

G.S. 150B-21.3A Report for Chapter 06, SECURITIES DIVISION

Agency - Office of the Secretary of State

Comment Period - 02/22/2016 through 04/25/2016

Date Submitted to APO - October 24, 2016

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 06A - RECODIFIED RULES	SECTION .1100 - GENERAL PROVISIONS	18 NCAC 06A .1101	LOCATION AND HOURS	Amended Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1102	PURPOSE	Eff. April 1, 1981	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1104	DEFINITIONS	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77c(a)(3) 15 U.S.C. 77d(a)(5) 15 U.S.C. 77e Title 17, C.F.R., Ch. II, Part 230 Title 12, U.S.C., Ch. 3 Title 26, U.S.C., Subtitle A, Ch. 1, Subch. 5 26 U.S.C. ss. 401, 403 Title 15, U.S.C., Ch. 2D, Subch. I Title 17, C.F.R., Ch. II, Part 240 Title 17, C.F.R., Ch. II, Part 270 Title 17, C.F.R., Ch. Part 239, Subpart B	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1200 - EXEMPTIONS	18 NCAC 06A .1202	RECOGNIZED SECURITIES MANUALS	Amended Eff. October 1, 2000	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1203	INFORMATION FILED BY REGISTERED DEALER	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. ss. 78m, 78n, and 78o Title 17, C.F.R., Ch. II, Part 240 Title 17, C.F.R., Ch. II, Part 249, Subpart D Title 15, U.S.C., Ch. 2A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1205	LIMITED OFFERINGS PURSUANT TO G.S. 78A-17(9)	Amended Eff. May 1, 2005	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77c(a)(11) 15 U.S.C. 77c(b) 15 U.S.C. 77d(a)(2) 15 U.S.C. 77e 17 C.F.R. 230.504 and .505	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1206	LIMITED OFFERING EXEMPTION PURSUANT TO G.S. 78A-17(17)	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77c(b) 15 U.S.C. 77e 17 C.F.R. 230.505 and .508	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1207	DISQUALIFICATIONS FROM RELIANCE UPON CERTAIN EXEMPTIONS	Eff. January 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2B Title 17, C.F.R., Ch. II, Part 240 Title 39, U.S.C., Part IV, Ch. 30, s. 3005	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1208	TRANSACTIONS EXEMPT UNDER RULE .1206: FILING REQUIREMENTS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77e Title 17, C.F.R., Ch. II, Part 230 Title 17, C.F.R., Ch. Part 239, Subpart B	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1209	NONPROFIT SECURITIES	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77e 15 U.S.C. 77c(a)(4)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1210	SECURITIES EXCHGS/AUTO QUOTATION SYS APPROVED/ADMINISTRATOR	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2B Title 17, C.F.R., Ch. II	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1211	NOTICE FILING PROCEDURES FOR RULE 506 OFFERINGS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77e 15 U.S.C. 77r(b)(4)(D) Title 17, C.F.R., Ch. Part 239, Subpart B	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1212	NOTICE FILING PROCEDURES FOR OFFERINGS OF INVESTMENT COMPANY SECURITIES	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77e 15 U.S.C. 77r(b)(2) Title 17, C.F.R., Ch. Part 230 and Part 239, Subpart B Title 15, U.S.C., Ch. 2D, Subch. I	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		18 NCAC 06A .1213	TRANSACTIONAL EXEMPTION PURSUANT TO G.S. 78A-17(19)	Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1300 - REGISTRATION OF SECURITIES</b>	18 NCAC 06A .1301	REGISTRATION BY NOTIFICATION	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1302	REGISTRATION BY COORDINATION	Eff. April 1, 1981	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1303	REGISTRATION BY QUALIFICATION	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1304	SECURITIES REGISTRATION AND FILING FEES	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1305	SPONSORSHIP BY DEALER	Amended Eff. October 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	One or more comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1306	CONFIRMATION OF REGISTRATION	Eff. April 1, 1981	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1307	COMMISSIONS AND EXPENSES	Amended Eff. October 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 780A Title 17, U.S.C., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1308	ADVERTISING	Amended Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1310	OFFERING PRICE	Amended Eff. September 1, 1995	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1313	REGISTRATION OF DIRECT PARTICIPATION PROGRAM SECURITIES	Amended Eff. May 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1314	ESCROW AGREEMENTS	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 12, U.S.C., Ch. 1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1315	NOTICE OF COMPLETION OF OFFERING/FINAL SALES REPORT	Amended Eff. January 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1316	LEGENDS REQUIRED	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77c(b) 15 U.S.C. 77d(a)(2) 15 U.S.C. 77e Title 15, U.S.C., Ch. 2A Title 17, C.F.R., Ch. 2, Part 230.251 et seq and 501 et seq	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1317	AMENDMENT OF FILINGS	Eff. October 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1318	AUTOMATIC WITHDRAWAL OF APPLICATION FOR REGISTRATION	Eff. October 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1319	REQUIRED DISCLOSURES: VIATICAL SETTLEMENT CONTRACTS	Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. 408(a)(3)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		18 NCAC 06A .1320	VIATICAL SETTLEMENT CONTRACT SUITABILITY REQUIREMENTS	Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	17 C.F.R. 230.144A and .501(a)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1400 - REGISTRATION OF DEALERS AND SALESMEN</b>	18 NCAC 06A .1401	APPLICATION FOR REGISTRATION OF DEALERS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240 Title 17, C.F.R., Ch. II, Part 249, Subpart F Title 7, U.S.C., Ch. 1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1402	APPLICATION FOR REGISTRATION OF SALESMEN	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240 Title 7, U.S.C., Ch. 1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1403	TERMINATION OF REGISTRATION OF DEALER	Amended Eff. January 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240 Title 17, C.F.R., Ch. II, Part 249, Subpart F	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1404	CHANGE IN NAME OF DEALER	Amended Eff. November 1, 1982	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240 Title 17, C.F.R., Ch. II, Part 249, Subpart F	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		8 NCAC 06A .1405	DEALER MERGER/CONSOLIDATION/ACQUISITION/SUCCESSION	Amended Eff. September 1, 1995	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1406	EXPIRATION AND RENEWAL OF DEALER REGISTRATION	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1407	EXPIRATION AND RENEWAL OF SALESMAN'S REGISTRATION	Amended Eff. September 1, 1995	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1408	TERMINATION OF SALESMAN'S REGISTRATION	Amended Eff. November 1, 1982	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1409	TRANSFER OF SALESMAN'S REGISTRATION	Amended Eff. September 1, 1995	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1410	MINIMUM FINANCIAL REQUIREMENTS FOR DEALERS	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o 17 C.F.R. 240.15c3 et seq. Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1411	RECORD KEEPING REQUIREMENTS FOR DEALERS	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o 17 C.F.R. 240.17a-3 and -4 Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1412	FINANCIAL STATEMENTS	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o 17 C.F.R. 240.17a-5, -10, and -11 Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1413	SALESMAN EXAMINATION REQUIRED	Amended Eff. April 1, 2001	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1414	DISHONEST/UNETHICAL PRACTICES OF DEALERS AND SALESMEN	Amended Eff. October 1, 1988	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, Ch. 2B of U.S.C. et seq Title 17, Ch. 2, Part 240 of C.F.R. et seq Title 12, Ch. 3 of U.S.C. et seq	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1415	REGISTRATION OF PARTNERS/EXECUTIVE OFFICERS/DIRECTORS	Eff. January 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2B Title 17, C.F.R., Ch. 2, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1416	REPORTING REQUIREMENTS OF DEALERS AND SALESMEN	Eff. September 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		18 NCAC 06A .1417	APPLICATION FOR LIMITED REGISTRATION OF CANADIAN SECURITIES DEALERS AND SALESMEN	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1500 - MISCELLANEOUS PROVISIONS</b>	18 NCAC 06A .1501	RESCISSION OFFERS	Amended Eff. May 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1502	APPLICATION TO EXCHANGE SECURITIES	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 77c(a)(10) 15 U.S.C. 77e Title 17, C.F.R., Ch. II, Part 230	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1503	FORM OF CONSENT TO SERVICE OF PROCESS	Amended Eff. January 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1504	REQUEST FOR INTERPRETATIVE OPINIONS: NO-ACTION LETTERS	Amended Eff. October 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1507	IMPLICATIONS OF REGISTRATION OR EXEMPTION	Eff. April 1, 1981	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1508	FAILURE TO FURNISH INFORMATION	Amended Eff. January 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1510	LIMITED LIABILITY COMPANY MEMBERSHIP INTERESTS AS SECURITIES	Eff. December 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1600 - REGISTRATION OF QUALIFIED BUSINESSES</b>	18 NCAC 06A .1601	PURPOSE	Amended Eff. March 1, 1996	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1602	PROCEDURE FOR APPLICATION FOR REGISTRATION	Amended Eff. April 1, 2003	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1603	AMENDMENT OF APPLICATION	Eff. March 1, 1988	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1604	OBTAINING CERTIFICATES OF REGISTRATION	Amended Eff. April 1, 2003	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1607	FORMS	Amended Eff. March 1, 1996	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	<b>SECTION .1700 - REGISTRATION OF INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES</b>	18 NCAC 06A .1701	DEFINITIONS	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, U.S.C., Ch. 2D Title 17, C.F.R., Ch. II, Part 275	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1702	APPLICATION FOR INVESTMENT ADVISER REGISTRATION/NOTICE FILING FOR INVESTMENT ADVISER COVERED UNDER FEDERAL LAW	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3 Title 17, C.F.R., Ch. 2D, Part 275 17 C.F.R. 279.1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1703	APPLICATION/INVESTMENT ADVISER REPRESENTATIVE REGISTRATION	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Title 15, Ch. 2D of U.S.C. et seq Title 17, Ch. 2, Part 275 et seq	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		18 NCAC 06A .1704	MINIMUM FINANCIAL REQUIREMENTS FOR INVESTMENT ADVISERS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1705	BONDING REQUIREMENTS FOR CERTAIN INVESTMENT ADVISERS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1706	RECORD-KEEPING REQUIREMENTS FOR INVESTMENT ADVISERS	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80a-2(a)(9) Title 17, C.F.R., Ch. II, Part 270	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1707	INVESTMENT ADVISER BROCHURE RULE	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3 Title 17, C.F.R., Ch. 2D, Part 275 17 C.F.R. 279.1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1708	FINANCIAL REPORTING REQUIREMENTS FOR INVESTMENT ADVISERS	Eff. February 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1709	EXAM REQUIRE/INVESTMENT ADVISERS: REPRESENTATIVES	Amended Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1710	TERMINATION/WITHDRAWAL/INVESTMENT ADVISER REGISTRATIONS	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3 Title 17, C.F.R., Ch. 2D, Part 275 17 C.F.R. 279.2	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1711	TRANSFER/INVESTMENT ADVISER REPRESENTATIVE'S REGISTRATION	Amended Eff. April 1, 2003	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1713	INVEST ADVISER MERGER/CONSOLIDATION/ACQUISITION/SUCCESSION	Amended Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3 Title 17, C.F.R., Ch. 2D, Part 275 17 C.F.R. 279.1 and .2	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1715	INVESTMENT ADVISER REGISTRATION DEPOSITORY	Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3 Title 17, C.F.R., Ch. 2D, Part 275 17 C.F.R. 279.3 Title 15, U.S.C. 78 et seq Title 17, C.F.R., Ch. II, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1716	TRANSITION SCHEDULE FOR CONVERSION TO IARD	Eff. April 1, 2003	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		18 NCAC 06A .1717	CASH PAYMENTS FOR CLIENT SOLICITATIONS	Eff. April 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-3(e) and (f) Title 17, C.F.R., Ch. 2, Part 275	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1800 - MISCELLANEOUS PROVISIONS - INVESTMENT ADVISERS</b>	18 NCAC 06A .1801	DISHONEST OR UNETHICAL PRACTICES	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Pub. L. No. 104-290 15 U.S.C. 80b-4 15 U.S.C. 80b-6 15 U.S.C. 80b-15 Title 17, C.F.R., Ch. II, Part 275 Title 15, U.S.C., Ch. 2B Title 17, C.F.R., Ch. II, Part 240 Title 7, U.S.C., Ch. 1	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1802	CUSTODY/CLIENT FUNDS OR SECURITIES BY INVESTMENT ADVISERS	Temporary Amendment Expired June 28, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80b-6 Title 17, C.F.R., Ch. II, Part 279.1 Title 15, U.S.C., Ch. 2D, Subch. II 15 U.S.C. 78o 17 C.F.R. 240.15c3 et seq	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1803	AGENCY CROSS TRANSACTIONS	Temporary Amendment Expired June 28, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

G.S. 150B-21.3A Report for Chapter 06, SECURITIES DIVISION

Agency - Office of the Secretary of State

Comment Period - 02/22/2016 through 04/25/2016

Date Submitted to APO - October 24, 2016

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		18 NCAC 06A .1804	EXEMPTION/SECTION 78C-8(A)(3)/CERTAIN BROKER-DEALERS	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 78o Title 17, C.F.R., Ch. 2, Part 240	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1805	PERFORMANCE-BASED COMPENSATION EXEMPTION	Amended Eff. August 1, 1998	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	15 U.S.C. 80a-2, -3 15 U.S.C. 80a 17 C.F.R. 270.2a-4 Title 17, C.F.R., Ch. 2, Part 270 Title 11, U.S.C.	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1806	TRANSACTIONS DEEMED NOT TO BE ASSIGNMENTS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1807	REQUEST FOR INTERPRETATIVE OPINIONS	Eff. February 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1808	SUPERVISION OF INVESTMENT ADVISER REPRESENTATIVES	Eff. February 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06A .1810	FORM OF CONSENT TO SERVICE OF PROCESS	Eff. February 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SUBCHAPTER 06B - GENERAL</b>	<b>SECTION .0100 - PURPOSE</b>	18 NCAC 06B .0101	SCOPE	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06B .0102	ADMINISTRATION	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0200 - CONSOLIDATED RULES</b>	18 NCAC 06B .0201	SENIOR DESIGNATION AS DISHONEST OR UNETHICAL PRACTICE	Eff. February 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SUBCHAPTER 06C - INVESTIGATIONS, ENFORCEMENT AND HEARINGS</b>		18 NCAC 06C .0101	LETTER OF INQUIRY	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0102	INVESTIGATIVE SUBPOENAS	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0103	ADMINISTRATIVE HEARINGS	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0104	SETTLEMENT	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0105	ARTICLE 3A CONTESTED CASE PROCEDURES	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0106	TEMPORARY ORDERS	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0107	CONDUCT OF HEARING	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 06C .0108	FINAL ORDER	Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note