

Information Notice

Mid-Year Rate Adjustment for Fees Paid Under Section 31 of the Exchange Act

Effective Date: April 1, 2010

Executive Summary

The SEC is making a mid-year rate adjustment to the fee rates applicable under Section 31 of the Securities Exchange Act of 1934. Effective April 1, 2010, the Section 31 fee rate applicable to specified securities transactions on the exchanges and in the over-the-counter markets will increase from \$12.70 per million dollars to \$16.90 per million dollars. This fee rate remains in place until further notice.

- **Finance-related questions should be directed to:**
Sheila Gregory, Accounting Manager, Finance, at (240) 386-5388.
- **Legal and interpretive questions should be directed to:**
Kathleen O'Mara, Associate General Counsel, Office of Oversight
Liaison and Counsel, at (240) 386-5309.

Background and Discussion

On March 1, 2010, the Securities and Exchange Commission (SEC) announced in Fee Rate Advisory #5 for Fiscal Year (FY) 2010 that the current Section 31 Fee Rate is being increased. Specifically, effective April 1, 2010, the new Section 31 fee rate increases from \$12.70 per million dollars to \$16.90 per million dollars on the aggregate dollar amount of sales of specified securities transactions on the exchanges and in the over-the-counter markets.

The SEC will announce the new fee rates for FY 2011 no later than April 30, 2010. The 2011 fee rates will become effective October 1, 2010, or 30 days after the SEC's FY 2011 appropriation is enacted, whichever is later.

March 10, 2010

Suggested Routing

- Compliance
- Legal
- Trading

Key Topics

- Section 31 Fee

Referenced Rules & Notices

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

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 Act.

A copy of the SEC's March 1, 2010, order regarding fee rates for FY 2010 is available at www.sec.gov/rules/other/2010/34-61605.pdf.