

FOR IMMEDIATE RELEASE

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**NEW CERTIFICATION FOR FIDUCIARY ADVISERS AND  
ELIGIBLE INVESTMENT ADVICE ARRANGEMENTS**

**PITTSBURGH, April 26, 2007** – CEFEX, Centre for Fiduciary Excellence, LLC, is announcing today, the introduction of an audit and certification program in response to the Pension Protection Act (PPA) passed in August 2006. The Act requires that ‘eligible investment advice arrangements’ (EIAA) between plan sponsors and fiduciary advisers, be independently-audited on an annual basis. CEFEX is now offering an independent audit based on a defined set of fiduciary practices through its network of qualified Analysts.

CEFEX is also offering a certification program to ‘fiduciary advisers’ as defined by the PPA, who intend to serve in EIAA’s. By becoming certified, fiduciary advisers can demonstrate their qualification to plan sponsors, since the certification can occur prior to an EIAA audit.

The fiduciary adviser certification program is supplemental to the existing CEFEX Investment Advisor Certification based on the fiduciary practices published by **Fiduciary360** of Sewickley, PA. These practices are defined in the Fiduciary 360 publication "Prudent Practices for Investment Advisors" which was reviewed by Reish, Luftman Reicher & Cohen of Los Angeles, CA, and edited by the American Institute of Certified Public Accountants (AICPA).

For both the CEFEX audit and the CEFEX certification, a written report is provided to the fiduciary who authorized the EIAA, which presents the specific findings regarding PPA-compliance. The independence of the audit and the associated findings is assured through a separate review by the CEFEX Registration Committee, where a final registration decision is made. The entire process is based on the International Organization for Standardization’s ISO 19011 audit standard.

**Actium, LLC** of Grand Rapids, Michigan is one of the first fiduciary advisers to successfully complete this new fiduciary assessment. Actium offers investment advisory services to qualified participant-directed pension plans, specifically designed to be compliant with the PPA’s ‘fiduciary adviser’ requirements. According to CEFEX’s General Manager, Carlos Panksep, “Actium has demonstrated adherence to the practices required to serve as a fiduciary adviser. Actium can represent itself to Plan Sponsors as being ‘PPA-ready’, thereby helping assure the Plan’s preparedness for an EIAA audit.” Christine Denton, the lead Analyst who conducted the assessment, said “Actium’s business model was well-designed. It positioned the company in a way that allowed it to meet the PPA’s requirements.”

Final registrations are listed for view by the public at [www.cefex.org/registeredcompanies.aspx](http://www.cefex.org/registeredcompanies.aspx). Registered EIAA’s and fiduciary advisers are awarded a CEFEX certificate, and the right to display the CEFEX mark in print and on-line representations.

While regulations have not yet been published by the U.S. Department of Labor, CEFEX is responding to the demand from advisors and Plan Sponsors who need to prepare for the new requirements, and want to demonstrate their fiduciary excellence. The certifications will be updated through a re-assessment, as soon as the regulations are published.

### **Definitions:**

An ‘*eligible investment advice arrangement*’ (EIAA) is an arrangement that either provides that any fees (including commission or other compensation) received by the fiduciary adviser for investment advice or with respect to the investment of plan assets **do not vary** depending on the basis of any investment option selected, or uses a computer model under an investment advice program that meets the requirements set forth in section 408(g)(3) of ERISA.

A ‘*fiduciary adviser*’ is defined in section 408(g)(11)(A) of ERISA to mean a person who is a fiduciary of the plan by reason of providing investment advice *and* is a registered investment adviser, a bank or similar financial institution, an insurance company, or a registered broker/dealer; an affiliate of such registered investment adviser, bank, insurance company, or broker dealer, *or* an employee, agent or registered representative of any such entity.

*CEFEX Analysts* are completely independent to the EIAA, carry the Accredited Investment Fiduciary Analyst (AIFA) designation, and have technical training and experience to conduct the assessments, and provide their qualifications in writing, prior to the audit.

The *CEFEX Registration Committee* is comprised of 5 or more experts in the field of investment management and fiduciary matters. Their qualifications are provided in writing, prior to the audit.

For more information on *Actium, LLC* please contact John Whaley, CEO at 616-855-2362, or visit [www.myactium.com](http://www.myactium.com).

*About CEFEX* ([www.cefex.org](http://www.cefex.org)):

*CEFEX Centre for Fiduciary Excellence, LLC. (CEFEX) is an independent certification organization. CEFEX works closely with investment fiduciaries and industry experts to provide comprehensive assessment programs to improve risk management for institutional and retail investors. CEFEX certifications help determine trustworthiness of investment fiduciaries. CEFEX is comprised of the following member organizations:*

**CSA Group**, *CSA Group is an independent, not-for-profit membership association serving business, industry, government, and consumers. CSA Group consists of four divisions: Canadian Standards Association, a leading solutions-based standards organization, providing standards development, application products, training and advisory services; CSA International, which provides testing and certification services; QMI, North America’s leading registrar for management systems registration (e.g., ISO 9001); and OnSpeX, a provider of consumer product testing, inspections and advisory services for retailers and manufacturers. Please visit [www.csagroup.org](http://www.csagroup.org)*

**SAI Global** (ASX: SAI) *is one of the world’s leading applied information services companies that works with organizations to manage risk, achieve compliance, and drive business*

*improvement. Through its compliance software solutions and international network of auditors and training professionals, it helps organizations to build better businesses. Please visit [www.saiglobal.com](http://www.saiglobal.com).*

***Fiduciary360*** in Pittsburgh, USA, developed the Accredited Investment Fiduciary (AIF<sup>®</sup>) and Accredited Investment Fiduciary Analyst (AIFA<sup>®</sup>) designations. Fiduciary360 is comprised of the Foundation for Fiduciary Studies, a nonprofit organization established in 2000 for the purpose of defining the practices that detail a prudent process for investment fiduciaries; the Center for Fiduciary Studies, which provides educational programs on investment fiduciary responsibility; and Fiduciary Analytics, which develops Web-based tools incorporating fiduciary practices for investment decision-makers. Please visit [www.fi360.com](http://www.fi360.com).

***Rating Capital Partners*** is a European-based rating agency that pioneered the concept of fiduciary risk and rating in 1995. It has generated numerous ratings on mid-sized alternative management firms in bonds, equities, money markets, real estate, hedge funds, life settlement, and private equity investments.

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