

Regulatory & Compliance Update

Routing

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The Regulatory & Compliance Update is published by Renaissance Regulatory Services for its clients' legal, compliance, senior management, and supervisory personnel. This memorandum is distributed to RRS clients at no charge and includes "hot topics" of focus by regulators and of interest to compliance professionals. The document is intended to provide reminders of regulatory matters that were released or issued during the previous month.

The information contained in this publication was compiled from various regulatory releases and is believed to be true and correct as of the date of distribution. Many regulatory issues are subject to interpretations that can change as industry rules and regulations change, and as compliance issues evolve. Readers are cautioned to consider their individual situations and are encouraged to contact RRS staff for guidance on any issues. The information is not intended as legal or accounting advice, which can only be provided by a duly qualified attorney or certified public accountant.

HOT TOPICS

Items in This Edition

- SEC Final Rule IC-34084: Use of Derivatives by Registered Investment Companies and Business Development Companies
- SEC Adopts Modernized Regulatory Framework for Derivatives Use by Registered Funds and Business Development Companies
- SEC Charges Investment Advisory Firms and Broker-Dealers in Connection with Sales of Complex Exchange-Traded Products
- SEC Division of Enforcement Publishes Annual Report for Fiscal Year 2020
- Mike Willis Named Associate Director in Division of Economic and Risk Analysis
- FINRA Regulatory Notice 20-39: Broker-Dealer, Investment Adviser Firm Agent and Investment Adviser Representative, and Branch Renewals for 2021
- FINRA Information Notice 11/23/20: 2021 and First Quarter of 2022 Report Filing Due Dates: Annual Report; FOCUS; Form Custody; Supplemental Statement of Income (SSOI); Supplemental Schedule for Derivatives and Other Off-Balance Sheet Items (OBS); and Supplemental Inventory Schedule (SIS)
- MSRB Information Notice 11/20/20: Reminder for Regulated Entities of Their Annual Notification Requirements Under Rule G-10
- MSRB Seeks Board of Directors Applicants
- NASAA Outlines Opposition to SEC's Proposed Federal Broker-Dealer Exemption for Private Placement Finders
- NASAA 2021 Fee Announcement
- FinCEN and Federal Banking Agencies Clarify BSA Due Diligence Expectations for Charities and Non-Profit Customers

Team Spotlight!

Louis Dempsey is the founder and President of Renaissance Regulatory Services, Inc. Louis has over thirty years of public/private sector regulatory compliance and operations experience, which includes a unique combination of experience in advising and examining broker-dealers, investment advisers and bank holding companies relative to federal, state, and self-regulatory rules and regulations. He previously served as a Branch Chief, with the Securities and Exchange Commission and a Financial Specialist with the State of Florida Division of Securities and Investor Protection. He can be reached via phone at 561-437-4869 or

LouisDempsey@RRSCompliance.com.

December 2020



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 SIS Filings Due	2 Short Interest Reporting Due	3	4	5
6	7	8 Customer Margin Balance Reporting Due	9	10	11	12
13	14 Full Payment of Preliminary Renewals Statements Due	15	16	17 Short Interest Reporting Due	18	19
20	21	22	23 Monthly & Fifth FOCUS Part II/IIA Filings Due	24	25 Christmas	26 CRD closes at 6 pm until 1/2/2021
27	28	29 SIS Filings Due	30 Annual Reports Due for B/Ds with FYE 10/31/20	31 New Year's Day		

Services Spotlight: Compliance Administrator

RRS provides comprehensive compliance solutions to help broker-dealers and investment advisers fulfill their regulatory and compliance obligations while controlling costs. Working together with your firm's Chief Compliance Officer and Supervisory Principals, RRS will design the support package that best suits your compliance needs from the full range of our Regulatory Consulting, Registration Consulting, and Financial Reporting services. Whether you are with a small firm that is not ready to hire full time compliance staff or a large firm looking for staff augmentation or support to fill technical knowledge gaps, RRS can structure a package of compliance services customized to suit your needs.

SEC

SEC Final Rules:

[33-10890](#) Management's Discussion and Analysis, Selected Financial Data, and Supplementary Financial Information

[34-90442](#) Amendments to the Commission's Rules of Practice

[33-10889](#) Electronic Signatures in Regulation S-T Rule 302

[IC-34084](#) Use of Derivatives by Registered Investment Companies and Business Development Companies

[33-10844](#) Facilitating Capital Formation and Expanding Investment Opportunities by Improving Access to Capital in Private Markets

SEC No Action Letters:

[Nov. 6, 2020](#) MEMBERS Life Insurance Co.

SEC Upcoming Events:

[Dec. 1, 2020](#) Asset Management Advisory Committee Meeting

[Dec. 3, 2020](#) Investor Advisory Committee Meeting

[Jan. 13, 2020](#) Wall Street Journal's CFO Network January Meeting

[Jan. 19, 2020](#) Crypto Finance Conference (CfC St. Moritz)

SEC Issues Agenda for Dec. 1 Meeting of the Asset Management Advisory Committee

The Securities and Exchange Commission released the agenda for the Dec. 1 meeting of the Asset Management Advisory Committee (AMAC). AMAC was formed to provide the Commission with diverse perspectives on asset management and related advice and recommendations. ([Link](#))

SEC Investor Advisory Committee to Meet Remotely on Dec. 3

The Securities and Exchange Commission's Investor Advisory Committee will hold a public meeting on Dec. 3 by remote means. The meeting will begin at 10 a.m. ET, is open to the public via live webcast, and will be archived on the committee's website for later viewing. ([Link](#))

SEC Proposes Amendments to Modernize Framework for Securities Offerings and Sales to Workers

The Securities and Exchange Commission announced that it has voted to propose amendments to Securities Act Rule 701, which provides an exemption from registration for the issuance of compensatory securities by non-reporting issuers, and Form S-8, the Securities Act registration statement for compensatory offerings by reporting issuers. ([Link](#))

SEC Proposes Temporary Rules to Facilitate Measured Participation by Certain "Platform Workers" in Compensatory Offerings Under Rule 701 and Form S-8

The Securities and Exchange Commission voted to propose rules that, on a temporary basis and subject to percentage limits (no more than 15% of annual compensation), dollar limits (no more than \$75,000 in three years) and other conditions, would permit an issuer provide equity

compensation to certain "platform workers" who provide services available through the issuer's technology-based platform or system. ([Link](#))

SEC Issues Statement on European Central Counterparties Seeking to Register or Request Exemptions From the SEC

The Securities and Exchange Commission issued a Policy Statement and Guidance focused on central counterparties (CCPs) authorized under the European Markets Infrastructure Regulation (EMIR) that may seek to access and operate in the U.S. securities markets. The Statement provides transparency into the Commission's processes and highlights efficient ways that CCPs based in the European Union (EU) can register as a clearing agency or request exemptions from certain requirements under the Securities Exchange Act of 1934. ([Link](#))

SEC Charges E-Commerce Startup and CEO With Defrauding Investors

The Securities and Exchange Commission charged a San Francisco-based e-commerce startup and its chief executive officer with misleading investors about purported contracts with well-known consumer brands. ([Link](#))

SEC Adopts Amendments to Modernize and Enhance Management's Discussion and Analysis and other Financial Disclosures

The Securities and Exchange Commission announced that it has voted to adopt amendments that will modernize, simplify, and enhance certain financial disclosure requirements in Regulation S-K. The amendments are intended to enhance the focus of financial disclosures on material information for the benefit of investors, while simplifying compliance efforts for registrants. ([Link](#))

Lourdes Caballes and Michael Rufino Named Associate Directors of OCIE's Broker-Dealer Examination Program in the SEC's New York Regional Office

The Securities and Exchange Commission announced that Lourdes Caballes and Michael Rufino have been named

Associate Directors of the Office of Compliance Inspections and Examinations (OCIE) Broker-Dealer Examination Program in the New York Regional Office. Together, Ms. Caballes and Mr. Rufino will oversee a staff of nearly 80 accountants, examiners and attorneys responsible for inspections of SEC-registered broker-dealers in New York and New Jersey. Ms. Caballes and Mr. Rufino succeed Robert Sollazzo who retired in July after 38 years of service to the SEC. ([Link](#))

SEC Awards Whistleblower Over \$900,000

The Securities and Exchange Commission announced an award of over \$900,000 to a whistleblower who identified securities law violations occurring overseas. The whistleblower's timely and important information resulted in a significant expansion of an ongoing investigation. ([Link](#))

Marie-Louise Huth Named as Associate General Counsel for Legal Policy

The Securities and Exchange Commission announced that it has named Marie-Louise (Malou) Huth as an Associate General Counsel for Legal Policy in the Office of the General Counsel (OGC). As an Associate General Counsel, Ms. Huth will provide legal advice to the Commission and SEC divisions and offices on a wide range of matters, with a particular emphasis on regulatory recommendations to the Commission from the Divisions of Investment Management and Trading and Markets. ([Link](#))

SEC Adopts Rules to Facilitate Electronic Submission of Documents to the Agency

The Securities and Exchange Commission voted to adopt rules and rule amendments that will provide additional flexibility in connection with documents filed with the Commission by permitting the use of electronic signatures in authentication documents, and facilitate electronic service and filing in the Commission's administrative proceedings. These new rules and amendments are part of a series of initiatives designed to modernize and strengthen the agency's operations. ([Link](#))

OECD Working Group on Bribery Issues Report Commending United States for Maintaining Leading Role in the Fight Against Transnational Corruption

The Working Group on Bribery of the Organisation for Economic Co-operation and Development (OECD Working Group) issued its Phase 4 Report of the United States, announced the Securities and Exchange Commission and the U.S. Departments of Justice, Commerce, and State. ([Link](#))

SEC Chairman Jay Clayton Confirms Plans to Conclude Tenure at Year End

Jay Clayton, Chairman of the Securities and Exchange Commission, confirmed that after serving for more than three and a half years, he will conclude his tenure at the end of this year. ([Link](#))

SEC Awards Over \$1.1 Million to Whistleblower for Independent Analysis

The Securities and Exchange Commission announced an award of over \$1.1 million to a whistleblower whose independent analysis led the staff to look at new conduct during an ongoing investigation. The whistleblower's information and exemplary assistance helped the agency bring an emergency action preventing further investor harm. This whistleblower examined publicly available materials and conducted an analysis that revealed important new insights into the securities law violations, which helped the SEC protect investor assets from dissipation by the wrongdoer. ([Link](#))

SEC Charges Investment Advisory Firms and Broker-Dealers in Connection with Sales of Complex Exchange-Traded Products

The Securities and Exchange Commission filed settled actions against three investment advisory firms and two dually registered broker-dealer and advisory firms for violations that related to unsuitable sales of complex exchange-traded products to retail investors. The sales occurred between January 2016 and April 2020. These actions are the first arising from investigations generated by the Division of Enforcement's Exchange-Traded Products Initiative, which

utilized trading data analytics to uncover potential unsuitable sales. ([Link](#))

SEC Charges Former Bank Executives for Misleading Investors About Key Performance Metric

The Securities and Exchange Commission charged a former bank CEO and Chairman and former head of its Community Bank for their roles in allegedly misleading investors about the success of the Community Bank, the bank's core business. The SEC's filings include settled charges against the former CEO and Chairman, who agreed to pay a \$2.5 million penalty, and a litigated action alleging the former head of the Community Bank committed fraud. The SEC previously filed settled charges against the bank for engaging in the misconduct. ([Link](#))

Mike Willis Named Associate Director in Division of Economic and Risk Analysis

The Securities and Exchange Commission announced that it has named Mike Willis as an Associate Director in the Division of Economic and Risk Analysis (DERA). Mr. Willis will lead DERA's newly created Office of Data Science and Innovation, which provides the Commission and its staff with expertise on data analytics, risk assessment, and structured disclosure. He will oversee the development of data analytics tools to enhance program data quality and information. Mr. Willis will coordinate with other offices and divisions to address structured machine-readable open data in rulemaking, analytics, dissemination and other areas. He will also oversee data ingestion and work with the SEC's Chief Data Officer and others within the agency to develop a unified vision of data ingestion, analysis, visualization and use. ([Link](#))

SEC Publishes Notice of German Substituted Compliance Application and Proposed Order

The Securities and Exchange Commission voted to publish a notice of a substituted compliance application by Germany's Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin) as well as a proposed order that would conditionally provide substituted compliance for German firms that are registered with the Commission as security-based swap dealers and

security-based swap participants. These are the latest of a series of actions that the Commission has taken to stand up Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including cross-border regulation. ([Link](#))

SEC Awards More Than \$3.6 Million and \$750,000 in Separate Whistleblower Awards

The Securities and Exchange Commission announced two separate whistleblower awards for total payments of over \$4.3 million. ([Link](#))

SEC Announces New Asset Management Advisory Committee Member

The Securities and Exchange Commission announced the appointment of Renee LaRoche-Morris, Chief Operating Officer, BNY Mellon Investment Management, as a new member of the Asset Management Advisory Committee. Ms. LaRoche-Morris was appointed following the resignation of Mark Tiberghien, who retired from BNY Mellon/Pershing. ([Link](#))

SEC Issues Agenda for Nov. 9 Meeting of the Small Business Capital Formation Advisory Committee

The Securities and Exchange Commission released the agenda for the Monday, Nov. 9, 2020, meeting of its Small Business Capital Formation Advisory Committee, which will be hosted via video conference. ([Link](#))

SEC Awards Over \$28 Million to Whistleblower

The Securities and Exchange Commission announced an award of over \$28 million to a whistleblower who provided significant information that aided the SEC in bringing a successful enforcement action. The whistleblower internally reported information that prompted the company to initiate an internal investigation and saved the staff time and resources by providing testimony and identifying a key witness. ([Link](#))

SEC Division of Enforcement Publishes Annual Report for Fiscal Year 2020

The Securities and Exchange Commission's Division of Enforcement issued its annual report for fiscal year 2020. The report provides a comprehensive view of the Division's accomplishments over the past year, discusses significant actions and key areas of strategic change, and details the Division's COVID-19-related enforcement efforts. ([Link](#))

SEC Harmonizes and Improves "Patchwork" Exempt Offering Framework

The Securities and Exchange Commission voted to amend its rules in order to harmonize, simplify, and improve the multilayer and overly complex exempt offering framework. These amendments will promote capital formation and expand investment opportunities while preserving or improving important investor protections. ([Link](#))

SEC Issues Agenda for Nov. 5 Special Meeting of the Asset Management Advisory Committee

The Securities and Exchange Commission released the agenda for the Nov. 5, 2020, special meeting of the Asset Management Advisory Committee (AMAC). AMAC was formed to provide the Commission with diverse perspectives on asset management and related advice and recommendations. ([Link](#))

Raquel Fox, Director of the Office of International Affairs, to Depart SEC

The Securities and Exchange Commission announced that Raquel Fox, Director of the Office of International Affairs, will leave the agency in November. ([Link](#))

SEC Awards Over \$10 Million to Whistleblower

The Securities and Exchange Commission announced an award of over \$10 million to a whistleblower whose information prompted the opening of an investigation and provided substantial, ongoing assistance to SEC staff throughout the investigation. In more than a dozen communications with the staff, the whistleblower provided key evidence, helped decipher communications, and distilled complex issues. ([Link](#))

SEC Adopts Modernized Regulatory Framework for Derivatives Use by Registered Funds and Business Development Companies

The Securities and Exchange Commission voted to enhance the regulatory framework for derivatives use by registered investment companies, including mutual funds (other than money market funds), exchange-traded funds (ETFs) and closed-end funds, as well as business development companies. The new rule and rule amendments will provide a modernized, comprehensive approach to the regulation of these funds' derivatives use that addresses investor protection concerns and reflects developments over the past decades. The Commission is committed to designing regulatory programs that reflect the ever-broadening product innovation and investor choice available in 's asset management industry, while also taking into account the risks associated with funds' increasingly complex portfolio composition and operations. [\(Link\)](#)

FINRA

Regulatory Notices:

[20-39](#) Broker-Dealer, Investment Adviser Firm, Agent and Investment Adviser Representative, and Branch Renewals for 2021. Payment Deadline: December 14, 2020

Information Notices:

[11/24/20](#) FINRA Reminds Firms of Exercise Cut-Off Time for Options Expiring on the Friday After Thanksgiving

[11/23/20](#) 2021 and First Quarter of 2022 Report Filing Due Dates: Annual Report; FOCUS; Form Custody; Supplemental Statement of Income (SSOI); Supplemental Schedule for Derivatives and Other Off-Balance Sheet Items (OBS); and Supplemental Inventory Schedule (SIS)

Trade Reporting Notices:

No updates as of 11 / 30 / 2020

Upcoming Events:

[2020](#) Virtual Conference Panels

[2020](#) Virtual Compliance Boot Camps

[05/18/21](#) 2021 Annual Conference

MSRB

MSRB Information Notices:

[11/20/20](#) Reminder for Regulated Entities of Their Annual Notification Requirements Under Rule G-10

Upcoming Events:

No updates as of 11 / 30 / 2020

MSRB Announces Senior Leadership Team Under New CEO

Municipal Securities Rulemaking Board (MSRB) CEO Mark Kim announced the MSRB's senior leadership team. The new leadership structure aligns with the MSRB's core mission to promulgate rules, develop technology systems and serve as the industry's central repository for data, as well as with the Board's priorities for deepening its engagement with external and internal stakeholders. [\(Link\)](#)

MSRB Seeks Board of Directors Applicants

The Municipal Securities Rulemaking Board (MSRB), the self-regulatory organization established by Congress to safeguard the \$4 trillion municipal securities market, will solicit applications for four positions on its Board of Directors for the 2022 fiscal year. Selected candidates will be elected to four-year terms beginning October 1, 2021, where they will have the opportunity to oversee the organization's strategic initiatives to support an evolving market through effective regulation, modernized technology, and big data. [\(Link\)](#)

NASAA

NASAA Outlines Opposition to SEC's Proposed Federal Broker-Dealer Exemption for Private Placement Finders

State securities regulators are urging the Securities and Exchange Commission (SEC) not to move forward with its proposal to order a new federal broker-dealer exemption for

private placement finders amid concerns the proposal lacks adequate investor protections. “Finders” are individuals who are hired by private companies to locate potential investors. ([Link](#))

NASAA 2021 Fee Announcement

The North American Securities Administrators Association (NASAA) announced the continued waiver of Investment Adviser Registration Depository (IARD) system fees for state-registered investment adviser firms, the continuation of substantially reduced initial set-up and annual system fees paid by investment adviser representatives (IARs), and modest increases to the enrollment fees for the NASAA Series 63,65, and 66 exams. ([Link](#))

NASDAQ/NASDAQ TRADER/OTCBB

Equity Corporate Actions Alert:

[2020-226](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Hancock Jaffe Laboratories, Inc. (HJLI)

[2020-225](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Dolphin Entertainment, Inc. (DLPN)

[2020-224](#) Information Regarding the Merger of Sirius International Insurance Group, Ltd. (SG)

[2020-223](#) Information Regarding the Merger of MobileIron, Inc. (MOBL)

[2020-222](#) Information Regarding the Merger of Virtusa Corporation (VRTU)

[2020-221](#) Information Regarding the Business Combination of Spring Bank Pharmaceuticals, Inc. (SBPH) and F-star Therapeutics, Inc.

[2020-220](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for HTG Molecular Diagnostics, Inc. (HTGM)

[2020-219](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for BIO-key International, Inc. (BKYI)

[2020-218](#) Information Regarding the Merger of Fuling Global Inc. (FORK)

[2020-217](#) Information Regarding the Business Combination of MYOS RENS Technology Inc. (MYOS) and MedAvail Holdings, Inc.

[2020-216](#) Information Regarding the Business Combination of CF Finance Acquisition Corp. (CFFA/W/U) and Grosvenor Capital Management Holdings, LLLP

[2020-215](#) Information Regarding the Business Combination of Orisun Acquisition Corp. (ORSN/W/R/U) and Ucommune International Ltd

[2020-214](#) Information Regarding the Going Private Transaction for Yintech Investment Holdings Limited (YIN)

[2020-213](#) (UPDATED: Merger closed) Information Regarding the Tender Offer for AMAG Pharmaceuticals, Inc. (AMAG)

[2020-212](#) Information Regarding the Tender Offer of MyoKardia, Inc. (MYOK)

[2020-211](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Miragen Therapeutics, Inc. (MGEN)

[2020-210](#) When-issued Trading Information for Concentrix Corporation (CNXC), a spin off from SYNEX Corporation (SNX)

[2020-209](#) Information Regarding the Business Combination of Netfin Acquisition Corp. (NFIN/W/U) & Triterras, Inc.

[2020-208](#) Information Regarding the Business Combination of Mylan N.V. (MYL)

[2020-207](#) Information Regarding the Business Combination of KBL Merger Corp. IV (KBLM/R/U/W) and 180 Life Sciences Corp.

[2020-206](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Cogent Biosciences, Inc. (COGT)

[2020-205](#) Information Regarding the Business Combination of Rexahn Pharmaceuticals, Inc. (REXN) and Ocuphire Pharma, Inc.

[2020-204](#) Spin-off for Tiziana Life Sciences plc ADS (TLSA)

[2020-203](#) Information Regarding the Business Combination of Healthcare Merger Corp. (HCCO/W/U) & SOC Telemed, Inc.

[2020-202](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Performance Shipping Inc. (PSHG)

[2020-201](#) Information Regarding the Reverse Stock Split and CUSIP Number Change for Intec Pharma Ltd. (NTEC)

[2020-200](#) Information Regarding the Business Combination of Conyers Park II Acquisition Corp. (CPAA/W/U) and Advantage Solutions Inc.

[2020-199](#) Information Regarding the Reverse Stock Split, CUSIP Number Change and Par Value Change for Hudson Capital Inc. (HUSN)

Equity Trader Alert:

[2020-78](#) Nasdaq to Begin Listing New Virtus ETF on Wednesday, November 18, 2020

[2020-77](#) Nasdaq Workstation and ACT Workstation Technology Update

[2020-76](#) U.S. Market Holiday Reminder: Thanksgiving

[2020-75](#) Nasdaq to Begin Listing New Global X ETF on Wednesday, November 11, 2020

[2020-74](#) Nasdaq to Begin Listing 2 New Victory Shares ETFs on Wednesday, November 4, 2020

[2020-73](#) Nasdaq to Begin Listing New Reflection Asset Management ETF on Tuesday, November 3, 2020

[2020-72](#) Exchange Coordinated Contingency Closing Auction Scenario Testing

[2020-71](#) Nasdaq Pricing Updates Effective November 2, 2020

[2020-70](#) Reminder: Nasdaq PSX Returning to Carteret Data Site November 2nd

[2020-69](#) Nasdaq to Begin Listing 2 New Global X ETFs on Thursday, October 29th, 2020

Equity Regulatory Alert:

No updates as of 11 / 23 / 2020

Financial Products News:

[2020-37](#) Nasdaq to Begin Dissemination of New Third Party Indexes on GIDS, Effective Thursday November 19, 2020

[2020-36](#) Nasdaq Announces Launch of One New Index Effective Wednesday, November 4, 2020

Futures Trader Alert:

No updates as of 11 / 30 / 2020

Options Trader Alert:

[2020-33](#) Nasdaq PHLX To Initiate Business Continuity Plan and Operate Fully Electronic

[2020-32](#) Nasdaq Announces Changes to Daily Closing Time for Options on Certain Exchange Traded Products

[2020-31](#) Nasdaq Announces Changes to the Penny Interval Program, Effective November 3, 2020

[2020-30](#) Nasdaq ISE, Nasdaq MRX Updated Pricing Schedule Effective November 2, 2020

NYSE Weekly Program-Trading Data Releases:

ICE Benchmark Administration to Consult on Its Intention to Cease the Publication of One Week and Two Month USD LIBOR Settings at End-December 2021, and the Remaining USD LIBOR Settings at End-June 2023

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announces that ICE Benchmark Administration Limited (IBA) will consult on its intention to cease the publication of the one week and two month USD LIBOR settings immediately following the LIBOR publication on December 31, 2021, and the remaining USD LIBOR settings immediately following the LIBOR publication on June 30, 2023. This follows the announcement on November 18, 2020, that IBA would consult on its intention to cease the publication of all GBP, EUR, CHF and JPY LIBOR settings immediately following the LIBOR publication on December 31, 2021. ([Link](#))

Intercontinental Exchange Chairman & CEO Jeffrey Sprecher to Present at the Goldman Sachs U.S. Financial Services Conference on December 9th

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced that Chairman & CEO, Jeffrey Sprecher, will present at the 2020 Goldman Sachs U.S. Financial Services conference on Wednesday, December 9th at 10:40 am ET. The presentation will be available live and in replay via webcast. ([Link](#))

ICE Endex Announces Results of European Gas Storage Auction for GasTerra

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced the results of the ICE Endex gas storage auction held on November 25, 2020, on behalf of GasTerra. ([Link](#))

ICE Benchmark Administration expands ICE Term SONIA Reference Rates methodology to include Tradeweb's Dealer to Client data

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announces that ICE Benchmark Administration Limited ("IBA") has expanded the input data used in its ICE Term SONIA Reference Rates "Waterfall" methodology to include Tradeweb's dealer to client data. ([Link](#))

ICE Benchmark Administration to Consult on Its Intention to Cease the Publication of GBP, EUR, CHF and JPY LIBOR

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announces that ICE Benchmark Administration Limited (IBA) will consult on its intention to cease the publication of all GBP, EUR, CHF and JPY LIBOR settings. Discussions involving IBA, the Financial Conduct Authority (FCA), other official sector bodies and the panel banks are continuing regarding the future of USD LIBOR. ([Link](#))

Intercontinental Exchange Publishes 2020 Corporate Responsibility Report

Intercontinental Exchange, Inc. (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data, and listings services, released its fifth annual Corporate Responsibility Report. ([Link](#))

Bank of America Is First Authorized Participant to Leverage ICE's FIX API for Creations and Redemptions

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced that Bank of America became the first authorized participant to leverage ICE ETF Hub's FIX API to communicate ETF share creations and redemptions. This is an important milestone in the ETF industry's adoption of ICE ETF Hub, which was designed as an industry-wide, open architecture, technology solution, offering a more

standardized and simplified process for the creation and redemption of ETF shares. ([Link](#))

ICE Reports Record Activity Across Its Environmental Complex as Participants Price Climate Risk

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data, and listings services, reported record open interest across its environmental complex as participants price climate risk. ([Link](#))

Intercontinental Exchange Announces Three Companies Agree to Explore Pricing US Crude Exports to Asia Using ICE Murban Futures

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announces that ICE Futures Abu Dhabi (IFAD) and the Abu Dhabi National Oil Company (ADNOC) have signed Memorandum of Understandings (MOUs) with Occidental Energy Marketing, Inc., a subsidiary of Occidental; Chevron U.S.A. Inc.; and Trafigura, under which each company has agreed to explore potential opportunities to price US crude exports to Asia off the ICE Murban Futures contract. ([Link](#))

Intercontinental Exchange Launches Clearing for CDS Index Options

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced it has launched clearing for Credit Default Swap (CDS) Index Options, bringing greater capital efficiencies, price discovery and risk management to the CDS market. Beginning, ICE Clear Credit now offers clearing of Index Options on the CDX North American Investment Grade and High Yield indices. Index Options on the iTraxx Europe indices are expected to be added in 2021. ([Link](#))

Intercontinental Exchange to Launch ICE Futures Abu Dhabi and the World's First Murban Crude Futures Contracts on March 29, 2021

Intercontinental Exchange, Inc. (NYSE:ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced that it plans to launch ICE Futures Abu Dhabi (IFAD) and the world's first futures contracts based on Murban crude oil on March 29, 2021, subject to the completion of regulatory approvals. ([Link](#))

Intercontinental Exchange Announces Pricing of Secondary Offering of Common Stock

Intercontinental Exchange (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced the pricing of an underwritten secondary offering by Cyprus Parent, LP, an entity controlled by Thoma Bravo and formerly known as Ellie Mae Parent, LP (the "selling stockholder"), of 9,180,569 shares of ICE's common stock at a price to the public of \$98.00 per share. Morgan Stanley & Co. LLC served as the sole underwriter for the offering. The offering is expected to close on or about November 9, 2020, subject to satisfaction of customary closing conditions. ([Link](#))

Intercontinental Exchange, Inc. Announces Secondary Offering by Selling Stockholder Related to Ellie Mae Acquisition

Intercontinental Exchange (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced that Cyprus Parent, LP, an entity controlled by Thoma Bravo and formerly known as Ellie Mae Parent, LP (the "selling stockholder"), intends to offer for sale in an underwritten secondary offering 9,180,569 shares of ICE's common stock pursuant to ICE's shelf registration statement filed with the Securities and Exchange Commission (SEC). The shares being offered were originally issued to the selling stockholder in connection with the acquisition of Ellie Mae, Inc., which ICE completed on September 4, 2020. ([Link](#))

Intercontinental Exchange Reports October Statistics

Intercontinental Exchange, Inc. (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, reported October 2020 trading volume and related revenue statistics,

which can be viewed on the company's investor relations website at <https://ir.theice.com/ir-resources/supplemental-information-in-the-Monthly-Statistics-Tracking-spreadsheet>. [\(Link\)](#)

Intercontinental Exchange Approves Fourth Quarter Dividend of \$0.30 per Share

Intercontinental Exchange (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listings services, announced a \$0.30 per share dividend for the fourth quarter of 2020, which is up 9% from the \$0.275 per share dividend paid in the fourth quarter of 2019. The cash dividend is payable on December 31, 2020 to stockholders of record as of December 16, 2020. The ex-dividend date is December 15, 2020. [\(Link\)](#)

Intercontinental Exchange Reports Strong Third Quarter 2020

Intercontinental Exchange (NYSE: ICE), a leading operator of global exchanges and clearing houses and provider of mortgage technology, data and listing services, reported financial results for the third quarter of 2020. For the quarter ended September 30, 2020, consolidated net income attributable to ICE was \$390 million on \$1.4 billion of consolidated revenues, less transaction-based expenses. Third quarter GAAP diluted earnings per share (EPS) were \$0.71. Adjusted net income attributable to ICE was \$569 million in the third quarter and adjusted diluted EPS were \$1.03. Please refer to the reconciliation of non-GAAP financial measures included in this press release for more information on our adjusted operating expenses, adjusted operating income, adjusted operating margin, adjusted net income, adjusted diluted EPS and free cash flow. [\(Link\)](#)

FINCEN

FinCEN and Federal Banking Agencies Clarify BSA Due Diligence Expectations for Charities and Non-Profit Customers

In coordination with the Federal Banking Agencies, the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) issued a joint fact sheet to provide

clarity to banks on how to apply a risk-based approach to charities and other non-profit organizations (NPOs). [\(Link\)](#)

FinCEN Holds Virtual FinCEN Exchange on Ransomware

The Financial Crimes Enforcement Network (FinCEN) convened a virtual FinCEN Exchange with representatives from financial institutions, technology firms, third-party service providers, and federal government agencies to discuss growing concerns regarding ransomware, as well as the efforts to curtail it. Topics discussed included ransomware detection and reporting, emerging trends and typologies, and recovery of victims' funds. [\(Link\)](#)

FinCEN Reissues Real Estate Geographic Targeting Orders for 12 Metropolitan Areas

The Financial Crimes Enforcement Network (FinCEN) announced the renewal of its Geographic Targeting Orders (GTOs) that require U.S. title insurance companies to identify the natural persons behind shell companies used in all-cash purchases of residential real estate. These renewed GTOs are identical to the May 2020 GTOs. The purchase amount threshold remains \$300,000 for each covered metropolitan area. [\(Link\)](#)

FinCEN Director Hosts Virtual Law Enforcement Awards Program

Financial Crimes Enforcement Network (FinCEN) Director Kenneth A. Blanco hosted a virtual ceremony to recognize the recipients of this year's FinCEN Director's Law Enforcement Awards. FinCEN announced this year's recipients in May. In addition, Director Blanco recognized the swift and tremendous efforts of law enforcement, prosecutors, financial institutions, and others to confront wide scale fraud and money laundering associated with COVID-19 relief efforts. [\(Link\)](#)

PRA

Her Majesty's Treasury, Bank of England and Financial Conduct Authority convene working group to facilitate investment in productive finance

Investment in productive finance refers to investment that expands productive capacity, furthers sustainable growth and

can make an important contribution to the real economy. Examples of this include plant and equipment (which can help businesses achieve scale), research and development (which improves the knowledge economy), technologies (for example, green technology), infrastructure and unlisted equities related to these sectors. [\(Link\)](#)

Bank Rate held at 0.1% and asset purchases increased by £150bn - November 2020

The Bank of England's Monetary Policy Committee (MPC) sets monetary policy to meet the 2% inflation target, and in a way that helps to sustain growth and employment. In that context, its challenge at present is to respond to the economic and financial impact of the Covid pandemic. At its meeting ending on 4 November 2020, the MPC voted unanimously to maintain Bank Rate at 0.1%. The Committee voted unanimously for the Bank of England to maintain the stock of sterling non-financial investment-grade corporate bond purchases, financed by the issuance of central bank reserves, at £20 billion. The Committee voted unanimously for the Bank of England to continue with the existing programme of £100 billion of UK government bond purchases, financed by the issuance of central bank reserves, and also for the Bank of England to increase the target stock of purchased UK government bonds by an additional £150 billion, financed by the issuance of central bank reserves, to take the total stock of government bond purchases to £875 billion. [\(Link\)](#)

Time change with regards to the November Monetary Policy Report, Monetary Policy Committee (MPC) decision and MPC minutes

The November Monetary Policy Report, Monetary Policy Committee (MPC) decision and MPC minutes will be published, on Thursday 5 November 2020 at 7:00 hrs (GMT), not at 12:00 hrs (GMT) as previously scheduled. [\(Link\)](#)

Extension to De La Rue contract

The Bank has decided to extend its contract with De La Rue to operate the printing facility at Debden, Essex until 2028. The current contract came into effect in April 2015 and was due to expire in 2025. The contract provided for the option of

a three-year extension. The decision to exercise the extension option was approved by the Bank's Court of Directors. [\(Link\)](#)

FCA

A Man pleads not guilty to conspiracy to pervert the course of justice

A man has pleaded not guilty by video link at Southwark Crown Court to the FCA's charge that he conspired with another man to pervert the course of justice. [\(Link\)](#)

FCA charges a Man with one offence of money laundering

Following a joint investigation by the Financial Conduct Authority and City of London Police, the FCA has charged a man with one offence of money laundering, contrary to Section 327 of the Proceeds of Crime Act. [\(Link\)](#)

FCA announces benefits of new data collection platform RegData

RegData will replace Gabriel as the FCA's data collection platform. RegData is informed by user feedback, is faster, easier to use and built with flexible technology, making it possible to fix issues quicker and to make ongoing improvements to user experience. RegData is central to our Data Strategy which sets out our plan to harness the power of data and advanced analytics to transform financial regulation. [\(Link\)](#)

FCA fines TFS-ICAP £3.44 million for market misconduct

Between 2008 and 2015, brokers at TFS-ICAP carried out the practice of 'printing' trades. This involved brokers communicating to their clients that a trade had occurred at a particular price and/or quantity when no such trade had actually taken place. TFS-ICAP brokers, across multiple broking desks, did this openly and over a prolonged period. [\(Link\)](#)

Treasury, Bank of England and FCA convene working group to facilitate investment in productive finance

Investment in productive finance refers to investment that expands productive capacity, furthers sustainable growth and can make an important contribution to the real economy. Examples of this include plant and equipment (which can help businesses achieve scale), research and development (which improves the knowledge economy), technologies (for example, green technology), infrastructure and unlisted equities related to these sectors. ([Link](#))

FCA confirms support for mortgage borrowers impacted by coronavirus

The FCA has now confirmed updated guidance to firms setting out enhanced support that should be available to mortgage borrowers experiencing payment difficulties as a result of coronavirus.

The guidance will be fully in force from 20 November but the FCA encourages firms that are able to start providing this enhanced support sooner to do so. ([Link](#))

FCA commences High Court proceedings over unauthorized collective investment schemes

The FCA has commenced High Court proceedings against a man, his firm, and another man over alleged links to investments in care homes in which investors appear to have lost at least £30 million. ([Link](#))

Nikhil Rathi discusses the FCA's pandemic response and his vision for the future

FCA Chief Executive Nikhil Rathi talks about starting his role during the coronavirus pandemic, and the FCA's approach to the various challenges ahead. ([Link](#))

FCA bans three individuals from working in the financial services industry for non-financial misconduct

The Financial Conduct Authority (FCA) has prohibited three men from working in the financial services industry following findings that they are not fit and proper. Each of them had been convicted of serious non-financial indictable offences while working in the financial services industry. ([Link](#))

FCA sets out its approach to the share trading obligation

The FCA has confirmed its approach to the share trading obligation (STO) at the end of the Brexit transition period if mutual equivalence is not agreed. ([Link](#))

FCA announces proposals for further support to consumer credit borrowers impacted by coronavirus

In September, the FCA announced tailored support for borrowers affected by coronavirus (Covid-19) after 31 October, which it would keep under review as the pandemic evolved. ([Link](#))

FCA announces further proposals to support mortgage borrowers impacted by coronavirus

In September, the FCA announced tailored support for borrowers affected by coronavirus (Covid-19) after 31 October, which it would keep under review as the pandemic evolved. ([Link](#))

Resource Links

Government

- U.S. Securities & Exchange Commission – WWW.SEC.GOV
- North American Securities Administrators Association – WWW.NASAA.ORG
- FINCEN – WWW.FINCEN.GOV
- Commodity Futures Trading Commission – WWW.CFTC.GOV
- Financial Conduct Authority – WWW.FCA.ORG.UK
- Prudential Regulatory Authority – WWW.BANKOFENGLAND.CO.UK

SRO

- FINRA – WWW.FINRA.ORG
- NASDAQ – WWW.NASDAQ.COM
- New York Stock Exchange – WWW.NYSE.COM
- Municipal Securities Rulemaking Board – WWW.MSRB.ORG
- National Futures Association WWW.NFA.FUTURES.ORG

Industry

- Alternative Investment Management Association “AIMA” – WWW.AIMA.ORG
- Bank Insurance & Securities Association “BISA” – WWW.BISANET.ORG
- Florida Securities Dealers Association “FSDA” – WWW.FLORIDASECURITIES.COM
- Financial Market Association “FMA” – WWW.FMAWEB.ORG
- Financial Services Institute “FSI” – WWW.FINANCIALSERVICES.ORG
- Investment Adviser Association “IAA” – WWW.INVESTMENTADVISER.ORG
- Investment Company Institute “ICI” – WWW.ICI.ORG
- Managed Funds Association “MFA” – WWW.MANAGEDFUNDS.ORG
- National Society of Compliance Professionals “NSCP” – WWW.NSCP.ORG
- Securities Industry and Financial Markets Association “SIFMA” – WWW.SIFMA.ORG

*This list is provided for information purposes only. RRS does not specifically endorse any group noted.

Reader Survey

"Find It - Before the Regulators"

The RRS staff continually strives to ensure that the services and support we provide to our clients is the most up to date and comprehensive available. We can forecast regulatory trends based on our extensive regulatory experience and the information our clients provide regarding new products, services and/or marketing trends. This "Find It - Before the Regulators" insight enables us to develop customized compliance solutions so that our clients can address any regulatory deficiencies before the regulators do. If you have any questions or suggestions, please speak with your account representative or call us at (561) 368-2245.

Reader Survey Fax Response Form

To: Louis Dempsey
LouisDempsey@RRSCompliance.com

Name:				
Firm:		IA:	BD:	Other:
Phone:		Fax:		

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- What topics interest you the most?
- What do you find most useful?
- What would you like to see in future editions?
- Are you a current client of RRS?
- Are you interested in receiving information or a call from our Staff to discuss the products and services offered by RRS?

(Please include your phone number or E-mail address to schedule a meeting)

Thank you for your time and effort!

Bottom line - we want to know!

We want to know how we are doing. If you have any comments, complaints, or suggestions, please do not hesitate to call (561) 368-2245 or email:

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