

Information Notice

Extension of Current Rate for Fees Paid Under Section 31 of the Exchange Act

Executive Summary

Since October 1, 2012, the SEC has been operating under a continuing resolution for fiscal year 2013. As such, the Section 31 rate applicable to specified securities transactions on the exchanges and in the over-the-counter market will remain at \$22.40 per million dollars until the SEC's regular fiscal budget is approved and firms are advised of the final date for implementing a rate change.

Finance-related questions should be directed to Sheila Gregory, Accounting Manager, Finance, at (240) 386-5388.

Legal and interpretive questions should be directed to Brant Brown, Associate General Counsel, at (202) 728-6927.

Background and Discussion

As announced by the Securities and Exchange Commission (SEC) in [Fee Rate Advisory #2 for Fiscal Year \(FY\) 2013](#), the SEC is operating under a continuing resolution through March 27, 2013. The Fee Rate Advisory specifies that the fee paid under Section 31 of the Securities Exchange Act of 1934 (Exchange Act) will remain at the current rate of \$22.40 per million.

Under the Dodd-Frank Wall Street Reform and Consumer Protection Act, the SEC will be required to publish a revised fee rate 30 days after the SEC's regular appropriation for FY 2012 is enacted, and this new fee rate will become effective 60 days after the appropriation is enacted. Until this time, the Section 31 fee rate will remain at the current rate of \$22.40 per million.

FINRA obtains its Section 31 fees from member firms, in accordance with Section 3 of Schedule A to the By-Laws. Section 3 specifies that the amount assessed on firms will be determined periodically in accordance with Section 31 of the Exchange Act.

November 26, 2012

Suggested Routing

- ▶ Compliance
- ▶ Legal
- ▶ Trading

Key Topic

- ▶ Section 31 Fee
- ▶ Regulatory Transaction Fee

Referenced Rules & Notices

- ▶ Section 3 of Schedule A to the By-Laws
- ▶ Section 31 of the Securities Exchange Act of 1934

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