**Section 130.852 Compensation**

a) No registered investment adviser or its representatives shall charge or receive compensation in connection with the giving of investment advice unless the compensation is fair and reasonable and is determined on an equitable basis adequately disclosed to each client in writing.

b) No registered investment adviser or its representatives shall charge or receive compensation in connection with the giving of investment advice that provides for compensation to the investment adviser or its representative on the basis of a share of the capital gains upon, or the capital appreciation of, the funds, or any portion of the funds, of a client, unless the fees are charged in conformance with the provisions set forth in 17 CFR 275.205-3 (September 19, 2011)

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)