

**18 NCAC 06A .2008 NOTICE OF INTRASTATE CLAIM OF EXEMPTION FORM REQUIREMENTS**

An issuer shall file with the Administrator an original, legible Form NCE and required attachments. The Form NCE shall include the following:

- (1) the issuer's attestation:
  - (a) to the issuer's name or legal identity, and contact information;
  - (b) to the issuer's registration with the Secretary of State;
  - (c) as to the specific federal intrastate offering exemption relied upon;
  - (d) as to the minimum offering amount, the target offering amount, and target date in accordance with Rule .2004 of this Section;
  - (e) as to the issuer's commitment that it shall not accept more than five thousand dollars (\$5,000) from any single investor in any 12-month period, unless the issuer reasonably believes that the purchaser is an accredited investor;
  - (f) that the issuer does not fit within the exclusions in G.S. 78A-17.1(a)(6);
  - (g) that the issuer is not a company listed or described in Rule .2004(h) of this Section;
  - (h) as to the absence of disqualification pursuant to G.S. 78A-17.1(e) for the issuer or any person affiliated with the issuer or the securities offering;
  - (i) that the issuer shall comply with Rules .2013 and .2063 of this Section regarding misrepresentations and omissions of material facts in its disclosures to prospective investors and investors; and
  - (j) that the issuer consents to personal jurisdiction of the Administrator over the issuer and consents to service of process as authorized by G.S. 78A-63;
- (2) a copy of any agreement entered into between the issuer and its funding portal or registered dealer or salesman;
- (3) the names and titles of persons engaged in the offer or sale of the issuer's securities; and
- (4) the names and titles of persons who will serve as the investor contact person(s) for the issuer.

*History Note:* Authority G.S. 78A-17.1(a)(5); 78A-17.1(f); 78A-49(a); 78A-49(d); 78A-64; S.L. 2016-103, s.4.(a);  
Eff. April 1, 2017.