### AMENDMENTS TO FUTURES TRADING RULES

### **Proposed Changes**

### 2.5.5 Calculation of Financial Resources

In the calculation of Financial Resources, a corporate Member may include one (1) or more Qualifying Letter(s) of Credit deposited with the Exchange, the Clearing House or CDP and Qualifying Subordinated Loan(s), subject to such conditions and restrictions as prescribed under the Financial and Margin Regulations and in such form as prescribed by the Exchange or the Clearing House.\* The Exchange reserves the right to call on any of the Qualifying Letters of Credit and apply the proceeds thereof in respect of that Member's liabilities.

In the calculation of Adjusted Net Head Office Funds, a corporate Member may include one (1) or more Qualifying Letter(s) of Credit deposited with the Exchange, the Clearing House or CDP, subject to such conditions and restrictions as prescribed under the Financial and Margin Regulations and in such form as prescribed by the Exchange or the Clearing House. The Exchange reserves the right to call on any of the Qualifying Letters of Credit and apply the proceeds thereof in respect of that Member's liabilities.

\* Refer to Annex A — Deed of Subordination (Term Loan) and Annex B — Deed of Subordination (Revolving Credit Facility). Please contact the Clearing House for the format of the Qualifying Letter of Credit.

# 2.5.7 Requirements Relating to Preference Shares, Unsecured Loans and Others for General Trading Members

The following additional financial requirements apply to General Trading Members:

- (a) a General Trading Member that holds a licence to engage in a Regulated Activity shall comply with the obligations under the Financial and Margin Regulations relating to the issue of any preference share and repurchase or redemption of any redeemable preference share (other than any paid-up irredeemable and non-cumulative preference share capital), drawing down and repayment in part or in full of any Qualifying Subordinated Loan principal, making of any unsecured loan or advance, payment of any dividend or director's fees or increase in any director's remuneration, with the additional condition that in relation to the repurchase or redemption of any redeemable preference share (other than any paid-up irredeemable and non-cumulative preference share capital), repayment in part or in full of any Qualifying Subordinated Loan principal, making of any unsecured loan or advance, payment of any dividend or director's fees or increase in any director's remuneration, a General Trading Member shall ensure that the sum of its Financial Resources or Adjusted Net Head Office Funds, as the case may be, and Qualifying Letters of Credit referred to in Rule 2.5.5, are more than 150% of its Total Risk Requirement; and
- (b) a General Trading Member that holds a licence to engage in a Regulated Activity shall not reduce its paid-up ordinary share capital <u>or paid-up irredeemable and non-cumulative preference share capital</u> without the prior written approval of the Exchange.
- (c) A General Trading Member that holds a licence specified in Rule 2.4.1(b) shall notify the

### Legend:

Exchange immediately of any action taken that has or may have a financial or capital impact on the General Trading Member and required to be reported to the Relevant Regulatory Authority, or in relation to the events set out in (a) and (b).

### Chapter 3

### 3.3.32 Foreign Branch of General Trading Member

A General Trading Member licensed under the Act shall satisfy the following requirements prior to opening an overseas branch (the "**Foreign Branch**") and on a continuous basis:

- (a) maintain \$500,000 per branch as the Secondary Requirement "other operational risk requirement" in the calculation of the Operational Risk Requirement. "Secondary Requirement" and "Operational Risk Requirement" shall have the meanings ascribed to them under the Financial and Margin Regulations;
- (b) procure approvals from MAS and the Exchange to operate a Foreign Branch;
- (c) procure approvals from the primary regulator in the country where the Foreign Branch is located and furnish written documentation of such approval to the Exchange;
- (d) where applicable, procure approvals from the primary regulator in the country where the General Trading Member or the General Trading Member's parent company is incorporated and furnish written documentation of such approval to the Exchange;
- (e) comply with this Rules and such other requirements as imposed by the Exchange on Foreign Branches from time to time;
- (f) ensure that the activities of the Foreign Branch fall within the Regulated Activities which the General Trading Member is authorised to conduct under its CMS Licence, subject to any prohibitions imposed by the Exchange under Rule 3.2.5;
- (g) submit an undertaking in the form prescribed by the Exchange whereby the General Trading Member provides assurances regarding the Foreign Branch's treatment of its Customer Accounts, Customers' funds, position limits and the Exchange's ability to audit and access the books and records of the Foreign Branch;\* and
- \* Refer to Annex F Undertaking of Foreign Branch.
- (h) conduct an internal audit at least once every twenty-four (24) months on the Foreign Branch.

Legend:

The General Trading Member shall submit a copy of the internal audit report to the Exchange within one (1) week of the General Trading Member being provided with the same.

### Chapter 7

### 7.3.6 Call on Trading Member's Letter of Credit

If a Trading Member's act or omission results in a Clearing Member defaulting under Rule <u>7A.01A.1\_7A.06.5.1</u> of the Clearing Rules, the Exchange or the Clearing House, as the case may be, reserves the right to call on any of the Qualifying Letters of Credit posted by the Trading Member to meet its <u>Financial Resources financial</u> requirements set forth in Rule 2.5, and apply the proceeds toward the discharge of liabilities incurred by the Clearing Member to the Clearing House.

### 8.1 Definitions

Capitalized terms used herein and not otherwise defined shall have the meaning set forth herein below.

Unless the context requires otherwise, where the terms defined in this Rule 8.1 are defined in relation to a holder of a CMS Licence, such definitions shall, with the necessary modifications, apply to a Trading Member as those definitions apply to a holder of a CMS Licence whether or not that Trading Member holds a CMS Licence.

Term	Meaning
Α	
Adjusted net head office funds	When used in reference to:—  (a) a General Trading Member incorporated outside Singapore that holds a licence to engage in a Regulated Activity, shall bear the meaning ascribed thereto in paragraph 2 of the Second Schedule Regulation 2 of the SFR (Financial and Margin Requirements); and
	(b) a Bank Trading Member incorporated outside Singapore which has satisfied the Net Head Office Funds requirement in Rule 2.5.2(c)(i), shall bear the meaning ascribed thereto in paragraph 2 of the Second Schedule Regulation 2 of the SFR (Financial and Margin Requirements), less the capital requirements for its banking business;

### Legend:

Proposed Changes					
Aggregate indebtedness	Shall have the meaning ascribed to it in Regulation 2 of under the SFR (Financial and Margin Regulations);				
Aggregate	When used in reference to:—				
resources	(a) a Trading Member incorporated in Singapore which has satisfied Rule 2.5.2(b)(i) or Rule 2.5.2(c)(i) by meeting the Base Capital requirement, means its Financial Resources and Qualifying Letter of Credit less its Total Risk Requirement;				
	(b) a Trading Member incorporated outside Singapore which has satisfied Rule 2.5.2(b)(i) or Rule 2.5.2(c)(i) by meeting the Net Head Office Funds requirement, means its Adjusted Net Head Office Funds and Qualifying Letter of Credit less its Total Risk Requirement; and				
	(c) a Bank Trading Member incorporated outside Singapore which has satisfied Rule 2.5.2(c)(i) by means of cash and/or acceptable government securities deposited with the Clearing House or CDP <sub>-1</sub>				
	where the total amount payable under the Qualifying Letter(s) of Credit exceeds 50% of the total risk requirement, the amount in excess shall not be taken into account for determining the aggregate resources in meeting Aggregate Indebtedness.				
<u>B</u>	<b>1</b>				
Base Capital	Shall have the meaning ascribed to it under in Regulation 2 of the SFR (Financial and Margin Regulations);				
<u>C</u>					
Counterparty risk requirement	Shall have the meaning ascribed to it under the Notice on Risk Based Capital Adequacy Requirements for Holders of Capital Markets Services Licences Financial and Margin Regulations;				

<u>Legend:</u> Blue underlined: Insertions Blue struckthrough: Deletions

Proposed Changes	
<u>E</u>	
Financial resources	When used in reference to:—
	(a) a General Trading Member that holds a licence to engage in a Regulated Activity, shall bear the meaning ascribed thereto in paragraph 1 of the Second Schedule Regulation 2 of the SFR (Financial and Margin Requirements); and
	(b) a Bank Trading Member which has satisfied the Base Capital or Net Head Office Funds requirement under Rule 2.5.2(c)(i), shall bear the meaning ascribed thereto in paragraph 1 of the Second Schedule Regulation 2 of the SFR (Financial and Margin Requirements) less the capital requirements for its banking business;
I	
Irredeemable and Non-Cumulative Preference Share Capital	has the meaning ascribed to it in Regulation 2 of the SFR (Financial and Margin Requirements).
<u>O</u>	
Operational risk requirement	has the meaning ascribed to it in paragraph 2 of Third Schedule of the SFR (Financial and Margin Requirements) the Notice on Risk Based Capital Adequacy Requirements for Holders of Capital Markets Services Licences.
<u>Q</u>	

<u>Legend:</u>
Blue underlined: Insertions
Blue struckthrough: Deletions

Proposed Changes					
Qualifying Letter of Credit	Shall have the meaning ascribed to it in Regulation 2 of under the SFR (Financial and Margin Requirements Regulations);				
Qualifying subordinated loan	Shall have the meaning ascribed to it in Regulation 2 of under the SFR (Financial and Margin Requirements Regulations);				
<u>s</u>					
"Secondary requirement"	Shall have the meaning ascribed to it under the Financial and Margin Regulations;				
Ī					
Total risk requirement	When used in reference to:—  (a) a General Trading Member that holds a licence to engage in a Regulated Activity, shall bear the meaning ascribed thereto in paragraph 1 of the Third Schedule Regulation 2 of the SFR (Financial and Margin Requirements);  (b) a Bank Trading Member which has satisfied the Base Capital or Net Head Office Funds requirement under Rule 2.5.2(c)(i), shall bear the meaning ascribed thereto in paragraph 1 of the Third Schedule Regulation 2 of the SFR (Financial and Margin Requirements) except that such Bank Trading Member shall only compute the total risk requirement for all customers' and proprietary positions in derivatives and securities contracts traded on any exchange and OTC contracts novated to any clearing facility; and				
	(c) a Bank Trading Member which has satisfied Rule 2.5.2(c)(i) by depositing cash and/or government securities with the Clearing House, shall bear the meaning ascribed thereto in paragraph 1 of the Third Schedule Regulation 2 of the SFR (Financial and Margin Requirements) except that such Bank Trading Member shall only compute the total risk requirement for all customers' and proprietary positions in derivatives				

<u>Legend:</u>
Blue underlined: Insertions
Blue struckthrough: Deletions

# and securities contracts traded on the Exchange and SGX-ST, and OTC contracts novated to the Clearing House and CDP;

### **Chapter 9 Transitional Provisions**

### **9.1 Transitional Provisions**

### 9.1.1 Applicability

This Rule establishes the transitional provisions relating to Rules 2.5.5, 2.5.7, 3.3.32, 7.3.6 and 8.1 of the Futures Trading Rules that was amended on and in force from 29 December 2014.

### 9.1.2 Transitional Arrangements

Rules 2.5.5, 2.5.7, 3.3.32, 7.3.6 and 8.1 (as amended on and in force from 29 December 2014), except for the definition of Base Capital, shall not apply to a Transitional Trading Member during the Transitional Period, and the aforesaid Rules as in force immediately before 29 December 2014 shall continue to apply to a Transitional Trading Member during the Transitional Period. A reference to any provision of the Financial and Margin Regulations in the aforesaid Rules as in force immediately before 29 December 2014 is to that provision in the Financial and Margin Regulations as in force immediately before 3 April 2013. For avoidance of doubt, the definition of Base Capital applicable to a Transitional Trading Member has the same meaning ascribed in the SFR(Financial and Margin Requirements) as in force on 3 April 2013.

### 9.1.3 Transitional Period

For the purposes of the aforesaid Rules, "Transitional Period" means the period commencing on 3 April 2013 and:-

- (a) in relation to all rule amendments except the definition of Base Capital, till 2 April 2015; or
- (b) ending on such date, before the expiry date stated in Rule 9.1.3(a), specified in a written notice to SGX-DT informing SGX-DT of the Transitional Trading Member's intention to adopt the requirements pursuant to Rule 9.1.4,

whichever is the earlier.

### 9.1.4 Notification by Writing

For the purpose of Rule 9.1.3(b), the Transitional Trading Member shall notify SGX-DT in writing at least 14 days before the intended date to adopt the requirements.

### 9.1.5 Transitional Trading Member

### Legend:

"Transitional Trading Member" means

(a) in the case of a Trading Member who is a holder of the Capital Markets Services Licence, is a "specified holder" as defined under Regulation 25 of the Securities and Futures (Financial and Margin Requirements for Holders of Capital Markets Services Licences) (Amendment) Regulations 2013 or a "new holder" as defined under Regulation 26 of the Securities and Futures (Financial and Margin Requirements for Holders of Capital Markets Services Licences) (Amendment) Regulations 2013

(b) in the case of a Trading Member who is not a holder of the Capital Markets Services Licence, is an existing Trading Member prior to 3 April 2013 or one who applied to be a Trading Member prior to 3 April 2013.

Legend:

Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27 — Reporting of Account Identity; Reporting of Open Positions; Computations of Financial and Capital Requirements; Submission of Financial Statements and Other Information to the Exchange

### 1. Introduction

1.1 This Regulatory Notice sets out the conditions and operational procedures pursuant to Rules 3.3.17, 3.3.18, 3.3.26, and 3.3.27.

### 2. Electronic Reporting and Submission of Information

2.1 A Member is required to submit the following information, except that in the case of a Bank Trading Member, the following requirements apply only in respect of the Bank Trading Member's business that is governed by this Rules:

### (a) Rule 3.3.17: Reporting of Account Identity (BC4A)

- (i) Except for Trading Members that engage solely in House Trades and Proprietary Trades of its Related Corporations, a Member is required to submit to the Exchange, using Form BC4A, details of any new account which is used for trading and/or carrying of trades done on Exchange, other exchanges and over-the-counter.
- (ii) If the account is a disclosed omnibus account, Form BC4A must be submitted for each sub-account. However, if the account is an undisclosed omnibus account and the subaccounts are not used for position reporting and trades clearing, Form BC4A is not required for the sub-account(s). Members need not submit Form BC4A to the Exchange for trading accounts which are to be linked to a "Main" BC4A account using the SGXCLEAR system.

### Legend:

- (iii) If there are any changes to information stated in a BC4A account that has been submitted previously, the Exchange must be notified as soon as is practicable, within the next business day.
- (iv) Members should notify the Exchange, when an account is closed in their system, as soon as is practicable, to prevent unauthorised trading in the account.
- (v) Form BC4A serves as identification for the holder of the account and no single account number should be assigned to more than one customer, even after the account has been closed.
- (vi) The operational procedures and timelines in relation to the submission and procedure for the completion of Form BC4A are set out in **Appendix 1**.

Refer to Appendix 1 of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

- (vii) Members are required to put in place internal controls to ensure that the Form BC4A has been properly approved by the Chief Executive Officer ("CEO") or authorised senior executives (e.g. Deputy CEO, General Manager or Operations Manager) before submission. For operational reasons, the submission of Form BC4A may be delegated to senior executives who must be of at least a supervisory grade. Approved staff, including the authorised senior executives, should not be directly involved in trading activities. Members are reminded that the primary responsibility for ensuring the accuracy of the Form BC4A submitted still falls on the CEOs of the respective Member firms.
- (viii) Members are required to ensure all information reported under Form BC4A is complete and accurate as the Exchange relies on these records for its risk management and market surveillance programmes. Due care should be exercised in completing the Form.
- (b) Rule 3.3.18: Reporting of Open Positions (BC3A)

A Member shall record, using Form BC3A, a daily report of Open Positions in all accounts at the end of each Trading Day. The Form BC3A shall be submitted to the Exchange in accordance with the operational procedures and timelines set out in **Appendix 1**. For disclosed Omnibus Accounts, a Member shall report the Open Positions in each sub-account.

Refer to Appendix 1 of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

(c) Rule 3.3.26 : Computations of Financial and Capital Requirements; and Rule 3.3.27 : Submission of Financial Statements and Other Information to the Exchange

Legend:

A General Trading Member that holds a licence specified in Rule 2.4.1(b) shall submit to the Exchange monthly Net Liquid Capital financial returns. The General Trading Member shall submit financial returns as set out in the form prescribed by the Exchange in Regulatory Notice 2.5.2(b1).

General Trading Members <u>and Bank Trading Members</u> shall submit financial returns <u>in the format that the Exchange prescribes</u> <u>referring to the items listed under "Financial Returns"</u>, "Supporting Schedules" and "Confirmation" as set out in <u>Appendix 2</u>. Bank Trading Members <u>shall submit financial returns</u> as set out in the forms prescribed by the Exchange. The financial returns shall be submitted by the 14<sup>th</sup> calendar day of each month, or such longer period as the Exchange may allow. Requests for extensions of time shall be submitted to the Exchange at least three (3) Business Days prior to the due date for submission of the monthly financial returns.

Members shall submit audited financial returns in the forms prescribed herein on an annual basis, pursuant to <u>Rule 3.3.28</u>.

2.2 Appendices 2 and <u>2A</u> set out the details of information which a Member shall submit to the Exchange periodically and the manner in which the information is to be submitted.

Refer to Appendix 2 and Appendix 2A of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

2.3 The Exchange will inform Members by way of Circular, at least five (5) days before implementation, if there are any changes to the timelines stipulated in Appendices 1, Appendix 2 and Appendix 2A.

Refer to Appendix 1, Appendix 2 and Appendix 2A of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

### 2.4 User IDs

A User ID is issued to a Member to facilitate electronic submission and downloading via the SGX Data Submission System. The User ID is issued only to a director of the Member. The Member shall use the form in Appendix 3 to inform the Exchange of the name of the director. The form shall be signed by two (2) directors. The director who has been issued with the User ID may authorise other employees of the Member to submit files, provided such authorisation is documented and proper procedures are in place.

Refer to Appendix 3 of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

A Member shall appoint at least two (2) employees as User ID coordinators who shall liaise

### Legend:

with the Exchange on matters relating to User ID and IT security.

A Member shall use the form in <u>Appendix 3A</u> to inform the Exchange of the names of the User ID coordinators and its authorised signatories for submission of forms in <u>Appendices 2</u> and <u>3</u>. The detailed responsibilities of the authorised signatories and coordinators are set out below:

Refer to Appendix 3A of Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27.

### (a) AUTHORISED SIGNATORY

- (i) Review and approve requests for access to <u>SGX Data Submission System</u>.
- (ii) Ensure the timely submission of appropriate requests to the Exchange in the event that the director who is issued with the User ID resigns, transfers or changes his duties/functions.
- (iii) Inform the Exchange to revoke the access (e.g. if staff abuses the access granted to him).

### (b) USER ID COORDINATOR

- (i) Submit requests for the application or deletion of User IDs on behalf of the Member using Appendix 3.
- (ii) Act as the liaison to the Exchange for any IT security incidents or activities, such as:
  - (A) User ID compromised;
  - (B) User ID account lock-out;
  - (C) IT security violations; and
  - (D) unauthorised changes to critical systems.
- (iii) Assist the Exchange in its Annual IT Security Verification exercise.
- (iv) Update the Exchange on changes pertaining to the following:
  - (A) list of User ID coordinators;
  - (B) list of authorised signatories; and

Legend:

- (C) company name or other information.
- (v) Check that all requests in accordance with **Appendix 3** are duly completed and properly authorised before submitting to the Exchange.
- 3. Late Fees
- 3.1 Where a Member fails to submit any information, returns or reports required under the above Rules, within the prescribed time, there shall be imposed upon the Member a late fee of an amount to be prescribed by the Exchange from time to time, unless an extension of time has been granted.
- 3.2 Where a Member fails to submit the requisite financial returns within the prescribed time, there shall be imposed upon the Member a late fee for each day that the returns are not submitted in the prescribed time, unless an extension of time has been granted. The late fee shall be set at an amount which the Exchange may prescribe from time to time.
- 3.3 A Member shall be required to resubmit any information, returns or reports required under the above Rules and take such other steps as the Exchange may require upon the Exchange's notification that the information, returns or reports are inaccurate or incomplete.

Appendix 2 To Regulatory Notice 3.3.17; 3.3.18; 3.3.26; 3.3.27

# FINANCIAL STATEMENTS AND OTHER INFORMATION TO BE SUBMITTED BY MEMBERS VIA SGX DATA SUBMISSION SYSTEM

- 1. Details of information should be submitted via the Exchange's electronic submission system (SGX Data Submission System) or via such other modes that the Exchange considers appropriate. Submission via electronic submission system is in pre- defined Extensible Markup Language ("XML") format. A web interface is provided for the Member to log in and submit the files. The files received are auto-validated for accuracy and the Member will be informed by email whether its submissions have been successfully processed. A Member shall use the form at **Appendix 2A** to indicate the e-mail addresses it wants the messages sent to.
- 2. A Member shall submit the that submits the required information via electronic submission system shall use using the Excel templates available on the SGX Data Submission Website. The Excel templates and the accompanying XML formats can be downloaded from this website: http://esub.sgx.com. A copy of the user guide on the SGX Data Submission System is available to Members upon

Legend:

request.

3. A Member may develop its own applications to generate files in the XML format specified by the Exchange for submission. A copy of the detailed XML Design document and the XML format is available, upon request.

	Trading Member (Excluding those specified in FTR 2.4.1(b))		Trading Member (Specified in FTR 2.4.1(b))	Frequency	Timeline
RBC Financial Returns	<b>√</b>	✓		Monthly	14 <sup>th</sup> of the month
Statement of Assets and Liabilities					
Statement of Financial Resources, Total Risk Requirement and Aggregate	<b>≠</b>	<b>≠</b>			
Statement of Profit and Loss (Form	<b>→</b>	<b>→</b>			
Supporting Schedules* CRR 1 to 7 PRR 1 to 14	√ (Only Applicable Schedules)	← (Only Applicable Schedules)			
Net Liquid Capital ** Confirmation *	<b>√</b>	<b>√</b>	<b>√</b>		

Legend:

Proposed Chang	jes				
Credit Facilities ***		✓		Monthly	10 <sup>th</sup> Business Day of the month.
Reporting of Open Positions	✓		<b>√</b>	Daily	11.00am on the following Business Day
Reporting of Account Identity (Form BC4A)	✓	✓	✓	Ad Hoc	BC4A to be submitted within three (3) Business Days after a new account has commenced trading. BC4A for Trading Member (Individual) and Trading Representatives shall be submitted at least one (1)
Reporting of Large Positions in Non-SGX		<b>√</b>		Daily	3.00pm on the following Business Day.

in the form prescribed on the website at http://esub.sgx.com

in the template prescribed in FTR Regulatory Notice 2.5.2(C)

if separately required in accordance with the Clearing Rules.

Proposed Changes	
Appendix 2A To Regulatory Notice 3.3.17; 3.3.1	8; 3.3.26; 3.3.27
LIST OF EMAIL ADDRESSES FOR RECEIVING I	FEEDBACK ON SUBMISSIONS
(For SGX Data Submission System)	
Type of Submission, where applicable	Email Address
<ol> <li>RBC financial returns and schedules</li> <li>Net Liquid Capital</li> </ol>	
Net Elquid Capital     Baily Trading Turnover *	<del></del>
Ageing of Settlement and Margin	
Financing *	
5. Borrowings and Trading Turnover *	
Financial Information *     Credit Facilities	
Reporting of Open Positions (Form	
BC3A)	
Reporting of Account Identity (Form	
BC4A)	
10. Reporting of Large Positions in Non-	
SGX Contracts (Form BC5A)	
Name of Member:	
Company Stamp:	-
1st authorised signatory(S	Signature)
	varne) Designation)
2nd authorized signatory:	
	lame)
	Designation)
* only applicable if Member is also a SGX-ST mem	ber separately required under Securities Rules.

<u>Legend:</u> Blue underlined: Insertions Blue struckthrough: Deletions

Ge	Conduct of Members, Approved Traders Seneral Trading Member to satisfy the										
3.3.32(a) Se	Other Operational Risk Requirement Secondary Requirement in respect of pening a Foreign Branch	Compoundable	\$2,000 – \$4,000	\$4,000 – \$7,000	\$7,000 — \$10,000	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

<u>Legend:</u> Blue underlined: Insertions Blue struckthrough: Deletions