

**§ 260.4d-9**

any benefit expected for security holders, trustees and/or obligors.

[56 FR 22319, May 15, 1991]

**§ 260.4d-9 Exemption for Canadian Trust Indentures from Specified Provisions of the Act.**

Any trust indenture filed in connection with offerings on a registration statement on Form SB-2, [§ 239.10 of this chapter] F-7, F-8, F-9, F-10 or F-80 [§§ 239.37 through 239.41 of this chapter] shall be exempt from the operation of sections 310(a)(3) and 310(a)(4), sections 310(b) through 316(a), and sections 316(c) through 318(a) of the Act; *provided that* the trust indenture is subject to

- (a) The Canada Business Corporations Act, R. S. C. 1985;
- (b) The Bank Act, R. S. C. 1985;
- (c) The Business Corporations Act, 1982 (Ontario), S. O. 1982; or
- (d) The Company Act, R.S.B.C. 1979, C. 59.

[56 FR 30077, July 1, 1991, as amended at 57 FR 36501, Aug. 13, 1992; 58 FR 33190, June 16, 1993]

**§ 260.4d-10 Exemption for securities issued pursuant to § 230.802 of this chapter.**

Any debt security, whether or not issued under an indenture, is exempt from the Act if made in compliance with § 230.802 of this chapter.

[64 FR 61406, Nov. 10, 1999]

**RULES UNDER SECTION 305**

**§ 260.5a-1 Forms for statements of eligibility and qualification.**

(a) Form T-1 shall be used for statements of eligibility and qualification of corporations designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Act.

(b) Form T-2 shall be used for statements of eligibility and qualification of individuals designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Act.

**17 CFR Ch. II (4-1-02 Edition)**

**§ 260.5a-2 General requirements as to form and content of statements of eligibility and qualification.**

Rules 7a-15 through 7a-37 (§§ 260.7a-15 through 260.7a-37 of this chapter) under section 307 under the Trust Indenture Act shall be applicable to statements filed on Forms T-1, T-2, and T-6.

[56 FR 22320, May 15, 1991]

**§ 260.5a-3 Number of copies; filing; signatures; binding.**

(a) Three copies of each statement of eligibility and qualification shall be filed with the registration statement or application for qualification.

(b) At least the original of each statement of eligibility and qualification filed with the Commission shall be signed in the manner prescribed by the particular form.

(c) Each statement of eligibility and qualification and the exhibits thereto shall be bound on the left-hand side in one or more parts, without stiff covers. The binding shall be made in such manner as to leave the reading matter legible.

(d) The statement or statements shall be filed by the obligor upon the indenture securities as a separate part of the registration statement or application for qualification, as the case may be.

[6 FR 667, Jan. 30, 1941, as amended at 16 FR 8737, Aug. 29, 1951]

**§ 260.5b-1 Application pursuant to section 305(b)(2) of the Trust Indenture Act for determining eligibility of a person designated as trustee for offerings on a delayed basis.**

Forms T-1 and T-2 (17 CFR 269.1 and 269.2) shall be used for applications filed for the purpose of determining the eligibility under section 310(a) of the Act of a person designated as trustee for debt securities registered under the Securities Act of 1933 which are eligible to be issued, offered, or sold on a delayed basis by or on behalf of the registrant.

[56 FR 22320, May 15, 1991]

**§ 260.5b-2 General requirements as to form and content of applications.**

Rule 5a-2 (§ 260.5a-2 of this chapter) and rules 7a-15 through 7a-37 [§§ 260.7a-