



BZX Regulatory Circular 11-001
BYX Regulatory Circular 11-001

Date: January 10, 2011

To: Members of BATS Exchange, Inc. and BATS Y-Exchange, Inc.

From: Membership Services

Re: Notice Regarding Filing of Annual Audited Reports with BATS Exchange and BATS Y-Exchange

The purpose of this Regulatory Circular is to remind Members of their obligation under SEC Rule 17a-5(d) to file annual audit reports with all self-regulatory organizations to which such Members belong.

BATS Exchange, Inc. and BATS Y-Exchange, Inc. (each referred to hereafter as “BATS” or the “Exchange”) does not impose independent filing requirements on its Members related to the filing of annual audit reports, however, SEC Rule 17a-5(d)(6) states:

The annual audit report shall be filed at the regional office of the Commission for the region in which the broker or dealer has its principal place of business, the Commission’s principal office in Washington, DC, and the principal office of the designated examining authority for said broker or dealer. **Copies thereof shall be provided to all self-regulatory organizations of which said broker or dealer is a member.**

Accordingly, BATS Members are required to provide copies of their annual audit reports to the Exchange. Please note that all copies of annual audit reports that are filed with BATS will be considered dually filed with both BATS Exchange, Inc. and BATS Y-Exchange, Inc. Such copies can be sent to BATS for processing via fax to 913-815-7119, email to membershipservices@batstrading.com, or certified or first class mail to:

BATS Exchange, Inc.
Attn: Membership Services
8050 Marshall Drive, Suite 120
Lenexa, KS 66214

If you have any questions in connection with this Circular, please contact Membership Services at 913-815-7002.