



**STRATHMORE LAW SCHOOL  
MASTERS OF LAW (LL.M)  
END OF MODULE SUPPLEMENTARY EXAMINATION  
LLM 8302: CAPITAL MARKETS AND SECURITIES REGULATION**

Date: Tuesday, 16<sup>th</sup> May 2023

Time: **3 Hours**

**Instructions**

1. This examination consists of **FIVE** questions.
  2. Answer **Question ONE (COMPULSORY)** and any other **TWO** questions
  3. This is an open-book examination. You may consult any written material you like in preparing to answer the questions. The exam mode for this exam is **OPEN**. However, **DO NOT** use any other bibliography other than the one provided in the course outline.
  4. **DO NOT** copy and paste from any online source or from another candidate. The answers will be subject to a plagiarism check and a similarity index of over 30% will automatically lead to disqualification
  5. You should spend a fair amount of time organizing your thoughts before starting to write.
  6. Careful organization and clarity will be highly valued.
  7. Please start each question on a new page.
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1. Sustainable Finance frameworks present opportunities and dilemmas for Africa's capital markets. It has been evident in the development of regulatory frameworks for securities regulation that Africa has had to adopt global standards that for the most part were considered onerous and complicated for the majority of economic players on the continent. Sustainable finance frameworks build on to integrated reporting standards for which South Africa has been a leading advocate. Unfortunately, sustainable finance data indicate trends similar to traditional capital raising, that Africa lags behind other regions, both in terms of value and volume of capital raising. **Explain:**
    - a) Key Environmental and Social Governance (ESG) reporting metrics  
**15 marks**
    - b) the barriers to raising sustainable finance from African capital markets.  
**15 marks**

2. Global and regional initial public offer (IPO) data indicates that Africa continues to lag behind other regions in IPO activity. Explain the key constraints to raising capital publicly and key interventions that policy makers should consider. **15 marks**
3. A key outcome of regulatory reforms following the global financial crisis of 2008, was the focus on financial stability. Explain measures/ indicators used to assess stability of securities markets. **15 marks**
4. With specific examples, explain the various ways in which technology has helped to mitigate the disruptive effects of the COVID-19 pandemic on securities markets. **15 marks**
5. You have been appointed by the International Organisation of Securities Commission (IOSCO) to assess the securities markets regulator of Utopia prior to admission as a member of IOSCO. Explain the key aspects that the assessment should focus on. **15 marks**