

Special Executive Report

S-5346

July 28, 2010

Amendments to Rule 853 (“Transfers of Trades”)

Effective immediately, CME, CBOT, NYMEX and COMEX have adopted amendments to Rule 853 (“Transfers of Trades”) to allow permitted transfer trades to be recorded and carried on the books of the receiving firm at the transfer date, except in circumstances where the trades are in a physically delivered CBOT or CME (excluding physically delivered FX contracts) product.

The requirement to maintain the original trade date on transfer trades is relevant only in circumstances where the positions being transferred are in a physically delivered product and the delivery is assigned against the oldest open long position holder. Such is the case solely with respect to physically delivered CBOT contracts and physically delivered CME contracts with the exception of physically delivered FX contracts. No physically delivered NYMEX or COMEX contracts are assigned in this manner.

The amendments to each Exchange’s Rule 853 appear below, with additions underscored and deletions overstruck.

If you have any questions regarding the amendments, please contact Jerry O’Connor, Associate Director, Market Regulation, at 312.341.7048, Ryne Toscano, Lead Market Surveillance Analyst, Market Regulation, at 212.299.2879 or Robert Sniegowski, Associate Director, Market Regulation, at 312.341.5991.

CBOT Rule 853. TRANSFERS OF TRADES

[Sections A. – C. are unchanged.]

- D. Provided that the transfer is permitted pursuant to Sections A., B. or C. above, ~~the~~ transactions in all physically delivered futures contracts must be recorded and carried on the books of the receiving firm at the original trade dates; all other transactions may be recorded and carried on the books of the receiving firm at either the original trade date or the transfer date. Futures transactions may be transferred using either the original trade price or the most recent settlement price; options transactions may be transferred using either the original trade price or a trade price of zero.

[The remainder of the rule is unchanged.]

CME Rule 853. TRANSFERS OF TRADES

[Sections A. – C. are unchanged.]

- D. Provided that the transfer is permitted pursuant to Sections A., B. or C. above, ~~the~~ transactions in all physically delivered futures contracts except for FX futures contracts must be recorded and carried on the books of the receiving firm at the original trade dates; all other transactions may be recorded and carried at either the original trade date or the transfer date. Futures transactions may be transferred using either the original trade price or the most recent settlement price; options transactions may be transferred using either the original trade price or a trade price of zero.

[The remainder of the rule is unchanged.]

NYMEX Rule 853. TRANSFERS OF TRADES

[Sections A. – C. are unchanged.]

- D. Provided that the transfer is permitted pursuant to Sections A., B. or C. above, ~~the~~ transactions ~~may~~must be recorded and carried on the books of the receiving firm either at the original trade dates or the transfer date. Futures transactions may be transferred using either the original trade price or the most recent settlement price; options transactions may be transferred using either the original trade price or a trade price of zero.

[The remainder of the rule is unchanged.]

For media inquiries concerning this Special Executive Report, please contact CME Group Corporate Communications at 312.930.3434 or news@cmegroup.com.