

Regulatory Update

US, June 2025

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1. SEC Resumes Registrations of Swiss-Based Investment Advisers

Date: June 10, 2025

After years of limited access, Swiss asset managers may once again seek SEC registration. This update signals renewed regulatory cooperation and may open the door for increased cross-border advisory activity between the US and Switzerland.

The US Securities and Exchange Commission (SEC) has announced it will resume processing registration applications from Swiss asset managers regulated by the Swiss Financial Market Supervisory Authority (FINMA). This decision ends a multi-year suspension that had restricted new Swiss applicants from entering the US market.

The renewed cooperation follows successful discussions between the SEC and FINMA, culminating in a mutual agreement on supervisory collaboration. The agreement includes protocols for information sharing under Article 42c of the Financial Market Supervision Act (FINMASA) and on-site examinations under Article 43, ensuring compliance with both Swiss and US regulatory frameworks.

Read the press release [here](#).

2. SEC and CFTC Extend Form PF Compliance Deadline

Date: June 11, 2025

In response to industry feedback, the SEC and the Commodity Futures Trading Commission (CFTC) have granted additional time for firms to comply with recent Form PF amendments. Advisers should use this extension to finalize system updates and internal controls necessary to meet the new reporting standards.

Both regulators have jointly extended the compliance deadline for the amended Form PF to **October 1, 2025**. Originally adopted on February 8, 2024, the amendments were initially set to take effect on March 12, 2025, and later extended to June 12, 2025.

Form PF is a confidential reporting tool for certain SEC-registered investment advisers to private funds, including dual registrants with the CFTC. The extension provides additional time for advisers to update systems and ensure compliance.

Read the press release [here](#).

3. Statement from SEC Commissioner Paul S. Atkins

Date: June 11, 2025

As the regulatory burden of Form PF continues to draw scrutiny, SEC Commissioner Paul S. Atkins has called for a re-evaluation of its costs and benefits. His statement may foreshadow future changes to the scope and substance of Form PF reporting.

Commissioner Atkins acknowledged the substantial compliance burdens already imposed by Form PF, which has undergone multiple amendments since its introduction in 2011. These burdens include increased legal and operational costs that detract from advisers' core investment activities. In response, the SEC Chairman

directed staff to conduct a comprehensive review of Form PF to assess whether the data collected justifies the associated costs. The SEC Chairman emphasized the importance of ensuring that only essential information is requested. While this review is underway, advisers will continue reporting under the prior version of the form.

Read Paul S. Atkins, Statement at Open Meeting on Further Extension of the Form PF Compliance Date [here](#).

4. SEC Withdraws 14 Proposed Rulemakings

Date: June 13, 2025

In a significant move, the SEC has formally withdrawn 14 proposed regulatory actions issued between March 2022 and November 2023. These proposals spanned multiple divisions and included significant implications for registered investment advisers (RIAs). Key withdrawals include:

1. **Conflicts of Interest Related to Predictive Data Analytics**
This proposal would have imposed stringent limitations and disclosure requirements on investment advisers and broker-dealers utilizing artificial intelligence or data modeling to influence investor behavior.
2. **Safeguarding Advisory Client Assets**
A comprehensive overhaul of the existing custody rule, this proposal included revised definitions of “custody,” enhanced protections for non-traditional assets, and mandatory surprise examinations.
3. **Enhanced ESG Disclosures**
This rule would have mandated detailed environmental, social, and governance (ESG) reporting obligations for certain investment advisers and registered investment companies.
4. **Outsourcing by Investment Advisers**
Proposed extensive due diligence, monitoring, and recordkeeping requirements for advisers engaging third-party service providers.
5. **Cyber Security Risk Management for Investment Advisers**
This rule would have required advisers to implement written cyber security policies, establish incident response programs, and publicly disclose material cyber security breaches.
6. **Cyber Security Rule for Broker-Dealers and Other Market Participants**
A parallel rule applicable to other registrants, including security-based swap dealers and transfer agents, with similar cyber security mandates.
7. **Regulation Best Execution**
A long-anticipated rule intended to codify best execution obligations for both broker-dealers and investment advisers.
8. **Order Competition Rule**
Designed to enhance price competition in retail order flow by introducing new auction mechanisms.
9. **Regulation Systems Compliance and Integrity (SCI)**

Proposed to extend the applicability of systems compliance and integrity (SCI) requirements to a broader range of market participants.

10. CAT Data Security Rule

Sought to implement stricter security protocols and access controls for the Consolidated Audit Trail (CAT).

11. Exchange Definition Rule Update

Aimed to clarify the definition of an “exchange” under Rule 3b-16, with potential implications for decentralized finance (DeFi) platforms and other trading venues.

12. Shareholder Proposal Reform (Rule 14a-8)

Proposed changes to allow the resubmission of certain shareholder proposals and to revise the thresholds for their inclusion in proxy materials.

13. Swaps and Chief Compliance Officer (CCO) Influence Prohibition

Intended to prevent manipulation and undue influence over CCOs and to strengthen anti-fraud provisions related to swap transactions.

14. Volume-Based Exchange Transaction Pricing for NMS Stocks

Would have prohibited exchange pricing tiers based on trading volume, potentially affecting incentives related to execution quality.

The SEC stated it does not intend to finalize these proposals. Any future regulatory action in these areas would require new proposals.

Read the withdrawal of Proposed Regulatory Actions [here](#).

5. FINRA Proposes Amendments to Rule 2210

Date: June 20, 2025

FINRA is proposing a measured departure from its long-standing prohibition on performance projections. If adopted, broker-dealers would be permitted to include forward-looking performance metrics in investor communications under strict safeguards. This change reflects a broader industry trend towards harmonizing regulatory standards across advisory channels.

At its June 4 – 5 meeting, FINRA's Board of Governors approved proposed amendments to Rule 2210 (Communications with the Public), marking a significant shift in how broker-dealers may present performance information to investors.

What's Changing?

The proposed amendments introduce a narrowly tailored exception to the longstanding prohibition on performance projections in broker-dealer communications. If approved by the SEC, the changes would allow broker-dealers to include projected performance and targeted returns in written communications—under strict conditions.

Key Conditions for Use

To qualify for the exception, broker-dealers must:

- Implement written policies and procedures to govern the use of projections
- Establish a reasonable basis for the assumptions and criteria used in the projections
- Provide clear and specific disclosures to help investors understand the hypothetical nature and associated risks.

Why It Matters

This proposal aims to align broker-dealer standards with those of investment advisers, following the SEC's 2021 modernization of its advertising rule.

Next Steps

The proposed amendments will be filed with the Securities and Exchange Commission for review and approval.

Read the Report From FINRA Board of Governors Meeting – June 2025 [here](#).

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