

Stockbrokerage and Investment Banking Expert Panel

Applicable Audit, Attestation and Independence Standards



The Stockbrokerage and Investment Banking Expert Panel serves the needs of AICPA members on financial and business reporting and audit and attest matters. The expert panel protects the public interest by bringing together knowledgeable parties in the depository institutions industry to deliberate and come to agreement on key issues.

The following table summarizes the **audit, attestation and independence standards** applicable to AICPA members performing audit and attestation engagements for certain SEC and/or CFTC-registered entities¹. This table is based upon current applicable rules and/or law, as well as the May 2004 [AICPA Council resolution](#).

¹ Dodd-Frank gave the PCAOB full oversight authority over audits of BDs registered with the SEC. However, per [AICPA Council Resolution](#), audit and attestation engagements of entities *other than issuers or SEC-registered BDs* continue to be subject to AICPA standards, even though regulators may require audits of such entities to be conducted under PCAOB standards.

	Applicable Audit/ Attest Standards	Applicable Independence Standards	Is the <u>audit engagement</u> subject to PCAOB inspection?
1. Audits of Pooled Investment Vehicle (PIV) when PIV's SEC-Registered Investment Adviser (RIA) relies on "audit provision"²	AICPA	AICPA and SEC	No.
2. Security-based swap data repository (SDR³)	AICPA and PCAOB ⁴	AICPA, PCAOB and SEC	No.
3. Clearing agencies⁵	AICPA and PCAOB	AICPA, PCAOB and SEC	No.
4. SEC-registered Broker-Dealers (BDs)	PCAOB	SEC and PCAOB ⁶	Yes.
5. CFTC-registered Futures Commission Merchants (FCMs)⁷	AICPA and PCAOB	AICPA, SEC and PCAOB ⁸	No.
6. SEC-registered BDs also registered as FCMs with CFTC	PCAOB	SEC and PCAOB	Yes.
7. CFTC-registered Introducing Brokers (IBs)⁹	AICPA	AICPA	No.
8. SEC-registered BDs also registered as IBs with the CFTC	PCAOB	SEC and PCAOB	Yes.
9. CFTC-registered commodity pools	AICPA	AICPA	No.
10. CFTC-registered FX dealers	AICPA	AICPA	No.
11. CFTC-registered FX dealer also registered as FCM	AICPA and PCAOB	AICPA, PCAOB and SEC	No.

² SEC's [custody rule](#), applicable to SEC RIAs, contains an "audit provision" entitling advisers to PIVs to an exemption from a surprise examination requirement if the PIV has its financial statements audited by an independent public accountant registered with, and subject to regular inspection by, the PCAOB. The requirements in this table apply only when the RIA relies on this provision.

³ For non-issuer SDRs only (also see footnote 1).

⁴ The [rule](#) is effective 60- days from Federal Register Publication. As of 3/5/2015, not published in Federal Register.

⁵ For non-issuers only (also see footnote 1).

⁶ Refer to joint [AICPA/CAQ alert](#) "SEC/PCAOB Independence Rules for Non-Issuer Audit and Attestation Engagements" for more information.

⁷ Until further CFTC rulemaking, FCMs will file an internal control report per CFTC Regulation 1.16 with CFTC prepared under AICPA attestation standards as adopted by PCAOB. Also see CFTC [customer protections rule](#).

⁸ See March 28, 2014, CFTC's Division of Swap Dealer and Intermediary Oversight (DSIO) interpretive letter ([release PR6897-14](#)) and AICPA [article](#) on this topic.

⁹ Until further CFTC rulemaking, IBs will file an internal control report per CFTC Reg 1.16 with CFTC prepared per AICPA audit standards (AU-C §265).