

Regulatory Circular RG09-144

Date: December 15, 2009

To: Members and Member Organizations

From: Division of Member and Regulatory Services

Re: Annual Reporting Pursuant to CBOE Rule 9.8 - Supervision of Accounts

Members and member organizations that are approved to conduct business with non-member customers are reminded that CBOE Rule 9.8(g), as amended in December 2007 (SR-CBOE-2007-106), requires that each member organization submit to the Exchange a written report by April 1 of each year that details the member organization's supervision and compliance effort, including its options compliance program, during the preceding year and reports on the adequacy of the member organization's ongoing compliance processes and procedures.

Also, Rule 9.8(h) requires that each member organization submit, by April 1 of each year, a copy of the Rule 9.8(g) annual report to one or more of its control persons or, if the member organization has no control person, to the audit committee of its board of directors or its equivalent committee or group.

Rule 9.8(g) provides that a member organization that specifically includes its options compliance program in a report that complies with substantially similar requirements of FINRA will be deemed to have satisfied the requirements of Rules 9.8(g) and 9.8(h), however, members are still required to file the report with CBOE.

Members can submit the required report to the Department of Member Firm Regulation. Questions concerning this Regulatory Circular can be addressed to Lawrence J. Bresnahan at (312) 786-7713 or Robert Gardner at (312) 786-7937.

Replaces RG08-168