

MARKET REGULATION ADVISORY NOTICE

Exchange	NYMEX & COMEX
Subject	Trading and Solicitation Privileges
Rule References	Rule 127
Advisory Date	May 18, 2015
Advisory Number	NYMEX & COMEX RA1508-4

This Advisory Notice is being issued as a reminder concerning solicitation privileges of NYMEX and COMEX members located on the combined NYMEX and COMEX trading floor. This information was originally communicated via Special Executive Report S-5089 on January 6, 2010.

All solicitations are governed by NYMEX and COMEX Rule 127, which is set forth below:

127. TRADING AND SOLICITATION PRIVILEGES

A member shall have the right, subject to the rules of the Exchange, to trade as principal and as broker for others by open outcry only with respect to products assigned to his membership division or as otherwise designated by the Exchange. The Exchange shall designate the products which NYMEX and COMEX members may solicit from the combined NYMEX and COMEX trading floor. In order to solicit customer business, the member must have proper industry registration. All solicitations must take place from the trading floor or the premises of an entity registered to conduct customer business. Solicitations occurring from the premises of an entity registered to conduct customer business must be on behalf of the entity or one of its properly registered affiliates and such entity or affiliate must be an NFA member if required by NFA rules.

FAQ Regarding Solicitation Privileges on the Consolidated NYMEX and COMEX Trading Floors

1. How is solicitation defined in the context of NYMEX & COMEX rules?

Solicitation includes any of the following:

- 1) Being compensated for the production of orders;
- 2) Providing personal opinions regarding trading strategies or market direction for the purpose of generating interest in exchange products;
- 3) Exercising discretion with respect to any order.

Clerical activities, including the entry of non-discretionary orders and the communication of market information, shall not be considered solicitation. **Full Members may function as a clerical employee of either Division without being registered as a clerk pursuant to Rule 501 (“Employees of Members”).**

2. If I am on a COMEX Options membership, what products will I be able to solicit from the trading floor?

Only products that you are permitted to trade in open outcry pursuant to your COMEX Options membership. You may not solicit in any NYMEX futures or options or any COMEX futures.

3. Do I need to own my membership in order to exercise cross-exchange solicitation privileges?

No. Individuals leasing a Full Membership in either division who are registered as a Floor Broker are able to exercise cross-exchange solicitation privileges.

4. Do **registered NYMEX or COMEX broker associations** qualify for cross-exchange solicitation privileges?

No. The policy applies only to Full Members registered as floor brokers.

Questions regarding the solicitation policy should be directed to one of the following individuals:

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