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Final regulations: Fiduciary standard for retirement investment advice; applicability date is extended

The Labor Department today released for publication in the Federal Register a document extending the applicability date of the final regulations affecting the investment advice standard imposed on retirement investment advisers. The rules impose a fiduciary duty on persons providing retirement investment advice.

The 17-page [final regulations](#) [PDF 1 MB] extend for 60 days the applicability of the final regulations published on April 8, 2016, concerning who is a “fiduciary” under the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986. Read [TaxNewsFlash-United States](#).

- The release also extends for 60 days the applicability dates of the best interest contract exemption and the class exemption for principal transactions in certain assets between investment advice fiduciaries and employee benefit plans and IRAs.
- It requires that fiduciaries relying on these exemptions for covered transactions adhere only to the impartial conduct standards (including the “best interest” standard), as conditions of the exemptions during the transition period from June 9, 2017, through January 1, 2018.
- The release delays the applicability of amendments to “prohibited transaction exemption 84-24” until January 1, 2018, other than the impartial conduct standards, which will become applicable on June 9, 2017.
- It extends for 60 days the applicability dates of amendments to other previously granted exemptions.

The regulations are effective April 10, 2017. The end of the effective period for the previous [regulations](#) [PDF 606 KB] is extended from April 10, 2017, to June 9, 2017.

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