

## AMENDED EMERGENCY NOTICE

### *I. Temporary Relief from Signature and Notarization Requirements in Corporate Finance Filings*

### *II. Temporary Relief for Registered Financial Professionals During the COVID-19 Outbreak*

Given the disruptions caused by the COVID-19 outbreak and dislocations affecting: (i) applicants for securities registration, persons making securities exemption filings, persons making securities notice filings, and persons filing consent to service of process forms and related corporate resolutions (collectively, “corporate finance filers”) and (ii) broker-dealers, investment advisers, federal covered advisers, and their registered agents or investment adviser representatives (collectively, “financial professionals”), the Massachusetts Securities Division issued an amended Emergency Notice to grant the relief below pending the duration of the amended Emergency Notice. The Division is issuing this amended Emergency Notice based on the authority granted to the Division by the Secretary of the Commonwealth’s extended Emergency Order dated April 30, 2021 (the “Order”).

**Please note that this amended Emergency Notice no longer includes some of the accommodations that the Division’s previous Emergency Notices have covered, such as the temporary waiver of notarizations in connection with Corporate Finance filings, the relief from submitting a notarized CORI form in connection with an application for investment adviser registration, the relief from annual update filings and document delivery for investment advisers, or the relief from the requirement to obtain physical signatures on Forms U4.<sup>1</sup> Please review the entire amended Emergency Notice to determine what relief may be available to you.**

#### **I. Corporate Finance Filings**

- The Division will accept only manual or electronic signatures for securities registration applications, exemption filings, securities notice filings, and consent to service of process forms and related corporate resolutions. Where signatures are required, the Division will accept: (i) evidence of electronic signatures or (ii) copies of signed documents, including .pdf copies.
- The Division will accept in-person or remote notarizations of forms used in connection with securities registration applications, exemption filings, securities notice filings, and consent to service of process forms and related corporate resolutions, including Forms U-1, U-2, and U-2A.

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<sup>1</sup> Please note that effective February 23, 2021, FINRA Rule 1010(c) was amended to allow firms to rely on applicants’ electronic signatures to satisfy the rule’s signature requirements. Accordingly, the Division finds that relief in this area is no longer necessary.

## **II. Registration of Financial Professionals**

### **B. Coordinating Information and Enforcement**

Financial professionals who rely on any provision of this Emergency Notice shall keep a copy of the Emergency Notice and the Order in their records to document their reliance on it. Any activities that do not meet the conditions outlined above may be treated by the Division as non-exempt and may constitute unregistered securities activity subject to state enforcement action.

This amended Emergency Notice shall remain in effect until May 31, 2021, unless extended or rescinded.

*Effective April 30, 2021*