

§ 107.20

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107.1590 Special rules for companies licensed on or before March 31, 1993.

FUNDING LEVERAGE BY USE OF SBA-GUARANTEED TRUST CERTIFICATES ("TCS")

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MISCELLANEOUS

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AUTHORITY: 15 U.S.C. 681, 683, 687(c), 687b, 687d, 687g, 687m.

SOURCE: 61 FR 3189, Jan. 31, 1996, unless otherwise noted.

Subpart A—Introduction to Part 107

§ 107.20 Legal basis and applicability of this part 107.

(a) The regulations in this part implement Title III of the Small Business Investment Act of 1958, as amended. All Licensees must comply with all applicable regulations, accounting guidelines and valuation guidelines for Licensees.

(b) Provisions of this part which are not mandated by the Act shall not supersede existing State law. A party claiming that a conflict exists shall submit an opinion of independent counsel, citing authorities, for SBA's resolution of the issues involved.

§ 107.30 Amendments to Act and regulations.

A Licensee shall be subject to all existing and future provisions of the Act and parts 107 and 112 of title 13 of the Code of Federal Regulations.

§ 107.40 How to read this part 107.

(a) *Center Headings*. All references in this part to SBA forms, and instructions for their preparation, are to the current issue of such forms. Center headings are descriptive and are used for convenience only. They have no regulatory effect.

(b) *Capitalizing defined terms*. Terms defined in §107.50 are capitalized in this part 107.

(c) The pronoun "you" as used in this part 107 means a Licensee or license applicant, as appropriate, unless otherwise noted.

Subpart B—Definition of Terms Used in Part 107

§ 107.50 Definition of terms.

Accumulated Prioritized Payments has the meaning set forth in §107.1520.

Act means the Small Business Investment Act of 1958, as amended.

Adjustments has the meaning set forth in §107.1520.