

Securities Exchange Act of 1934, see section 78bb of this title.

Civil liabilities on account of false registration statement, see section 77k of this title.

Fraudulent interstate transactions, see section 77q of this title.

Liability for misleading statements under—

Public Utility Holding Company Act of 1935, see section 79p of this title.

Securities Exchange Act of 1934, see section 78r of this title.

Limitation of actions under—

Securities Act of 1933, see section 77m of this title.

Securities Exchange Act of 1934, see sections 78i and 78r of this title.

Statements in or omissions from analysis required under sections 77eee to 77ggg of this title, section as inapplicable to, see section 77eee of this title.

Undertaking for costs under—

Securities Act of 1933, see section 77k of this title.

Securities Exchange Act of 1934, see sections 78i and 78r of this title.

This subchapter in suit to enforce right or remedy or suit against trustee, see section 77ooo of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 77eee of this title.

§ 77xxx. Unlawful representations

It shall be unlawful for any person in offering, selling or issuing any security to represent or imply in any manner whatsoever that any action or failure to act by the Commission in the administration of this subchapter means that the Commission has in any way passed upon the merits of, or given approval to, any trustee, indenture or security, or any transaction or transactions therein, or that any such action or failure to act with regard to any statement or report filed with or examined by the Commission pursuant to this subchapter or any rule, regulation, or order thereunder, has the effect of a finding by the Commission that such statement or report is true and accurate on its face or that it is not false or misleading.

(May 27, 1933, ch. 38, title III, § 324, as added Aug. 3, 1939, ch. 411, 53 Stat. 1176; amended Aug. 10, 1954, ch. 667, title III, § 305, 68 Stat. 688.)

AMENDMENTS

1954—Act Aug. 10, 1954, substituted “offering, selling, or issuing” for “issuing or selling”.

EFFECTIVE DATE OF 1954 AMENDMENT

Amendment by act Aug. 10, 1954, effective 60 days after Aug. 10, 1954, see note under section 77b of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of Securities and Exchange Commission, with certain exceptions, to Chairman of such Commission, see Reorg. Plan No. 10 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3175, 64 Stat. 1265, set out under section 78d of this title.

CROSS REFERENCES

Representation of guaranty or recommendation by United States of registered holding company’s security, see section 79z-2 of this title.

Representations by Corporation of Foreign Security Holders as acting for Department of State or United States forbidden, see section 77kk of this title.

Rules and regulations, authority of Commission to make, issue, amend, and rescind, see section 77sss of this title.

Unlawful representations under—

Investment Advisers Act of 1940, see section 80b-8 of this title.

Investment Company Act of 1940, see section 80a-34 of this title.

Securities Act of 1933, see section 77w of this title.

Securities Exchange Act of 1934, see section 78z of this title.

§ 77yyy. Penalties

Any person who willfully violates any provision of this subchapter or any rule, regulation, or order thereunder, or any person who willfully, in any application, report, or document filed or required to be filed under the provisions of this subchapter or any rule, regulation, or order thereunder, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$10,000 or imprisoned not more than five years, or both.

(May 27, 1933, ch. 38, title III, § 325, as added Aug. 3, 1939, ch. 411, 53 Stat. 1177; amended June 4, 1975, Pub. L. 94-29, § 27(d), 89 Stat. 163.)

AMENDMENTS

1975—Pub. L. 94-29 substituted “\$10,000” for “\$5,000”.

EFFECTIVE DATE OF 1975 AMENDMENT

Amendment by Pub. L. 94-29 effective June 4, 1975, see section 31(a) of Pub. L. 94-29, set out as a note under section 78b of this title.

CROSS REFERENCES

Penalties under—

Investment Advisers Act of 1940, see section 80b-17 of this title.

Investment Company Act of 1940, see section 80a-84 of this title.

Public Utility Holding Company Act of 1935, see section 79z-3 of this title.

Securities Act of 1933, see section 77x of this title.

Securities Exchange Act of 1934, see section 78ff of this title.

Rules and regulations, authority of Commission to make, issue, amend and rescind, see section 77sss of this title.

Statements in or omissions from analysis required under sections 77eee to 77ggg of this title, section as inapplicable to, see section 77eee of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 77eee of this title.

§ 77zzz. Effect on existing law

Except as otherwise expressly provided, nothing in this subchapter shall affect (1) the jurisdiction of the Commission under the Securities Act of 1933 [15 U.S.C. 77a et seq.], or the Securities Exchange Act of 1934 [15 U.S.C. 78a et seq.], or the Public Utility Holding Company Act of 1935 [15 U.S.C. 79 et seq.], over any person, security, or contract, or (2) the rights, obligations, duties, or liabilities of any person under such acts; nor shall anything in this subchapter affect the jurisdiction of any other commission, board, agency, or officer of the United States or of any State or political subdivision of any State, over any person or security, insofar as such jurisdiction does not conflict with any pro-