| SUBMISSION COVER SHEET   |                         |  |  |  |
|--|-------------------------|--|--|--|
| IMPORTANT: Check box if Confidential Treatment is requested Registered Entity Identifier Code (optional): 16-207                 |                         |  |  |  |
| Organization: New York Mercantile Exchange, Inc. ("NYMEX")   |                         |  |  |  |
|  |                         |  |  |  |
| Filing as a:   |                         |  |  |  |
| Please note - only ONE choice allowed.   |                         |  |  |  |
| Filing Date (mm/dd/yy): June 3, 2016 Filing Description: Implementation of the NYMEX Brent Globex Fee Discount Incentive Program |                         |  |  |  |
| SPECIFY FILING TYPE  |                         |  |  |  |
| Please note only ONE choice allowed per Submission.  |                         |  |  |  |
| Organization Rules and Rule Amendments   |                         |  |  |  |
| Certification  | § 40.6(a)               |  |  |  |
| Approval   | § 40.5(a)               |  |  |  |
| Notification   | § 40.6(d)               |  |  |  |
| Advance Notice of SIDCO Rule Change  | § 40.10(a)              |  |  |  |
| SIDCO Emergency Rule Change  | § 40.10(h)              |  |  |  |
| Rule Numbers: Not Applicable   |                         |  |  |  |
| New Product Please note only ONE   | product per Submission. |  |  |  |
| Certification  | § 40.2(a)               |  |  |  |
| Certification Security Futures   | § 41.23(a)              |  |  |  |
| Certification Swap Class   | § 40.2(d)               |  |  |  |
| Approval   | § 40.3(a)               |  |  |  |
| Approval Security Futures  | § 41.23(b)              |  |  |  |
| Novel Derivative Product Notification  | § 40.12(a)              |  |  |  |
| Swap Submission  | § 39.5                  |  |  |  |
| Official Product Name:   |                         |  |  |  |
| Product Terms and Conditions (product related Rules and Rule Amendments)   |                         |  |  |  |
| Certification  | § 40.6(a)               |  |  |  |
| Certification Made Available to Trade Determination  | § 40.6(a)               |  |  |  |
| Certification Security Futures   | § 41.24(a)              |  |  |  |
| Delisting (No Open Interest)   | § 40.6(a)               |  |  |  |
| Approval   | § 40.5(a)               |  |  |  |
| Approval Made Available to Trade Determination   | § 40.5(a)               |  |  |  |
| Approval Security Futures  | § 41.24(c)              |  |  |  |
| Approval Amendments to enumerated agricultural products  | § 40.4(a), § 40.5(a)    |  |  |  |
| "Non-Material Agricultural Rule Change"  | § 40.4(b)(5)            |  |  |  |
| Notification   | § 40.6(d)               |  |  |  |
| Official Name(s) of Product(s) Affected:   |                         |  |  |  |
| Rule Numbers:  |                         |  |  |  |



June 3, 2016

### **VIA ELECTRONIC PORTAL**

Christopher J. Kirkpatrick Office of the Secretariat Commodity Futures Trading Commission Three Lafayette Centre 1155 21st Street, N.W. Washington, D.C. 20581

RE: Implementation of the NYMEX Brent Globex Fee Discount Incentive Program NYMEX Submission No. 16-207

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") hereby notifies the Commodity Futures Trading Commission ("CFTC" or "Commission") of plans to implement the NYMEX Brent Globex Fee Discount Incentive Program ("Program"). The proposed Program will become effective on July 1, 2016.

Exhibit 1 sets forth the terms of this Program.

NYMEX reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA"). During the review, NYMEX staff identified the following Core Principles as potentially being impacted; Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants, Compliance with Rules, and Recordkeeping.

The Program does not impact the Exchange's ability to perform its trade practice and market surveillance obligations under the CEA. The Exchange's market regulation staff will monitor trading in the Program's products to prevent manipulative trading and market abuse. Additionally, the Exchange has implemented systems to track Program participants' volume to ensure proper distribution of earned incentives. The incentives in the Program do not impact the Exchange's order execution. All market participants that execute trades in NYMEX Brent Last Day Financial Futures traded on the CME Globex Platform shall be entitled to participate. Chapter 4 of the Exchange rules includes prohibitions against fraudulent, non-competitive, unfair or abusive practices. The Program is subject to these rules and the Exchange's record retention policies which comply with the CEA.

NYMEX certifies that the Program complies with the CEA and the regulations thereunder. There were no substantive opposing views to this Program.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <a href="http://www.cmegroup.com/market-regulation/rule-filings.html">http://www.cmegroup.com/market-regulation/rule-filings.html</a>.

If you require any additional information regarding this submission, please e-mail <a href="mailto:CMEGSubmissionInquiry@cmegroup.com">CMEGSubmissionInquiry@cmegroup.com</a> or contact Rachel Johnson at 312-466-4393 or via e-mail at <a href="mailto:Rachel.Johnson@cmegroup.com">Rachel.Johnson@cmegroup.com</a>. Please reference our NYMEX Submission No. 16-207 in any related correspondence.

Sincerely,

/s/ Christopher Bowen Managing Director and Chief Regulatory Counsel

Attachment: Exhibit 1

# **EXHIBIT 1**

# **NYMEX Brent Globex Fee Discount Incentive Program**

#### **Program Purpose**

The purpose of this Program is to incentivize market participants to trade NYMEX Brent Last Day Financial Futures on the CME Globex Platform. The resulting increase in liquidity for NYMEX Brent Last Day Financial Futures benefits all participant segments in the market.

## **Product Scope**

Brent Last Day Financial Futures ("BZ") traded on the CME Globex Platform (the "Product").

# **Eligible Participants**

There is no limit to the number of participants that may participate in the Program. Participants may be NYMEX members or non-members.

## **Program Term**

Start date is July 1, 2016. End date is December 31, 2016.

#### Hours

N/A

### **Incentives**

Fee Discounts: Participants will receive fee discounts in accordance with the following table for all trades in the Product executed on the CME Globex Platform.

| <u>Membership</u> | <b>Discounted Day Rate</b> | <b>Discounted Overnight Rate</b> |
|-------------------|----------------------------|----------------------------------|
| Member            | \$0.25                     | \$0.25                           |
| Cross-Division    | \$0.28                     | \$0.28                           |
| Non-Member        | \$0.30                     | \$0.30                           |

#### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and Program participants' performance and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets the requirements of the Program.