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Companies May No Longer Need to Mail Copies of Their Annual Reports to the SEC

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A recent compliance and disclosure interpretation by the SEC staff indicated that, in lieu of mailing paper copies of a company's annual report to the SEC or filing it on Edgar, a company may post the report electronically on its website so long as it meets the deadlines required in the proxy rules. The report must remain on the company's website for at least a year.

The rules require mailing to the SEC no later than the date on which the report is first sent to security holders. This guidance also applies to companies furnishings annual reports to the SEC pursuant to Section 15(d) of the Exchange Act if required under Form 10-K.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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