the format of Long form Audit Report specifying the particulars to be specified in the Audit Report of the

Auditor and implement the same and if such format is implemented, the auditor to audit shall, while preparing the Audit Report of such organization, specify the particulars in his Audit Report mentioned in such format.

- (3) The auditor, not effecting the audit or submitting the particulars as per these Rules, shall be referred by the Board to Institute of Chartered Accountants Nepal for necessary action and the concerned auditor shall be restricted to effect the audit of securities entrepreneurs till the finalization of the action.

Chapter-4

Procedure and Investigation and Filing of the Case

14. Inspection and Investigation

- (1) The Board may, while effecting inspection and investigation as per Section 85 of the Act, effect spot investigation or inspection of the concerned organization or effect the inspection and investigation by obtaining the detailed particulars and notices at the Board itself.
- (2) While effecting inspection and investigation by the Board, the Board may depute any employee of the Board, any expert or panel of experts and specify the organization to effect inspection and investigation, subject thereof, the completion period of such inspection and investigation, manner of inspection, the matters to be specified in the report and the matters relating to the financial and other facilities to be made available for such inspection.
- (3) Subsequent to the completion of the inspection and investigation, a report specifying the inspected and investigated organization, the subject thereof, the information obtained, the observed remarks and recommendations shall be prepared and submitted to the Board.
- (4) The concerned officer may, in the course of spot inspection as per Sub-Rule (1), provide necessary instruction to the organization which is being inspected and it shall be the duty of concerned organization to observe such instruction. The inspecting officer shall, at the earliest possible, inform the Board of such instruction.

- (5) The Board may, for the purpose of inspection and investigation of permitted securities market and securities entrepreneurs, prepare and implement Inspection Manual.

15. **Complaint May be Filed**

- (1) The concerned person may, upon receipt of the information of the offense punishable under Section 101 of the Act, which is already committed or being committed, file the complaint to the Board and while filing the complaint, such shall be filed in a format as specified in Schedule-2.
- (2) Notwithstanding anything specified in Sub-Rule (1), if the complainant files any written or verbal complaint instead of the complaint as per Schedule-2 or if such complainant files the complaint along with the evidence thereof by being present in person, such complaint shall cause to be registered along with the evidence in a format of Schedule-3 and in the absence of the complainant the employee of the Board shall prepare and register the complaint in accordance with the said Schedule and the particulars thereof shall be specified at the head of the complaint and the same shall be verified.
- (3) The complaint received at the Board in accordance with these Rules shall be registered in a register in a format as specified in Schedule 3
- (4) Notwithstanding anything stated in these Rules, in the case of receipt of information by the Board through any of the medium or by the Board itself, on the offence deemed punishable under the Act, which has already been committed or being committed, mere non filing of the complaint shall not hinder to initiate necessary action against thereof.

16. **Complaint may be annulled or withheld:**

- (1) The complaint as mentioned hereunder may be annulled or withheld by the Board:
 - (a) Complaints which do not fall under the scope and jurisdiction of the Board

- (b) Complaints which are found to be prima facie fact less or does not specify the offence clearly.
 - (c) Complaints with the objective to exert trouble on others.
 - (d) Complaints on which the person or body corporate to be taken action against is not possible to identify.
 - e) Complaint on the same subject without submitting new evidences thereof, which has already been annulled after decision thereon.
- (2) If it is not deemed appropriate to immediately initiate the action and decide thereon due to the filing of the case somewhere else on the subject of complaint at the Board, such complaint may be withheld subject to the decision thereon after the finalization of the case filed somewhere else.

17. **Appointment of Investigation Officer:**

- (1) In the case of obtainment of information on the offence already committed or being committed, which is punishable under Section 101 (1), (2) or (3), through the complaint received under Rule 15 or any other medium, the Board shall, in order to investigate or to file the case, if so required, appoint any employee of officer level of the Board as investigation officer.
- (2) The assistant including financial and other facilities necessary to such investigation officer appointed as per Sub-Rule (1) shall be as specified by the Board.

18. **Investigation and Recommendation:**

- (1) The investigation officer shall, on the basis of the information from complaint filed at the Board or any other medium, effect necessary investigation, demand the clarification from or take statement of the accused or person related to such offence and effect other investigation related to the offence.
- (2) It shall be the duty of the concerned person to submit the clarification demanded by the investigation officer in the course of the investigation in respect of the offence, to provide true information or particulars on the questioned subject or submit the documents.
- (3) Upon investigation by the investigation officer as per Sub-Clause (1), if it is found from the initial investigation that there does not exist the condition to file the case

by effecting the investigation, he shall recommend the Board in accordance therewith.

- (4) If the investigation officer, in the course of the investigation, finds that the accused is not punishable under Section 101 (1), (2) or (3) but may be punished under Sub-Section (4), (5), (6), (7) or any other Sections of the Act, he shall submit to the Board his report thereon along with opinion while specifying such particulars.

19. **To be put under date:**

- (1) If it is found appropriate and necessary to effect investigation by putting the person accused of security offence under general date, the investigation officer may put such person under general date and effect the investigation.
- (2) While putting such person under date in the course of investigation, the record thereof shall be maintained and a date slip in a format as specified in Schedule - 4 shall be provided.

20. **Approval of security against property:**

- (1) While obtaining immovable property as the security against property as per Section 104 of the Act, the security against property shall be obtained only after the verification of the suspension of such property from the concerned office.
- (2) In the case of obtainment of immovable property or cash deposit from the accused or on his behalf as security in accordance with the order of the Board or Court in the course of investigation or proceeding of the Court, a record thereof shall be maintained.
- (3) The full name, address of the accused, full name and address of the person providing the security, if any, detail of the property, the name of the office to effect the suspension of such property, if immovable property has been furnished as security, the date of information on the suspension of the property and other necessary matters shall be specified in such record.

21. **Arrests may be effected:**

- (1) In the case of the situation that the accused is required to be arrested, with the prior approval of the Board, the investigation officer may write to concerned

police office in order to issue the arrest warrant in accordance with prevailing laws for the arrest of the concerned accused and make him present.

- (2) Upon receipt of such request, it shall be the duty of the concerned police office to arrest the accused and make him present before the Boar.

22. **Search and seizure:**

- (1) In the case of requirement of search in the course of investigation on the offence related to securities, or any equipment or documents are required to be recovered, the investigation officer may enter into the premises with prior notice to the concerned person or body corporate and seize the equipment and documents related to the offence.
- (2) While conducting search and seizure in accordance with Sub-Rule (1), the investigation officer shall prepare the recovery sheet in a format as mentioned in Schedule-5.
- (3) If the information, data, details, documents or equipments or any other goods obtained or recovered at the time of search and seizure as per Sub-Rule (1) is required to be taken for evidence, a receipt along with the particulars thereof shall be provided and if the owner of the goods is not found or if he denies to receive the receipt, the goods may be taken by providing the receipt thereof to the representative of local government.
- (4) In the case of absence of the person to receive the receipt thereof as per Sub-Rule (3) the investigation officer shall take such evidencing goods or documents under his custody by mentioning the same in the recovery sheet and informing the same to the local government.

23. **Suspension May be Effected:**

- (1) If it is found necessary by the investigation officer, in the course of investigation on the offense related to securities, to suspend the sale, purchase or transaction of securities, he may with the prior approval of Securities Board request to the concerned body corporate, and security market in order to suspend the sale, purchase or transaction of securities and upon such request, it shall be the duty of the concerned body corporate and securities market to suspend the same by not allowing the sale, purchase or transaction of such securities to be effected.

- (2) If it is deemed necessary and appropriate by the Court or Board in the course of proceeding in the Court in order to suspend the purchase, sale or transaction of the securities related to the offense, it may, at any time, order the concerned corporate body and securities market to suspend the sale, purchase or transaction of such securities.

24. **Filing of the Case:**

- (1) Upon the completion of the investigation, if it is found to claim the punishment to the accused in accordance with Section 101 (1) , (2) and (3) the investigation officer shall prepare the charge sheet and file the case at the concerned Court along with such charge sheet.
- (2) The charge sheet to be prepared in order to file the case in accordance with Sub-Rule (1) shall, as far as practicable, contain the following matters:
 - (a) Temporary, permanent and other contract address of the accused and three generation, if possible.
 - (b) The professional detail of the person committing the offense.
 - (c) Subject or facts of accusation.
 - (d) particulars of malicious intention or negligence, if any.
 - (e) In the case of unlawful benefit or loss, the detail in respect of the person to whom such loss or benefit has been made.
 - (f) If the quantum of loss is observed, the detail of loss already made or tried to make.
 - (g) The basis for the determination of quantum of loss.
 - (h) Claim for punishment.
 - (i) The evidence to substantiate or prove the offense.
 - (j) Other related necessary matters.
- (3) If the person to be accused is overlooked in the charge sheet as prepare in accordance with Sub-Rule (2), the Board may specifying the reason thereof submit additional charge sheet in the name of such person.

25. **The Board May Appeal:**

- (1) In the case of dissatisfaction in the decision of the Court in any case filed at the Court, the Board may appeal against such decision.
- (2) The Board shall, on the basis of fact of the case, related laws, decision of the Court and other related aspects, decide as to whether or not to file the appeal.

26. **Release of Property:**

The Board shall, upon the finalization of the case, release the deposit, or bank guarantee or the property if such deposit or bank guarantee or the security against the property has been obtained by the Board from this accused or on his behalf.

However, if fine punishment or principal is to be recovered, the suspended property shall be released only after the recovery of such amount.

27. **Provision on Copying:**

- (1) The concerned person intending to obtain the copy of any of the document related to the case initiated under these Rules shall file an application before the Board.
- (2) Upon receipt of the application as per Sub-Rule (1) the Board shall make available the verified copy to the applicant after obtaining the copying charge at the rate of Rs. 5.00 per page.
- (3) Notwithstanding anything stated in Sub-Rule (2), the copy of the documents related to the subject which is under the investigation or the document which is confidential due to the nature thereof shall not be made available.

Chapter-5

Procedure on Punishment

28. **The Punishment on Violation of Act, Rules**

In the case of violation of Act, or Rules, bye-rules, Directives, there under or the order or direction issued by the Board, it may punish with one or more than one punishment as mentioned herein below:

- (a) Make alert or provide written warning

- (b) Issue the order for correctional steps
- (c) Suspend or annul the service on securities market being provided by the Board.
- (d) Impose full or partial restriction on the transaction of approved securities entrepreneur or security market.
- (e) Impose monetary penalty.
- (f) To suspend or cancel the permit of security market or security entrepreneur.

29. Procedure of Monetary Penalty:

- (1) The Board shall, while imposing monetary penalty or punishments as per the Act, adopt the procedure as mentioned hereunder:
 - (a) Prior to the imposing of proposed monetary penalty or punishment, the Board shall furnish a written notice to the accused maximum of 15 days specifying the followings in order to submit his clarification:
 - (i) nature of the offense.
 - (ii) Summary of offense, and
 - (iii) Proposed punishment as per the nature of the offense.
 - (b) A written response shall be furnished within the period prescribed by the Board as to whether or not the accused as per Clause (a) accepts the accusation.
 - (c) If the Board is satisfied with the expression of disagreement of the accused in respect of the offense, the Board may amend, limit or cancel such accusation.
 - (d) If the accused accepts the offense or if he does not forward his response or if fails to furnish satisfactory response, the Board may impose the proposed punishment or fine.
- (2) The amount of fine obtained by the Board as per Clause (d) of Sub-Rule (1) in cash shall be deposited in the fund of the Board.

- (3) If it is found that the offense as per the Act has been effected by the director, officials, or employees of the any organization, the Board may impose the fine to concerned director, officials or employees.

30. **Suspension of the License**

- (1) In the case of a condition to cancel the license of securities market or securities entrepreneur, the Board shall, prior to the suspension of the license, while specifying the reason and basis thereof, demand the clarification from securities market or entrepreneur by providing a time maximum of 15 days.

Provided, if the Board is satisfied in respect of the existence of the condition as mentioned hereunder, the Board may, instead of demanding the clarification, suspend the license for a maximum period of 6 months at a time:

- (a) If there is a possibility of false transaction, fraud against investors or serious adverse impact on capital market is possible if allowed to continue the work instead of canceling of the license with immediate effect.
- (b) If the possibility of loss or damage to the investors is observed if allowed to continue to work instead of cancellation of the permit with immediate effect.
- (2) Upon the investigation on the received clarification as demanded as per Clause (1), if it is observed that the securities market or entrepreneur has committed or omitted the matter which is required to be omitted or committed respectively as per the Act or the Rules thereunder or Bye-Laws or any order or directives thereunder or the terms as specified by the Board, the Board shall suspend such securities market or entrepreneur for a maximum period of one year at a time.
- (3) While suspending the license as per Sub-Rule (2) the terms matters to be accomplished within the period of suspension shall also be specified.
- (4) Upon the suspension with the specification of terms or matters to be accomplished by the securities market or entrepreneur as per Sub-Rule (3), the Board may investigate thereon, if the securities market or entrepreneur informs the Board of accomplishment of the terms or works as specified by the Board.

- (5) The Board may, upon investigation as per Sub-Rule (4), and finding that the necessary works and terms have been accomplished release the suspension at any time.
- (6) If the concerned securities market or entrepreneur requests for the time extension due to the condition of its inability to accomplish the works or terms within the period of suspension as specified by the Board, and if such demand is deemed appropriate, the Board may extend the period of such suspension for a maximum period of three months.
- (7) The information on the suspension or release of suspension as per these Rules shall immediately be provided to the securities market or entrepreneur and publish the notice thereof in any one newspaper of national level.

31. **Cancellation of the License:**

- (1) In the case of requirement of cancellation of the license due to the condition as specified in Section 89 (1) of the Act, the Board shall demand the clarification specifying the period, maximum of 15 days along with the reason or basis for the cancellation of the license of the securities market or entrepreneur.
- (2) The license shall not be cancelled if the clarification submitted as per the demand in accordance with Sub-Rule (1) within the stipulated period is found to be satisfactory.
- (3) Notwithstanding anything specified in Sub-Rule (2) if the securities market or entrepreneur requests for the time period in order to correct the matter on which the license is being cancelled and if the Board deems it appropriate, it may grant the time for such correction by specifying the period thereon.
- (4) In the case of non-accomplishment of the improvements as specified by the Board in accordance with Sub-Rule (3) or failure to accomplish the same or non-furnishing of the clarification within period as mentioned in Sub-Rule (1) or the submitted clarification is found to be unsatisfactory, the license may be cancelled by the Board.
- (5) The Board shall publish the notice on the cancellation of the license as per Sub-Rule (4) for the purpose of information to public and such notice shall be published in the newspaper of national level.

- (6) Notwithstanding anything specified in these Rules, upon non-fulfillment of the works or terms within the period as prescribed by the Board in the case of suspension under Rule 30 specifying the works and terms to be accomplished or fulfilled by the securities market or entrepreneur, the Board may cancel the license of such securities market or entrepreneur and while canceling the license in such manner, if is not necessary to fulfill the procedure as mentioned in these rules.
- (7) The securities market or entrepreneur with cancelled license shall not be entitled to operate securities market or business after the liabilities created out of the securities transaction shall be cleared within one month from the date of cancellation of the license.

Chapter-6

Miscellaneous

32. **The particulars and documents may be inspected and copies may be obtained:**

If any document, date and particulars in the Board other than confidential ones are intended by the investors to observe or intended to obtain copies thereof, such may be observed or copies thereof may be obtained within the time specified by the Board, subject to the provision and policy on flow of information of the Board.

33. **Securities Entrepreneurs May be Classified:**

The Board may classify the securities entrepreneurs and determine their level on the basis of the capital fund deployed for the securities business and the capital and infrastructure of concerned body corporate along with the function to the carried out by such organization, professional experience, academic qualification of the directors, chief executive and representatives and as to whether or not they have passed the trainings and examinations prescribed by the Board from time to time.

34. **Details of Satisfactory Compliance to be made Public:**

The details of securities market, securities entrepreneurs and the body corporate with registered securities in respect of their compliance with the Act, these Rules, and other Rules, Bye-Laws, or directives and the orders and instructions issued by the Board from time to time and regulation, monitoring and inspection thereof, fine punishment other actions, shall be published by the Board from time to time thereof the publication of public notice or the publication of the Board.

35. **Alteration or Addition or deletion in the Schedule:**

The Board may alter or effect addition or deletion in the schedules of these Rules as per the necessity.

36. **Repeal and Saving:**

- (1) Chapter 2 and Chapter 7 of Securities Transaction Rules, 2050 have been repealed.
- (2) Anything done or action taken or proceedings under the repealed provisions pursuant to Sub-rule (1) shall be deemed to have been done or taken under corresponding provisions of these Regulations.

Schedule-1
(Related to Rule 6)

Format of oath of office of chairperson/member

I..... do hereby truly and faithfully take the oath of office in the name of the God that I shall as per securities laws perform the function entrusted on me in the capacity of Chairperson/Member of the Board by assuming it as my duty, religion and faith to the extent of my knowledge and wisdom being loyal to the Board and without fear, partiality or malicious intention and without greed and favoritism. I shall not effect any act that the detrimental to the Board and the development of capital market. I shall not directly or indirectly reveal or indicate the secret information known to me during the fulfillment of my official duty in any condition whether or not I assume the post of member or use such information per the private benefit.

Oath of Office Taken by

Name:

Signature:

Post:

Date:

Oath of Office Verified by

Name:

Signature

Post:

Date:

Schedule-2

(Related to Sub-Rule (1) of Rule 15)

Format of Complaint against Securities Offense

Securities Board of Nepal,
Kathmandu.

Date:

Subject: Complaint on Securities Offense

I do hereby file the complaint in accordance with Rule 15 of Securities Board of Nepal Rules, 2064-

1. Full name and address of the person to commit the securities offense.
2. The details of the company or body corporate, if such person to commit the offense is working.
3. Complete detail of the offense.
4. Date of commission of the offense.
5. Date of knowledge to the complainant.
6. The details of the evidence, if any, to substantiate the offense.
7. The detail of loss or damage to the complainant in any due to the offense.
8. The name of the office and details of the decision if the complaint has been filed in any other authority in respect of such offense.
9. The reason and details thereof, if the name of the complainant is requested to be made confidential.
10. The matter as to whether the complainant himself is aggrieved or such complaint has been filed on behalf of aggrieved person.
11. The reason thereof as to why the person aggrieved by the commission of the securities offense could not file the complaint.

The matters as mentioned hereinabove are true, I do hereby agree to be punished if found false.

Signature of the complainant:

Full Name:

Address:

Phone:

Fax:

Email:

If the complainant is working in any
company or body corporate

Name of the office:

Post:

Address of the Company:

Note:

1. The above mentioned format is of general nature. All the matters as mentioned hereinabove should clearly be mentioned as far as practicable.
2. The photocopy of the evidence possessed should also be enclosed and in the case of the evidences in the possession of some body also, the whereabouts of such evidence and the name of the person possessing such evidence should also be specified.

Schedule-3

(Related to Sub-Rule (3) of Rule 15)

Complaint Registration Book

S.No.	Name and Address of the Complainant	Name and Address of Offender	Registration Date	Type of Offense	Claim	Remarks

Schedule-4

(Related to Sub-Rule (2) of Rule 19)

Format of Date Slip

Issued by Securities Board of Nepal in the name of Resident of
.....

Date Slip

Case:

Please be present at the Board on the date and time as mentioned hereunder.

Date

Time

Signature of the person to issue the date and the time thereof.

Schedule-5

(Related to Sub-Rule (2) of Rule 22)

Recovery Slip

While conducting the search with due process of law at the residence of grandson/granddaughter of..... Son/daughter of Residence of District VDC/Municipality (name of the company and address, if it is an office) by us whose names are mentioned hereinbelow, the following information and date in cash/goods/documents/evidence/equipments were recovered to be taken to the Board in the course of the investigation, upon request for the issuance of search and recovery slip by the employee deployed from the Board, we are satisfied thereon and accordingly this is submitted to the Board through the deputed employee specifying that the matters specified herein are true.

- (1) The details of cash/kind/documents/equipments/information and date found at the time of the search.
 - (1)
 - (2)
 - (3)
- (2) Cash/kind/document/equipment etc. recovered and taken.
 - (1)
 - (2)
 - (3)
- (4) The person to assist in search and seizure.
- (5) Presence
 - (a) Name and Post of the person to take the custody of the cash/kind/document/ evidence and equipment other than those seized.
 - (b) Name address and signature of the person to receive the seizure receipt.
 - (c) Representative of local government (if possible).
 - (d) Accused person (if possible)

Employee to accomplish the work:

- 1.
- 2.
- 3.

On this..... the day of 200