

Series 63 Study Guide

Career Employer

Series 63 Cheat Sheet

REGULATION OF PERSONS

In each state, the **administrator** is responsible for administering the Uniform Securities Act (USA).

Individuals, corporations, partnerships, and governments are all included in the USA's definition of a person.

A **person** is described as someone who is not deceased, is not a minor, or has not been declared mentally incompetent.

When talking of institutional investors, the USA includes banks, savings institutions, trust companies, insurance companies, investment companies as per the Investment Company Act of 1940 definition, as well as Employee Benefit Plans with \$1 million or more in assets (such as profit-sharing trusts, or pension trusts).

From time to time, it is as retail clients that individuals can be referred to.

Anybody that issues a security or proposes to issue them, is termed an **issuer**.

An **offer to sell** or **offer** is all attempts to dispose of, or solicitation of an offer to buy that's related to a security, or interest in one for value.

Every sale or disposition of a security or interest in a security for value is considered a **sale**.

Any of the 50 states, or territories of the United States (for example, Puerto Rico) is referred to as a **state**.

When it comes to securities professionals, they are broken down into four categories: broker-dealers, agents, investment advisers, and investment adviser representatives.

Broker-dealers (BDs) buy and sell securities. This can be for their own account or for the

accounts of others, for example, their clients. Trust companies, issuers of securities, agents, banks, or savings institutions are not included in the definition of a BD.

Should they have an office in a state, it is with the administrator of that state that they will need to register. Should there be no place of business in a state, a person won't be seen as a BD. This applies also if it is with other BDs, institutions, or the issuer of securities that transactions take place.

Under the snowbird exemption, there are exceptions including a BD which is licensed under the specific state's securities act in which they maintain a place of business and the BD who sells and offers in the state to persons who are already their existing customers but who are not residents of the state.

An agent is any individual that represents an issuer or BD and effects or attempts to effect securities sales or purchases. An agent, however, can never be the BD.

As long as they don't take part in any sales-related activities, any administrative employees of a BD are not considered agents either.

For individuals that represent the issuer, if they are involved with exempt securities or an exempt transaction, they are not deemed to be agents.

They will be, however, if they deal with transactions that are related to the employees of the issuer for which a sale-related compensation is paid to them.

When it comes to splitting commissions, BDs don't have to tell their clients that this is happening, but it can only be carried out between agents that are affiliated to the BD.

An investment adviser (IA) is someone who receives compensation for advising others. This could be directly or through writing and

publication, for example. This advice deals with the value of securities, as well as advice on what to purchase or sell. It also covers the production of reports or analyses regarding securities.

SEC Release IA-1092 states that financial planners, for example, pension consultants and sports representatives can also fall under the definition of an IA if, as part of their business, they provide investment advisory services to their clients.

The following are excluded from the definition: Engineers, teachers, lawyers, and accountants but only if they offer incidental advice linked to their profession for which they receive no compensation.

Federal covered IAs generally register with the SEC and are excluded from the USA's definition of an IA.

The **National Securities Markets Improvement Act of 1966 (NSMIA)** brought about the split between state and federal regulation of IAs.

The Dodd-Frank Act of 2010 modified this further.

- SEC registration is necessary for a federal covered advisor that controls AUM of \$110 million or higher
- State registration is necessary if AUM <\$100 million
- Advisor can choose registration method if AUM is between \$100 and \$110
- An advisor can remain with an AUM of at least \$90 million once they have registered with the SEC

An IA is federally covered if investment companies form part of their advisory clients.

An IA who has no office in a particular state but deals with other IAs, BDs, and institutions, or who meets the snowbird rules is exempt from registration under the USA.

Series 63 Study Guide: Your Comprehensive Guide to Passing the Exam

Are you ready to take the next step in your financial career? Passing the Series 63 exam is crucial for many aspiring professionals. This comprehensive Series 63 study guide will equip you with the knowledge and strategies you need to confidently conquer this challenging exam. We'll break down the key topics, offer effective study techniques, and provide resources to ensure your success. Let's dive in!

Understanding the Series 63 Exam

The Series 63 exam, officially known as the Uniform Securities Agent State Law Examination, tests

your knowledge of state securities laws and regulations. It's a critical step for those seeking to sell securities and become licensed in multiple states. The exam isn't just about memorizing regulations; it assesses your understanding of how these laws protect investors and the ethical responsibilities of securities professionals.

Key Areas Covered in the Series 63 Exam:

Federal Securities Laws: While focusing on state laws, the Series 63 delves into relevant federal regulations, creating a crucial link between state and federal frameworks. Understanding the interplay between these is vital.

State Securities Laws (Uniform Securities Act): This forms the core of the exam. You'll need to grasp the key provisions of the Uniform Securities Act, including registration requirements, exemptions, and enforcement.

Ethical Considerations and Responsibilities: The exam heavily emphasizes ethical conduct and the responsibilities of a securities agent. You'll be tested on your ability to identify and avoid conflicts of interest and unethical practices.

Investment Company Act of 1940: Understanding the regulation of investment companies, including mutual funds and exchange-traded funds (ETFs), is a significant component of the Series 63.

Investment Advisers Act of 1940: This section of the exam covers the regulation of investment advisors and their fiduciary duty to clients.

Effective Study Strategies for the Series 63

Successfully navigating the Series 63 requires a well-structured study plan. Here are some proven strategies:

1. Create a Realistic Study Schedule:

Don't cram! Develop a schedule that allows for consistent, focused study sessions. Break down the material into manageable chunks, allocating sufficient time for each topic.

2. Utilize High-Quality Study Materials:

Invest in reputable Series 63 study guides, practice exams, and question banks. Look for materials that offer clear explanations, practice questions that mirror the actual exam, and comprehensive coverage of all key topics.

3. Active Recall and Practice Questions:

Passive reading isn't enough. Actively test your knowledge through practice questions and

flashcards. Use the "spaced repetition" technique to reinforce learning over time.

4. Understand, Don't Just Memorize:

While memorization is necessary, focus on understanding the underlying concepts. Knowing the "why" behind the regulations will help you apply your knowledge to different scenarios.

5. Seek Clarification When Needed:

Don't hesitate to seek clarification on concepts you find challenging. Join study groups, utilize online forums, or consult with experienced professionals.

Recommended Resources for Series 63 Preparation:

Numerous resources can aid your Series 63 preparation. These include:

Kaplan: Known for their comprehensive study materials and practice exams.

Pass Perfect: Offers a variety of study options, including online courses and practice tests.

ExamFX: Provides a wide range of study resources, including question banks and simulations.

Your Brokerage Firm's Resources: Many brokerage firms provide internal training and study materials for their employees.

Exam Day Strategies

Proper preparation is crucial, but effective exam strategies also matter:

Arrive Early: Allow ample time to settle in and reduce pre-exam anxiety.

Read Instructions Carefully: Ensure you understand the instructions before starting the exam.

Manage Your Time: Pace yourself to ensure you have enough time for all sections.

Review Your Answers: If time allows, review your answers before submitting.

Don't Panic: If you encounter difficult questions, move on and return to them later if time permits.

Conclusion

Passing the Series 63 exam is a significant achievement that opens doors to a rewarding career in the financial industry. By following a structured study plan, utilizing quality resources, and employing effective exam-taking strategies, you can significantly improve your chances of success. Remember that consistent effort and a deep understanding of the material are key to mastering this exam.

Frequently Asked Questions (FAQs)

1. How long does it take to study for the Series 63? The required study time varies depending on your prior knowledge and learning style. However, most candidates allocate between 40-80 hours of dedicated study time.
2. How many questions are on the Series 63 exam? The Series 63 exam contains 100 multiple-choice questions.
3. What is the passing score for the Series 63? The passing score is not publicly disclosed, but generally, achieving a score above 70% is considered a good indication of success.
4. Can I retake the Series 63 exam if I fail? Yes, you can retake the exam after a waiting period. Check with your regulatory authority for specific details.
5. Are there any age requirements for taking the Series 63? There is no minimum age requirement to take the Series 63 exam, but you must meet the experience and background requirements set by your state's regulatory authority.

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