

**TITLE 15 - COMMERCE AND TRADE**  
**CHAPTER 2D - INVESTMENT COMPANIES AND ADVISERS**  
**SUBCHAPTER II - INVESTMENT ADVISERS**

**§ 80b-1. Findings**

Upon the basis of facts disclosed by the record and report of the Securities and Exchange Commission made pursuant to section 79z-4<sup>1</sup> of this title, and facts otherwise disclosed and ascertained, it is found that investment advisers are of national concern, in that, among other things—

- (1) their advice, counsel, publications, writings, analyses, and reports are furnished and distributed, and their contracts, subscription agreements, and other arrangements with clients are negotiated and performed, by the use of the mails and means and instrumentalities of interstate commerce;
- (2) their advice, counsel, publications, writings, analyses, and reports customarily relate to the purchase and sale of securities traded on national securities exchanges and in interstate over-the-counter markets, securities issued by companies engaged in business in interstate commerce, and securities issued by national banks and member banks of the Federal Reserve System; and
- (3) the foregoing transactions occur in such volume as substantially to affect interstate commerce, national securities exchanges, and other securities markets, the national banking system and the national economy.

**Footnotes**

<sup>1</sup> See References in Text note below.

(Aug. 22, 1940, ch. 686, title II, § 201, 54 Stat. 847.)

**References in Text**

Section 79z-4 of this title, referred to in text, was repealed by Pub. L. 109-58, title XII, § 1263, Aug. 8, 2005, 119 Stat. 974.

**Transfer of Functions**

For transfer of functions of Securities and Exchange Commission, with certain exceptions, to Chairman of such Commission, see Reorg. Plan No. 10 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3175, 64 Stat. 1265, set out under section 78d of this title.