



Rule Self-Certification

June 15, 2015

VIA ELECTRONIC PORTAL

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

Re: **Regulation §40.6 Submission Certification
Amendments to Exchange Rules
Reference File: SR-NFX-2015-44**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Section 40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission under the Act, NASDAQ Futures, Inc. (“NFX” or “Exchange”) amends NFX’s Rulebook at Chapter III (Obligations of Futures Participants and Authorized Traders), Sections 13 (Risk Disclosure Statement) and 26 (Sales Practice Rules). These amendments will be implemented on June 30, 2015. The text of the Rulebook is set forth in Exhibit A.

The Exchange is amending Section 13 to require a Futures Participant or Clearing Futures Participant that is registered with the Commission as a futures commission merchant or introducing broker to provide a Customer, prior to opening an account, with a written disclosure statement as set forth in Commission Regulation §1.55(c) and to receive from the Customer an acknowledgment signed and dated by the Customer that he/she received and understood the disclosure statement. The Exchange is amending this rule to make clear that the disclosure should conform to the language set forth in Commission Regulation §1.55. The Exchange is amending Section 26 to remove the term suitability from the Exchange’s Rules. The Exchange does not believe this term is necessary.

With respect to the designated contract market core principles (“Core Principles”) as set forth in the Act:

- *Prevention of Market Disruption:* The Exchange's Regulatory Department, which handles real-time surveillance, monitors trading activity on the Exchange with a SMARTS Surveillance Application through which the Exchange can track activity of specific Authorized Traders, monitor price and volume information and receive alerts regarding market messages. The Exchange's Regulatory Department, which handles real-time surveillance in conjunction with staff that handles T+1 surveillance, utilizes data collected by the SMARTS Surveillance Application to monitor price movements, as well as market conditions and volumes to detect suspicious activity such as manipulation, disruptive trading and other abnormal market activity. The Exchange has established comprehensive audit trail processes that capture trading information to facilitate the surveillance activities described herein. Futures Participants that access the Exchange electronically are responsible for maintaining audit trail information for all electronic orders pursuant to Chapter V, Section 1. The Exchange has in place risk controls, including the imposition of trading pauses or halts, to address risks posed by potential market disruptions pursuant to Chapter V, Section 16. The Exchange has the ability to reconstruct all Orders transacted on the Trading System.

- *Availability of Contract Information.* The Exchange has indicated within its trading Rules where specific information relates to a particular Contract. The Exchange will provide detailed information within the contract specifications for that particular Contract. The Exchange will post the terms and conditions of Exchange Contracts in its Rulebook along with trading Rules. The specifications for its Trading System will appear on the Exchange's website.

- *Protection of market participants.* Chapter III of the Exchange's Rulebook contains prohibitions precluding intermediaries from disadvantaging their customers. These rules apply to trading in all Contracts.

There were no opposing views among the Exchange's Board of Directors, members or market participants. The Exchange hereby certifies that the amendments to Chapter III Sections 13 and 26 comply with the Commodity Exchange Act and regulations thereunder. The Exchange also certifies that a notice of pending certification with the Commission and a copy of this submission have been concurrently posted on the Exchange's website at www.nasdaqomx.com/nasdaq-futures.

If you require any additional information regarding the submission, please contact Angela S. Dunn at +1 215 496 5692 or via e-mail at angela.dunn@nasdaq.com. Please reference SR-NFX-2015-44 in any related correspondence.

Regards,

A handwritten signature in black ink that reads "Daniel R. Carrigan". The signature is written in a cursive style with a large, prominent "D" and "C".

Daniel R. Carrigan
President

cc: National Futures Association
The Options Clearing Corporation

Exhibit A

New text is underlined and deleted text is stricken.

NASDAQ Futures—Rules

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Chapter III Obligations of Futures Participants and Authorized Traders

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Section 13 Risk Disclosure Statement

Prior to opening an account for any Customer, a Futures Participant or Clearing Futures Participant that is registered with the Commission as a futures commission merchant or introducing broker must provide such Customer with ~~(a)~~ a written disclosure statement ~~in the form approved by the Exchange for purposes of as set forth in Commission Regulation §1.55(c), and receive an acknowledgment from the Customer, which is signed and dated, that he/she received and understood the disclosure statement.~~ ~~(b)~~ Also, a Futures Participant or Clearing Futures Participant that is registered with the Commission as a futures commission merchant or introducing broker must provide the Customer with a the Uniform Electronic Trading and Order Routing System Disclosure Statement required by NFA (or similar disclosure statement required by a foreign Governmental Authority to which such Mmember is subject), and ~~(e)~~ any other disclosure statement from time to time required by the Exchange.

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Section 26 Sales Practice Rules

Without limiting the generality of Section 25, each Futures Participant (including its related parties) shall comply with any and all sales practice rules (including those relating to bunched Orders, opening and approval of accounts, ~~suitability~~, use of discretion, supervision of accounts, risk disclosure document delivery, communications, monthly statements and confirmations, registration, qualification and continuing education, Customer complaints, prohibition against guarantees and profit sharing and money laundering) from time to time promulgated by the National Futures Association or rules which are hereby incorporated by reference.

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