

§ 270.30b1-3 Transition reports.

Every registered management investment company filing reports on Form N-SAR that changes its fiscal year end shall file a report on Form N-SAR not more than 60 calendar days after the later of either the close of the transition period or the date of the determination to change the fiscal year end which report shall not cover a period longer than six months.

17. Section 270.30b2-1 is revised to read as follows:

§ 270.30b2-1 Filing of reports to stockholders.

(a) Every registered management investment company shall file a report on Form N-CSR (§§ 249.331 and 274.128 of this chapter) not later than 10 days after the transmission to stockholders of any report that is required to be transmitted to stockholders under § 270.30e-1.

(b) A registered investment company shall file with the Commission a copy of every periodic or interim report or similar communication containing financial statements that is transmitted by or on behalf of such registered investment company to any class of such company's security holders and that is not required to be filed with the Commission under paragraph (a) of this section. The filing shall be made not later than 10 days after the transmission to security holders.

18. Section 270.30d-1 is added to read as follows:

§ 270.30d-1 Designation of periodic reports under the Securities Exchange Act of 1934.

A registered management investment company, other than a small business investment company registered on Form N-5 (§§ 239.24 and 274.5 of this chapter), that is required to file annual and quarterly reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a) or 78o(d)) shall satisfy its requirement to file such reports by the filing, in accordance with the rules and procedures specified therefor, of reports on Form N-CSR (§§ 249.331 and 274.128 of this chapter). A registered unit investment trust or a small business investment company registered on Form N-5 that is required to file annual and quarterly reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 shall satisfy its requirement to file such reports by the filing, in accordance with the rules and procedures specified therefor, of reports on Form N-SAR (§§ 249.330 and 274.101 of this chapter).

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

19. The authority citation for Part 274 is revised to read as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s, 78c(b), 78l, 78m, 78n, 78o(d), 80a-8, 80a-24, 80a-26, and 80a-29, unless otherwise noted.

Section 274.101 is also issued under secs. 3(a), 406, and 407, Pub. L. 107-204, 116 Stat. 745.

Section 274.128 is also issued under secs. 3(a), 302, 406, and 407, Pub. L. 107-204, 116 Stat. 745.

20. Section 274.101 is revised to read as follows:

§ 274.101 Form N-SAR, semi-annual report of registered investment companies.

This form shall be used by registered management investment companies for semi-annual or annual reports to be filed pursuant to rule 30b1-1 (17 CFR 270.30b1-1) and by registered unit investment trusts for annual reports to be filed pursuant to rule 30a-1 (17 CFR 270.30a-1).

21. Form N-SAR (referenced in §§ 249.330 and 274.101) is amended by:

- a. Revising the reference "133" in item 6 to read "132";
- b. Removing item 133;
- c. Revising the first, fifth, and sixth paragraphs of General Instruction A;
- d. Removing the reference "and item 133" at the end of paragraph (1) of General Instruction D;
- e. Removing paragraph (5) of General Instruction G;
- f. Revising the Instruction to sub-item 77Q3 in Instructions to Specific Items;
- g. Revising the Instruction to sub-item 102P3 in Instructions to Specific Items;
- h. Removing the Instruction to Item 133 in Instructions to Specific Items; and
- i. Revising the reference "133" in the Signature Page section in Instructions to Specific Items to read "132".

These additions and revisions read as follows:

Note: The text of Form N-SAR does not, and this amendment will not, appear in the Code of Federal Regulations.

Form N-SAR

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General Instructions**A. Rule as to Use of Form N-SAR**

Form N-SAR is a reporting form that is to be used for semi-annual and annual reports by all registered investment companies that have filed a registration statement which has become effective pursuant to the Securities Act of 1933 ("1933 Act") with the exception of face

amount certificate companies. Face amount certificate companies should continue to file periodic reports pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 ("1934 Act"). Registered management investment companies, other than small business investment companies, are required to file semi-annual and annual reports on Form N-SAR under the Investment Company Act of 1940 (the "Act") and rule 30b1-1 (17 CFR 270.30b1-1) under the Act. Registered small business investment companies are required to file semi-annual and annual reports under the Act and rule 30b1-1 (17 CFR 270.30b1-1) under the Act, and, if applicable, Section 13 or 15(d) of the 1934 Act. Registered unit investment trusts ("UITs") are required to file annual reports on Form N-SAR under the Act and rule 30a-1 (17 CFR 270.30a-1) under the Act, and, if applicable, Section 13 or 15(d) of the 1934 Act.

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Unit investment trusts: The fourth section of the form, which contains items 111 through 132, is to be completed only by all UITs. Each UIT is required to complete appropriate items in this section once a year for the 12-month period ending December 31 and to include information for all of its series.

Under Section 30 of the Act, Sections 13 and 15(d) of the 1934 Act, and the rules and regulations thereunder, the Commission is authorized to solicit the information required by Form N-SAR from registered investment companies. Disclosure of the information specified on Form N-SAR is mandatory. Information supplied on Form N-SAR will be included routinely in the public files of the Commission and will be available for inspection by any interested persons.

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Instructions to Specific Items

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Sub-Item 77Q3

Furnish any other information required to be included as an exhibit pursuant to such rules and regulations as the Commission may prescribe.

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Sub-Item 102P3

(a)(1) Disclose whether, as of the end of the period covered by the report, the registrant has adopted a code of ethics that applies to the registrant's principal executive officer, principal financial officer, principal accounting officer or controller, or persons performing