

20 NCAC 03 .0714 REVIEW OF FUND AND ATTESTATION

(a) Beginning one year after the effective date of the certification of a Fund, and by December 31 each year thereafter, the Manager shall submit an attestation to the Secretary:

- (1) attesting that the Fund continues to meet the minimum Fund standards provided in Rule .0712 of this Section;
- (2) listing all Reporting Events from the date of the prior attestation provided to the Secretary or, in the case of the first attestation of a Fund, all Reporting Events from the date of the initial submission of proposal for certification, and attesting that no other Reporting Event has occurred;
- (3) attesting that the sale and marketing of the Fund adheres to all applicable federal and state laws and regulations;
- (4) if the Fund is a Certified Money Market Mutual Fund, attesting that the Fund continues to comply with the definition of Certified Money Market Mutual Fund in Rule .0711 of this Section;
- (5) providing a list of the Broker-Dealers selling or marketing the Fund;
- (6) providing a holdings report including all holdings from the date of the prior attestation provided to the Secretary or, in the case of the first attestation of a Fund, all holdings from the date of the holdings report provided in the initial submission of proposal for certification; and
- (7) providing the most recent Fund prospectus and annual report.

(b) The Commission may request additional attestations at any time to review and confirm compliance of the Fund with the rules in this Section.

(c) Any changes to a Fund's or investment adviser's federal or state registration documents shall be reported to the Secretary within 30 days of the filing of the updated registration documents, with all changes marked and identified.

(d) The Manager shall, upon receiving a request from the Commission, provide documentation supporting an attestation with specific reference to the location within such supporting documentation which demonstrates that the minimum Fund standards of Rule .0712 of this Section have been met.

(e) The Manager shall provide to the Commission access to all Fund documents and shall allow the Commission to make any examinations the Commission deems required to ensure compliance with the rules of this Section, and shall provide to the Commission copies of all Fund documents requested by the Commission at the expense of the Manager of the Fund.

*History Note: Authority G.S. 159-3(f); 159-30(c)(8);
Eff. October 1, 2023.*