

NEBRASKA ADMINISTRATIVE CODE

Title 48 - DEPARTMENT OF BANKING AND FINANCE

Chapter 1 - GENERAL PROVISIONS

001 GENERAL.

001.01 This Rule has been promulgated pursuant to authority delegated to the Director in Section 8-1120(3) of the Securities Act of Nebraska ("Act").

001.02 The Department has determined that this Rule is consistent with investor protection and is in the public interest.

001.03 The Director may, on a case-by-case basis, and with prior written notice to the affected persons, require adherence to additional standards or policies, as deemed necessary in the public interest.

001.04 The definitions in 48 NAC 2 apply to the provisions of this Rule, unless otherwise specified.

002 ADMINISTRATION. The Securities Act of Nebraska is administered by the Director of Banking and Finance, Department of Banking and Finance, pursuant to Sections 8-1101 through 8-1123, R.R.S. 1943. The offices of the Department are open from the hours of 8 a.m. to 5 p.m., Monday through Friday, legal holidays excepted. The mailing address of the agency is Department of Banking and Finance, P.O. Box 95006, Lincoln, Nebraska 68509-5006.

003 PAYMENT OF FEES. All filing fees are payable by corporate check, money order, or ACH to the Nebraska Department of Banking and Finance or through a registration depository or electronic filing system recognized by the Director. Cash, personal checks, and checks drawn on non-United States banks will not be accepted.

004 RETENTION OF FEES UPON WITHDRAWAL OR DENIAL.

004.01 Upon withdrawal or denial of an application for registration as a broker-dealer, agent, investment adviser, investment adviser representative, or issuer-dealer, the entire fee shall be retained by the Department.

004.02 Upon withdrawal of a notice filing by a federal covered adviser, the entire fee shall be retained by the Department.

004.03 Upon withdrawal or denial of an application for registration of securities, one hundred dollars (\$100.00) shall be retained by the Department.

004.04 Upon the withdrawal of a notice filing for federal covered securities, except securities issued by an investment company, the entire fee shall be retained by the Department.

004.05 Upon withdrawal of a notice filing by an investment company subject to the Investment Company Act of 1940, a fee of one hundred dollars (\$100.00) shall be retained by the Department.

004.06 Upon the withdrawal or denial of an exemption notice, the entire fee shall be retained by the Department.

005 EFFECTIVE DATE OF FILING. A document is filed when it is received in the office of the Department with the appropriate fee, or when the filer makes a filing and pays the fees to an electronic system recognized by the Director. A document so filed cannot be returned.