

Washington, D.C. 20549

# STIES AND EXCHANGE COMMISSION

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### ANNUAL AUDITED REPORT FORM X-17A-5 PART III

**FACING PAGE** Information Required of Brokers and Dealers Pursuant to Section 17 of the

## Securities Exchange Act of 1934 and Rule 17a-5 Thereunder AND ENDING REPORT FOR THE PERIOD BEGINNING A. REGISTRANT IDENTIFICATION Securities Davy OFFICIAL USE ONLY NAME OF BROKER-DEALER: ADDRESS OF PRINCIPAL PLACE OF BUSINESS: (Do not use P.O. Box No.) FIRM I.D. NO. (Zip Code) AND TELEPHONE NUMBER OF PERSON TO CONTACT IN REGARD TO THIS REPORT (Area Code - Telephone Number) **B. ACCOUNTANT IDENTIFICATION** INDEPENDENT PUBLIC ACCOUNTANT whose opinion is contained in this Report\* (Name - if individual, state last, first, middle name) SECURITIES AND EXCHANGE COMMISSION **CHECK ONE:**

\*Claims for exemption from the requirement that the annual report be covered by the opinion of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis for the exemption. See Section 240.17a-5(e)(2)

FOR OFFICIAL USE

Accountant not resident in United States or any of its possessions of BRANCH OF

SEC 1410 (06-02)

☐ Certified Public Accountant

☐ Public Accountant

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	OATH OR A	AFFIRMATION
PÌ	1. 0	, swear (or affirm) that, to the best of
, <u>Ih</u>	the accompanying financial statem	ent and supporting schedules pertaining to the firm of
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of $31^{\frac{3}{2}}$	t 5 - 6 of 200	fficer or director has any proprietary interest in any account
		Signature
		Find P Title
	Notary Public	
	Notary Public	
This repor	rt ** contains (check all applicable boxes):	
(2) F	Facing Page.	
(b) S	Statement of Financial Condition. Statement of Income (Loss).	
(d) S (e) S (f) S	Statement of Changes in Financial Condition. Statement of Changes in Stockholders' Equity or P Statement of Changes in Liabilities Subordinated t	Partners' or Sole Proprietors' Capital. To Claims of Creditors.
(h) (c) (i) I	Commutation for Determination of the Reserve Key	n of the Computation of Net Capital Under Rule 15c3-1 and the

(k) A Reconciliation between the audited and unaudited Statements of Financial Condition with respect to methods of

(l) An Oath or Affirmation.

(m) A copy of the SIPC Supplemental Report.

(n) A report describing any material inadequacies found to exist or found to have existed since the date of the previous audit.

\*\*For conditions of confidential treatment of certain portions of this filing, see section 240.17a-5(e)(3).

consolidation.

(a wholly owned subsidiary of J & E Davy Holdings)

Statement of Financial Condition As of 31 December 2009

(With Independent Auditors' Report Thereon)

Davy Securities
(a wholly owned subsidiary of J&E Davy Holdings)

Table of Contents	Page
Independent Auditors' Report	1
Statement of Financial Condition	2
Notes to Statement of Financial Condition	3-5



KPMG Chartered Accountants

1 Stokes Place St. Stephen's Green Dublin 2 Ireland

### **Independent Auditors' Report**

Board of Directors Davy Securities:

We have audited the accompanying statement of financial condition of Davy Securities (the "Company") (a wholly owned subsidiary of J & E Davy Holdings) as of December 31, 2009, that you are filing pursuant to Rule 17a-5 under the Securities Exchange Act of 1934. This statement of financial condition is the responsibility of the Company's management. Our responsibility is to express an opinion on this statement of financial condition based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the statement of financial condition is free of material misstatement. An audit of a statement of financial condition includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control over financial reporting. Accordingly, we express no such opinion. An audit of a statement of financial condition also includes examining, on a test basis, evidence supporting the amounts and disclosures in that statement of financial condition, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall statement of financial condition presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the statement of financial condition referred to above presents fairly, in all material respects, the financial position of the Davy Securities as of December 31, 2009, in conformity with U.S. generally accepted accounting principles.

KPMG KPMG

24 February 2010

Davy Securities (a wholly owned subsidiary of J&E Davy Holdings)

### Statement of Financial Condition (In US Dollars) As at December 31, 2009

Assets	\$4 <i>EKE</i> 900
Cash and cash equivalents	\$4,565,899 79,975
Corporation tax receivable	7,308
Other assets	
Total assets	\$4,653,182
Liabilities and Stockholder's Equity Liabilities:	
Accounts payable and accrued expenses	\$1,033,247
Due to affiliates	722,725
,	
Total liabilities	1,755,972
Commitments and Contingencies	
Stockholder's equity	2,897,210
Total stockholder's equity	2,897,210
Total liabilities and stockholder's equity	\$4,653,182

The accompanying notes are an integral part of the Statement of Financial Condition.

(a wholly owned subsidiary of J&E Davy Holdings)

### Notes to Statement of Financial Condition (Continued)

### 1 Organization and description of the business

Davy Securities commenced trading during the year ended 31 December 2006. The Company is a registered broker-dealer with the Securities and Exchange Commission (the "SEC") and is a member of the Financial Industry Regulatory Authority (FINRA). Its business encompassed the execution, as agent only, of transactions in foreign (from a U.S. perspective) equities, which are listed primarily on the London and/or Irish Stock Exchanges and foreign fixed income securities. The Company executes all client orders for foreign securities with J & E Davy (trading as Davy), an affiliated foreign broker-dealer (member of the Irish Stock Exchange "ISE" and the London Stock Exchange "LSE" and authorised by the Financial Regulator under the Stock Exchange Act 1995). J & E Davy will report these executed trades to the relevant stock exchange. Davy Securities executes the client order with J & E Davy which in turn will execute the order with a member of the relevant stock exchange or a market maker.

Davy Securities is a wholly owned subsidiary of J & E Davy Holdings. The ultimate holding company is Amber Note. J & E Davy Holdings and Amber Note are both incorporated in Ireland.

### 2 Summary of significant accounting policies

### **Basis of presentation**

The statement of financial condition was prepared in conformity with accounting principles generally accepted in the United States of America which requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the statement of financial condition. Actual results could differ from those estimates.

#### Securities transactions

Customer security transactions are recorded on a settlement date basis, generally the third business day following the transaction date. The impact of using settlement date accounting approximates the results that would have been achieved under trade date accounting.

### Foreign currencies

The Company's functional currency is the euro. Monetary assets and liabilities denominated in foreign currencies are translated into euros using exchange rates prevailing at the end of the year. Non-monetary assets and liabilities denominated in foreign currencies are translated into euros using historical exchange rates.

(a wholly owned subsidiary of J&E Davy Holdings)

### Notes to Statement of Financial Condition (Continued)

### 2 Summary of significant accounting policies (continued)

### Foreign currencies (continued)

For presentation purposes, the financial statements have been translated from the functional currency, euros, into U.S. dollars. Assets and liabilities are translated into dollars using exchange rates prevailing at the end of the year (1 dollar = 0.6959 euro). Stockholder's equity balances have been translated into dollars using historical exchange rates. Revenues and expenses are translated into dollars using the average rate for the year (1 dollar = 0.7169 euro). Adjustments arising from translation into the presentation currency, U.S. dollars, are recognised in the currency translation account within Stockholder's equity.

#### Income taxes

The Company accounts for income tax in accordance with SFAS No. 109, "Accounting for Income Taxes," ("SFAS 109"). The Company accounts for income taxes under the asset and liability method. Under the asset and liability method, deferred tax assets and liabilities are recognized for the future tax consequences attributable to differences between the financial statement carrying amounts of existing assets and liabilities and their respective tax bases and operating loss and tax credit carryforwards. Deferred tax assets and liabilities are measured using enacted tax rates expected to apply to taxable income in the years in which those temporary differences are expected to be recovered or settled. The effect on deferred tax assets and liabilities of a change in tax rates is recognized in income in the period that includes the enactment date.

There was no deferred taxation as at December 31, 2009 (2008: Nil).

### 3 Cash and cash equivalents

Cash and cash equivalents aggregating \$4,565,899 consist of cash. The Company considers all highly-liquid instruments with original maturities of three months or less to be cash equivalents.

#### 4 Commitments and contingent liabilities

There were no commitments or contingent liabilities at year end.

### 5 Related party transactions

Corporate overhead expenses are allocated to the Company by J & E Davy based on direct usage, headcount or volume depending on the source of the expense. All direct expenses are paid by J & E Davy and recharged through the inter-company account. As at December 31, 2009 a net amount of \$722,725 was due to J&E Davy relating to trade settlement accounts, and accrued income and expenses.

### 6 Net Capital Requirement

As a registered broker-dealer and a FINRA member firm, the Company is subject to the SEC's Uniform Net Capital Rule (the "Rule") which requires the maintenance of minimum net capital. The Company has elected to use the alternative method, permitted by the Rule, which requires that

(a wholly owned subsidiary of J&E Davy Holdings)

### Notes to Statement of Financial Condition (Continued)

the Company maintain net capital equal to the greater of \$250,000 or 2% of aggregate debit items in the reserve computation.

At December 31, 2009 the Company had net capital of \$2,541,877, which was \$2,291,877 in excess of its required net capital of \$250,000

#### 7 Concentration of credit risk

As a securities broker and dealer, the Company is engaged in various securities trading and brokerage activities servicing a diverse group of investors. A substantial portion of the Company's transactions are executed with and on behalf of investors, including other brokers dealers, commercial banks, U.S. governmental agencies, mutual funds, and financial institutions and are generally collateralized. The Company's exposure to credit risk associated with the non-performance of these customers in fulfilling their contractual obligations pursuant to securities transactions can be directly impacted by volatile securities markets, credit markets, and regulatory changes.

### 8 Subsequent Events

The Company has evaluated subsequent events through to the date in which the financial statements were issued on February 24, 2010.