Market Costs

Regulation No. 1/2005, of 2nd January 2007
  O.B. No. 4 - I Series

Regulation No. 2/2006, of 22nd January 2007
  O.B. No. 4 - I Series

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  O. B. No. 10 - I Series
Regulation No. 1/2005

Market costs

In accordance with articles 4, 48, 67 and 96 of the Securities Market Code, the Office of the Auditor-General of the Securities Market, hereinafter referred to as AGMVM, approved the following Regulation:

Article 1

Scope

This Regulation establishes the framework applicable to the functioning costs of the securities market, with regard to fees and commissions due for the actions or conditions set forth in same, namely, the amounts applicable, the indication of entities that shall bear the charges and those wherein same constitutes income, and the mode of respective collection.

Article 2

Registration fee for public offers for subscription

1. A fee is due for registration with the AGMVM of the public offers for subscription of securities, by the issuer or persons establishing the company with public offer, according to the cases that constitutes the consideration for the services of confirming the requirements and approving the registration documents, the so-called registration act, and in addition, other services, namely control services, related to the registration carried out.

2. The registration fee for the public offers for subscription constitutes income for AGMVM.

3. The fee has a fixed value of 100,000 Escudos.

4. The payment of fees shall be carried out by crossed cheque to the order of AGMVM, submitted together with the application for the registration of the offer.

5. In the case of dismissal of the registration application, the AGMVM shall refund half of the fee, by crossed cheque in favour of the drawer of the cheque referred to in the previous number, delivered together with the dismissal notification.

6. Entities which request the registration of a public offer for subscription of securities, showing proof that said transaction is directed at promoting the economic and financial recovery of the issuer, are exempt from the payment of any fees.

Article 3

Registration fee for public offers for sale

1. A fee shall be due by the offeror for registration with the AGMVM of public offers for sale as consideration for the services of confirming the requirements and
approving the registration documents, the so-called registration act, as well as other control services related to the registration.

2. The registration fee for public offers for sale constitutes income for the AGMVM.

3. The fee has a fixed value of 100,000 Escudos.

4. The provisions of numbers 4 and 5 of the previous article relating to the registration fee for the public offer for subscription of securities is applicable to the registration fee for public offers for sale.

**Article 4**

**Fee for the admission to listing**

1. For the admission to listing of any securities, with the exception of national and foreign public funds and securities equated thereto, the issuer shall pay the following fees, calculated on the nominal value of the capital to be admitted:

   a) 1.50‰, for bonds;
   
   b) 1.50‰, for investment funds in public debt;
   
   c) 2.00‰, for other investment funds.

2. In any case, the fee shall have the following minimum and maximum amounts:

   a) 100,000 thousand Escudos and 1,500,000 thousand Escudos, respectively, for bonds;
   
   b) 100,000 Escudos and 1,000,000 Escudos, respectively, for investment funds in public debt;
   
   c) 200,000 Escudos and 2,000,000 Escudos, respectively, for other investment funds;
   
   d) 250,000 Escudos and 3,000,000 Escudos, respectively, for other securities.

3. In the case of admission to listing of new shares resulting from a capital increase, issued by a company with shares already listed, only the minimum fee referred to in sub-paragraph c) of the previous number shall be paid.

4. No fees shall be due in the case of the admission to listing of shares resulting from the conversion of listed bonds.

5. The fees for admission to listing constitute income for the Stock Exchange.

6. The fee shall be paid to the Cape Verde Stock Exchange by the fifth working day following the notification of the decision for the admission to listing; trading on the stock exchange shall not commence without proof of payment.
Article 5

Fee for periodic maintenance of listing

1. The entities with securities admitted to listing on the stock exchange shall pay, in favour of same, a fee for periodic maintenance that constitutes consideration for the general services provided by the Stock Exchange.

2. The fee for maintenance relates to the market capitalisation, regulatively to each issue listed, and shall have the following amounts:
   a) 1.00 %0, in the case of bonds;
   b) 1.50%0, for investment funds in public debt;
   c) 2.000/00, in the case of other investment funds;
   d) 1.25 %0, in the case of other securities.

3. In any case, the fee shall have the following minimum and maximum amounts:
   a) 100,000 Escudos and 1,500,000 Escudos, respectively, for bonds;
   b) 100,000 Escudos and 1,000,000 Escudos, respectively, for investment funds in public debt;
   c) 200,000 Escudos and 2,000,000 Escudos, respectively, for other investment funds;
   d) 150,000 Escudos and 3,000,000 Escudos, respectively, for other securities.

4. The fee for periodic maintenance is an annual fee, due on 1st January of each year with reference to the previous calendar year, and shall be paid by 31st January.

5. As to the securities that have not been listed during the previous calendar year, whether as a result of having been admitted to listing in said year or having been excluded therefrom, the amount proportional to the period in the calendar year during which the securities were admitted shall be paid.

6. The issues admitted to listing as national or foreign public funds and securities equated thereto are exempt from paying the fee referred to in this article

Article 6

Fee for readmission to listing

1. For the readmission to listing of securities previously excluded, the issuer shall pay the following fees, calculated on the par value of the capital to be readmitted:
   a) 0.50‰, for bonds;
   b) 0.75‰, for other securities.
2. There shall be no payment of fees as set forth in this article if the readmission is confirmed within a year from the exclusion date.

3. The provisions in numbers 2, 5 and 6 of article 4 shall apply to the fee for readmission to listing.

Article 7

Fee for carrying out stock exchange transactions

1. The following buy and sell fees shall be due for payment by the buy trader and by the sell trader for the carrying out of stock exchange operations, whether in normal or special sessions, and shall be mandatorily reflected on its principals:

a) A fixed commission of 1,000 Escudos per transaction, on transactions carried out on investment funds;

b) 1.00 ‰ of the transaction value, in transactions carried out on bonds;

c) 1.25‰ of the transaction value, in transactions carried out on other securities.

1. The fees for carrying out stock exchange transactions constitute income for the Stock Exchange.

2. The collection of fees for carrying out stock exchange transactions shall be processed within the context of the settlement of transactions carried out, in accordance with the terms defined in the respective stock exchange circular.

Article 8

Fee for carrying out over-the-counter transactions

1. The buy and sell fees set forth in this article, to be paid by the buyer financial intermediary and the seller financial intermediary, which shall be compulsorily reflected on its principals, shall be due for the carrying out of any transactions involving securities on the OTC market, free of charge or against payment.

2. Of the fees referred to in this article, 25% constitute income for the Cape Verde Stock Exchange and 75% for the AGMVM.

3. The fees for carrying out off-market transactions are as follows:

a) A fixed commission of 1,700 Escudos per operation, in transactions carried out on investment funds;

b) 4.00 ‰, of the transaction value, in transactions carried out on bonds;

c) 5.00 ‰, of the transaction value, in transactions carried out on any other securities.
4. Under the provisions of number 2 of article 72 of the Securities Market Code, when securities admitted to listing on the stock exchange are traded on the OTC market, the fees referred to in the previous number, applicable to said transactions, with the exception of those carried out on investment funds, shall be tripled.

5. For the transactions carried out on investment funds, as provided for in number 4, a fixed commission of 2,000 Escudos per operation shall be charged.

6. For the purposes of the provisions of the previous numbers 3 and 4, transaction value shall be deemed to be:

   a) In the case of a transfer against payment, the greater of the following three values: value declared of the operation, value of the operation at the securities’ nominal value or, in the case of listed securities, the value of the operation at the last quotation on the stock exchange;

   b) In the case of a transfer free of charge, the larger of the following two values: value of the operation at the nominal value of the securities or, in the case of listed securities, value of the operation at the last quotation on the stock exchange.

7. The payment of fees shall be carried out by crossed cheque to the order of AGMVM, submitted together with the weekly information regarding the operations carried out referred to in article 95 of the Securities Market Code.

8. The financial intermediaries authorised to carry out transactions on the OTC market are responsible for the timely payment of fees concerning the transactions wherein conducted, for own account or on behalf of clients, independently, in the latter case, of proceeding with the timely collection from the principals.

   **Article 9**

**Brokerage commission**

1. For carrying out stock exchange transactions on behalf of clients, whether in normal or special sessions, the market operators shall charge brokerage commissions freely determined by same, complying overall, for each operation, but without prejudice to the provisions of the following number, a minimum value of 100 Escudos and a maximum value of 2.50‰ of the transaction value.

2. When, in the same stock exchange session, the execution of the same stock exchange order on the same security is divided in the carrying out of more than one operation, the brokerage commission applicable, as provided in the previous number, shall be determined by reference to the group of transactions thus carried out.

3. For each stock exchange order received but not executed, the stock exchange operators may charge, at the time of cancellation, repeal or lapse of the order, and even if same is renewed, a commission with a maximum of 100 Escudos.
Article 10

Over-the-counter market commission

1. Stock exchange operators and other financial intermediaries legally and statutorily authorised to carry out operations on the over-the-counter market shall charge commissions freely determined by same for carrying out said operations, in accordance overall, for each operation, a minimum value of 250 Escudos and a maximum of 3.00 ‰ of the transaction value, determined in accordance with number 5 of article 8 of this regulation.

2. When, under the provisions of number 2 of article 72 of the Securities Market Code, the securities admitted to listing on the stock exchange are traded on the OTC market, the commission referred to in the previous number, applicable to said operations, shall be tripled.

3. For each order received for carrying out operations on the OTC market, but not executed, the stock exchange operators and other financial intermediaries authorised to operate on said market may charge, at the time of cancellation, repeal or lapse of the order, and even if same is renewed, a commission with a maximum of 150 Escudos, or 1,000 Escudos shall the order concern securities admitted to listing on the stock exchange and traded on the OTC market, as provided for in number 2 of article 72 of the Securities Market Code.

Article 11

Registration of stock exchange operators in the register kept by the stock exchange

1. Each trader shall pay the Cape Verde Stock Exchange a non-refundable fee in the fixed amount of 500,00 Escudos for the respective registration in the register kept by said stock exchange.

2. Annually, as from the second calendar year following the registration, each stock exchange operator registered in the register referred to in the previous number shall pay the Cape Verde Stock Exchange a non-refundable fee in the amount of 250,000 Escudos, which payment shall be provided by 31st January of each year.

Article 12

Book-entry securities accounts

1. For the custody of dematerialised securities at the Cape Verde Stock Exchange, the issuer shall pay the following fees, calculated on the value of the securities held in account during the said period:

   a) 0.05‰, for public debt securities;

   b) 0.20‰, per annum, paid in twelfths, for other investment funds;
c) 0.50‰, for other securities admitted to listing;
d) 1.00‰, for other securities not admitted to listing;

2. The fees referred to in the previous paragraph constitute income for the Stock Exchange, with the corresponding amount being paid by the 10th of each month.

3. In the acquisitions in accordance with sub-paragraph c) of number 1 of article 108 of the Securities Market Code, a fee of 2.00‰ shall be charged to the acquirer, in favour of the Cape Verde Stock Exchange, on the securities which are the object of the acquisition.

4. Transfers free of payment between accounts of the same bank at the Central for Clearing and Custody or between the accounts of the banks shall be subject to a fee of 1700 Escudos.

5. The fees charged by stock exchange operators and other authorised financial intermediaries, on the interest, dividends, loan repayments and final securities custody require prior authorisation from the AGMVM.

**Article 13**

**Publications**

For the publication in the stock exchange bulletin of the publications mandatorily required by the legislation in force, the entities that are obliged to request said publication shall pay costs amounting to 15,000 escudos per page.

**Article 14**

**Repeal**


**Article 15**

**Entry into force**

This Regulation comes into force on the date of its publication in the Official Bulletin.