



COMPLIANCE WEEKLY

A Publication of Seward & Kissel Regulatory Compliance

APRIL 19, 2022

SKRC Compliance Weekly is a weekly reminder of certain regulatory obligations that may apply to an SEC-registered investment adviser and CFTC-registered commodity pool operator and commodity trading advisor with a December 31 fiscal year-end that advises one or more private funds.

Obligation	Comment
TIC Form SLT (due 4/25/2022).	Must be filed by “US residents” on a monthly basis to report “long term cross border ownership” of securities in excess of \$1 billion. Data on the Form TIC SLT must be reported as of the last business day of the month (as-of date). The TIC Form SLT must be submitted to the Federal Reserve Bank no later than the 23rd calendar day of the month following the report as-of date. If the due date of the report falls on a weekend or holiday, TIC Form SLT should be submitted the following business day.
Annual Delivery of Form ADV Part 2A due (4/30/2022).	Advisers Act Rule 204-3(b) requires a registered investment adviser to deliver to each client an updated Form ADV Part 2A within 120 days after the adviser’s fiscal year-end if there are material changes.
Distribute audited financial statements to investors in “funds-of-funds” (due 4/30/2022).	With respect to a “fund-of-funds”, the Custody Rule provides an exception from certain requirements of the Custody Rule with respect to the account of a limited partnership, limited liability company or another type of pooled investment vehicle (e.g., hedge funds and other private funds) that is subject to audit by an independent public accountant at least annually and distributes its audited financial statements prepared in accordance with U.S. generally accepted accounting principles to all investors within 180 days after the fund’s fiscal year-end. Notwithstanding the timing of this requirement, registered CPOs are required to file and distribute audited financials within 90 days of the pool’s fiscal year-end, unless an extension has been granted.



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