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BROKER-DEALER

FINRA Issues Regulatory Notice Reminding Members of SEC's Adoption of a Best Interest Standard of Conduct

On August 7, the Financial Industry Regulatory Authority (FINRA) issued Regulatory Notice 19-26, reminding members of the Securities and Exchange Commission's (SEC) adoption of a "best interest" standard of conduct for broker-dealers and a relationship summary (Form CRS) delivery obligation.

Regulation Best Interest (Reg BI), adopted by the SEC on June 5, 2019, establishes a "best interest" standard of conduct for broker-dealers and associated persons making a recommendation of any securities transaction or investment strategy involving securities to a retail customer. Other new rules and forms were adopted that will require broker-dealers and investment advisers to provide a Form CRS to retail investors. Firms must comply with Reg BI and the Form CRS delivery obligation by June 30, 2020.

In connection with the new rules, a staff committee with representatives from the SEC's Division of Investment Management, Division of Trading and Markets, Division of Economic and Risk Analysis, Office of Compliance Inspections and Examinations and Office of the General Counsel was established to assist firms with planning for implementation. Firms may send any questions by email to IABDQuestions@sec.gov. In addition, FINRA will produce written and online content and hold in-person meetings and workshops to assist firms with their implementation efforts. A webpage is also available for members to obtain information about the new rules.

The Notice is available here.

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