



Special Executive Report

S-7174

September 11, 2014

CME/CBOT/NYMEX/COMEX Rule 400 ("General Provisions")

Pending all relevant regulatory review periods, effective on Thursday, September 25, 2014, CME, CBOT, NYMEX, and COMEX will adopt amendments to Rule 400 ("General Provisions") to eliminate a reference to CFTC Regulation 38.7 which was superseded by the adoption of CME, CBOT, NYMEX and COMEX Rule 537 ("Trade Data Submitted to the Exchange").

The term regular firms will additionally be added to the list of individuals and entities deemed members for purposes of Chapter 4 ("Enforcement of Rules") in NYMEX and COMEX Rule 400.

Lastly, a legacy reference to Kansas City Board of Trade ("KCBT") Permit Holders will be modified to KC HRW Incentive Program Participants in CME Rule 400. That term was adopted at the time KCBT's designation as a Designated Contract Market was vacated in December 2013.

The revisions to Rule 400 appear below, with the additions underlined and deletions overstruck.

Questions concerning these revisions may be directed to Erin Coffey, Senior Rules & Regulatory Outreach Specialist 312.341.3286 or Jon Farrimond, Lead Rules & Regulatory Outreach Specialist +44 (0)20 3379 3966.

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

CME

400. GENERAL PROVISIONS

The Board has adopted Rules, and from time to time adopts amendments and supplements to such Rules, to promote a free and open market on the Exchange, to maintain appropriate business conduct and to provide protection to the public in its dealings with the Exchange and its Members. The Board has created committees to which it has delegated responsibility for the investigation, hearing and imposition of penalties for violations of Exchange Rules. The Board has also delegated responsibility for the investigation and imposition of penalties for violations of Exchange Rules to Exchange staff as set forth in the Rules. The delegation of such responsibility and authority shall in no way limit the authority of the Board with respect to all Rule violations.

~~Pursuant to CFTC Regulation §38.7, the Exchange may not use for business or marketing purposes any proprietary data or personal information collected or received, from or on behalf of any Person, for the purpose of fulfilling its regulatory obligations; provided however, that the Exchange may use such data or information for business or marketing purposes if the Person from whom it collects or receives such data or information clearly consents to the Exchange's use of such data or information in such manner. The Exchange may, where necessary or appropriate for regulatory purposes, share such data or information with one or more designated contract markets or swap execution~~

~~facilities registered with the CFTC. The Exchange is precluded from conditioning access to its markets on a Person's consent to the use of such data for business or marketing purposes.~~

For purposes of Chapter 4, the term "Member" shall mean: 1) members and clearing members of the Exchange, including retired members with floor access privileges and individuals and entities described in Rule 106; 2) associated persons ("APs") and affiliates of clearing members and member firms of the Exchange; 3) guaranteed introducing brokers of clearing members and member firms of the Exchange and their APs; 4) Exchange permit holders and any person or entity that has been granted cross-exchange trading privileges; 5) employees, authorized representatives, contractors, and agents of any of the above persons or entities, in regard to the Exchange related activities of such individuals; 6) regular firms; 7) individuals and entities that have agreed in writing or via electronic signature to comply with the Rules of the Exchange; and 8) CBOT members, ~~KC~~ HRW Incentive Program Participants ~~Permit Holders~~ and other individuals who have access to the Floor.

Members are deemed to know, consent to and be bound by all Exchange Rules. Former Members shall be subject to the continuing jurisdiction of the Exchange, including, without limitation, the application of Rule 432.L., with respect to any conduct that occurred while a Member.

CBOT

400. GENERAL PROVISIONS

The Board has adopted Rules, and from time to time adopts amendments and supplements to such Rules, to promote a free and open market on the Exchange, to maintain appropriate business conduct and to provide protection to the public in its dealings with the Exchange and its Members. The Board has created committees to which it has delegated responsibility for the investigation, hearing and imposition of penalties for violations of Exchange Rules. The Board has also delegated responsibility for the investigation and imposition of penalties for violations of Exchange Rules to Exchange staff as set forth in the Rules. The delegation of such responsibility and authority shall in no way limit the authority of the Board with respect to all Rule violations.

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For purposes of Chapter 4, the term "Member" shall mean: 1) members and clearing members of the Exchange, including retired members with floor access privileges and individuals and entities described in Rule 106; 2) associated persons ("APs") and affiliates of clearing members and member firms of the Exchange; 3) guaranteed introducing brokers of clearing members and member firms of the Exchange and their APs; 4) Exchange permit holders and any person or entity that has been granted cross-exchange trading privileges; 5) employees, authorized representatives, contractors, and agents of any of the above persons or entities, in regard to the Exchange related activities of such individuals; 6) regular firms; 7) individuals and entities that have agreed in writing or via electronic signature to comply with the Rules of the Exchange; and 8) CME members, KC HRW Incentive Program Participants and other individuals who have access to the Floor.

Members are deemed to know, consent to and be bound by all Exchange Rules. Former Members shall be subject to the continuing jurisdiction of the Exchange, including, without limitation, the application of Rule 432.L., with respect to any conduct that occurred while a Member

NYMEX/COMEX

400. GENERAL PROVISIONS

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For purposes of Chapter 4, the term "Member" shall mean: 1) members, Commercial Associate Members, member firms and clearing members of the Exchange; 2) associated persons ("APs") and affiliates of clearing members and member firms of the Exchange; 3) guaranteed introducing brokers of clearing members and member firms of the Exchange and their APs; 4) any person or entity that has been granted cross-exchange trading privileges; 5) employees, authorized representatives, contractors, and agents of any of the above persons or entities, in regard to the Exchange related activities of such individuals; 6) regular firms: 7) individuals and entities that have agreed in writing or via electronic signature to comply with the Rules of the Exchange; and 87) ~~Exchange members and~~ other individuals who have access to the trading floors.

Members are deemed to know, consent to and be bound by all Exchange Rules. Former Members shall be subject to the continuing jurisdiction of the Exchange, including, without limitation, the application of Rule 432.L., with respect to any conduct that occurred while a Member.