

## § 1.27

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shall allow inspection of such obligations at any reasonable time by representatives of the Commission.

(b) Each clearing organization which invests money belonging or accruing to commodity or option customers of its clearing members in obligations described in §1.25 shall separately account for such obligations and segregate such obligations as belonging to such commodity or option customers. Such obligations, when deposited with a bank or trust company, shall be deposited under an account name which will clearly show that they belong to commodity or option customers and are segregated as required by the Act and these regulations. Each clearing organization upon opening such an account shall obtain and retain in its files an acknowledgment from such bank or trust company that it was informed that the obligations belong to commodity or option customers of clearing members and are being held in accordance with the provisions of the Act and these regulations. Such acknowledgment shall be retained in accordance with §1.31. Such bank or trust company shall allow inspection of such obligations at any reasonable time by representatives of the Commission.

(Approved by the Office of Management and Budget under control numbers 3038-0007 and 3038-0024)

[46 FR 54519, Nov. 3, 1981, as amended at 46 FR 63035, Dec. 30, 1981]

### § 1.27 Record of investments.

(a) Each futures commission merchant which invests customer funds, and each clearing organization which invests customer funds of its clearing members' customers or option customers, shall keep a record showing the following:

- (1) The date on which such investments were made;
- (2) The name of the person through whom such investments were made;
- (3) The amount of money so invested;
- (4) A description of the obligations in which such investments were made, including the CUSIP numbers;
- (5) The identity of the depositories or other places where such obligations are segregated;
- (6) The date on which such investments were liquidated or otherwise dis-

posed of and the amount of money received of such disposition, if any; and

(7) The name of the person to or through whom such investments were disposed of.

(b) Each clearing organization which receives documents from its clearing members representing investment of customer funds shall keep a record showing separately for each clearing member the following:

- (1) The date on which such documents were received from the clearing member;
- (2) A description of such documents, including the CUSIP numbers; and
- (3) The date on which such documents were returned to the clearing member or the details of disposition by other means.

(c) Such records shall be retained in accordance with §1.31. No such investments shall be made except in obligations described in §1.25.

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[46 FR 54520, Nov. 3, 1981, as amended at 46 FR 63035, Dec. 30, 1981; 62 FR 42401, Aug. 7, 1997]

### § 1.28 Appraisal of obligations purchased with customer funds.

Futures commission merchants who invest customer funds in obligations described in §1.25 of this part shall include such obligations in segregated account records and reports at values which at no time exceed current market value, determined as of the close of the market on the date for which such computation is made.

[58 FR 10953, Feb. 23, 1993]

### § 1.29 Increment or interest resulting from investment of customer funds.

The investment of customer funds in obligations described in §1.25 shall not prevent the futures commission merchant or clearing organization so investing such funds from receiving and retaining as its own any increment or interest resulting therefrom.

[46 FR 54520, Nov. 3, 1981]