

**FEDERAL RESERVE BANK
OF NEW YORK**

Fiscal Agent of the United States

March 5, 1987

**PROPOSED DISCLOSURE FORMS FOR PERSONS ASSOCIATED
WITH A FINANCIAL INSTITUTION ACTING AS A
GOVERNMENT SECURITIES BROKER OR DEALER**

*To All Depository Institutions, and Others Concerned,
in the Second Federal Reserve District:*

In our Circular No. 10157, dated March 2, 1987, we indicated that the Board of Governors of the Federal Reserve System had requested comment on two notices that would be used by financial institutions to notify their Federal regulators of their status under the Government Securities Act of 1986 as a Government securities broker or dealer. The Act also requires forms to be filed by *individuals* associated with a financial institution that acts as a Government securities broker or dealer.

Enclosed — for depository institutions in this District — is a copy of those proposed forms and instructions; copies of the sample forms will be furnished to others upon request directed to the Circulars Division of this Bank (Tel. No. 212-720-5215 or 5216).

Comments regarding any of the forms should be directed by March 27 to: The Government Securities Regulations Project, Department of the Treasury, Room 4417, Main Treasury Building, Washington, D.C. 20220. Questions thereon may be directed to Gerald P. Minehan, Assistant Chief Examiner at this Bank (Tel. No. 212-720-5881).

ROBERT A. O'SULLIVAN,
Chief Financial Examiner.

FORM G-FIN-5
**Uniform Termination Notice for Person Associated with a
 Financial Institution Government Securities Broker or Dealer**

OMB APPROVAL
OMB # _____
Expires: _____

1. Individual's Name _____
Last First Middle (If none, so specify)

2. Capacity: _____

3. Social Security Number _____

4. Financial Institution Government Securities Broker or Dealer:

a. Name _____

b. Registration Number _____

c. Main Address _____

5. Office of Employment Address _____

6. Date Terminated _____

7. Reason for Termination—Check One:

Resigned* _____ Deceased _____

Discharged* _____ Transfer* _____

Other* _____

*Furnish full details on attached sheet if related to a violation or probable violation of banking or securities law.

8. While associated, was the individual the subject of any investigation, proceeding, disqualification or disciplinary action by any governmental agency pursuant to Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5). **Yes No

**Furnish full details on attached sheet.

Date Print Name of Supervisor of Individual Signature of Supervisor of Individual

Person to Contact for Further Information _____

ACCEPTANCE OF THIS FORM FOR FILING SHALL NOT CONSTITUTE ANY FINDING THAT THE INFORMATION SUBMITTED HEREIN IS TRUE, CURRENT, COMPLETE, OR NOT MISLEADING. INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACT MAY CONSTITUTE FEDERAL CRIMINAL VIOLATIONS. (See 18 U.S.C. 1001 and 1005, and 15 U.S.C. 78 ff.)

FORM G-FIN-5 ACKNOWLEDGMENT

Receipt Stamp

9. Name of Individual _____

10. Financial Institution Broker or Dealer Name _____

11. Financial Institution Broker or Dealer Address _____

12. Attention _____

WHEN THE FORM G-FIN-5 IS RECEIVED BY THE APPROPRIATE REGULATORY AGENCY, THIS ACKNOWLEDGMENT WILL BE STAMPED TO SHOW RECEIPT AND RETURNED TO THE PERSON NAMED IN ITEM 12. THE STAMPED ACKNOWLEDGMENT SHOULD BE RETAINED TO SUBSTANTIATE FILING.

INSTRUCTIONS FOR COMPLETING AND FILING FORM G-FIN-5

GENERAL INSTRUCTIONS

This report is required by Section 15C of the Securities Exchange Act of 1934 (15 USC 78o-5) and the regulations thereunder, 17 CFR 400.4. The Department of the Treasury and the appropriate regulatory agencies, as defined below, regard the information provided by each respondent as confidential.

1. As used in these instructions and Form G-FIN-5:

a. The term financial institution government securities broker or dealer means a government securities broker or dealer that is a financial institution and that has not been exempt from regulation as a government securities broker or dealer under Part 401 of Title 17, Code of Federal Regulations; and

b. The term person associated with a financial institution government securities broker or dealer means a person engaged in any of the following activities in either a supervisory or non-supervisory capacity: (i) underwriting, trading or sales of government securities, (ii) financial advisory or consultant services for issuers in connection with the issuance of government securities; (iii) research or investment advice with respect to government securities in connection with the activities described in clauses (i) and (ii); (iv) activities other than those specifically mentioned which involve communication, directly or indirectly, with public investors in government securities in connection with the activities described in clauses (i) and (ii) above. The term also includes anyone engaged in the following activities in a supervisory capacity: (i) processing and clearance activities with respect to government securities and (ii) maintenance of records involving any of the activities described in this paragraph (b). Directors and senior officers of the financial institution who may from time to time set broad policy guidelines affecting the financial institution as a whole that are not directly related to the institution's government securities business are not considered to be "directly engaged" in the activities described in this paragraph and are not required to file this form.

2. Form G-FIN-5 is to be used by financial institution government securities brokers and dealers to report the termination of a person associated with the financial institution government securities broker or dealer as provided in the rules of the Department of the Treasury, 17 CFR 400.4.

This form should be used only when a form U-5 or MSD-5 has not been filed with respect to such person. Termination includes transfer of an individual to another position in the financial institution that does not involve the individual in the activities included in the definition of person associated with a financial institution government securities broker or dealer.

3. Financial institution government securities brokers and dealers are required to file Form G-FIN-5 with the appropriate regulatory agency as set forth below:

a. The Comptroller of the Currency in the case of a national bank, a bank in the District of Columbia examined by the Comptroller of the Currency, or a Federal branch or Federal agency of a foreign bank (as such terms are used in the International Banking Act of 1978);

b. The Board of Governors of the Federal Reserve System in the case of a State member bank of the Federal Reserve System, a foreign bank, a State branch or a State agency of a foreign bank, or a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978);

c. The Federal Deposit Insurance Corporation in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank);

d. The Federal Home Loan Bank Board, in the case of a Federal savings and loan association, Federal savings bank, or District of Columbia savings and loan association;

e. The Federal Savings and Loan Insurance Corporation, in the case of an institution insured by the Federal Savings and Loan Insurance Corporation (other than a Federal savings and loan association, Federal savings bank, or District of Columbia savings and loan association); and

f. The Securities and Exchange Commission, in the case of all other financial institution government securities brokers and dealers.

4. Copies of Form G-FIN-5 may be obtained from any of the appropriate regulatory agencies listed in instruction 3.

5. An original and two copies of Form G-FIN-5 and any attachments are to be filed by the financial institution government securities broker or dealer with the appropriate regulatory agency listed in instruction 3 within 30 days after termination of the association of the individual named in item 1. A financial institution government securities broker or dealer shall filing a Form G-FIN-5 shall retain an exact copy in its records for at least three years following the termination.

6. If more space is needed to complete an answer, an appropriate designation shall be entered in the answer space provided, and one or more attachment sheets shall be used to complete the response. All attachments shall be submitted in the same format as the items to which response is made and should be typed on white 8-1/2 by 11 inch paper. Answers to more than one question may appear on an attachment sheet if the questions are clearly identified. Attachments should be paginated and the name of both the applicant and the financial institution government securities broker or dealer should appear on every attachment sheet.

7. Form G-FIN-5 and any attachments may be duplicated by any method which produces legible copies of type size identical to that of the Form G-FIN-5 on white 8-1/2 by 11 inch paper.

8. Form G-FIN-5 shall be manually signed by the supervisor of the person named in item 1.

9. All items on Form G-FIN-5 are to be completed, except that disclosure of the individual's Social Security number is not required if that information is unavailable. The date on which the Form G-FIN-5 is received by the appropriate regulatory agency shall be the date of filing. A Form G-FIN-5 which is not prepared and executed in accordance with the applicable requirements may be returned as unacceptable for filing. Acceptance for filing shall not constitute any finding that a Form G-FIN-5 has been completed in accordance with those requirements or that any information reported on the form is true, correct, complete, or not misleading.

FORM G-FIN-4

Disclosure Form for Person Associated with a
Financial Institution Government Securities Broker or Dealer

OMB APPROVAL
OMB #
Expires:

- Applicant Name _____
Last First Middle (If none, so specify)
- Financial Institution Government Securities Broker or Dealer:
 - Name _____
 - Registration Number _____
 - Main Address _____
- Office of Employment of Applicant _____
- Date of Employment of Applicant _____ / _____ / _____
MM DD YY
- To Be Filed With The Following (Indicate One):
 - Board of Governors of the Federal Reserve System
 - Comptroller of the Currency
 - Federal Deposit Insurance Corporation
 - Federal Home Loan Bank Board
 - Securities and Exchange Commission
- It is anticipated that the applicant will perform the following functions in the capacity indicated:

	Capacity	
	Supervisory	Non-Supervisory
A. Underwriting, trading or sales of government securities:	<input type="checkbox"/>	<input type="checkbox"/>
B. Financial advisory or consultant services for issuers in connection with the issuance of government securities:	<input type="checkbox"/>	<input type="checkbox"/>
C. Research or investment advice, other than general economic information or advice, with respect to government securities in connection with the activities described in (A) and (B) above:	<input type="checkbox"/>	<input type="checkbox"/>
D. Activities other than those specifically mentioned which involve communication, directly or indirectly, with public investors in government securities in connection with the activities described in (A) and (B) above:	<input type="checkbox"/>	<input type="checkbox"/>
E. Processing and clearance activities with respect to government securities:	<input type="checkbox"/>	N/A
F. Maintenance of records involving activities described in (A) through (E) above:	<input type="checkbox"/>	N/A

7. For the purpose of verifying the information furnished on this form by the applicant named in item 1 above, this institution has made inquiry of all employers of the applicant during the immediately preceding three years, as set forth below, concerning the accuracy and completeness of the information provided.

Employer	Name and Position of Person Contacted

Date Print Name of Supervisor of Applicant Signature of Supervisor of Applicant

PERSONAL HISTORY OF APPLICANT

8. Last Name First Middle
9. Social Security Number (Completion is not mandatory)
10. Resident Street Address
11. City State Zip
12. Date of Birth MM DD YY
13. Place of Birth
14. Any other name ever used or by which known: _____
15. Education

The following is a statement of all educational institutions attended starting with high school:

Name and Address of Institution (Street, City, State, Zip Code)	From		To		Did You Graduate?	Degree
	Mo.	Yr.	Mo.	Yr.		

16. Employment History

The following is a complete, consecutive statement of all my business connections for the past ten years starting with my current position:

Name of Employer, Complete Address and Type of Business	From		To		Position Held	Reason for Leaving	Full or Part Time
	Mo.	Yr.	Mo.	Yr.			

17. Residential History

The following is a complete, consecutive statement of all my residential addresses for the past five years starting with my current residential address:

Address (Street, City, State, Zip Code)	From		To	
	Mo.	Yr.	Mo.	Yr.

IF THE ANSWER TO ANY OF THE FOLLOWING QUESTIONS IS YES, ATTACH COMPLETE DETAILS

18. DEFINITIONS

- Investment or Investment-Related – Pertaining to securities, commodities, banking, insurance, or real estate (including, but not limited to acting as or being associated with a government securities broker or dealer, municipal securities dealer, broker-dealer, investment company, investment adviser, futures sponsor, bank, or savings and loan association).
 - Involved – Doing an act or aiding, abetting, counseling, commanding, inducing, conspiring with or failing reasonably to supervise another in doing an act.
- A. Have you, within the 10 years preceding the date of this filing, been convicted of or plead guilty or nolo contendere (“no contest”) to:
- (1) a felony or misdemeanor involving: investments or an investment-related business, fraud, false statements or omissions, wrongful taking of property, or bribery, forgery, counterfeiting or extortion? Yes No
 - (2) any other felony? Yes No
- B. Has any court ever:
- (1) enjoined you in connection with any investment-related activity? Yes No
 - (2) found that you were involved in a violation of investment-related statutes or regulations? Yes No
- C. Has the U.S. Securities and Exchange Commission or the Commodity Futures Trading Commission ever:
- (1) found you to have made a false statement or omission? Yes No
 - (2) found you to have been involved in a violation of investment-related regulations or statutes? Yes No
 - (3) found you to have been a cause of an investment-related business having its authorization to do business denied, suspended, revoked, or restricted? Yes No
 - (4) entered an order denying, suspending or revoking your registration or disciplined you by restricting your activities? Yes No
- D. Has any other federal regulatory agency or any state regulatory agency ever:
- (1) found you to have made a false statement or omission or been dishonest, unfair or unethical? Yes No
 - (2) found you to have been involved in a violation of investment regulations or statutes? Yes No
 - (3) found you to have been a cause of an investment-related business having its authorization to do business denied, suspended, revoked, or restricted? Yes No
 - (4) entered an order against you in connection with investment-related activity? Yes No
 - (5) denied, suspended, or revoked your registration or license or otherwise prevented you from associating with an investment-related business, or disciplined you by restricting your activities? Yes No
 - (6) revoked or suspended your license as an attorney, accountant or federal contractor? Yes No
- E. Has any self-regulatory organization or commodities exchange:
- (1) found you to have made a false statement or omission? Yes No
 - (2) found you to have been involved in a violation of its rules? Yes No
 - (3) found you to have been the cause of an investment-related business having its authorization to do business denied, suspended, revoked or restricted? Yes No
 - (4) disciplined you by expelling or suspending you from membership, barring or suspending your association with its members, or restricting your activities? Yes No
- F. Has any foreign government, court, regulatory agency, or exchange ever entered an order against you related to investments or fraud? Yes No

- G. Are you now the subject of any complaint, investigation, or proceeding that could result in a "yes" answer to parts A-F of this item? Yes No
- H. Have you been discharged or permitted to resign because you were accused of:
- (1) violating investment-related statutes, regulations, rules, or industry standards of conduct? Yes No
 - (2) fraud or the wrongful taking of property? Yes No
 - (3) failure to supervise in connection with investment-related statutes, regulations, rules or industry standards of conduct? Yes No

Date _____ Signature of Applicant _____

FORM G-FIN-4 ACKNOWLEDGMENT

19. Applicant Name _____

20. Financial Institution Government Securities Broker or Dealer Name _____

21. Financial Institution Government Securities Broker or Dealer Address _____

Receipt Stamp

22. Attention: _____

WHEN THE FORM G-FIN-4 IS RECEIVED BY THE APPROPRIATE REGULATORY AGENCY, THIS ACKNOWLEDGMENT WILL BE BE STAMPED TO SHOW RECEIPT AND RETURNED TO THE PERSON NAMED IN ITEM 22. THE STAMPED ACKNOWLEDGMENT SHOULD BE RETAINED TO SUBSTANTIATE FILING.

PRIVACY ACT NOTICE FOR FORM G-FIN-4
(To accompany Form G-FIN-4)

GENERAL

This information is provided in accordance with the Privacy Act of 1974, 5 USC 552a, to those applicants completing a Form G-FIN-4 (Disclosure Form for Persons Associated with a Financial Institution Government Securities Broker or Dealer) which is to be filed with the appropriate regulatory agency, as defined in section 3(a)(34)(G) of the Securities Exchange Act of 1934 (15 USC 78c(a)(34)(G)).

AUTHORITY

Section 15C(b)(1) of the Securities Exchange Act of 1934 (15 USC 78o-5(b)(1)).

PURPOSE

The appropriate regulatory agency will review the information reported on form G-FIN-4 for the purpose of determining whether the applicant might be subject to disciplinary action pursuant to section 15C(c)(2) of the Securities Exchange Act of 1934 (15 USC 78o-5(c)(2)).

EFFECTS OF NONDISCLOSURE

Except for persons who have a current Form U-4 or Form MSD-4 on file with their financial institution, persons who are or seek to be associated with a financial institution government securities broker or dealer are required to disclose the information necessary to complete Form G-FIN-4, except that disclosure of Social Security numbers is voluntary. Failure to disclose the necessary information may make an applicant subject to limitations on his or her activities with the financial institution government securities broker or dealer.

ROUTINE USES

The Department of the Treasury and the appropriate regulatory agencies regard the information provided by each respondent on this form as confidential. However, the information reported on Form G-FIN-4 may be routinely used by the appropriate regulatory agency as follows:

1. To refer to the appropriate governmental authority, whether Federal, State, local, or foreign, or to the appropriate self-regulatory organization, such information as may indicate a violation or potential violation of law, regulation, or rule.
2. To refer to the appropriate court, magistrate or administrative law judge such information as may be relevant to proceedings before any such court or judicial officer.
3. To make use of such information as may aid in the resolution of any action or proceeding:
 - a. In which the Federal securities, banking or commodities laws are at issue;
 - b. In which the propriety of any disclosure of information reported on Form G-FIN-4 is at issue; or
 - c. To which the appropriate regulatory agency or a past or present member of its staff is a party or otherwise involved in an official capacity.
4. To disclose to a Federal, State, local or foreign governmental authority or self-regulatory organization such information as may be necessary to obtain from such authority or organization additional information concerning the associated person.
5. To disclose such information as may be necessary to respond to a request from a Federal, State, local or foreign governmental authority or self-regulatory organization for information needed in connection with the issuance of a license, granting of a benefit, or similar action affecting the associated person.
6. To disclose such information as may be necessary to respond to any congressional inquiry made at the request of the associated person.

INSTRUCTIONS FOR COMPLETING AND FILING FORM G-FIN-4

GENERAL INSTRUCTIONS

1. As used in these instructions and Form G-FIN-4:
 - a. The term financial institution government securities broker or dealer means a government securities broker or dealer that is a financial institution and that has not been exempt from regulation as a government securities broker or dealer under Part 401 of Title 17, Code of Federal Regulations.
 - b. The terms applicant and person associated with a financial institution government securities broker or dealer mean a person directly engaged in any of the following

activities in either a supervisory or non-supervisory capacity: (i) underwriting, trading or sales of government securities, (ii) financial advisory or consultant services for issuers in connection with the issuance of government securities; (iii) research or investment advice with respect to government securities in connection with the activities described in clauses (i) and (ii); (iv) activities other than those specifically mentioned which involve communication, directly or indirectly, with public investors in government securities in connection with the activities described in clauses (i) and (ii) above. In addition, the term includes anyone directly engaged in the following activities in a supervisory capacity: (i) processing and clearance activities with respect to government securities and (ii) maintenance of records involving any of the activities described in this paragraph (b). Directors and senior officers of the financial institution who may from time to time set broad policy guidelines affecting the financial institution as a whole that are not directly related to the conduct of the financial institution's government securities business are not considered to be "directly engaged" in the activities described in this paragraph and are not required to file this form.

2. Form G-FIN-4 is to be used by financial institution government securities brokers and dealers and persons who are or seek to be associated persons of such brokers or dealers to comply with the rules of the Department of the Treasury, 17 CFR 400.4, which requires the filing and keeping current of the Form G-FIN-4. This form is required only when a current Form U-4 or MSD-4 applicant is not on file with the financial institution.

3. Financial institution government securities brokers and dealers are required to file Form G-FIN-4 with the appropriate regulatory agency as set forth below:

a. The Comptroller of the Currency in the case of a national bank, a bank in the District of Columbia examined by the Comptroller of the Currency, or a Federal branch or Federal agency of a foreign bank (as such terms are used in the International Banking Act of 1978);

b. The Board of Governors of the Federal Reserve System in the case of a State member bank of the Federal Reserve System, a foreign bank, a State branch or a State agency of a foreign bank, or a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978);

c. The Federal Deposit Insurance Corporation in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank);

d. The Federal Home Loan Bank Board, in the case of a Federal savings and loan association, Federal savings bank, or District of Columbia savings and loan association;

e. The Federal Savings and Loan Insurance Corporation, in the case of an institution insured by the Federal Savings and Loan Insurance Corporation (other than a Federal savings and loan association, Federal savings bank, or District of Columbia savings and loan association); and

f. The Securities and Exchange Commission, in the case of all other financial institution government securities brokers and dealers.

4. Copies of Form G-FIN-4 may be obtained from any of the appropriate regulatory agencies listed in instruction 3.

5. An original and three copies of Form G-FIN-4 is to be filed by the applicant with the financial institution government securities broker or dealer, which will in turn file the original and two copies with the appropriate regulatory agency listed in instruction 3. The applicant is responsible for keeping the form current by filing, within 30 days after the occurrence of any event that makes the information in the currently filed form incomplete or incorrect, an original and three copies of a statement showing the changed information in a form acceptable to the appropriate regulatory agency. The financial institution government securities broker or dealer will retain the third copy of a complete form, including all updates, in its records for at least three years after the applicant's employment or other association with the government securities broker and/or dealer function of the financial institution has terminated.

6. If more space is needed to complete an answer, an appropriate designation shall be entered in the answer space provided, and one or more attachment sheets shall be used to complete the response. All attachments shall be submitted in the same format as the items to which response is made and should be typed on white 8-1/2 by 11 inch paper. Answers to more than one question may appear on an attachment sheet if the questions are clearly identified. Attachments should be paginated and the name of both the applicant and the financial institution government securities broker or dealer should appear on every attachment sheet.

7. Form G-FIN-4 and any attachments may be duplicated by any method which produces legible copies of type size identical to that of the Form G-FIN-4 on white 8-1/2 by 11 inch paper.

8. Form G-FIN-4 shall be manually signed on page one by the supervisor of the applicant and on page three by the applicant.

9. All items on Form G-FIN-4 are to be completed, except that disclosure of one's Social Security number is not mandatory. The date on which the Form G-FIN-4 is received by the appropriate regulatory agency shall be the date of filing. A Form G-FIN-4 which is not prepared and executed in accordance with the applicable requirements may be returned as unacceptable for filing. Acceptance for filing shall not constitute any finding that a Form G-FIN-4 has been completed in accordance with those requirements or that any information reported on the form is true, correct, complete, or not misleading.

INSTRUCTIONS TO SPECIFIC ITEMS ON FORM G-FIN-4

10. Items 2 through 7 are to be completed by the financial institution government securities broker or dealer employing or proposing to employ the applicant named in item 1. All other items are to be completed by the applicant.

11. Item 3: Give the address of the office of the financial institution government securities broker or dealer in which the applicant is or will be employed.

12. Item 5: Indicate the appropriate regulatory agency as set forth in instruction 3.

13. Items 16 and 17: All time periods must be accounted for.

14. Item 18(a): Although this item relates only to convictions during the past 10 years, it should be noted that section 19 of the Federal Deposit Insurance Act (12 USC 1829) prohibits any insured bank, except with the written consent of the Federal Deposit Insurance Corporation, from employing any person who has ever been convicted of a criminal offense involving dishonesty or breach of trust.