



## LINKS AND WEBSITES TO REFERENCE

**Disclaimer:** The following are links to resources which state-registered investment advisers may find useful. These references are provided for informational purposes only. The NC Department of the Secretary of State shall under no circumstances be liable for any actions taken or omissions made in reliance on any information contained on these sites, or for any other consequences of any such reliance.

### **REGULATORY COMMUNITY**

- 1) NC Department of the Secretary of State [www.sosnc.gov](http://www.sosnc.gov)
  - Securities Division <https://www.sosnc.gov/Sec/>
  - Resources for Securities Professionals [https://www.sosnc.gov/divisions/securities/for\\_security\\_professionals](https://www.sosnc.gov/divisions/securities/for_security_professionals)
  - Business Registration Division [https://www.sosnc.gov/divisions/business\\_registration](https://www.sosnc.gov/divisions/business_registration)
  - Securities Division general email [secdiv@sosnc.gov](mailto:secdiv@sosnc.gov)
- 2) Securities and Exchange Commission [www.sec.gov](http://www.sec.gov)
- 3) North American Securities Administrators Association (NASAA) [www.nasaa.org](http://www.nasaa.org)
- 4) NASAA initiative for investors and industry re: seniors [www.ServeOurSeniors.org](http://www.ServeOurSeniors.org)
- 5) National Adult Protective Services Association [www.napsa-now.org](http://www.napsa-now.org)
- 6) Investment Adviser Registration Depository [www.iard.com](http://www.iard.com)
  - IARD Renewal Calendar <https://www.iard.com/renewal-program>
- 7) NC Department of Revenue [www.ncdor.gov](http://www.ncdor.gov)
- 8) Federal Trade Commission [www.ftc.gov](http://www.ftc.gov)
- 9) US Department of Labor [www.dol.gov](http://www.dol.gov)

### **BAILEY DECISION re: RETIREMENT**

<https://www.ncdor.gov/bailey-decision-concerning-federal-state-and-local-retirement-benefits>

## **BUSINESS EMAIL COMPROMISE, INTERNET CRIME RESOURCES INCL CRYPTO-RELATED SCAMS**

NACHA <https://www.nacha.org/content/business-email-compromise>

United States Secret Service

<https://www.secretservice.gov/investigation/Preparing-for-a-Cyber-Incident/BEC>

FBI

<https://www.fbi.gov/how-we-can-help-you/safety-resources/scams-and-safety/common-scams-and-crimes/business-email-compromise>

FBI *Internet Crime Complaint Center* [www.ic3.gov](http://www.ic3.gov)

NASAA <https://www.nasaa.org/44848/informed-investor-advisory-cryptocurrencies/>

SEC [www.sec.gov/tcr](http://www.sec.gov/tcr)

FTC [www.ReportFraud.ftc.gov](http://www.ReportFraud.ftc.gov)

CFTC [www.CFTC.gov/complaint](http://www.CFTC.gov/complaint)

## **CONTINUING EDUCATION FOR INVESTMENT ADVISER REPRESENTATIVES**

10) <https://www.nasaa.org/industry-resources/investment-advisers/investment-adviser-representative-continuing-education/>

11) Sign up for FinPro: <https://www.finra.org/registration-exams-ce/finpro>

## **CRYPTOCURRENCY, DIGITAL ASSETS, OPPORTUNITY ZONES, SPACs**

12) NC administrative actions: [https://www.sosnc.gov/divisions/securities/admin\\_action](https://www.sosnc.gov/divisions/securities/admin_action)

13) SEC public statement 2017: <https://www.sec.gov/news/public-statement/statement-clayton-2017-12-11>

14) Spotlight on Initial Coin Offerings: <https://www.sec.gov/ICO>

15) Crypto Assets: <https://www.investor.gov/additional-resources/spotlight/crypto-assets>

16) Digital asset transactions: <https://www.sec.gov/news/speech/speech-hinman-061418>

17) FinHub: <https://www.sec.gov/finhub>

18) HoweyCoins (SEC Investor.gov): <https://www.investor.gov/ico-howeycoins>

19) Howey test: <https://www.coincenter.org/framework-for-securities-regulation-of-cryptocurrencies/>

20) SPACs: <https://www.sec.gov/oiea/investor-alerts-and-bulletins/what-you-need-know-about-spacs-investor-bulletin>

21) Opportunity Zone: <https://www.sosnc.gov/imaging/dime/webportal/53989935.pdf>

22) Opportunity Zone/NASAA-SEC joint statement: <https://www.nasaa.org/51463/nasaa-and-sec-explain-application-of-securities-law-to-opportunity-zone-investments/>

## **DEPT OF LABOR/FIDUCIARY RULE/"Retirement Security" RULE**

- 23) News Release (10-31-2023) <https://www.dol.gov/newsroom/releases/ebsa/ebsa20231031>
- 24) Bulletin: <https://www.dol.gov/agencies/ebsa/employers-and-advisers/guidance/field-assistance-bulletins/2021-02>
- 25) FAQs: <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/faqs/new-fiduciary-advice-exemption.pdf>

## **PRIVACY AND FINANCIAL ABUSE**

- 26) NC Department of Health and Human Services, Division of Aging and Adult Services, Adult Protection Services  
<https://www.ncdhhs.gov/divisions/aging-and-adult-services/adult-protective-services>
- 27) Interagency Guidance re: Financial Abuse: <https://www.sec.gov/news/press/2013/elder-abuse-guidance.pdf>
- 28) FINRA Rule 2165 Financial Exploitation of Adults: <http://www.finra.org/industry/notices/17-11>

## **LIST OF PROFESSIONAL DESIGNATIONS**

<https://www.finra.org/investors/professional-designations>

## **SECURITIES AND EXCHANGE COMMISSION (SEC)**

### **IA Marketing Rule**

- 29) New Marketing Rule: <https://www.sec.gov/rules/final/2020/ia-5653.pdf>
- 30) Graphic of new marketing rule: <https://www.kitces.com/wp-content/uploads/2021/02/Key-Components-Of-The-New-SEC-Advertising-Rule.pdf>
- 31) Good general info: <https://www.kitces.com/blog/sec-marketing-rule-ria-investment-adviser-testimonial-endorsement-promoter-third-party-rating/>
- 32) More good general info: <https://www.kitces.com/blog/sec-marketing-rule-advisers-promoters-solicitors-testimonial-endorsement-referrals/>
- 33) Marketing Compliance FAQs: <https://www.sec.gov/investment/marketing-faq>
- 34) SEC Investor Alert 11/08/22: Investment Adviser Advertising

### **Leveraged/Inverse ETFs**

- 35) <https://www.sec.gov/investor/pubs/leveragedetfs-alert.htm>
- 36) <https://www.sec.gov/news/public-statement/lee-derivatives-2020-10-28>
- 37) <https://www.sec.gov/news/public-statement/gensler-statement-complex-exchange-traded-products-100421>
- 38) Single stock ETFs: <https://www.sec.gov/news/statement/crenshaw-single-stock-etfs-20220711>
- 39) SEC Investor Bulletin: <https://www.sec.gov/investor/pubs/leveragedetfs-alert>

## **Custody**

- 40) SLOA as custody: <https://www.sec.gov/investment/im-guidance-2017-01.pdf>
- 41) SLOA No Action letter: <https://www.sec.gov/divisions/investment/noaction/2017/investment-adviser-association-022117-206-4.htm>
- 42) *Safeguarding Advisory Client Assets* IA-6240
- 43) SEC FAQs re: custody: [https://www.sec.gov/divisions/investment/custody\\_faq\\_030510.htm](https://www.sec.gov/divisions/investment/custody_faq_030510.htm)

## **Division of Investment Management**

- 44) All No Action letters: <https://www.sec.gov/divisions/investment/im-noaction.shtml>
- 45) Withdrawn No-Action letters: <https://www.sec.gov/divisions/investment/im-modified-withdrawn-staff-statements>

## **Division of Examinations**

- 46) <https://www.sec.gov/exams>

## **Investor Alerts**

(US SEC): <https://www.sec.gov/investor/alerts>

(NC Secretary of State):

[https://www.sosnc.gov/online\\_services/securities/investor\\_education\\_booklets](https://www.sosnc.gov/online_services/securities/investor_education_booklets)

- 47) Risk Alert: **Advertising (2/2017)** <https://www.sec.gov/ocie/Article/risk-alert-5-most-frequent-ia-compliance-topics.pdf>
- 48) Risk Alert: **Advertising (9/2017)** <https://www.sec.gov/ocie/Article/risk-alert-advertising.pdf>
- 49) Risk Alert: **Due diligence** <https://www.sec.gov/about/offices/ocie/adviser-due-diligence-alternative-investments.pdf>
- 50) Risk Alert: **ESG Investing** (4/09/21) <https://www.sec.gov/files/esg-risk-alert.pdf>
- 51) Mutual Funds/ETFs: <https://www.sec.gov/reportspubs/investor-publications/investorpubsinwsmfhtm.html>
- 52) Investment Scams in the Metaverse: <https://www.sosnc.gov/imaging/dime/webportal/68505192.pdf>
- 53) Financial Advice via Social Media: The Rise of the “Finfluencer” <https://www.sosnc.gov/imaging/dime/webportal/68223759.pdf>
- 54) Don’t Get Swept Away by a Romance Scam <https://www.sosnc.gov/imaging/dime/webportal/68223728.pdf>
- 55) Does Crypto Threaten Your Investment Accounts? <https://www.sosnc.gov/imaging/dime/webportal/73196591.pdf>
- 56) Seniors’ Guide to Staying Safe Online <https://www.sosnc.gov/imaging/dime/webportal/73198058.pdf>

- 57) Buyer Be Aware: Crypto & Securities  
Scams <https://www.sosnc.gov/imaging/dime/webportal/74914657.pdf>
- 58) Investor Resilience, Crypto Assets, & Sustainable Finance: World Investor Week 2023 Investor Bulletin (9/29/23)  
<https://www.sec.gov/oiea/investor-alerts-and-bulletins/investor-resilience-crypto-assets-and-sustainable-finance-world>

### **Other SEC publications of interest**

- 59) Electronic Media <https://www.sec.gov/rules/interp/34-42728.htm>
- 60) Free lunch seminars Google *SEC free lunch report*
- 61) Fiduciary duty <https://www.sec.gov/news/speech/2012-spch103112cvdhtm>
- 62) Fiduciary duty <https://www.sec.gov/rules/interp/2019/ia-5248.pdf>
- 63) COVID-19 scams <https://www.sec.gov/sec-coronavirus-covid-19-response>
- 64) Speech to Compliance Pros <https://www.sec.gov/news/speech/2012-spch103112cvdhtm>
- 65) Sales Practices/Derivatives <https://www.sec.gov/news/press-release/2019-242>

### **SENIOR-SPECIFIC RESOURCES**

- 66) NASAA initiative for investors and industry re: seniors  
[www.ServeOurSeniors.org](http://www.ServeOurSeniors.org)
- 67) Trusted Contact  
[www.nasaa.org/trusted-contact](http://www.nasaa.org/trusted-contact)
- 68) National Adult Protective Services Association  
[www.napsa-now.org](http://www.napsa-now.org)
- 69) Senior Safe Act Press Release 5/23/19 with other links  
<https://www.sec.gov/news/press-release/2019-75>
- 70) Senior Safe Act Fact Sheet  
<http://www.nasaa.org/wp-content/uploads/2019/05/Senior-Safe-Act-Fact-Sheet.pdf>
- 71) Seniors' Guide to Staying Safe Online  
<https://www.sosnc.gov/imaging/dime/webportal/73198058.pdf>

### **529 PLANS**

- 72) SEC Investor Publications: An Introduction to 529 Plans with other links:  
<https://www.sec.gov/reportspubs/investor-publications/investorpubsintro529htm.html>
- 73) FINRA Fees and Expenses Comparison Tool for 529 Plans:  
[https://tools.finra.org/529\\_calculator/main](https://tools.finra.org/529_calculator/main)

### **COVID SPECIFIC INFO**

- 74) COVID-19 scams-SEC <https://www.sec.gov/oiea/investor-alerts-and-bulletins/watch-out-fake-covid-19-claims-when-investing-investor-alert>

- 75) NASAA Alerts <https://www.nasaa.org/category/investor-education/investor-advisories/>
- 76) US Treasury <https://home.treasury.gov/policy-issues/coronavirus>
- 77) Retirement Plans and IRAs <https://www.irs.gov/newsroom/coronavirus-related-relief-for-retirement-plans-and-iras-questions-and-answers>
- 78) PPP loan and Form U-4 <https://www.finra.org/rules-guidance/key-topics/covid-19/faq#indiv>

## **DISCIPLINARY ACTIONS**

- 79) Theranos: <https://www.sec.gov/news/press-release/2018-41>
- 80) FTX: <https://www.zerohedge.com/political/worse-enron-new-ftx-ceo-slams-unprecedented-failure-corporate-controls>
- 81) Wells Fargo 2/24/20 <https://www.sec.gov/news/press-release/2020-43>
- 82) FINRA Disciplinary Actions Online <https://www.finra.org/industry/finra-disciplinary-actions-online>
- 83) Securities Division administrative actions organized by year  
[https://www.sosnc.gov/divisions/securities/admin\\_action](https://www.sosnc.gov/divisions/securities/admin_action)

## **POLICIES AND PROCEDURES/BUSINESS SUCCESSION**

- 84) P&P and Sample Compliance Grid: <https://www.nasaa.org/wp-content/uploads/2020/07/NASAA-IA-PandP-Model-Rule-and-Sample-Compliance-Grid.pdf>
- 85) General NASAA Model Rules: <https://www.nasaa.org/adopted-model-rule/>

## **CYBERBERSECURITY RESOURCES**

- 86) North Carolina Secretary of State Securities Division Cybersecurity Initiative:  
[https://www.sosnc.gov/divisions/securities/cyber\\_security](https://www.sosnc.gov/divisions/securities/cyber_security)
- 87) US Cybersecurity & Infrastructure Security Agency (CISA): <https://www.cisa.gov/>
- Cybersecurity Training & Exercises: <https://www.cisa.gov/cybersecurity-training-exercises>
  - Resources for Small and Mid-Sized Businesses: <https://www.cisa.gov/uscert/resources/smb>
- 88) National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity: <https://www.nist.gov/cyberframework>
- 89) North American Securities Administrators' (NASAA) "Cybersecurity Checklist for Investment Advisers (2017)": <https://www.nasaa.org/wp-content/uploads/2018/10/NASAA-Cybersecurity-Checklist.pdf>
- 90) Financial Industry Regulatory Authority's (FINRA) "Checklist for a Small Firm's Cybersecurity Program": <https://www.finra.org/rules-guidance/key-topics/cybersecurity#checklist>
- Cybersecurity: <https://www.finra.org/rules-guidance/key-topics/cybersecurity>
  - Compliance Vendor Directory: <https://www.finra.org/compliance-tools/compliance-vendor-directory>
- 91) US Securities and Exchange Commission's (SEC) "Cybersecurity"  
<https://www.sec.gov/spotlight/cybersecurity>
- 92) National Cybersecurity Alliance: <https://staysafeonline.org/>
- "Cybersecure My Business": <https://staysafeonline.org/cybersecure-business/>

- (Video) “Cyber Risk: The Time is Now to Understand Insurance and Risk”:  
<https://staysafeonline.org/resource/cyber-risk-the-time-is-now-to-understand-insurance-and-risk/>

93) Cyber Readiness Institute - “The Cyber Readiness Program”:

<https://cyberreadinessinstitute.org/the-program/>

94) International Organization of Securities Commissions’ (IOSCO) “Cyber Task Force Final Report”:

<https://www.iosco.org/library/pubdocs/pdf/IOSCOPD633.pdf>

## **GOVERNING LAW**

North Carolina Investment Advisers Act: [https://www.sosnc.gov/home/administrative\\_rules](https://www.sosnc.gov/home/administrative_rules)

North Carolina Administrative Code:

<https://www.ncleg.net/gascripts/Statutes/StatutesTOC.pl?Chapter=0078C>