

Information Notice

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

Effective Date: February 21, 2012

Executive Summary

Effective February 21, 2012, the Section 31 fee rate applicable to specified securities transactions on the exchanges and in the over-the-counter markets will decrease from its current rate of \$19.20 per million dollars in transactions to a new rate of \$18.00 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 January 20, 2012, the Securities and Exchange Commission (SEC) announced in [Fee Rate Advisory #5](#) for Fiscal Year (FY) 2012, effective February 21, 2012, that the Section 31 fee rate applicable to specified securities transactions on the exchanges and in the over-the-counter markets will decrease from its current rate of \$19.20 per million dollars in transactions to a new rate of \$18.00 per million dollars in transactions. Until that date, the current rate of \$19.20 per million dollars will remain in effect.

Please note that the fee rates for FY 2012 previously announced by the SEC on May 2, 2011, did not become effective. As stated in that announcement, those fee rates would not become effective if, as was the case, a regular appropriation to the SEC for fiscal year 2012 was not enacted by October 1, 2011. Instead, the SEC has issued revised fee rates in accordance with the amendments to Section 31 of the Exchange Act made by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

February 3, 2012

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

Section 31 of the Exchange Act requires the SEC to annually adjust the fee rates applicable under Section 31, and in some circumstances, to also make a mid-year adjustment, after consultation with the Congressional Budget Office and the Office of Management and Budget. See the [SEC's January 20, 2012, order](#) for more information about the fee rates for FY 2012.

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 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.