

- a. Adding a note at the end of paragraph (a);
- b. Revising paragraph (b); and
- c. Revising the first sentence of paragraph (d).

The addition and revisions read as follows.

#### § 275.204–1 Amendments to application for registration.

(a) \* \* \*

**Note to Paragraph (a):** Information on how to file with the Investment Adviser Registration Depository ("IARD") is available on our website at [www.sec.gov/iard](http://www.sec.gov/iard).

(b) *Electronic filing of amendments.*

(1) You must file all amendments to Part 1A of your Form ADV electronically with the IARD, unless you have received a continuing hardship exemption under § 275.203–3.

(2) If you have received a continuing hardship exemption under § 275.203–3, you must, when you are required to amend your Form ADV, file a completed Part 1A of Form ADV on paper with the SEC by mailing it to the NASD.

\* \* \* \* \*

(d) *Filing fees.* You must pay the NASD (the operator of the IARD) an initial filing fee when you first electronically file Part 1A of Form ADV.

\* \* \*

#### PART 279—FORMS PRESCRIBED UNDER THE INVESTMENT ADVISERS ACT OF 1940

- 6. The authority citation for Part 279 continues to read as follows:

**Authority:** The Investment Advisers Act of 1940, 15 U.S.C. 80b–1, *et seq.*

- 7. Form ADV (referenced in § 279.1) is amended by:

- a. In the form and instructions to the form, revising the terms "NASDR", "NASD Regulation, Inc.", "National Association of Securities Dealers Regulation, Inc. ("NASDR")", and "National Association of Securities Dealers, Inc. ("NASD")" to read "NASD";
- b. In the instructions to the form, revising the heading "Supplemental Instructions for Transition to Electronic Filing" to read "Supplemental Instructions for Electronic Filing" and within those Supplemental Instructions revising the section entitled "SEC Requirements";

- c. In Part 1A, revising the unnumbered paragraph in Item 7A. and Item 7B.; and
- d. In Schedule D, revising Section 7.A.

The revisions read as follows:

**Note:** The text of Form ADV does not and this amendment will not appear in the Code of Federal Regulations.

#### Form ADV

\* \* \* \* \*

#### Supplemental Instructions for Electronic Filing

##### SEC Requirements

SEC rules require advisers that are registered or applying for registration with the SEC to file electronically. All applications for registration filed after December 31, 2000 must be filed electronically through the IARD system. See SEC rule 203–1.

\* \* \* \* \*

#### Part 1A

\* \* \* \* \*

#### Item 7 Financial Industry Affiliations

\* \* \* \* \*

##### A. \* \* \*

If you checked Item 7A.(3), you must list on Section 7.A. of Schedule D all your *related persons* that are investment advisers. If you checked Item 7A.(1), you may elect to list on Section 7.A. of Schedule D all your *related persons* that are broker-dealers. If you choose to list a related broker-dealer, the IARD will accept a single Form U–4 to register an investment adviser representative who also is a broker-dealer agent ("registered rep") of that related broker-dealer.

##### B. \* \* \*

If "yes," for each limited partnership or limited liability company, complete Section 7.B. of Schedule D. If, however, you are an SEC-registered adviser *and* you have *related persons* that are *SEC-registered* advisers who are the general partners of limited partnerships or the managers of limited liability companies, you do not have to complete Section 7.B. of Schedule D with respect to those related advisers' limited partnerships or limited liability companies.

To use this alternative procedure, you must state in the Miscellaneous Section of Schedule D:

(1) that you have related SEC-registered investment advisers that manage limited partnerships or limited liability companies that are not listed in Section 7.B. of your Schedule D;

(2) that complete and accurate information about those limited partnerships or limited liability companies is available in Section 7.B. of Schedule D of the Form ADVs of your related SEC-registered advisers; and

(3) whether your clients are solicited to invest in any of those limited partnerships or limited liability companies.

\* \* \* \* \*

#### Schedule D

\* \* \* \* \*

#### SECTION 7.A. Affiliated Investment Advisers and Broker-Dealers

You **MUST** complete the following information for each investment adviser with whom you are affiliated. You **MAY** complete the following information for each broker-dealer with whom you are affiliated. You must complete a separate Schedule D Page 3 for each listed affiliate.

Check only one box: ☐ Add

☐ Delete ☐ Amend

Legal Name of Affiliate:

Primary Business Name of Affiliate:

Affiliate is (check only one box): ☐

Investment Adviser ☐ Broker-Dealer ☐ Dual (Investment Adviser and Broker-Dealer)

Affiliated Investment Adviser's SEC File Number (if any) 801–

Affiliate's CRD Number

(if any) \_\_\_\_\_

\* \* \* \* \*

- 8. Form ADV–W (referenced in § 279.2) is amended by:

- a. In Instruction 3, revising the first undesignated paragraph;

- b. In Instruction 3, revising the first sentence in the second undesignated paragraph;

- c. In Instruction 3, revising the second sentence in the third undesignated paragraph;

- d. In Instruction 5, revise the phrase "NASD Regulation, Inc." to read "NASD;" and

- e. In the Execution section, revise the fourth sentence.

The revisions read as follows.

**Note:** The text of Form ADV–W does not and this amendment will not appear in the Code of Federal Regulations.

#### Form ADV–W

\* \* \* \* \*

#### Instructions for Form ADV–W

\* \* \* \* \*

3. I am a state registered adviser filing for partial withdrawal. How do I complete Item 2?

If you are a state registered adviser ceasing advisory business in any of the jurisdictions from which you are withdrawing, check "yes." \* \* \*

\* \* \* You are permitted to enter a cease date of December 31 to avoid being charged state renewal fees in jurisdictions from which you are withdrawing (during the last part of December each year the IARD suspends filing operations for several days to process renewals of state registrations and state notice filings; and you are