

Information Notice

New Rate for Fees Paid Under Section 31 of the Exchange Act

Effective Date: January 21, 2011

Executive Summary

Effective January 21, 2011, the Section 31 fee rate applicable to specified securities transactions on the exchanges and in the over-the-counter markets will increase from its current rate of \$16.90 per million dollars in transactions to a new rate of \$19.20 per million dollars in transactions.

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, Office of General Counsel, at (202) 728-6927.

Discussion

On December 22, 2010, the Securities and Exchange Commission (SEC) announced in [Fee Rate Advisory #5](#) for Fiscal Year (FY) 2011 that President Obama signed a continuing resolution (H.R. 3082) that will fund federal agencies, including the SEC, for approximately two months. The continuing resolution stipulates that it shall be deemed the SEC's "regular appropriation" for FY 2011, and therefore will trigger changes in the rate of fees collected by the SEC. Effective January 21, 2011, the Section 31 fee rate applicable to specified securities transactions on the exchanges and in the over-the-counter markets will increase from its current rate of \$16.90 per million dollars in transactions to a new rate of \$19.20 per million dollars in transactions. Until that date, the current rate of \$16.90 per million dollars will remain in effect.

January 6, 2011

Suggested Routing

- ▶ Compliance
- ▶ Legal
- ▶ Trading

Key Topic

- ▶ Section 31 Fees

Referenced Rules & Notices

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

The SEC is required to adjust the filing and securities transaction fee rates on an annual basis, after consultation with the Congressional Budget Office and the Office of Management and Budget. More information is in the [SEC's April 29, 2010](#), order regarding the fee rates for FY 2011.

The SEC will issue further notices as appropriate, and the notices will be posted on the SEC's website at www.sec.gov.

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