



**Application for Corporate Membership  
NYMEX Rule 106.J. Member Firm  
Hedge Fund Agreement for Membership**

1. Applicant \_\_\_\_\_
2. Indicate if the memberships and CME Group Inc. shares will be purchased, assigned, or a combination.

Memberships will be:

- ☐ Purchased
- ☐ Assigned
- ☐ Combination Purchased/Assigned  
(check one)

Shares will be:

- ☐ Purchased
- ☐ Assigned
- ☐ Combination Purchased/Assigned  
(check one)

Completed applications along with the supporting documentation and the Application for Corporate Membership – Hedge Fund Information should be submitted to:

CME Group Inc.  
Audit Department  
20 S. Wacker Drive  
Chicago, IL 60606



### **Attestation, Authorization and Agreement for Membership**

On behalf of the organization, I make this application for NYMEX Rule 106.J. Member Firm corporate membership on New York Mercantile Exchange, Inc. ("NYMEX"). I represent that the organization meets all of the requirements for NYMEX Rule 106.J. Member Firm corporate membership which is applied for.

I do hereby agree that, if the organization is accepted as a corporate member of NYMEX, it and its representatives will comply with and agrees to be bound by, the Bylaws, Certificate of Incorporation, Rules and Regulations of NYMEX and all amendments thereto.

I further acknowledge and agree to abide by the requirements for such corporate membership including the requirements regarding Member Firm Trading Activity of NYMEX Rule 106.J. Member Firms and to abide by CME Group Inc.'s Fee Policy Bulletins located on CME Group Inc.'s website at <http://www.cmegroup.com/tools-information/fee-policy-bulletins.html> regarding Member Firm Trading Policies. I further represent that all current and future member firm trading activity of my organization will conform to the requirements for such trading activity established by CME Group Inc.

I authorize CME Group Inc. to obtain information from sources that CME Group Inc. deems appropriate in order to adequately evaluate and process this application. I understand that any person or firm that obtains a NYMEX membership by fraudulent representations or concealment, or by any material misstatement, shall be subject to suspension or expulsion pursuant to NYMEX Rules and Regulations, as applicable.

I understand that Applicants applying for membership hereby consents to use by CME Group and its affiliates of proprietary data or other personal information regarding the Member Firm received by CME Group and its affiliates from time to time through the conduct of their businesses, including any data submitted to them to fulfill regulatory obligations, for commercial, business and marketing purposes. Without the prior consent of the applicant, CME Group and its affiliates will not reveal to non-affiliated third-parties on a non-aggregated, non-anonymized basis any of the following information that is obtained from the Member Firm to fulfill regulatory obligations: (i) personally identifiable information, (ii) detailed transaction data, (iii) position data, (iv) investigative materials, or (v) financial source documents, except (w) as necessary to fulfill its regulatory obligations, (x) as permitted by law, (y) as required or requested by regulatory authority or (z) pursuant to a valid court order, subpoena or equivalent legal instrument.

Further, I understand that in order to be eligible for membership with any of the following DCMs (Chicago Mercantile Exchange, Inc., Chicago Board of Trade, Inc., New York Mercantile Exchange, Inc., and Commodity Exchange, Inc.) applicants must ensure that their request for membership is lawfully made in accordance with the laws of the jurisdiction in which they are located. Should such a request be made unlawfully, each of the DCMs shall have the right to terminate said membership. In this situation, the sale of membership process currently described under Rule 132 of the rulebook of the Relevant DCM shall be followed.



I attest that the information provided in this Application and the Application for Corporate Membership – Hedge Fund Information is accurate and complete. I further acknowledge that confirming inaccurate and/or incomplete information may subject me to CME Group Inc. disciplinary action and/or penalties.

Signed and accepted by a duly authorized representative\* of \_\_\_\_\_.  
(Hedge Fund)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Date)

\*General Partner, Managing Member or Director authorized to make the representations, authorizations, and acknowledgements contained in the Application for Corporate Membership and to sign such Application on behalf of the hedge fund.



**Investment Manager  
Representation and Acknowledgement**

\_\_\_\_\_  
(Hedge Fund)

In consideration of New York Mercantile Exchange, Inc. ("NYMEX") accepting the above hedge fund as a NYMEX Rule 106.J. Member Firm, we, the investment manager, and our representatives, agree to comply with and be bound by the Bylaws, Certificate of Incorporation, Rules and Regulations of NYMEX and all amendments thereto.

I further acknowledge and agree to abide by the requirements for such corporate membership of the above hedge fund including the requirements regarding Member Firm Trading Activity of NYMEX Rule 106.J. Member Firms and to abide by CME Group Inc.'s Fee Policy Bulletins located on CME Group Inc.'s website at <http://www.cmegroup.com/tools-information/fee-policy-bulletins.html> regarding Member Firm Trading Policies. I further represent that all current and future member firm trading activity of the hedge fund member firm will conform to the requirements for such trading activity established by CME Group Inc.

Signed and accepted by a duly authorized representative\* of \_\_\_\_\_.  
(Investment Manager)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\*An Officer, Managing Member, or Partner of Investment Manager authorized to make the above representation and acknowledgment on behalf of the Investment Manager.

**New York Mercantile Exchange, Inc.**  
**NYMEX Rule 106.J. Member Firm**  
**Member Firm Trading Attestation**

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(NYMEX Rule 106.J. Hedge Fund)

The trades of a NYMEX Rule 106.J. Member Firm (“NYMEX Rule 106.J.”) may receive preferential fee rates – less than charged to non-member customers. Only the entity holding the NYMEX Rule 106.J. membership is entitled to the preferential fees on its member firm trades. The reduced fee benefit does not flow downward to 100% owned subsidiaries or to affiliates of the NYMEX Rule 106.J.

In order for NYMEX Rule 106.J. members to receive preferential fees on NYMEX trades, all member firm trading must be conducted in accordance with CME Group Inc.’s Fee Policy Bulletins on CME Group Inc.’s website at <http://www.cmegroup.com/tools-information/fee-policy-bulletins.html> for Member Firm Trading Policies.

**Requirements (Absolutes)**

A member firm trading account is evidenced through:

- The financial benefit and risk shall be solely of the member firm – only firm capital is at risk of loss.
- No non-owner traders may make any contributions or payments to the member firm or member firm trading account nor have any capital at risk in connection with their trading of the member firm account.
- All contributions by owners of the member firm are subject to risk of loss from any and all trading and business activities of the firm.
- All profits and losses of the member firm account are written off to the income of the member firm and are taxed to the member firm in accordance with IRS regulations.
- All trading must be done in member firm trading accounts held in the name of the NYMEX Rule 106.J.

Further, NYMEX Rule 106.J. trading activity must be conducted by traders including operators/administrators of Automated Trading Systems (“ATS”) that are:

- Bona-fide W-2 employees (or equivalent W-2 of a foreign jurisdiction) of the NYMEX Rule 106.J.; or
- Independent contractors and other self-employed individuals who maintain at least \$250,000 in holdbacks whose total compensation (that is, all compensation) is reported on a IRS Form 1099-MISC (“1099-MISC”) (or equivalent document of a foreign jurisdiction) and/or on an IRS Form 1099-B (“1099-B”) of the NYMEX Rule 106.J.; or
- Registered Commodity Trading Advisors (“CTAs”), exempt CTAs under CFTC Regulations 4.14(a)(4), 4.14(a)(8)(i)(D) or 4.14(a)(10), and Investment Managers authorized by the Financial Conduct Authority (“FCA”).

All NYMEX Rule 106.J. traders must be assigned unique trader IDs, those IDs and the associated NYMEX Rule 106.J. trader must be appropriately registered in CME Group Inc.’s Exchange Fee System and all Globex trades (orders) must be identified with the registered ID of the trader executing the trade.

**New York Mercantile Exchange, Inc.  
NYMEX Rule 106.J. Member Firm  
Member Firm Trading Attestation**

I represent that all current and future member firm trading activity of the NYMEX Rule 106.J. receiving preferential fee rates will conform to the requirements for such trading activity established by CME Group Inc.

I attest that the above information is true and correct. I further acknowledge that confirming incorrect information may subject me to CME Group Inc. disciplinary action and/or penalties.

Signed and accepted by a duly authorized representative of my organization.

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Signature

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Print Name

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Title

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Date

\*General Partner, Managing Member or Director authorized to make the representations, authorizations, and acknowledgements contained in the Application for Corporate Membership and to sign such Application on behalf of the hedge fund.



**MEMBER FIRM**  
**DESIGNATED SPOKESPERSON AND AUTHORIZED SIGNOR ACKNOWLEDGEMENT**

CME Group Inc. requires that member firms designate a representative who shall be authorized to deal with the Exchanges with respect to the membership owned or leased by the firm and who shall be authorized to represent the member firm before the Exchanges. Such authorized representative shall be responsible to the Exchanges as if such person was a member as defined by Rule 400.

Member Firm Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Country \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Tax I.D. # \_\_\_\_\_

Email Address\* \_\_\_\_\_

**Name and Signature of Officers Authorized to act on behalf of the firm:**

Name (please print)	Signature	Designated Spokesperson	Authorized Signor
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\*General Correspondence will be sent electronically.