



## Regulatory Circular RG11- 159

To: Trading Permit Holders and TPH Organizations  
From: Regulatory Services Division  
Date: December 14, 2011  
Re: Requirements of Continuing Education Firm Element

In response to questions received, this Regulatory Circular is intended to supplement Regulatory Circular **RG11-130** by explaining the requirements of Firm Element Continuing Education.

Firm Element of Continuing Education applies to covered persons, as defined in CBOE Rule 3.6A. A covered person, for purposes of the Firm Element is any registered person, including but not limited to salespeople, traders, sales assistants, investment bankers, and others who have direct contact with customers<sup>1</sup> in the conduct of a securities sales, trading, or investment banking business, and their immediate supervisors, for as long as they are considered covered persons.

The Securities Industry/Regulatory Council on Continuing Education ("Council") publishes a Firm Element Advisory ("FEA") as a guide for Trading Permit Holders and TPH Organizations to utilize when developing their continuing education Firm Element Training for covered registered persons and their supervisors. The Council has updated the FEA for firms to use in identifying topics to include in their Firm Element Training. Topics added to the FEA since the prior publications have been identified as such.

FEA topics are not exhaustive and are intended for consideration for inclusion in training plans by firms. Each firm should consider whether a FEA topic is relevant, bearing in mind the specific nature of their business, clients, products and services.

The updated FEA, as well as previous editions, can be accessed on the Council's website at [http://www.cecouncil.com/publications/council\\_publications/](http://www.cecouncil.com/publications/council_publications/)

Questions concerning this Regulatory Circular may be directed to the Regulatory Interpretations and Guidance Line at 312-786-8141.

### **Replaces Regulatory Circular RG11-130**

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<sup>1</sup> Customer is defined by CBOE Rule 9.3A, Interpretation and Policies as meaning "...any natural person or any organization other than a registered broker or dealer, executing transactions in securities or other similar instruments with or through, or receiving investment banking services from, a Trading Permit Holder or TPH organization...".