

SUBMISSION COVER SHEET

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Registered Entity Identifier Code (optional): 24-459

Organization: Commodity Exchange, Inc. ("COMEX")

Filing as a: DCM SEF DCO SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 11/08/24 Filing Description: Amendments to Rule XXX101. ("Contract Specifications") of the COMEX Gold, Gold Kilo, Gold (Enhanced Delivery) Futures Contracts to Amend the Effective Date of the Amended Delivery Eligibility Requirements of Certain COMEX Physically-Delivered Precious Metals Futures Contracts

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:

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: See filing.

Rule Numbers: See filing.

November 8, 2024

VIA ELECTRONIC PORTAL

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

**Re: CFTC Regulation 40.6(a) Certification. Amendments to Rule XXX101. (“Contract Specifications”) of the COMEX Gold, Gold Kilo, Gold (Enhanced Delivery) Futures Contracts to Amend the Effective Date of the Amended Delivery Eligibility Requirements of Certain COMEX Physically-Delivered Precious Metals Futures Contracts.
COMEX Submission No. 24-459**

Dear Mr. Kirkpatrick:

Commodity Exchange, Inc. (“COMEX” or “Exchange”) is certifying to the Commodity Futures Trading Commission (“CFTC” or the “Commission”) amendments to Rule XXX101. (“Contract Specifications”) of the COMEX Gold, Gold Kilo, Gold (Enhanced Delivery) Futures contracts as noted in Table 1. below (collectively, the “Contracts”) effective on November 26, 2024 (collectively, the “Rule Amendments”).

Table 1.

Contract Title	CME Globex and CME ClearPort Code	Rulebook Chapter
Gold Futures	GC	113
Gold Kilo Futures	GCK	114
Gold (Enhanced Delivery) Futures	4GC	126

COMEX previously certified amendments to the Contracts to require the inclusion of the month and year of production of eligible metal produced on or after January 1, 2025. (See Submission No. 24-283 dated August 12, 2024). The Rule Amendments provide that the additional requirements shall apply to eligible metal produced on or after January 1, 2026.

COMEX is allowing additional time to comply with the delivery eligibility requirements for the Contracts as there is limited space available on the 100 troy ounce gold bars and gold kilo bars for the inclusion of the production date information. As such, producers have requested additional time to incorporate the necessary operational changes to comply with the Rule Amendments.

The requirements for delivery eligibility for silver, platinum, and palladium as well as 400 oz. gold bars deliverable against the Gold (Enhanced Delivery) Gold Futures contract will remain unchanged and effective on January 1, 2025.

Exhibit A below provides the Rule Amendments in blackline format.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“Act”) and identified that the Rule Amendments may have some bearing on the following Core Principles:

- **Availability of General Information**: The Exchange will release a Special Executive Report (“SER”) regarding the Rule Amendments. The SER will also be posted on the CME Group website.
- **Contract Not Readily Subject to Manipulation**: The Contracts are not readily subject to manipulation due to the deep liquidity and robustness in the underlying physical markets.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchange certifies that the Rule Amendments comply with the Act, including regulations under the Act. There were no substantive opposing views to the proposal.

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

Should you have any questions concerning the above, please contact the undersigned at (312) 466-7478 or via email at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/ Timothy Elliott
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A: Amendments to COMEX Rulebook Chapters 113, 114, and 126

Exhibit A
COMEX Rulebook

(additions underscored; deletions struck through)

Chapter 113

Gold Futures

113101. CONTRACT SPECIFICATIONS

The contract for delivery on futures contracts shall be one hundred (100) troy ounces of gold with a weight tolerance of 5% either higher or lower. Gold delivered under this contract shall assay to a minimum of 995 fineness and must be a brand approved by the Exchange.

Gold meeting all of the following specifications shall be deliverable in satisfaction of futures contract delivery obligations under this rule:

1. Either one (1) 100 troy ounce bar, or three (3) one (1) kilo bars.
2. Gold must consist of one or more of the Exchange's brand marks, as provided in Chapter 7, current at the date of the delivery of contract.
3. Each bar of eligible gold must have the weight, fineness, bar number, month and year of production (for bars produced as of **January 1, ~~2025~~ 2026**), and brand mark clearly incised on the bar. The production date can be separate from or part of the serial number. If the production date is part of the serial number, it can be up to 25 characters and the only special character allowed is a dash (-). If the production date is separate from the serial number, it can be in the following allowable format: all numeric: MMYYYY or MMY (e.g., ~~012025~~ 012026 or ~~0125~~ 0126).
4. The weight may be in troy ounces or grams. If the weight is in grams, it must be converted to troy ounces for documentation purposes by dividing the weight in grams by 31.1035 and rounding to the nearest one hundredth of a troy ounce. All documentation must illustrate the weight in troy ounces.
4. Each warrant issued by an Exchange approved depository for gold shall reference the serial number and name of the Exchange approved producer for gold of each bar.
5. Each assay certificate issued by an Exchange approved assayer for gold shall certify that each bar of gold in the lot assays no less than 995 fineness and weight of each bar and the name of the Exchange approved producer for gold that produced each bar.
6. Gold must be delivered to an Exchange approved depository for gold by an Exchange approved carrier for gold as follows:
 - a. directly from an Exchange approved producer for gold;
 - b. directly from an Exchange approved assayer for gold, provided that such gold is accompanied by an assay certificate of such Exchange approved assayer for gold;
 - c. directly from another Exchange approved depository for gold, provided, that such gold was placed in such other Exchange approved depository for gold pursuant to paragraphs (a) or (b) above; or
 - d. directly from an Exchange approved producer for gold or Exchange approved assayer for gold that has been stored at another Exchange approved depository for gold or a depository that is owned and/or operated by an Exchange approved depository for gold.

[End of Rule.]

Chapter 114

Gold Kilo Futures

114101. **CONTRACT SPECIFICATIONS**

The gold for delivery on the futures contract shall be one kilogram bar (32.15 troy ounces). Gold delivered under this contract shall assay to a minimum .9999 fineness and must be a brand approved by the Exchange. Gold meeting all of the following specifications shall be deliverable in satisfaction of futures contract delivery obligations under this rule:

1. One kilogram bar (32.15 troy ounces)
2. Gold must consist of one of the Exchange's brand marks, as provided in Chapter 7, current at the date of the delivery of contract. Each bar must include the month and year of production (for bars produced as of **January 1, 2025 2026**). The production date can be separate from or part of the serial number. If the production date is part of the serial number, it can be up to 25 characters and the only special character allowed is a dash (-). If the production date is separate from the serial number, it can be in the following allowable format: all numeric: MMYYYY or MMY (e.g., **012025 012026** or **0125 0126**).
3. Each warrant issued by an Exchange approved depository for gold shall reference the serial number and name of the Exchange approved producer for gold of each bar.
4. Each assay certificate issued by an Exchange approved assayer for gold shall certify that each bar of gold in the lot assays no less than .9999 fineness and indicates the weight and name of the Exchange approved producer of the bar of gold.
5. Gold must be delivered to an Exchange approved depository by an Exchange approved carrier as follows:
 - a. directly from the Exchange approved producer for gold;
 - b. directly from an Exchange approved assayer, provided that such gold is accompanied by an assay certificate of such Exchange approved assayer for gold;
 - c. directly from another Exchange approved depository, provided that such gold was placed in such other Exchange approved depository for gold pursuant to paragraphs (a) or (b) above; or
 - d. directly from an Exchange approved producer for gold or Exchange approved assayer for gold that has been stored at another Exchange approved depository for gold or a depository that is owned and/or operated by an Exchange approved depository for gold.

[End of Rule.]

Chapter 126

Gold (Enhanced Delivery) Futures

126101. CONTRACT SPECIFICATIONS

The contract for delivery on futures contracts shall be one hundred (100) troy ounces of gold with a weight tolerance of 12.5% lower tolerance and 7.5% higher tolerance. Gold delivered under this contract shall assay to a minimum of 995 fineness and must be a brand approved by the Exchange.

Gold meeting all of the following specifications shall be deliverable in satisfaction of futures contract delivery obligations under this rule:

1. Either one (1) 100 troy ounce bar, or three (3) kilo bars, or one (1) Accumulated Certificate of Exchange ("ACE") in Gold issued by the Clearing House.
 - a. Each ACE represents a share in the ownership of one (1) 400 troy ounce bar.
 - b. Should the seller's clearing member satisfy its delivery obligations with respect to a contract by utilizing ACEs, the buyer's clearing member receives and the seller's clearing member delivers one (1) ACE as issued by the Clearing House.
 - c. A clearing member may request the issuance of ACEs by electronically endorsing to the Clearing House a warrant representing one (1) 400 troy ounce bar. The Clearing House will issue four (4) ACEs, with each such ACE representing an equal share in the ownership of the 400 troy ounce bar.
 - d. ACEs may only be redeemed for a warrant upon the accumulation of four (4) ACEs. Upon presentation and endorsement to the Clearing House of ACEs, the owner will receive one (1) warrant for one (1) 400 troy ounce bar. Tolerance adjustments for ounces received vs. ounces represented by the ACEs will be made through the Clearing House.
 - e. Storage charges are invoiced to the clearing member who owns the ACEs.
 - f. Notwithstanding the weight tolerance as defined above, any 100 troy ounce bar used in the delivery process needs to comply with a weight tolerance of 5% either higher or lower for that bar.
2. Gold must consist of one or more of the Exchange's brand marks, as provided in Chapter 7, current at the date of the delivery of contract.
3. Each 100 troy ounce or kilo bar of eligible gold must have the weight, fineness, bar number, month and year of production (for bars produced as of **January 1, 2025 2026**), and brand mark clearly incised on the bar. The production date can be separate from or part of the serial number. If the product date is part of the serial number, it can be up to 25 characters and the only special character allowed is a dash (-). If the production date is separate from the serial number, it can be in the following allowable format: all numeric: MMYYYY or MMY (e.g., **012025 012026** or **0125 0126**).

The weight may be in troy ounces or grams. If the weight is in grams, it must be converted to troy ounces for documentation purposes by dividing the weight in grams by 31.1035 and rounding to the nearest one hundredth of a troy ounce.

All documentation must illustrate the weight in troy ounces. Each 400 troy ounce bar must have the fineness, bar number, month and year of production (for bars produced as of January 1, 2025), and brand mark clearly incised on the bar and must be eligible for settlement in the wholesale London bullion market. If the production date is part of the serial number, it can be up to 25 characters and the only special character allowed is a dash (-). If the production date is separate from the serial number, it can be in the following allowable format:

all numeric: MMYYYY or MMY (e.g., 012025 or 0125).

4. Each warrant issued by an Exchange approved depository for gold shall reference the serial number and name of the Exchange approved producer of each bar of gold.
5. Each assay certificate issued by an Exchange approved assayer for gold shall certify that each bar of gold in the lot assays no less than 995 fineness and weight of each bar and the name of the Exchange approved producer for gold that produced each bar.
6. Gold must be delivered to an Exchange approved depository for gold by an Exchange approved carrier for gold as follows:
 - a. directly from an Exchange approved producer for gold;
 - b. directly from an Exchange approved assayer for gold, provided that such gold is accompanied by an assay certificate of such Exchange approved assayer for gold;
 - c. directly from another Exchange approved depository for gold, provided that such gold was placed in such other Exchange approved depository for gold pursuant to paragraphs (a) or (b) above; or
 - d. directly from an Exchange approved producer for gold or Exchange approved assayer for gold that has been stored at another Exchange approved depository for gold or a depository that is owned and/or operated by an Exchange approved depository for gold.

[End of Rule.]