### ELX Futures, L.P. Rule Change 2012-014 October 2, 2012

- 1. The text of new Rule V-9 of the ELX Futures, L.P. Rulebook is attached. Additions are underlined and deletions are stricken through.
- 2. The effective date is October 17, 2012.
- 3. ELX has received no opposing views with respect to the rule changes.

# CERTIFICATIONS PURSUANT TO SECTION 5c OF THE COMMODITY EXCHANGE ACT, 7 U.S.C. §7a-2 AND COMMODITY FUTURES TRADING COMMISSION RULE 40.6, 17 C.F.R. §40.6

I hereby certify that the foregoing rule amendments comply with the Commodity Exchange Act, 7 U.S.C. §1 *et seq.* and regulations thereunder.

By: Richard Jaycobs

Title: Chief Executive Officer

Dated: October 2, 2012

I hereby certify that a copy of this filing was posted on the website the day of its submission to the Commission.

By: Richard Jaycobs

Title: Chief Executive Officer

Dated: October 2, 2012

#### **ELX FUTURES, L.P. RULES**

## CHAPTER V OBLIGATIONS OF EXCHANGE USERS

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#### V-9. Customer Funds

- (a) Segregation of Customer and Proprietary Funds. All customer funds must be separately accounted for and segregated from proprietary and other funds, and treated as belonging to customers, in accordance with CFTC Rule 1.20(a) and other Applicable Law.
- (b) Custody of Customer Funds. Customer funds that are deposited in any bank, trust company, clearing organization or futures commission merchant must be deposited under an account name which clearly identifies them as such and shows that they are segregated, in accordance with CFTC Rule 1.20(a) and other Applicable Law.
- (c) *Investment Standard for Customer Funds*. Customer funds may only be invested in accordance with CFTC Rule 1.25 and other Applicable Law.