

**SUBMISSION COVER SHEET**

**IMPORTANT:** Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 15-471 (3 of 4)

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 10/30/15 Filing Description: Issuance of CME Group Market Regulation Advisory Notice RA1517-5 Concerning Supervisory Responsibilities for Employees and Agents

Please note only ONE choice allowed per Submission.

**Organization Rules and Rule Amendments**

- |                                     |                                     |            |
|-------------------------------------|-------------------------------------|------------|
| <input checked="" type="checkbox"/> | Certification                       | § 40.6(a)  |
| <input type="checkbox"/>            | Approval                            | § 40.5(a)  |
| <input type="checkbox"/>            | Notification                        | § 40.6(d)  |
| <input type="checkbox"/>            | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/>            | SIDCO Emergency Rule Change         | § 40.10(h) |

Rule Numbers: 432.W., 433 and 501

**New Product**

Please note only ONE product per Submission.

- |                          |                                       |            |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification                         | § 40.2(a)  |
| <input type="checkbox"/> | Certification Security Futures        | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class              | § 40.2(d)  |
| <input type="checkbox"/> | Approval                              | § 40.3(a)  |
| <input type="checkbox"/> | Approval Security Futures             | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission                       | § 39.5     |

**Official Product Name:**

**Product Terms and Conditions (product related Rules and Rule Amendments)**

- |                          |   |                      |
|--------------------------|---|----------------------|
| <input type="checkbox"/> | Certification   | § 40.6(a)            |
| <input type="checkbox"/> | Certification Made Available to Trade Determination     | § 40.6(a)            |
| <input type="checkbox"/> | Certification Security Futures                          | § 41.24(a)           |
| <input type="checkbox"/> | Delisting (No Open Interest)                            | § 40.6(a)            |
| <input type="checkbox"/> | Approval  | § 40.5(a)            |
| <input type="checkbox"/> | Approval Made Available to Trade Determination          | § 40.5(a)            |
| <input type="checkbox"/> | Approval Security Futures                               | § 41.24(c)           |
| <input type="checkbox"/> | Approval Amendments to enumerated agricultural products | § 40.4(a), § 40.5(a) |
| <input type="checkbox"/> | “Non-Material Agricultural Rule Change”                 | § 40.4(b)(5)         |
| <input type="checkbox"/> | Notification  | § 40.6(d)            |

Official Name(s) of Product(s) Affected:

Rule Numbers:

October 30, 2015

**VIA ELECTRONIC PORTAL**

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

**RE: CFTC Regulation 40.6(a) Certification. Notification Regarding the Issuance of CME Group Market Regulation Advisory Notice RA1517-5 Concerning Supervisory Responsibilities for Employees and Agents. NYMEX Submission No. 15-471 (3 of 4)**

Dear Mr. Kirkpatrick:

Chicago Mercantile Exchange Inc. ("CME"), The Board of Trade of the City of Chicago, Inc. ("CBOT"), New York Mercantile Exchange, Inc. ("NYMEX") and Commodity Exchange, Inc. ("COMEX") (collectively, the "Exchanges") hereby notify the Commodity Futures Trading Commission ("CFTC" or "Commission") that they are self-certifying the issuance of Market Regulation Advisory Notice RA1517-5 ("RA1517-5") which reminds all parties that it is an offense to fail to diligently supervise their employees and agents in the conduct of their business relating to the CME Group Exchanges.

This submission shall be effective on Tuesday, November 17, 2015. However, please note that RA1517-5 shall serve as a reminder notification, will be disseminated to the marketplace on Monday, November 2, 2015, and will be effective immediately.

The Exchanges reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA" or "Act") and identified that the issuance of RA1517-5 may have some bearing on the following Core Principles:

Compliance with Rules: The Market Regulation Advisory Notice being issued reminds market participants of existing obligations to supervise their employees and agents as set forth in Rules 432.W., 433 and 501. The requirements are substantively the same as the requirements set forth in CFTC Regulation 166.3 and the reminder is intended to ensure that market participants understand the expectations placed on them in this regard.

Availability of General Information: As required by this Core Principle, the Exchanges are publicly issuing RA1517-5 to ensure that market participants are aware of their supervisory responsibilities. The Advisory Notice will also be available on the CME Group website.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchanges hereby certify that RA1517-5 complies with the Act, including all regulations under the Act. There were no substantive opposing views to this proposal.

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

Should you have any questions concerning the above, please contact the undersigned at 212.299.2200 or via e-mail at [CMEGSubmissionInquiry@cmegroup.com](mailto:CMEGSubmissionInquiry@cmegroup.com).

Sincerely,

/s/Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – RA1517-5

## Exhibit A

### MARKET REGULATION ADVISORY NOTICE

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<b>Exchange</b>	<b>CME, CBOT, NYMEX &amp; COMEX</b>
<b>Subject</b>	<b>Supervisory Responsibilities for Employees</b>
<b>Rule References</b>	<b>Rules 432.W., 433 and 501</b>
<b>Advisory Date</b>	<b>November 2, 2015</b>
<b>Advisory Number</b>	<b>CME Group RA1517-5</b>

Pursuant to Rule 432.W. (“General Offenses”), it is an offense for any party to fail to diligently supervise its employees and agents in the conduct of their business relating to the CME Group Exchanges. For avoidance of doubt, agents include any automated trading systems (“ATs”) operated by any party. Additionally, pursuant to Rule 433 (“Strict Liability for the Acts of Agents”), parties are strictly liable for the acts, omissions, or failures of any officials, agents or employees acting for the party within the scope of their employment or office.

**All parties are strongly encouraged to ensure that they have adopted and effectively execute appropriate supervisory procedures.**

Additionally, pursuant to Rule 501 (“Employees of Members”), CME, CBOT, NYMEX and COMEX Members are reminded that they are responsible for ensuring that their trading floor employees comply with all exchange rules. A Member may register only a bona fide employee under Rule 501, and the Member is responsible for the supervision of that employee irrespective of whether the employee also works for other Members in addition to the registering Member. Members should be aware that they may, subject to a determination by an exchange disciplinary committee, be liable for any fines imposed upon their employees by any CME Group Exchange.

Members must notify the Membership Department when such employment relationships have been terminated. Additionally, a Member who no longer accesses the trading floor must ensure that access to the trading floor by the Member’s employees is terminated by notifying the Membership Department.

Members are also reminded that they have an affirmative obligation to diligently supervise all their employees, including those employees who do not have floor access, and that failure to do so constitutes a violation of Rule 432.W. (“General Offenses”).

The pertinent text of Rules 432.W., 433 and 501 are set forth below.

**Rule 432. GENERAL OFFENSES**

It shall be an offense:

W. for any party to fail to diligently supervise its employees and agents in the conduct of their business relating to the Exchange;

**Rule 433. STRICT LIABILITY FOR THE ACTS OF AGENTS**

Pursuant to Section 2(a)(1)(B) of the Commodity Exchange Act, and notwithstanding Rule 432.W., the act, omission, or failure of any official, agent, or other person acting for any party within the scope of his employment or office shall be deemed the act, omission or failure of the party, as well as of the official, agent or other person who committed the act.

**Rule 501. EMPLOYEES OF MEMBERS**

Members shall be responsible for ensuring that their employees comply with all Exchange rules and may, subject to a determination by an Exchange disciplinary committee, be liable for any fines imposed upon such employees by the Exchange.

Questions regarding this Advisory Notice may be directed to one of the following individuals in Market Regulation:

Erin Coffey, Senior Rules & Regulatory Outreach Specialist, 312.341.3286

Jon Farrimond, Lead Rules & Regulatory Outreach Specialist, +44 20 3379 3966

Shawn Tan, Senior Rules & Regulatory Outreach Specialist, +65 6593 5580

For media inquiries concerning this Advisory Notice, please contact CME Group Corporate Communications at 312.930.3434 or [news@cmegroup.com](mailto:news@cmegroup.com).