

MEMO# 3082

September 11, 1991

PROPOSED AMENDMENTS TO FORM BD WHICH ARE ANTICIPATED FOR FORM ADV

September 11, 1991 TO: INVESTMENT ADVISERS COMMITTEE NO. 43-91 INVESTMENT ADVISER ASSOCIATE MEMBERS NO. 40-91 RE: PROPOSED AMENDMENTS TO FORM BD WHICH ARE ANTICIPATED FOR FORM ADV

_____ The SEC has proposed amendments to Form BD, the uniform form for broker-dealer registration under the Securities Exchange Act of 1934. A copy of Form BD, as proposed, together with the SEC release summarizing the proposed changes, is attached. In note 4 of the release, the SEC stated that "[M]any of the matters discussed in this release also are applicable to Form ADV, the form for registration of investment advisers under the Investment Advisers Act of 1940. The Commission expects to propose similar amendments to Form ADV." Amendments to Form ADV may not be proposed until after the amendments to Form BD are adopted. Therefore, in an effort to keep the forms as uniform as possible, the SEC staff has requested that the Institute and its investment adviser members comment on the proposed amendments to Form BD in anticipation of similar amendments being proposed to Form ADV. As explained in the attached release, the proposed amendments are intended, among other things, to clarify and update the disciplinary background items of Form BD to reflect recent legislative developments that enhanced the SEC's enforcement authority. In addition, the amendments would revise the structure of and information required on the schedules to the Form to clarify the instructions to the schedules, streamline the information required and facilitate the determination of the chain of ownership of each applicant (to remove any impediments to registration of applicants with foreign ownership). The comment period for the proposed amendments to Form BD expires on October 8, 1991. Please call me at 202/955-3523 or Richard Mason at 202/955-3516 with any comments you have on this proposal by September 23, 1991. Amy B.R. Lancellotta Assistant General Counsel Attachment