

(3) Engage in dishonest or unethical practices as the Commissioner may define by rule; or

(4) When acting as principal for [his] THE PERSON'S own account knowingly sell any security to or purchase any security from a client, or when acting in an agency capacity for a person other than such client knowingly effect any sale or purchase of any security for the account of such client, without disclosing to such client in writing before the completion of such transaction the capacity in which [he] THE PERSON is acting and obtaining the consent of the client to such transaction.

(b) The prohibitions of subsection (a)(4) of this section do not apply to any transaction with a customer of a broker-dealer if the broker-dealer is not acting as an investment adviser in relation to the transaction OR TO TRANSACTIONS BY A FEDERAL COVERED ADVISER WHO IS OTHERWISE SUBJECT TO THE LIMITATIONS ON PRINCIPAL TRADES UNDER THE FEDERAL SECURITIES LAWS.

(d) (1) The Commissioner by rule or order may require that certain information be furnished or disseminated BY INVESTMENT ADVISERS as appropriate in the public interest or for the protection of investors and advisory clients.

(2) To the extent determined by the Commissioner in [his] THE COMMISSIONER'S discretion, information furnished to clients or prospective clients of an investment adviser [pursuant to] THAT WOULD BE IN COMPLIANCE WITH THE DISCLOSURE REQUIREMENTS OF the Investment Advisers Act of 1940 and the rules thereunder may be used in whole or partial satisfaction of this requirement.

11-304.

(a) (1) Neither the fact that an application for registration under Subtitle 4 of this title or a registration statement OR NOTICE FILING under Subtitle 5 of this title has been filed, nor the fact that a person or security is effectively registered constitutes a finding by the Commissioner that any document filed under this title is true, complete, and not misleading.

Subtitle 4. [Registration] REQUIREMENTS of Broker-Dealers, Agents, Investment Advisers, [and] Investment Adviser Representatives, AND FEDERAL COVERED ADVISERS.

11-401.

(a) [It is unlawful for any] A person [to] MAY NOT transact business in this State as a broker-dealer or agent unless [he] THE PERSON is registered under this subtitle.

(b) [It is unlawful for any] A person [to] MAY NOT transact business in this State as an investment adviser or as an investment adviser representative unless:

(1) [He] THE PERSON is registered as an investment adviser or an investment adviser representative under this subtitle; or

(2) [His] THE PERSON'S only clients in this State are investment companies as defined in the Investment Company Act of 1940, or insurance companies; or