

trustee all reports required to be filed with the Commission pursuant to Sec-

tion 13 or Section 15(d) of the Securities Exchange Act of 1934.

[67 FR 13538, Mar. 22, 2002, as amended at 76 FR 71877, Nov. 21, 2011]

PART 261—INTERPRETATIVE RELEASES RELATING TO THE TRUST INDENTURE ACT OF 1939 AND GENERAL RULES AND REGULATIONS THEREUNDER

Subject	Release No.	Date	Fed. Reg. Vol. and Page
Opinion of the General Counsel relating to application of section 310(b) where trustee under one indenture is trustee under another indenture for securities of an affiliate of the obligor.	16	Nov. 14, 1941	11 FR 10989.
Opinion of the Chief Counsel to the Corporation Finance Division relating to when-issued trading of securities the issuance of which is subject to approval by a Federal district court under Chapter X of the Bankruptcy Act.	30	Aug. 28, 1944	Do.
Opinion of the Chief Counsel to the Corporation Finance Division relating to when-issued trading of securities the issuance of which has already been approved by a Federal district court under Chapter X of the Bankruptcy Act.	31	Jan. 4, 1945	11 FR 10990.
Interpretation with reference to the securities of the International Bank for Reconstruction and Development.	37	June 25, 1947	12 FR 4450.
Statement of the Commission to clarify the meaning of "beneficial ownership of securities" as relates to beneficial ownership of securities held by family members.	227	Jan. 25, 1966	31 FR 1005.
Statement of the Commission setting the date of May 1, 1966 after which filings must reflect beneficial ownership of securities held by family members.	229	Feb. 14, 1966	31 FR 3175.
Commissions statement re exemption of certain industrial revenue bonds from registration, etc. requirements in view of amendment of Securities Act of 1933 and of Securities Exchange Act of 1934 by "section 401" (Pub. L. 91-1037).	284	Nov. 6, 1970	35 FR 17990.
Publication of the Commission's procedure to be followed if requests are to be met for no action or interpretative letters and responses thereto to be made available for public use.	289	Jan. 25, 1971	36 FR 2600.
Offerings of debt securities pursuant to trust indentures	524	Apr. 25, 1979	44 FR 26739.
No-action position respecting public offerings of debt securities registered on Form SB-2 without qualification of an indenture under the Trust Indenture Act.	542	Oct. 16, 1979	44 FR 61941.
Simplified form of trust indenture	605	Jan. 8, 1981	46 FR 3500.
Retail repurchase agreements by banks and Savings and Loan Associations	658	Sept. 25, 1981	46 FR 48637.
Application of the registration provisions of the Securities Act of 1933 to the offer and sale of securities by United States branches and agencies of foreign banks.	2038	Sept. 23, 1986	51 FR 34462.

PART 269—FORMS PRESCRIBED UNDER THE TRUST INDENTURE ACT OF 1939

Sec.

- 269.0-1 Availability of forms.
- 269.1 Form T-1, for statement of eligibility and qualification for corporate trustees.
- 269.2 Form T-2, for statement of eligibility and qualification for individual trustees.
- 269.3 Form T-3, for application for qualification of trust indentures.
- 269.4 Form T-4, for application for exemption pursuant to section 304(c) of the Act.
- 269.5 Form F-X, for appointment of agent for service of process by issuers registering securities on Form F-8, F-9, F-10 or F-80 (§§ 239.38, 239.39, 239.40 or 239.41 of this chapter), or registering securities or filing periodic reports on Form 40-F (§ 249.240f of this chapter), or by any

- issuer or other non-U.S. person filing tender offer documents on Schedule 13E-4F, 14D-1F or 14D-9F (§§ 240.13e-102, 240.14d-102 or 240.14d-103 of this chapter), or by any non-U.S. person acting as trustee with respect to securities registered on Form F-7 (§ 239.37 of this chapter), F-8, F-9, F-10 or F-80.
- 269.6 [Reserved]
- 269.7 Form ID, uniform application for access codes to file on EDGAR.
- 269.8 Form SE, form for submission of paper format exhibits by electronic filers.
- 269.9 Form T-6 for application under section 310(a)(1) of the Trust Indenture Act for determination of the eligibility of a foreign person to act as institutional trustee.
- 269.10 Form TH—Notification of reliance on temporary hardship exemption.

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AUTHORITY: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, and 78ll(d), unless otherwise noted.

SOURCE: 33 FR 19002, Dec. 20, 1968, unless otherwise noted.

§ 269.0-1 Availability of forms.

(a) This part identifies and describes the forms prescribed for use under the Trust Indenture Act of 1939.

(b) Any person may obtain a copy of any form prescribed for use in this part by written request to the Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549. Any person may inspect the forms at this address and at the Commission's regional offices. (See § 200.11 of this chapter for the addresses of SEC regional offices.)

[46 FR 17757, Mar. 20, 1981, as amended at 47 FR 26820, June 22, 1982; 59 FR 5946, Feb. 9, 1994; 73 FR 983, Jan. 4, 2008]

§ 269.1 Form T-1, for statement of eligibility and qualification for corporate trustees.

This form shall be filed pursuant to Rule 5a-1(a) (§ 260.5a-1(a) of this chapter) for statements of eligibility and qualification of corporations designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939.

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form T-1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.2 Form T-2, for statement of eligibility and qualification for individual trustees.

This form shall be filed pursuant to Rule 5a-1(b) (§ 260.5a-1(b) of this chapter) for statements of eligibility and qualification of individuals designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939. Under sections 307, 308, 309, 310 and 319 of the Trust Indenture Act of 1939 (17 CFR part 260), the Commission is authorized to solicit the information required to be supplied by this form for statements of eligibility and qualification of individuals designated to act as trustees. Disclosure of the in-

formation specified in this form is mandatory before processing statements of eligibility and qualification. The information will be used for the primary purpose of determining relationships of trustees and whether there are any conflicting interests. This statement will be made a matter of public record. Therefore, any information given will be available for inspection by any member of the public. Because of the public nature of the information, the Commission can utilize it for a variety of purposes, including referral to other governmental authorities or securities self-regulatory organizations for investigatory purposes or in connection with litigation involving the Federal securities laws or other civil, criminal or regulatory statutes or provisions. Failure to disclose the information requested by this form may result in enforcement action by the Commission to compel compliance with the Federal securities laws.

[40 FR 55320, Nov. 28, 1975, as amended at 62 FR 35342, July 1, 1997]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form T-2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.3 Form T-3, for application for qualification of trust indentures.

This form shall be filed pursuant to Rule 7a-1 (§ 260.7a-1 of this chapter) for applications for qualification of indentures pursuant to section 307(a) of the Trust Indenture Act of 1939, but only when securities to be issued thereunder are not required to be registered under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*).

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form T-3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.4 Form T-4, for application for exemption pursuant to section 304(c) of the Act.

This form shall be filed pursuant to Rule 4c-1 (§ 260.4c-1 of this chapter) for applications for exemption filed pursuant to section 304(c) of the Trust Indenture Act of 1939.

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EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form T-4, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.5 Form F-X, for appointment of agent for service of process by issuers registering securities on Form F-8, F-9, F-10 or F-80 (§§ 239.38, 239.39, 239.40 or 239.41 of this chapter), or registering securities or filing periodic reports on Form 40-F (§ 249.240f of this chapter), or by any issuer or other non-U.S. person filing tender offer documents on Schedule 13E-4F, 14D-1F or 14D-9F (§§ 240.13e-102, 240.14d-102 or 240.14d-103 of this chapter), or by any non-U.S. person acting as trustee with respect to securities registered on Form F-7 (§ 239.37 of this chapter), F-8, F-9, F-10 or F-80.

Form F-X shall be filed with the Commission:

(a) By any issuer registering securities on Form F-8, F-9, F-10 or F-80 under the Securities Act of 1933;

(b) By any issuer registering securities on Form 40-F under the Securities Exchange Act of 1934;

(c) By any issuer filing a periodic report on Form 40-F, if it has not previously filed a Form F-X in connection with the class of securities in relation to which the obligation to file a report on Form 40-F arises;

(d) By any issuer or other non-U.S. person filing tender offer documents on Schedule 13E-4F, 14D-1F or 14D-9F; and

(e) By non-U.S. person acting as trustee with respect to securities registered on Form F-7, F-8, F-9, F-10 or F-80.

[56 FR 30078, July 1, 1991]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form F-X, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.6 [Reserved]

§ 269.7 Form ID, uniform application for access codes to file on EDGAR.

Form ID must be filed by registrants, third party filers, or their agents, to request the following access codes to permit filing on EDGAR:

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(a) Central Index Key (CIK)—uniquely identifies each filer, filing agent, and training agent.

(b) CIK Confirmation Code (CCC)—used in the header of a filing in conjunction with the CIK of the filer to ensure that the filing has been authorized by the filer.

(c) Password (PW)—allows a filer, filing agent or training agent to log on to the EDGAR system, submit filings, and change its CCC.

(d) Password Modification Authorization Code (PMAC)—allows a filer, filing agent or training agent to change its Password.

[69 FR 22710, Apr. 26, 2004, as amended at 86 FR 25805, May 11, 2021]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form ID, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.8 Form SE, form for submission of paper format exhibits by electronic filers.

This form shall be used by an electronic filer for the submission of any paper format document relating to an otherwise electronic filing, as provided in Rule 311 of Regulation S-T (§ 232.311 of this chapter).

[58 FR 14687, Mar. 18, 1993]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form SE, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.9 Form T-6 for application under section 310(a)(1) of the Trust Indenture Act for determination of the eligibility of a foreign person to act as institutional trustee.

This form shall be used for the filing of an application pursuant to rule 10a-1 [§ 260.10a-1 of this chapter] to obtain authorization for a corporation or other person organized and doing business under the laws of a foreign government to act as sole trustee under an indenture qualified or to be qualified under the Act.

[56 FR 22321, May 15, 1991]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form T-6, see the List of CFR Sections Affected, which appears in the

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Finding Aids section of the printed volume and at www.govinfo.gov.

§ 269.10 Form TH—Notification of reliance on temporary hardship exemption.

Form TH shall be filed by any electronic filer who submits to the Commission, pursuant to a temporary hardship exemption, a document in paper format that otherwise would be required to be submitted electronically, as prescribed by Rule 201(a) of Regulation S-T (§ 232.201(a) of this chapter).

[58 FR 14687, Mar. 18, 1993]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form TH, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

Sec.

- 270.0-1 Definition of terms used in this part.
- 270.0-2 General requirements of papers and applications.
- 270.0-3 Amendments to registration statements and reports.
- 270.0-4 Incorporation by reference.
- 270.0-5 Procedure with respect to applications and other matters.
- 270.0-8 Payment of filing fees.
- 270.0-9 [Reserved]
- 270.0-10 Small entities under the Investment Company Act for purposes of the Regulatory Flexibility Act.
- 270.0-11 Customer identification programs.
- 270.2a-1 Valuation of portfolio securities in special cases.
- 270.2a-2 Effect of eliminations upon valuation of portfolio securities.
- 270.2a3-1 Investment company limited partners not deemed affiliated persons.
- 270.2a-4 Definition of “current net asset value” for use in computing periodically the current price of redeemable security.
- 270.2a-5 Fair value determination and readily available market quotations.
- 270.2a-6 Certain transactions not deemed assignments.
- 270.2a-7 Money market funds.
- 270.2a19-2 Investment company general partners not deemed interested persons.
- 270.2a19-3 Certain investment company directors not considered interested persons because of ownership of index fund securities.
- 270.2a41-1 Valuation of standby commitments by registered investment companies.

- 270.2a-46 Certain issuers as eligible portfolio companies.
- 270.2a51-1 Definition of investments for purposes of section 2(a)(51) (definition of “qualified purchaser”); certain calculations.
- 270.2a51-2 Definitions of beneficial owner for certain purposes under sections 2(a)(51) and 3(c)(7) and determining indirect ownership interests.
- 270.2a51-3 Certain companies as qualified purchasers.
- 270.3a-1 Certain prima facie investment companies.
- 270.3a-2 Transient investment companies.
- 270.3a-3 Certain investment companies owned by companies which are not investment companies.
- 270.3a-4 Status of investment advisory programs.
- 270.3a-5 Exemption for subsidiaries organized to finance the operations of domestic or foreign companies.
- 270.3a-6 Foreign banks and foreign insurance companies.
- 270.3a-7 Issuers of asset-backed securities.
- 270.3a-8 Certain research and development companies.
- 270.3a-9 Crowdfunding vehicle.
- 270.3c-1 Definition of beneficial ownership for certain section 3(c)(1) funds.
- 270.3c-2 Definition of beneficial ownership in small business investment companies.
- 270.3c-3 Definition of certain terms used in section 3(c)(1) of the Act with respect to certain debt securities offered by small business investment companies.
- 270.3c-4 Definition of “common trust fund” as used in section 3(c)(3) of the Act.
- 270.3c-5 Beneficial ownership by knowledgeable employees and certain other persons.
- 270.3c-6 Certain transfers of interests in section 3(c)(1) and section 3(c)(7) funds.
- 270.5b-1 Definition of “total assets.”
- 270.5b-2 Exclusion of certain guarantees as securities of the guarantor.
- 270.5b-3 Acquisition of repurchase agreement or refunded security treated as acquisition of underlying securities.
- 270.6a-5 Purchase of certain debt securities by companies relying on section 6(a)(5) of the Act.
- 270.6b-1 Exemption of employees’ securities company pending determination of application.
- 270.6c-3 Exemptions for certain registered variable life insurance separate accounts.
- 270.6c-6 Exemption for certain registered separate accounts and other persons.
- 270.6c-7 Exemptions from certain provisions of sections 22(e) and 27 for registered separate accounts offering variable annuity contracts to participants in the Texas Optional Retirement Program.