

17a-5(c)(2)/01 (Additional Time on Sending Audited and Unaudited Statements to Customers)

A broker-dealer can elect to send the 17a-5(c) statements to its customers after the expiration of the time period required by 17a-5(c)(2) and 17a-5(c)(3) provided the broker-dealer:

1. Includes the 17a-5(c) statements with the next mailing of the quarterly customer account statements after the date the financial statements would otherwise have been required to be sent to customers under the Rule, and
2. Includes a footnote in the 17a-5(c) statements disclosing the appropriate net capital information as of a fiscal month end that is within the 75-day period immediately preceding the date the statements are sent to customers. This relief is also extended to a broker-dealer who elects to send to its customers only the footnotes regarding its net capital and certain other financial information rather than its entire 17a-5(c) statement in compliance with Exchange Act Release No. 42222.

(SEC Letter to SIA Capital Committee, February 26, 2001) (No. 02-3, February 2002)