Schulte Roth & Zabel Private Funds Regulatory UPDATE

NFA Announces Expiration of COVID-19-Related Relief from Fingerprinting Requirements for New APs and Principals

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Earlier this year, the CFTC and the NFA implemented temporary relief from the requirement to obtain fingerprints in connection with registering principals and associated persons. On Sept. 29, 2020,¹ the NFA announced that this relief would end and, accordingly:

- As of Oct. 1, 2020, all new applications for principal or associated-person registration must submit a fingerprint card as previously required; and
- All persons who are currently relying on the CFTC's and NFA's relief from the fingerprinting requirement (including APs granted a temporary license) must submit a fingerprint card to the NFA by Nov. 2, 2020.

The NFA is willing to address the circumstances of applicants who may still find it "impossible or inordinately difficult" to obtain fingerprints on a case-by-case basis (firms with such applicants are directed to contact information@nfa.futures.org or dial their information center at +1-800-621-3570). However, we expect that the NFA will now begin requiring fingerprint cards from the large majority of registrants as per usual.

This article appeared in the October 2020 edition of SRZ's Private Funds Regulatory Update. To read the full Update, <u>click here</u>.

¹ See NFA Notice I-20-37 (Oct. 6, 2020), available here.