**CCO Checklist**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DECEMBER 2022** |  | DATE COMPLETED |  |  |
| **Advertising File contains materials used in 2022 -** Complete an advertising review for all advertising material that was used in the calendar year and ensure all is kept within the Advertising File. Review business presentations, commentaries, websites, social media sites, and other marketing materials for all necessary disclosures, ensure all materials have been approved through Compliance and employees are using the most current versions. Annually |  |  |  |
| **Annual Compliance Program Review** - Under Rule 206(4)-7 in the Advisers Act, SEC-registered firms are required to adopt and implement written policies and procedures reasonably designed to prevent violation of the rules and regulations of the Advisers Act. Please see your CRP consultant for the 2022 Annual Compliance Review template for your Firm. Annually |  |  |  |
| **Fund IARD renewal account** - Required annually by CCO. Annually |  |  |  |
| **Annual Standing Letters of Authorization (SLOA) Review -** Request active SLOA report from your custodian. Determine the number of accounts and the value of the account as preparation for the Part 1 annual amendment. Annually |  |  |  |
| **Client Annual Review Certification** - Update client investment objectives, risk tolerance & profile. See CRP template. Annually |  |  |  |
| **Review Business Continuity Plan and Update Critical Business Vendor Information** - Ensure all information on the firm's business continuity plan is current and accurate. For critical business vendors, be sure to include their name, service and/or product, address and phone number along with any alternative supplier names and contact information. Annually |  |  |  |
| **Mutual Fund Share Class Review** - Are your firms mutual fund holdings in the lowest available share class? If not, be sure there is documentation on the rationale for holding the higher share class. Quarterly |  |  |  |
| **Quarterly Review of States** - Are you properly notice filed? You will need to be notice filed in any state where you have more than 5 households. The exceptions to this rule are the following states: Texas, Louisiana, New Hampshire, and Nebraska. Each of these states require notice filing when 1 household is present. Send a list of states that require notice filing to CRP so they can update your ADV accordingly. Quarterly |  |  |  |
| **Review Cash Balance Report** - Review cash balance report to determine if there is enough cash for fees or if there is too much cash and funds need to be invested. Be mindful of scheduled distributions. Perform random performance review and take note and action on any abnormal or unusual balances. Quarterly |  |  |  |
| **Review of Company Financials** - The CCO should review the company's accounting records to confirm the company is in compliance with its home state's net capital requirements. If the firm is SEC registered, please make sure the company is solvent at all times. Monthly |  |  |  |
| **Review Trade Blotter** - Download Blotter from Custodian and review for any irregular trading patterns, trade errors, trade discrepancies or large amounts of trading in one account. Monthly |  |  |  |
| **Correspondence and Email Review** - Review staff correspondence, including email. Monthly |  |  |  |  |

**2022 YEAR END CHECKLIST**

* **2022 ANNUAL REVIEW**

Review, tailor, and document Annual Compliance Program Review.

* **Refer to December 2022 TMIC.**
* **IARD REGISTRATION FEES**

Fund IARD2023 Registration Fees – Deadline to pay is December 12th.

* **Refer to Firm’s Renewal Statement sent by CRP week of Nov 7th**
* **FIRM’S POLICIES AND PROCEDURES MANUAL**

Confirm updates to Firm’s Policies and Procedures Manual - Looking specifically at the addition of the new Marketing Rule updates implemented by Nov. 4, 2022.

* **Refer to November 2022 TMIC, January 2022 TMIC, August 2022 TMIC**
* **BUSINESS CONTINUITY PLAN (BCP)**

Confirm the testing and documentation of the Business Continuity Plan (BCP) with any updates.

* **Refer to August TMIC 2022**
* **CYBERSECURITY PLAN**

Confirm review and testing of the Cybersecurity Plan Review in 2022:

* + Review of Written cybersecurity policies and procedures
  + Maintenance of a written incident response plan if an event would occur
  + Review security levels of personal computers and home wireless connections
  + Document results of Penetration and Phishing tests
* **Refer to March 2022 TMR**
* **IRA ROLLOVERS AND TRANSFERS**

Review of **IRA Rollovers and transfers to comply with the June 30th DOL PTE 2020**

Prepare for Senior Retroactive Review (Part of the requirements)

* **Refer to February 2022 TMIC, December 2022 TMIC for Sample Senior Review template**
* **NEW MARKETING RULE**

Verify documentation and implementation is complete, effective Nov 4, 2022.

* Have compliance procedures been adopted/updated with respect to the newly adopted Advisers Act “Marketing Rule.”?
* Are IARs aware of the review and approval process regarding advertising/marketing materials presented to current and/or prospective clients? Is our Firm using the new updated Review Checklist?.
* Is your Firm ensuring the review of substantiating material statements of fact made in its advertising materials?
* Did your Firm conduct training to staff relating to the new Marketing Rule? SEC will ask for relevant training materials (e.g., presentations, handouts, etc.).
* Is your Firm maintaining proper books and records related to advertising?
* **Refer to May, June, July, August 2022 TMIC & TMR, Maintain your Marketing Rule Implementation Checklist**
* **DUE DILIGENCE CONDUCTED ON THIRD PARTY VENDORS**

Reviewed Due Diligence conducted on Third Party vendors, maintain list, and updated as necessary.

* **Refer to September 2022 TMIC**
* **ANNUAL COMPLIANCE MEETING**

Conducted training via Annual Compliance Meeting (Code of Ethics, Annual Employee Acknowledgements and Certifications, Annual Attestation of Personal Securities Holdings).

* **Refer to October 2022 TMIC & January 2022 for Attestation and Certifications**
* **ADVERTISING FILE**

Confirmed Advertising File contains materials used in 2022, Review business presentations, commentaries, websites, social media sites, and other marketing materials for all necessary disclosures, ensure all materials have been approved through Compliance and employees are using the most current versions.

* **Refer to Marketing Rule Implementation Checklist in July TMIC 2022**
* **U-4 UPDATES AND REVIEW AND FORM ADV PART 2BS**

Obtain and review all Form U-4 Form ADV Part 2Bs.

Confirm that information is accurate and update if applicable.

* **Refer to September 2022 CCO Scorecard**
* **ALTERNATIVE/COMPLEX EXCHANGE TRADED PRODUCTS**

Review listing ofAlternative/Complex Exchange Traded Products**.**

Review client list of those who hold such products.

* **Refer to SEC Annual Priorities – April TMIC 2022**
* **NEW CE REQUIREMENTS**

Confirm your Firm’s IARs are or are not subject to CE Requirements – Are your IARs registered in a [jurisdiction](https://www.nasaa.org/industry-resources/investment-advisers/investment-adviser-representative-continuing-education/member-adoption/) that adopted or is adopting a rule for CE requirements?

The program applies to all registered IARs of both state-registered and federal covered investment advisers in that jurisdiction.

* **Refer to September 2022 TMIC**
* **REVIEW MONTHLY CCO SCORECARDS FOR 2022**

Review monthly compliance tasks have been completed.

* **Refer to Monthly CCO Scorecards or SmartRIA calendar of tasks**
* **CONDUCTED 2022 RISK ASSESSMENT**

Cross check that Firm conflicts are reported on ADV addressed in Agreement.

* **Refer to TMIC in June, July, August 2022 – always asked on SEC Exams**