



Notice No 16-08

Date: October 6, 2016

Re: Amendments to Javelin SEF Rule 309

This Notice to Participants is issued to inform you of the rule amendment submitted by Javelin SEF, LLC (“Javelin”) to the Commodity Futures Trading Commission on October 6, 2016.

Specifically, Javelin SEF has amended Rule 309. The rule amendment will be effective on October 21, 2016.

The following is a table that summarizes the rule amendment. A marked copy of the Javelin SEF Rule 309, which indicates the revision with deletions overstruck as indicated, is attached as Exhibit A. A clean copy of the Javelin SEF Rule is attached as Exhibit B.

Rule Amendment	Explanation
Rule 309	To prevent inconsistency with Rule 319 “Withdrawal of a Participant”, and conform with market practice.

If you have any questions regarding this Notice to Participants, please contact Suellen Galish at [suellen.galish@thejavelin.com](mailto:suellen.galish@thejavelin.com).

Attachments

EXHIBIT A

Marked Copy of Rule Amendments

**Rule 309. Participant Application Process**

1. Any Person wishing to become a Participant of Javelin SEF (“Applicant”) shall complete and submit, with complete and accurate information, the forms required by Javelin SEF which include, without limitation, the following:
  - a. a Javelin SEF Participant Application, which includes, without limitation, an agreement to abide by Javelin SEF Rules and applicable law and submit to Javelin SEF jurisdiction;
  - b. a Javelin SEF Electronic User License Agreement (or “EULA”);
  - c. an indication of whether the Participant is a Swap Dealer, a Major swap Participant, a financial entity as defined by CEA section 2(h)(7)(C), and a U.S. person. and
  - d. any additional documents and information Javelin SEF may reasonably deem necessary or desirable to further clarify information provided to Javelin SEF by an Applicant.
2. Applicant agrees that if any of the information provided in its Application is no longer accurate or any other information becomes available that would affect the accuracy of any information provided by Applicant in its Application, Applicant will notify promptly Javelin SEF of such information. The obligation stated in the preceding sentence is a continuing obligation that shall commence upon Applicant’s submission of its Application to Javelin SEF and continue throughout the application process and include the period of time that Applicant is a Participant of Javelin SEF.
3. In considering an Application from an Applicant, Javelin SEF may conduct an investigation to verify information submitted by the Applicant.
4. All applications for Participation status will be reviewed by Javelin SEF staff. Such review shall not take place until such Application is complete. Javelin SEF shall provide each Applicant with written notice of its determination to grant or deny such Applicant’s request to become a Participant.
5. Javelin SEF may deny or condition the grant of Participant status of any Applicant:
  - a. if such Applicant is unable to satisfactorily demonstrate its ability to satisfy the eligibility criteria to become or remain a Participant;
  - b. if such Applicant is unable to satisfactorily demonstrate its capacity to adhere to Javelin SEF Rules; or
  - c. for any such other cause reasonably determined by Javelin SEF.
6. Any Applicant whose application to become a Javelin SEF Participant was denied shall not be entitled to re-apply to become a Javelin SEF Participant for six months from the date of such denial.
- ~~7. Unless extended in writing by Javelin SEF, if the newly admitted Participant does not begin trading on Javelin SEF within six months from the date of Javelin SEF’s approval, then the newly admitted Participant’s application will be deemed withdrawn.~~

## EXHIBIT B

### Rule Amendments

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