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(c) Such applications shall be on paper no larger 8 1/2 × 11 inches in size. If reduction of large documents would render them illegible, such documents may be filed on paper larger than 8 1/2 × 11 inches in size. The left margin shall be at least 1 1/2 inches wide and if the application is bound, it shall be bound on the left side.

(d) The application shall be typed, printed, copied, or prepared by a process which produces copies suitable for repeated photocopying and microfilming. All typewritten or printed matter shall be set forth in black ink to permit photocopying. If printed, the application shall be in type not smaller than 10-point, roman type, at least two points leaded.

(e) Rules 7a–28 through 7a–32 (§§ 260.7a–28 through 260.7a–32 of this chapter) relating to incorporation by reference shall be applicable to applications for exemption pursuant to section 304(d) of the Act.

[56 FR 22319, May 15, 1991]


Any trust indenture filed in connection with offerings on a registration statement on Form S–1, (§239.1 of this chapter) F–7, F–8, F–9, F–10 or F–80 (§§ 239.37 through 239.41 of this chapter) shall be exempt from the operation of sections 310(a)(3) and 310(a)(4), sections 310(b), through 310(a), and sections 316(c) through 318(a) of the Act; provided that the trust indenture is subject to:

(a) The Canada Business Corporations Act, R. C. 1985;

(b) The Bank Act, R. C. 1985;

(c) The Business Corporations Act, 1982 (Ontario), S. O. 1982; or

(d) The Company Act, R.S.B.C. 1979, C. 59.


§ 260.4d–10 Exemption for securities issued pursuant to § 230.802 of this chapter.

Any debt security, whether or not issued under an indenture, is exempt from the Act if made in compliance with §230.802 of this chapter.

[64 FR 61406, Nov. 10, 1999]

§ 260.4d–11T Temporary exemption for eligible credit default swaps offered and sold in reliance on Securities Act of 1933 Rule 239T (§ 230.239T).

Any eligible credit default swap (as defined in Rule 239T of this chapter, 17 CFR 230.239T), whether or not issued under an indenture, is exempt from the Act if offered and sold in reliance on Rule 239T of this chapter. This temporary rule will expire on April 16, 2012.


Effective Date Note: At 74 FR 3975, Jan. 22, 2009, §260.4d–11T was added, effective January 22, 2009 through September 25, 2009. At 74 FR 47719, Sept. 17, 2009, the effective date was extended to November 30, 2010. At 75 FR 72664, Nov. 26, 2010, the effective date was extended to July 16, 2011. At 76 FR 40229, July 8, 2011, the effective date was extended to April 16, 2012.


Any security-based swap and sold in reliance on Rule 240 of this chapter (17 CFR 230.240), whether or not issued under an indenture, is exempt from the Act. This rule will expire on the compliance date for final rules that the Commission may adopt further defining both the terms security-based swap and eligible contract participant. In