



Regulatory Circular 20-006

Date: February 13, 2020

Exchanges: Cboe Options and C2 Options

Markets: Options

To: Trading Permit Holders

Re: Deletion of Annual Attestation Requirement in Cboe Options/C2 Options Rule 8.10 and Discontinuation of Form OE-418

Cboe Exchange, Inc. (“Cboe Options”) and Cboe C2 Exchange, Inc. (“C2 Options” and collectively the “Exchanges”) are issuing this Regulatory Circular to advise Trading Permit Holders (“TPHs”) that Cboe Options/C2 Options Rule 8.10¹ was recently amended to remove the requirement that TPHs that file only annual SEC Form X-17A-5 reports (a/k/a FOCUS Reports) must also file contemporaneous attestations regarding compliance with the maintenance and enforcement of policies and procedures to prevent misuse of material, nonpublic information with such reports. In addition, the Exchanges are discontinuing Form OE-418.

Please note, while the annual attestation requirement has been eliminated from the rule, Cboe Options/C2 Options Rule 8.10 still requires TPHs to establish, maintain and enforce written policies and procedures reasonably designed, taking into consideration the nature of such TPH’s business, to prevent the misuse, in violation of the Exchange Act and Exchange Rules, of material, nonpublic information by such TPH or persons associated with such TPH.

Additional Information

Questions regarding this circular may be directed to Regulatory Interpretations at RegInterps@cboe.com or 312.786.8141.

¹ See Securities Exchange Act Release No. [34-87806](#) (December 19, 2019) ([SR-Cboe-2019-123](#)). (Chapter 5 of the C2 Options Rulebook incorporates by reference Cboe Options Chapter 8, including Cboe Options Rule 8.10.)