



Regulatory Circular 20-005

Date: February 13, 2020

Exchanges: Cboe Options, C2 Options, Cboe BYX, Cboe BZX, Cboe EDGA and Cboe EDGX

Markets: Equities and Options

To: Trading Permit Holders and Members

Re: Filing of Annual Audits

Cboe Exchange, Inc., Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe C2 Exchange, Inc., Cboe EDGA Exchange, Inc., and Cboe EDGX Exchange, Inc. (each an “Exchange” or collectively the “Exchanges”) would like to remind its Members¹ of their obligation under SEC Rule 17a-5(d) to file annual audit reports with all self-regulatory organizations to which such Members belong.² SEC Rule 17a-5(d)(6) states:

The annual reports must 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, the principal office of the designated examining authority for the broker or dealer, and with the Securities Investor Protection Corporation (“SIPC”) if the broker or dealer is a member of SIPC. **Copies of the reports must be provided to all self-regulatory organizations of which the broker or dealer is a member, unless the self-regulatory organization by rule waives this requirement.** [emphasis added]

The Exchanges have not waived this requirement and Members are reminded to submit their annual audit reports in electronic form via FINRA’s Firm Gateway. Filing via FINRA’s Firm Gateway satisfies the requirement to file with each respective Exchange.

Members will use their current FINRA entitlement user ID and password to access the Firm Gateway and submit their annual audit reports. If additional entitlement support is needed, FINRA will assist Members in obtaining the appropriate entitlements. Questions related to the Firm Gateway may be directed to the FINRA Gateway Call Center at 301.869.6699.

As a reminder, annual audit reports must be filed not more than sixty (60) calendar days after the end of the fiscal year of the Member. For Members with a fiscal year that ended December 31, 2019, the due date is **March 2, 2020**.

¹ References to Members within this circular includes Cboe Options and C2 Options Trading Permit Holders and BYX, BZX, EDGA and EDGX Members.

² Cboe Options and C2 Options Trading Permit Holders are also required to file their annual audit with the Exchange pursuant to Cboe Options/C2 Options Rule 7.4, *Audits*. (Chapter 7 of the C2 Options Rulebook incorporates by reference Cboe Options Chapter 7, including Rule 7.4.)

Additional Information

Any questions regarding this Regulatory Circular may be referred to Regulatory Interpretations at RegInterps@cboe.com or 312.786.8141.