

# Registered Investment Adviser Compliance Training Seminar

*Comprehensive training program for individuals performing  
compliance activities for registered investment advisers*



# Registered Investment Adviser Compliance Training Seminar

May 3 – 4, 2010

Sheraton New York Hotel & Towers  
New York, NY



## Monday – May 3, 2010

8:00 a.m. – 9:00 a.m.

### **Workshop Registration & Continental Breakfast**

9:00 a.m. – 10:00 a.m.

### **Investment Adviser Regulatory Overview**

- Detailed overview of the regulatory framework for registered investment advisers, starting with the Investment Advisers Act of 1940.
- Establishing the foundation for other modules covered during the workshop.

10:15 a.m. – 12:00 p.m.

### **Portfolio Management & Trading Practices**

- Overview of fiduciary duty concepts, including best execution obligations and allocation considerations with respect to routine investments and initial public offerings.
- Coverage of soft dollar requirements with respect to trading, disclosures, types of services received, and logistical arrangements for the receipt of soft dollar research.
- Review of affiliated transaction restrictions, prohibitions, and disclosure obligations.
- **Case study review of SEC enforcement themes in this area.**
- Review of common back-end compliance monitoring methods.

12:00 p.m. – 1:00 p.m.

### **Lunch**

**Lunch will be provided on both days of the Workshop.**

1:00 p.m. – 3:15 p.m.

### **Marketing Practices & Performance Presentations**

- Detailed review of the requirements and restrictions set forth in the Investment Advisers Act with respect to marketing.
- Coverage of SEC no-action letters relating to performance presentations, predecessor track records, past-specific investment information, client reference lists, and other practices.
- Review of common problems with adviser marketing materials and recent Enforcement actions.
- Discussion of standard vs. non-standard performance calculations and volatility measurements.
- **This module will employ “real-life” case studies to demonstrate practical applications of regulatory requirements.**

3:30 p.m. – 4:30 p.m.

### **Form ADV and Other Required Filings**

- Overview of the items contained in Parts I & II of Form ADV, including common areas of omission.
- Review of specific disclosures in the Form ADV, including fee disclosures and information regarding brokerage practices, affiliated transactions, and a number of other topics.
- Review periodic and “as-needed” filings, including Schedules 13G, 13D, and 13F, and potential filing requirements with other regulatory bodies.

4:30 p.m. – 5:00 p.m.

### **Functional Custody Requirements**

- Overview of custody definition – determining when you should check “yes” to the custody question.
- Detailed coverage of custody requirements, including “qualified custodian” review and periodic audit requirements.
- Review common elements of asset safeguarding policies and procedures, including common problems and control points.





## Tuesday – May 4, 2010

8:00 a.m. – 9:00 a.m.

### **Continental Breakfast**

9:00 a.m. – 10:15 a.m.

### **Code of Ethics Requirements & Best Practices**

- Overview of IA Code of Ethics requirements, including trade data collection and monitoring, gift policy and procedures, restricted lists of securities, and other obligations.
- Detailed discussion of functional issues with respect to Code implementation and ongoing maintenance.
- Understanding the concepts of “material” and “nonpublic” with respect to securities information and the steps to take when analysts and traders have access to material, nonpublic information.

10:30 a.m. – 12:00 p.m.

### **IA Books and Records Requirements**

- Overview of the books and records requirements set forth in the Investment Advisers Act.
- Detailed review of required elements of specific books and records, including trading and portfolio management, marketing, and operations.
- Coverage of common SEC books and records deficiency comments.
- **Includes detailed discussion of email retention and review requirements as well as functional approaches.**

12:00 p.m. – 1:15 p.m.

### **Lunch**

1:15 p.m. – 2:30 p.m.

### **Compliance Program Requirements**

- Coverage of the SEC’s compliance program requirements, including areas for which policies and procedures are expected, the role of the CCO, and the scope of annual reviews.
- Discussion of common development errors and typical gaps found in compliance programs.
- Detailed review of forensic testing methods for key compliance risks points.

2:30 p.m. – 3:30 p.m.

### **Other Compliance Considerations**

- Discussion of disclosure and reporting requirements in other discreet areas, including proxy voting, anti-money laundering, and regulation S-P privacy requirements.
- Coverage of portfolio valuation issues, including “fair valuation” considerations, standard vs. nonstandard valuation methodologies, and valuation documentation processes.
- Other areas as may be necessary or warranted in light of participant questions throughout the Workshop.

3:45 p.m. – 4:45 p.m.

### **Managing an SEC Examination**

- Overview of the SEC examination process and practical tips to assist in avoiding problems during an SEC examination.
- Review of most common areas cited by examiners in deficiency letters and those most often referred to Enforcement.
- Responding appropriately to SEC deficiency letters.
- **Each participant will receive a sample SEC request list.**

4:45 p.m. – 5:00 p.m.

### **Closing Comments**

## Hotel Information

### **Sheraton New York Hotel & Towers**

811 Seventh Avenue • New York, NY 10019

Phone: (212) 581-1000 • Toll Free: (888) 627-7067

## Accommodations

A limited number of rooms are available at a negotiated rate of \$199 per night. Rooms at the discounted rate will be provided on a first-come, first-serve basis. Please call (888) 627-7067 to book your hotel reservations. When booking your accommodations, please reference the D.E. Scott Training Seminar.

## Registration Information

Please complete and mail or fax the enclosed registration form to reserve your seat. Registration forms are due no later than Monday, April 19, 2010. Payment must accompany all registration forms.

The registration fee for this event is \$1,195. The fee for this Seminar includes a continental breakfast, lunch and coffee breaks on each day of the event. Discounted fees are available for three or more attendees from the same organization.

If you need to cancel for any reason, please notify Lucille Horkan via email at [LHorkan@descott.com](mailto:LHorkan@descott.com) or by fax at (646) 390-7868. You will receive a full refund if your cancellation request is made more than 14 days prior to the program start date. If you cancel within 1–14 days of the program start date, your payment amount will be refunded to you less a \$200 cancellation fee. Cancellations made after the program begins are non-refundable. Of course, you may transfer your registration to another person prior to the start of the program.

D.E. Scott & Associates, LLC, reserves the right to change speakers or reschedule/cancel sessions when necessary. We are not responsible for airfare penalties that may be incurred due to cancellation of this program.

**If you have any questions, please contact Lucille Horkan at (646) 415-8159 or by email at [LHorkan@descott.com](mailto:LHorkan@descott.com)**

## Workshop Instructors



**David E. Scott** is the Managing Member and Senior Consultant for D.E. Scott & Associates. Mr. Scott started his career in 1995 as a Securities Compliance Examiner with the Boston Regional Office of the U.S. Securities & Exchange Commission (SEC), where he conducted and managed regulatory examinations of investment advisers, hedge funds, mutual funds, and transfer agents. Since his service with the SEC, Mr. Scott has provided compliance services to a variety of investment management organizations, serving in both internal and advisory capacities. Most recently, Mr. Scott served as the Chief Compliance Officer for a premier hedge fund manager with offices in Greenwich (CT), London, Tokyo, and Frankfurt.

Mr. Scott has also provided training on a variety of compliance topics to industry participants and SEC regulators, and has been asked to provide input on topical compliance issues for a number of publications, including the *Journal of Investment Compliance* and the *Compliance Reporter*.



**Kenneth C. Karcher** serves as a Director and Senior Consultant for D.E. Scott & Associates. Mr. Karcher offers over thirty years of investment management industry experience and has served in a variety of roles, including ten years as a Senior Examiner with the SEC's Boston Regional Office. During his tenure with the SEC, Mr. Karcher managed the field examinations of a large number of mutual funds, investment advisers, and fund transfer agents, and played a significant role in the training and development of SEC staff members currently serving in senior examination capacities. In his current role, Mr. Karcher's regulatory and industry experiences are integrated into many of our service offerings, including our

mock-SEC examination services and our compliance program development packages.

**REGISTRATION FORM****Registered Investment Adviser  
Compliance Training Seminar**

May 3-4, 2010

Sheraton New York Hotel &amp; Towers

New York, NY

**Mail or Fax Registration Forms to:**

Attention: Lucille Horkan

D.E. Scott &amp; Associates, LLC

521 Fifth Avenue, Suite 1700

New York, NY 10175

Fax: 646-390-7868

**Registration Fee**

Registration Fee: \$1,195

**Registration/Payment Deadlines**

Please complete and mail or fax this registration form to reserve your seat. Registration forms are due no later than **April 19, 2010**. A check should accompany all registration forms unless the "Credit Card" option is chosen.

**Team Discounts**

Teams of three or more from the same organization, registering at the same time, can take an additional \$200 off each registration fee. You must register your entire group at the same time, or you will not receive the discount.

**Hotel Information**

Sheraton New York Hotel &amp; Towers

811 Seventh Avenue

New York, NY 10019

*Hotel reservations should be made by individual attendees by calling 888-627-7067 or 212-581-1000.*

*When calling please reference the D.E. Scott Training Seminar.*

**Attendee Information**

First Name	M.I.	Last Name
Title		
Company		
Street Address		Suite/Floor
City	State	Zip
Telephone		E-mail Address

Payment Enclosed ☐Credit Card Option ☐**Credit Card Payment Information**

Credit Card Type	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	<input type="checkbox"/> Discover	<input type="checkbox"/> American Express
Name on Account				
Billing Address				
City	State	Zip		
Credit Card Number			Expiration	

If you have any questions, please contact Lucille Horkan at (646) 415-8159 or by email at [lhorkan@descott.com](mailto:lhorkan@descott.com).

*To learn more about D.E. Scott & Associates, LLC, please visit our website at [www.descott.com](http://www.descott.com).*