The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Securities Division

Dear Applicant:

Massachusetts General Laws Chapter 110A Section 202 and 950 CMR § 12.202 provide the registration procedures for broker-dealers and their agents in Massachusetts.

In order to more efficiently process broker-dealer applications, and to avoid potential delay, please note the following. An application is not deemed “Filed” with the Division until each of the following, if applicable, has been filed with the Division.

1) The applicant must be approved for membership by FINRA or another SRO.

2) The applicant must submit to the CRD a Form BD properly marked to indicate that the applicant is seeking to become registered in Massachusetts.

3) For each agent that the applicant is seeking to have registered in Massachusetts, the applicant must submit to the CRD a Form U-4 properly marked to indicate that the applicant is seeking to become registered in Massachusetts.

4) The applicant must register at least one agent.

5) The applicant must submit to the CRD proper filing fees for the applicant and any agents it seeks to have registered in Massachusetts ($450.00 for the broker-dealer and $75.00 per agent).

6) Each agent must pass the Series 63 Exam or the Series 66 Exam and must pass any examination required by any SRO of which the agent’s broker-dealer is a member.

7) AUTOMATIC REGISTRATION
M.G.L. ch. 110A § 202(a) provides for the automatic registration of any agent who is a partner, officer, or director, or a person occupying a similar status performing similar functions. In general this may include any person who is listed, or is required to be listed, on Schedule A or Schedule B of Form BD. Automatic Registration requires that the applicant submit to the CRD a Form U-4, pass required examinations and pay the fee of $75.00 per agent.

950 CMR § 12.202(1)(4) provides that if any such person does not desire automatic registration because he does not meet the definition of an agent, he must file with the Division an affidavit stating that he performs no activity for the broker-dealer that would require him to register as an agent. No Filing fee required. The Affidavit for an Individual Waiving Automatic Registration is attached. See Policy Statement Regarding Automatic Registration at www.state.ma.us/sec/. Once there, click on Securities Division and go to Other Topics.