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**NEW QUESTION: 1**

Robert Keith, CFA, has begun a new job at CMT Investments as Head of Compliance. Keith has just completed a review of all of CMT's operations, and has interviewed all the firm's portfolio managers. Many are CFA charterholders, but some are not. Keith intends to use the CFA Institute Code and Standards, as well as the Asset Manager Code of Professional Conduct, as ethical guidelines for CMT to follow.

In the course of Keith's review of the firm's overall practices, he has noted a few situations which potentially need to be addressed.

Situation 1:

CMT Investments' policy regarding acceptance of gifts and entertainment is not entirely clear. There is general confusion within the firm regarding what is and is not acceptable practice regarding gifts, entertainment and additional compensation.

Situation 2:

Keith sees inconsistency regarding fee disclosures to clients. In some cases, information related to fees paid to investment managers for investment services provided are properly disclosed. However, a few of the periodic costs, which will affect investment return, are not disclosed to the clients. Most managers are providing clients with investment returns net of fees, but a few are just providing the gross returns. One of the managers stated "providing gross returns is acceptable, as long as I show the fees such that the client can make their own simple calculation of the returns net of fees."

Situation 3: Keith has noticed a few gaps in CMT's procedure regarding use of soft dollars. There have been cases where "directed brokerage" has resulted in less than prompt execution of trades. He also found a few cases where a manager paid a higher commission than normal, in order to obtain goods or services. Keith is considering adding two statements to CMT's policy and procedures manual specifically addressing the primary issues he noted.

Statement 1:

"Commissions paid, and any corresponding benefits received, are the property of the client. The benefit(s) must directly benefit the client. If a manager's client directs the manager to purchase goods or services that do not provide research services that benefit the client, this violates the duty of loyalty to the client."

Statement 2: "In cases of "directed brokerage," if there is concern that the client is not receiving the best execution, it is acceptable to utilize a less than ideal broker, but it must be disclosed to the client that they may not be obtaining the best execution."

Situation 4:

Keith is still evaluating his data, but it appears that there may be situations where proxies were not voted.

After completing his analysis of proxy voting procedures at CMT, Keith wants to insert the proper language into the procedures manual to address proxy voting.

Situation 5:

Keith is putting into place a "disaster recovery- plan," in order to ensure business continuity in the event of a localized disaster, and also to protect against any type of disruption in the financial markets. This plan includes the following provisions:

- \* Procedures for communicating with clients, especially in the event of extended disruption of services provided.

- \* Alternate arrangement for monitoring and analyzing investments in the event that primary systems become unavailable.

- \* Plans for internal communication and coverage of crucial business functions in the event of disruption at the primary place of business, or a communications breakdown.

Keith is considering adding the following provisions to the disaster recovery plan in order to properly comply with the CFA Institute Asset Manager Code of Professional Conduct:

Provision 1: "A provision needs to be added incorporating off-site backup for all pertinent account information."

Provision 2: "A provision mandating testing of the plan on a company-wide basis, at periodical intervals, should be added."

Situation 6:

Keith is spending an incredible amount of time on detailed procedures and company policies that are in compliance with the CFA Institute Code and Standards, and also in compliance with the CFA Institute Asset Manager Code of Professional Conduct. As part of this process, he has had several meetings with CMT senior management, and is second-guessing the process. One of the senior managers is indicating that it might be a better idea to just formally adopt both the Code and Standards and the Asset Manager Code of Conduct, which would make a detailed policy and procedure manual redundant.

Keith wants to assure CMT's compliance with the requirements of the CFA Institute Code and Standards of Professional Conduct.

Which of the following statements most accurately describes CMT's responsibilities in order to assure compliance?

**A.** Although adoption of the CFA Institute Asset Manager Code of Conduct is not a requirement, the Standards of Practice encourage firms to adopt this Code. CMT must adopt supplemental policies and procedures as part of a policy manual in order to properly implement the CFA Institute guidelines.

**B.** CMT must adopt the Asset Manager Code of Conduct, as required by the CFA Institute Code and Standards. The policy manual is acceptable, but not necessary.

**C.** The Standards of Practice do not require CMT to adopt the Asset Manager Code of Conduct, nor is there a requirement to publish a detailed procedural manual. Disclosure of policies is required, and any changes or updates to policies must be immediately disseminated.

**Answer: A**

Explanation:

Explanation/Reference:

Explanation:

CFA Institute clearly encourages firms to adopt not only the Code and Standards, but additionally the Asset Manager Code of Conduct. The Standards do not require adoption of the Asset Manager Code, but it provides a proper ethical framework for a firm to work within. However, these are insufficient on a stand alone basis; they must be supplemented by detailed processes and procedures specific that the individual firm. (Study Session 2, LOS 6.b)

**NEW QUESTION: 2**

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**Answer: D**

**NEW QUESTION: 3**

A customer called to report one cluster member's status as Down. What command should you use to identify the possible cause?

- A. tcpdump/snoop
- B. cphaprob list
- C. fw ctl debug -m cluster + forward
- D. fw ctl pstat

**Answer: B**

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