**Section 130.247 Definition of the Term "Public" as Used in Section 4(G)(4) of the Act**

The term "public" as used in Section 4(G)(4) of the Act shall not include:

a) A purchaser of the securities named in the Report of Sale, so long as the information disclosed is limited to the information in such Report, if any, concerning the sale of securities to the person requesting the information;

b) The issuer, controlling person or dealer who filed the Report of Sale with respect to which information is disclosed, or on whose behalf such Report of Sale was filed with the Secretary;

c) The agent, representative or attorney of a person referred to in subsection (a) or (b) of this Section, provided that such agent, representative or attorney submits written authorization from such person authorizing the release of such information with respect to such person;

d) Any state, federal or other governmental agency, or any self-regulatory organization registered under the Federal 1934 Act or Federal 1936 Act, as defined in Section 130.200 of this Part, provided the following conditions are satisfied:

1) The party seeking the information submits a written request therefor to the Securities Department;

2) The written request contains a representation that the information has been requested for purposes of gathering information in connection with an investigation being conducted by the respective governmental or self-regulatory authority; and

3) The written request contains an undertaking on behalf of the respective governmental authority or self-regulatory organization which provides that any information or documents tendered in response to the request shall not be disclosed to any person employed outside of the government or self-regulating organization conducting the investigation without prior written approval of the Securities Director, or his or her designee unless so ordered by a court of competent jurisdiction.

(Source: Added at 14 Ill. Reg. 5188, effective March 26, 1990)