

MARKET CIRCULAR 33

To: OTC Market Participant

From: NASD OTC Securities Exchange

Date: 02 SEPTEMBER 2019

Circular No. 33: RENDITION OF RETURNS TO THE NASD OTC SECURITIES EXCHANGE

Circular 33 updates Circular 26 of April 2016 titled '**Rendition of Returns to the NASD OTC Securities Exchange.**'

Participating Institutions are by this Circular reminded of the following regulatory obligations pursuant to 'Penalties for Breaches of the Rules and Regulations of the NASD OTC Securities Exchange:

Rule 4 (a) Participating Institutions shall submit to NASD Quarterly Reports reviewing their procedures or transactions in connection with their activities on the Market not later than 30 days from the end of the relevant period ("the due date") in the prescribed formats.

Rule 4 (c) All Participating Institutions shall submit to NASD Annual Reports (Audited Financial Statements) not later than 90 days from their year-end ("the due date"). The information to be filed annually shall be the Audited Financial Statements of the Participating Institution prepared in line with the applicable Financial Reporting Standards as adopted by the country from time to time.

Rule 4 (d) Non-receipt of the reports by the due dates shall attract a penalty of ~~N~~50,000 in the first instance and ~~N~~5,000 for every additional day for which the default subsists.

Rule 4 (e) Where a Participating Institution is unable to file the report(s) within the time required due to reasons beyond its control, a formal application for the extension of time within which to file the reports must be made by the Participating Institution at least one week before the due date.

FILING OF REPORTS

1. Where a Participating Institution has recorded no transaction on NASD OTC Securities Exchange, it is required to submit a **NIL Return**.
2. Electronic copies of Annual Reports (Audited Financial Statements) should be forwarded to legalcompliance@nasdng.com



3. Useful links

- a. The Format for the rendition of Quarterly Reports
http://nasdng.com/trading_institutions/Form_Downloads
 - b. NASD Filing Calendar-<https://nasdng.com/wp-content/uploads/2019/09/REGULATORY-FILING-CALENDAR-FOR-PARTICIPATING-INSTITUTIONS-FINAL-2.pdf>
4. All Participating Institutions are advised to ensure compliance with the above requirements and forward their returns to legalcompliance@nasdng.com within the stipulated timelines.

Please note that NASD shall initiate appropriate sanction against Participating Institutions which fail to render returns in line with the above regulations.

For further clarifications, kindly send a mail to legalcompliance@nasdng.com or call Veronica or Ifeoma on 01 460 5008.

Thank you.

NASD PLC