

>>>FAIRVIEW FLASH REPORT<<<

Fast Act Amends Privacy Notice Delivery Requirements for Certain Financial Institutions

WHAT HAPPENED?	<p>Fixing America’s Surface Transportation Act (“Fast Act”) was recently signed into law by the President. Though its primary focus is transportation, Fast Act also made several amendments to federal securities laws, which include:</p> <ul style="list-style-type: none">• An exemption to the annual privacy notice delivery requirement for certain financial institutions; and• A reduction in the requirements emerging growth companies must meet during registration and resales of private securities. <p>Some of the securities-related amendments are effective immediately while others require action to be taken by SEC.</p>
PRIVACY NOTICE PROVISIONS	<p>Under Gramm- Leach-Bliley Act (“GLBA”), financial institutions, including certain investment advisers, must deliver their privacy notice to customers upon establishing a customer relationship and thereafter on an annual basis. Title LXXV of Fast Act amends Section 503 of GLBA by providing an exception to the annual delivery requirement that can be relied upon by a financial institution that meets the following requirements:</p> <ul style="list-style-type: none">• Only shares nonpublic personal information about customers to unaffiliated third parties by means that do not require the financial institution to provide an opt-out; and• Has not changed its policies and practices regarding the disclosure of nonpublic information since the privacy notice was last delivered to the customer. <p>In the event an adviser relying on the exemption becomes unable to meet both requirements, it must resume its annual privacy notice delivery.</p>
NEXT STEPS	<p>As always, clients are encouraged to contact Fairview with any questions they have regarding their compliance program or this Fairview Flash. If you are not a client but are interested in obtaining information regarding Fairview’s services, please contact us at info@fairviewinvest.com.</p>

Sources:

[H.R. 22](#)

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