§ 275.0-2 General procedures for serving non-residents.

(a) General procedures for *serving* process, pleadings, or other papers on non-resident investment advisers, general partners and managing agents.  Under Forms ADV and ADV-NR [17 CFR 279.1 and 279.4], a person may serve process, pleadings, or other papers on a non-resident investment adviser, or on a non-resident general partner or non-resident managing agent of an investment adviser by serving any or all of its appointed agents:

(1) A person may *serve* a non-resident investment adviser, non-resident general partner, or non-resident managing agent by *furnishing* the Commission with one copy of the process, pleadings, or papers, for each named party, and one additional copy for the Commission's records.

(2) If process, pleadings, or other papers are *served* on the Commission as described in this section, the Secretary of the Commission (Secretary) will promptly *forward* a copy to each named party by registered or certified mail at that party's lastaddress filed with the Commission.

(3) If the Secretary *certifies* that the Commission was *served* with process, pleadings, or other papers pursuant to paragraph (a)(1) of this section and *forwarded* these documents to a named party pursuant to paragraph (a)(2) of this section, this certification *constitutes* evidence of service upon that party.

(b) Definitions.  For purposes of this section:

(1) Managing agent means any person, including a trustee, who directs or manages, or who participates in directing or managing, the affairs of any unincorporated organization or association other than a partnership.

(2) Non-resident means:

(i) An individual who resides in any place not subject to the jurisdiction of the United States;

(ii) A corporation that is incorporated in or that has its principal office and place of business in any place not subject to the jurisdiction of the United States; and

(iii) A partnership or other unincorporated organization or association that has its principal office and place of business in any place not subject to the jurisdiction of the United States.

(3) Principal office and place of business has the same meaning as in § 275.203A-3(c) of this chapter.