

Kansas Administrative Regulations

Department of Insurance Assistant Commissioner, Securities Division

Article 2.—Filing, Fees and Forms

81-2-1. Forms and adoptions by reference.

(a) Forms. Whenever any of these regulations requires the filing of any of the following forms, the filer shall use the form as issued or approved by the administrator:

(1) Uniform forms:

FORM	TITLE
ADV	Uniform application for investment adviser registration
ADV-W	Notice of withdrawal from registration as investment adviser
BD	Uniform application for broker-dealer registration
BDW	Uniform request for broker-dealer withdrawal
D	Notice of exempt offering of securities
NF	Uniform investment company notice filing
U-1	Uniform application to register securities
U-2	Uniform consent to service of process
U-2A	Uniform form of corporate resolution
U-4	Uniform application for securities industry registration or transfer
U-5	Uniform termination notice for securities industry

registration

U-7 Disclosure document Model accredited investor
exemption uniform notice of transaction

(2) Kansas forms:

FORM	TITLE
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IKE	Notice of reliance on the invest Kansas exemption
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KSC-1	Sales report or renewal application
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KSC-15	Solicitation of interest form for issuers organized or based in Kansas
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(3) SEC forms:

FORM	TITLE
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1-A	Regulation A offering statement under the securities act of 1933
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S-1	Registration statement under the securities act of 1933
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X-17A-5	FOCUS report (financial and operational combined uniform single report)
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(b) Federal statutes. The following federal statutes, as in effect on May 12, 2015, are hereby adopted by reference:

(1) Sections 2, 3, and 17 of the securities act of 1933, 15 U.S.C. §§ 77b, 77c, and 77q;

(2) sections 9, 10, 13, 15, and 15A of the securities exchange act of 1934, 15 U.S.C. §§ 78i, 78j, 78m, 78o, and 78o-3;

(3) sections 203, 204A, 205, and 215 of the investment advisers act of 1940, 15 U.S.C. §§ 80b-3, 80b-4a, 80b-5, and 80b-15; and

(4) sections 3, 5, 8, and 54 of the investment company act of 1940, 15 U.S.C. §§ 80a-3, 80a-5, 80a-8, and 80a-53.

(c) SEC rules and regulations. The following rules and regulations of the securities and exchange commission, as in effect on May 12, 2015, except as otherwise specified, are hereby adopted by reference:

(1) 17 C.F.R. 210.2-02;

(2) rule 134, 17 C.F.R. 230.134;

(3) rule 147, 17 C.F.R. 230.147;

(4) regulation A, 17 C.F.R. 230.251 through 230.263, as amended by 80 fed. reg. 21895-21902 (2015) and effective June 19, 2015;

(5) rules 501, 504, 505, and 506 of regulation D, 17 C.F.R. 230.501, 230.504, 230.505, and 230.506;

(6) rule 8c-1, 17 C.F.R. 240.8c-1;

(7) rule 10b-10, 17 C.F.R. 240.10b-10;

(8) rule 12g3-2(b), 17 C.F.R. 240.12g3-2(b);

(9) rule 15c2-1, 17 C.F.R. 240.15c2-1;

(10) rules 15c3-1, 15c3-1a through 15c3-1g, 15c3-3, and 15c3-3a, 17 C.F.R. 240.15c3-1, 240.15c3-1a through 240.15c3-1g, 240.15c3-3, and 240.15c3-3a;

(11) rules 17a-3, 17a-4, and 17a-5, 17 C.F.R. 240.17a-3, 240.17a-4, and 240.17a-5;

(12) rule 17a-11, 17 C.F.R. 240.17a-11;

(13) regulation M, 17 C.F.R. 242.100 through 242.105;

(14) regulation SHO, 17 C.F.R. 242.200 through 242.204;

(15) regulation FD, 17 C.F.R. 243.100 through 243.103;

(16) regulation S-P, 17 C.F.R. 248.1 through 248.18 and 248.30;

(17) rule 12b-1, 17 C.F.R. 270.12b-1;

(18) rule 204-4, 17 C.F.R. 275.204-4;

(19) rule 205-3, 17 C.F.R. 275.205-3; and

(20) rule 206(4)-1, 17 C.F.R. 275.206(4)-1.

(d) FINRA, NASD, and New York stock exchange rules. The following rules in the "FINRA manual," dated September 2014 and published by the financial industry regulatory authority, inc., are hereby adopted by reference:

(1) NASD "conduct rules" within the series of rules 2300, 2400, 2500, 2700, 2800, 3000, and 3100;

(2) FINRA rules within the series of rules 2100, 2200, 2300, 3100, 3200, 3300, 5100, 5200, and 5300; and

(3) rule 472 of the New York stock exchange, "communications with the public."

(e) Whenever terms within the context of statutes, rules, or documents adopted by reference in these regulations are in conflict with definitions under the act and this regulation, the definition within the statutes, rules, and documents adopted by reference shall apply.

(f) Nothing within these regulations shall be construed to require the SEC, FINRA, or any other regulatory organizations to comply, administer, or enforce the statutes, rules, or policies under their jurisdiction that are adopted by reference under these regulations, or to require the administrator to act on behalf of the SEC, FINRA, or any other regulatory organizations to enforce the statutes, rules, or policies under their jurisdiction.

(Authorized by K.S.A. 17-12a605(a); implementing K.S.A. 17-12a608; effective Jan. 1, 1966; amended, E-70-15, Feb. 4, 1970; amended Jan. 1, 1971; amended, E-77-40, Aug. 12, 1976; amended Feb. 15, 1977; amended, T-86-38, Dec. 11, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-88-29, Aug. 19, 1987; amended May 1, 1988; amended March 25, 1991; amended Oct. 7, 1991; amended April 17, 1995; amended May 31, 1996; amended Dec. 19, 1997; amended Aug. 18, 2006; amended Aug. 12, 2011; amended Jan. 4, 2016.)

***** Authenticated Kansas Administrative Regulation *****