

Presidential Memorandum Delays Effectiveness of Fiduciary Rule

Written by Robert G. Sawyer

February 3, 2017

On February 3, 2017, President Trump issued a presidential memorandum to the U.S. Department of Labor (“DOL”), which delays by 180 days the effective date (originally scheduled for April 10, 2017) of the DOL’s adopted, but not yet effective, fiduciary rule (the “Fiduciary Rule”). In addition, the memorandum directs the DOL to re-examine the Fiduciary Rule to determine its likely impact on retirees and other investors as well as the retirement services industry, and whether it may lead to an increase in litigation. If the DOL determines that the Fiduciary Rule is likely to harm investors or the retirement services industry, it is directed to issue proposals to revise or rescind the Fiduciary Rule. Investment advisers and other financial services firms that provide advice to retirement plans and individual retirement accounts, particularly those who have not yet effected changes to their agreements and policies in order to comply with the Fiduciary Rule, may wish to delay implementation of any further changes pending word from the DOL as to any changes that may be forthcoming. Foley Hoag will keep its clients informed of developments as they occur.

Any investment adviser with further questions regarding the effect of this executive action should contact their Foley Hoag lawyer.

RELATED INDUSTRIES

- [Investment Advisers & Private Funds](#)
- [Professional Services](#)

RELATED PRACTICES

- [Business Counseling](#)

This communication is intended for general information purposes and as a service to clients and friends of Foley Hoag LLP. This communication should not be construed as legal advice or a legal opinion on any specific facts or circumstances, and does not create an attorney-client relationship.

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

Attorney advertising. Prior results do not guarantee a similar outcome. © 2017 Foley Hoag LLP. All rights reserved.