

# NATIONAL FUTURES ASSOCIATION

## FIRM APPLICATION

### Instructions for Using the Firm Application Template

**READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING OR REVIEWING THE APPLICATION. THE FAILURE TO ANSWER ALL QUESTIONS COMPLETELY AND ACCURATELY OR THE OMISSION OF REQUIRED INFORMATION MAY RESULT IN THE DENIAL OR REVOCATION OF REGISTRATION.**

**This document is not an application form. Do not send this document to NFA. It is a template that you may use to assist in filing the electronic application.**

You may fill out the template online and save and/or print it when you are finished or you can download the template and/or print it and fill it out later.

Not every section applies to every applicant. Certain sections apply depending on the registration category or categories being applied for. The text above these sections explains who must complete the section. In the electronic application, only the applicable sections will appear.

### **DEFINED TERMS**

Words that are underlined in this form are defined terms and have the meanings contained in the Definition of Terms section.

### **GENERAL**

Read the Instructions and Questions Carefully

A question that is answered incorrectly because it was misread or misinterpreted can result in severe consequences, including denial or revocation of registration. Although this applies to all questions in the application, it is particularly important to the questions in the Disciplinary Information Section.

Rely Only on Advice from NFA Staff

A question that is answered incorrectly because of advice received from a lawyer, employer, a judge or anyone else (other than a member of NFA's Registration, Compliance, Legal or Information Center ("RCLI") departments) can result in severe consequences, including denial or revocation of registration. This also applies to all questions in the form, but is particularly important regarding the Disciplinary Information Section. If the language of a question in the Disciplinary Information Section requires

disclosure of a matter, a “Yes” answer to the question is required no matter what other advice has been received from anyone other than NFA’s RCLI staff. Additionally, the applicant or registrant remains responsible for failures to disclose even if someone completes the form on the applicant’s or registrant’s behalf.

#### Update the Information on the Application

If information provided on the application changes or a matter that would have required disclosure on the application occurs after the application is filed, the new information must be promptly filed. APs and Principals should advise their Sponsors of the new information, and the Sponsor must file the update on their behalf. The failure to promptly update information can result in severe consequences, including denial or revocation of registration.

#### Compliance with Disclosure Requirements of Another Regulatory Body is not Sufficient

With some exceptions, which are described below in the Regulatory and Financial Disclosures sections, if any question requires the provision of information, that information must be provided. In particular, if a question in the Disciplinary Information Section requires disclosure of a matter, the question must be answered “Yes” and additional documents must be provided even if the matter has been disclosed to another regulatory body such as FINRA, an exchange or a state regulator. Similarly, disclosure is required even if another regulatory body does NOT require disclosure of the same matter.

#### Call NFA with Questions

If there is any question about whether particular information must be provided, whether a particular matter must be disclosed or whether a particular question requires a “Yes” answer, call the NFA Information Center at (800) 621-3570 or (312) 781-1410. Representatives are available from 8:00 a.m. to 5:00 p.m., Central Time, Monday through Friday. If the advice of NFA staff is sought, a written record containing the date of the conversation, the name of the NFA staff person giving the advice and a description of the advice should be made during the conversation and kept in the event an issue concerning disclosure of the matter arises later.

## **DISCIPLINARY INFORMATION SECTION**

### Criminal Disclosures

Some common mistakes in answering the criminal disclosure questions involve expungements, diversion programs and similar processes. The Commodity Futures Trading Commission requires a “Yes” answer even if the matter has been expunged or the records sealed, there was no adjudication or finding of guilt, the guilty plea was

vacated or set aside or the matter was dismissed upon completion of the diversion program.

Another common error regarding criminal matters concerns matters that do not involve the futures industry. All criminal matters must be disclosed, even if a matter is unrelated to the futures industry, unless the case was decided in a juvenile court or under a Youth Offender law.

### Regulatory Disclosures

Regulatory actions taken by the Commodity Futures Trading Commission, NFA or domestic futures exchanges do not need to be disclosed since NFA is already aware of them once they are entered into NFA's BASIC system.

### Financial Disclosures

It is not necessary to disclose arbitration or CFTC reparations matters unless the applicant or registrant has failed to pay an award issued in a futures-related arbitration or an order entered in a reparations matter.

Only adversary actions that a bankruptcy trustee or a trustee's attorney files must be disclosed. Adversary actions that creditors file are not disclosable. A person named as a party to an adversary action in a bankruptcy proceeding must disclose the action, even if the person is not the bankrupt person.

## **ADDITIONAL DOCUMENTS**

For any matter that caused a "Yes" answer, a written explanation detailing the events and conduct must be provided. That explanation can be entered on the Matter pages by giving it a name, e.g., the docket number of the case, and describing it in the text box. Alternatively, the explanation can be sent in hard copy format to NFA.

In addition to the required explanation, other documents about the matter must be sent to NFA. If court documents are unavailable, a letter from the court verifying that must be sent to NFA. If documents other than court documents are unavailable, the person must provide a written explanation for their unavailability.

Like answering the questions correctly, providing all documents to NFA is important. Failure to do so will delay the registration process and may result in a denial of the application.

**DEFINITION OF TERMS** (The following terms are defined solely for the purpose of using NFA's Online Registration System.)

**10% OR MORE INTEREST:** direct or indirect ownership of 10% or more of an applicant's or registrant's stock; entitlement to vote or empowered to sell 10% or more of an applicant's or registrant's voting securities; contribution of 10% or more of an applicant's or registrant's capital; or entitlement to 10% or more of an applicant's or registrant's net profits.

**ADJUDICATION:** in a criminal case, a determination by the court that the defendant is guilty or not guilty.

**ADVERSARY ACTION:** a lawsuit arising in or related to a bankruptcy case commenced by a creditor or bankruptcy trustee by filing a complaint with the bankruptcy court.

**ALIAS:** another name utilized by an individual or previously used by an entity.

**CHARGE:** a formal complaint, information, indictment or equivalent instrument containing an accusation of a crime.

**DBA:** abbreviation for Doing Business As. The firm is doing its futures, retail off-exchange forex or swaps business by this name.

**ENJOINED:** subject to an injunction.

**ENTITY:** any person other than an individual.

**FELONY:** any crime classified as a felony and for states and countries that do not differentiate between a felony or misdemeanor, an offense that could result in imprisonment for any period of more than one year. The term also includes a general court martial.

**FINANCIAL SERVICES INDUSTRY:** the commodities, securities, accounting, banking, finance, insurance, law or real estate industries.

**FOUND:** subject to a determination that conduct or a rule violation has occurred. The term applies to dispositions of any type, including but not limited to consent decrees or settlements in which the findings are neither admitted nor denied or in which the findings are for settlement or record purposes only.

#### **INTERNAL REVENUE CODE:**

Section 7203: Willful Failure to File Return, Supply Information or Pay Tax

Section 7204: Fraudulent Statement or Failure to Make Statement

Section 7205: Fraudulent Withholding Exemption Certificate or Failure to Supply Information

Section 7207: Fraudulent Returns, Statements or Other Documents

#### **INVESTMENT RELATED STATUTES:**

- The Commodity Exchange Act
- The Securities Act of 1933
- The Securities Exchange Act of 1934
- The Public Utility Holding Company Act of 1935
- The Trust Indenture Act of 1939
- The Investment Advisers Act of 1940
- The Investment Company Act of 1940
- The Securities Investors Protection Act of 1970
- The Foreign Corrupt Practices Act of 1977
- Chapter 96 of Title 18 of the United States Code
- Any similar statute of a State or foreign jurisdiction
- Any rule, regulation or order under any such statutes; and
- The rules of the Municipal Securities Rulemaking Board

**MISDEMEANOR:** any crime classified as a misdemeanor and for states and countries that do not differentiate between a felony or misdemeanor, an offense that could result in imprisonment for

any period of at least six days but not more than one year. By way of example, an offense for which the maximum period of imprisonment is 60 days would be considered a misdemeanor. The term also includes a special court martial.

**OTHER NAME: For firms or sole proprietors**, any other name that the applicant uses or has used in the past for its futures, retail off-exchange forex or swaps business but not the name of any other legal entity that the applicant has an affiliation or association with (see DBA). **For individuals**, this is any name the person is or has been known by. For example, a maiden name, an alias name that you use or are known by, or a previous name if you have changed your legal name.

**PERSON:** an individual, association, partnership, corporation, limited liability company, limited liability partnership, trust, or other form of business organization.

**PRINCIPAL:** an individual who is:

- a sole proprietor of a sole proprietorship; or
  - a general partner of a partnership; or
  - a director, president, chief executive officer, chief operating officer or chief financial officer of a corporation, limited liability company or limited partnership; or
  - in charge of a business unit, division or function of a corporation, limited liability company or limited partnership if the unit, division or function is subject to regulation by the Commission; or
  - a manager, managing member or a member vested with the management authority for a limited liability company or limited liability partnership; or
  - a chief compliance officer; or
  - an individual who directly or indirectly, through agreement, holding companies, nominees, trusts or otherwise:
    - is the owner of 10% or more of the outstanding shares of any class of a registrant's stock; or
    - is entitled to vote 10% or more of any class of a registrant's voting securities; or
    - has the power to sell or direct the sale of 10% or more of any class of a registrant's voting securities; or
    - has contributed 10% or more of a registrant's capital; or
    - is entitled to receive 10% or more of a registrant's net profits; or
    - has the power to exercise a controlling influence over a registrant's activities that are subject to regulation by the Commission; or
- an entity that:
- is a general partner of a registrant; or
  - is the direct owner of 10% or more of any class of a registrant's securities; or
  - has directly contributed 10% or more of a registrant's capital unless such capital contribution consists of subordinated debt contributed by:
    - ♦ an unaffiliated bank insured by the Federal Deposit Insurance Corporation; or
    - ♦ a United States branch or agency of an unaffiliated foreign bank that is licensed under the laws of the United States and regulated, supervised and examined by United States government authorities having regulatory responsibility for such financial institutions; or
    - ♦ an insurance company subject to regulation by any State.

**SELF-REGULATORY ORGANIZATION (SRO):** a private, non-governmental organization authorized to set and enforce standards or conduct for an industry. NFA, FINRA (formerly known as NASD) and the securities and futures exchanges in the U.S. are examples of domestic SROs.

**UNITED STATES CRIMINAL CODE:**

Section 152: Concealment of assets, making false claims or bribery in connection with a bankruptcy

Section 1341,

1342 or 1343: Mail fraud

Chapter 25: Counterfeiting and forgery

Chapter 47: Fraud or false statements in a matter within the jurisdiction of a United States department or agency

Chapter 95

or 96: Racketeering and Racketeering Influence

**Principals**

Firm applicants must file electronic applications for each individual who is a principal of the applicant, including the sole proprietor of a sole proprietorship. A firm must have at least one individual principal affiliated with it in order to obtain registration. NFA Members that are registered or applying for registration as an FCM, RFED, IB, CPO and/or CTA must have at least one individual principal who is also registered as an AP of the firm or a floor broker.

**Additional Assistance**

Additional information regarding registration requirements and specific topics can be found on the Registration page of NFA’s web site at [www.nfa.futures.org](http://www.nfa.futures.org). NFA’s Information Center, (800-621-3570 or 312-781-1410), is also available to provide assistance. It’s normal hours are Monday through Friday, from 8:00 AM to 5:00 PM CT.

## NATIONAL FUTURES ASSOCIATION FIRM APPLICATION

Indicate the full legal name that appears on the firm’s corporate filings or if Sole Proprietor, indicate the full legal name of the individual that is the Sole Proprietor. The name should not be a “doing business as” name the Sole Proprietor may be doing business under. Do not use nicknames or abbreviations. For example, if the individual’s first name is Charles, enter Charles, not Chuck.

Firm Name\*

or

First & Middle\*

Last\*

Suffix

NFA ID#\*

## Registration Categories

Check category(ies).

### Registration Categories\*

NFA Member

Commodity Trading Advisor

Swap Dealer

Futures Commission Merchant

Commodity Pool Operator

Major Swap

Participant

Introducing Broker

Retail Foreign Exchange Dealer

Floor Trader Firm

Swap Dealers, Major Swap Participants and Floor Trader Firms do not answer this question.

Will the firm be undertaking activities involving off-exchange foreign currency transactions as described in Sections 2(c)(2)(B) or 2(c)(2)(C) of the Act?

Yes No

Only applicants engaging in retail off-exchange forex business that are applying as FCMs and/or RFEDs answer this question.

Will the firm be acting as, or offering to act as, the counterparty in off-exchange foreign currency transactions as described in Sections 2(c)(2)(B) or 2(c)(2)(C) of the Act?

Yes No

Floor Trader Firms do not answer these questions.

Will the firm's commodity interest activities include swaps transactions subject to the jurisdiction of the Commodity Futures Trading Commission?\*

Yes No

Will the firm limit its commodity interest activities exclusively to swaps transactions subject to the jurisdiction of the Commodity Futures Trading Commission?\*

Yes No

\*Required to file application

## Membership Information\*

Only applicants for NFA Membership that are also applying for more than one CFTC category complete this section. Select one.

Indicate the category in which the applicant intends to vote on NFA membership matters.

- Futures Commission Merchant
- Retail Foreign Exchange Dealer
- Introducing Broker
- Commodity Trading Advisor
- Commodity Pool Operator
- Swap Dealer
- Major Swap Participant

Only applicants for NFA Membership that are applying as FCMs complete this section.

Is the applicant a member or has the applicant applied for membership at any United States commodity exchange?

Yes No

\*Required to file application

## Business Information

Enter Information. A sole proprietor may use a P.O. Box address if the business is located in the sole proprietor's residence and a complete residential address is provided on the individual application. For all others, a P.O. Box address is not acceptable.

## Business Address

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number\*

Fax Number\*

E-Mail Address

Web Site/URL

Federal EIN

CRD/IARD ID

## Applicant's Form of Organization\*

Sole Proprietorship (Individual)

Limited Liability Company

US Federally Chartered Bank

Partnership

Limited Liability Partnership

Other

Corporation

Trust

Where is the entity incorporated, organized or established: (Sole proprietors and US Federally Chartered Banks do not answer this question.)\*

State

Country

\*Required to file application

\*\*Required to file application for United States address

## Other Names

Enter any other name the applicant uses or has used in the past for its futures, retail off-exchange forex or swaps business with customers. The name should not be the name of any other legal entit(ies). For example, the name should not be the name of an affiliate, subsidiary or any other legal entity you may have an affiliation/association with.

### Other Names

Name

In Use

Not In Use

Name

In Use

Not In Use

Name

In Use

Not In Use

Name

In Use

Not In Use

## Location of Business Records

Enter the location of the applicant's business records and those records required to be kept by regulation under the Commodity Exchange Act. A P.O. Box address is not acceptable. If the applicant is applying as a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an



exemption to the applicant or the applicant is a CPO of a Commodity ETF and has filed a notice of exemption pursuant to CFTC Regulation 4.12(c)).

Street Address1\*  
Street Address2  
Street Address3  
City\*  
State\*  
Zip/Postal Code\*

\*Required to file application

\*\*Required to file application for United States address

## Location of Business Records (continued)

Only foreign applicants complete this section.

Enter the location of the applicant's business records and those records required to be kept by regulation under the Commodity Exchange Act. A P.O. Box address is not acceptable. If the firm is a CPO or CTA, this address must be the same as the business address (unless the CFTC has granted an exemption to the applicant or the applicant is a CPO of a Commodity ETF and has filed a notice of exemption pursuant to CFTC Regulation 4.12(c)).

Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\*  
Province  
Zip/Postal Code\*\*  
Country\*

Enter the location in the U.S. where the applicant's books and records will be produced for inspection by the CFTC and NFA.

Select one.

The office of NFA located in New York, NY

The office of NFA located in Chicago, IL

The following address (P.O. Box address is not acceptable):

Office of\*  
Street Address1\*  
Street Address2  
Street Address3  
City\*  
State\*  
Zip/Postal Code\*

\*Required to file application

\*\*Required to file application for United States address

## Holding Company's Information

Enter the full legal name of any holding company. If none, continue on to the next section. It is important that the full legal name of the holding company is entered. NFA will assign an NFA ID number to the holding company if one has not already been assigned. An incorrect name could cause a delay in the application process.

Full Name

10% or More Interest

## Branch Office Information

You can enter up to three (3) branch offices in this document. If you have more than three (3) branch offices, please add them in another document such as Microsoft Word and attach it to this document. If none, continue on to the next section. (Swap Dealers, Major Swap Participants and Floor Trader Firms do not answer this question.)

Branch ID

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number

Fax Number

E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Branch Office Information (additional spaces, if needed)

Branch ID

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number

Fax Number

E-Mail Address

Branch ID  
Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\* (US Only)  
Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number  
Fax Number  
E-Mail Address

\*Required to file application

\*Required to file application for United States address

## Regulator Information

### Non-U.S. Regulator Information

Enter the name of each non-U.S. financial services industry regulatory authority or self-regulatory organization that has regulated the firm or sole proprietor during the past five (5) years. Do not enter NFA, FINRA or the name of any U.S. exchange.

List of Non-U.S. Regulators

Only applicants applying as an SD or MSP complete this section.

### U.S. Regulator Information

Is the applicant currently regulated by any of the regulators listed below?

Yes                      No

If yes, check all that apply.

The Board of Governors of the Federal Reserve System  
The Farm Credit Association  
The Federal Deposit Insurance Corporation  
The Federal Housing Finance Agency  
The Office of the Comptroller of the Currency  
The Securities and Exchange Commission

Only applicants filing as Floor Trader Firms complete this section.

Select the exchange(s) at which you have been granted membership or trading privileges or at which you have an application pending.

CBOT                      Chicago Board of Trade

CEI	Commodity Exchange Inc.
CFE	CBOE Futures Exchange LLC
CME	Chicago Mercantile Exchange
ICE	ICE Futures US Inc.
KCBT	Kansas City Board of Trade
MGE	Minneapolis Grain Exchange
NFX	NASDAQ QMX Futures Exchange Inc
NYME	New York Mercantile Exchange

\*Required to file application

## Disciplinary Information - Criminal Disclosures

For additional assistance and information on completing this page, refer to the Instructions and Definition of Terms at the beginning of this document.

**ANSWER THE FOLLOWING QUESTIONS. THE APPLICANT MUST ANSWER “YES” TO THE QUESTIONS ON THIS PAGE EVEN IF:**

- **ADJUDICATION OF GUILT WAS WITHHELD OR THERE WAS NO CONVICTION; OR**
- **THERE WAS A CONDITIONAL DISCHARGE OR POST-CONVICTION DISMISSAL AFTER SUCCESSFUL COMPLETION OF A SENTENCE; OR**
- **A STATE CERTIFICATE OF RELIEF FROM DISABILITIES OR SIMILAR DOCUMENT WAS ISSUED RELIEVING THE HOLDER OF FORFEITURES, DISABILITIES OR BARS RESULTING FROM A CONVICTION; OR**
- **THE RECORD WAS EXPUNGED OR SEALED; OR**
- **A PARDON WAS GRANTED.**

**THE APPLICANT MAY ANSWER “NO” IF THE CASE WAS DECIDED IN A JUVENILE COURT OR UNDER A YOUTH OFFENDER LAW.**

A.\* Has the applicant ever pled guilty or nolo contendere (“no contest”) to or been convicted or found guilty of any felony in any domestic, foreign or military court?

Yes                      No

B.\* Has the applicant ever pled guilty to or been convicted or found guilty of any misdemeanor in any domestic, foreign or military court which involves:

- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- violation of sections 7203, 7204, 7205 or 7207 of the Internal Revenue Code of 1986; or
- violation of sections 152, 1341, 1342, or 1343 or chapters 25, 47, 95 or 96 of the United States Criminal Code; or

- any transaction in or advice concerning futures, options, leverage transactions or securities?

Yes                  No

C.\* Is the applicant a party to any action, or is there a charge pending, the resolution of which could result in a “Yes” answer to the above questions?

Yes                  No

Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question.

For any “Yes” answer to the questions above, has the applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a “Yes” answer?\*

Yes                  No

Would you like to provide details of any criminal matter?

Yes                  No

\*Required to file application

## Matter Information - Criminal Disclosures

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If you must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

Matter Name:

(e.g., 1999 Theft Arrest/Charge; 99-CM-105)

When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of court documentation which show:

- the charges;
- the classification of the offense, (i.e., felony or misdemeanor);
- the plea, sentencing and probation information, as applicable; and

- the final disposition.

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents' unavailability.

## Matter Information - Criminal Disclosures (additional matters, if needed)

Matter Name:

(e.g., 1999 Theft Arrest/Charge; 99-CM-105)

When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of court documentation which show:

- the charges;
- the classification of the offense, (i.e., felony or misdemeanor);
- the plea, sentencing and probation information, as applicable; and
- the final disposition.

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents' unavailability.

## Matter Information - Criminal Disclosures (additional matters, if needed)

Matter Name:

(e.g., 1999 Theft Arrest/Charge; 99-CM-105)

When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of court documentation which show:

- the charges;
- the classification of the offense, (i.e., felony or misdemeanor);
- the plea, sentencing and probation information, as applicable; and

- the final disposition.

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents' unavailability.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of court documentation which show:

- the charges;
- the classification of the offense, (i.e., felony or misdemeanor);
- the plea, sentencing and probation information, as applicable; and
- the final disposition.

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents' unavailability.

## Disciplinary Information - Regulatory Disclosures

For additional assistance and information on completing this page, refer to the Instructions and Definition of Terms at the beginning of this document.

Answer the following questions.

D.\* In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been permanently or temporarily enjoined after a hearing or default or as the result of a settlement, consent decree or other agreement, from engaging in or continuing any activity involving:

- any transaction in or advice concerning futures, options, leverage transactions or securities; or
- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property?

Yes                      No

E.\* In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been found, after a hearing or default or as the result of a settlement, consent decree or other agreement, to:

- have violated any provision of any investment-related statute or regulation; or
- have violated any statute, rule, regulation or order which involves embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- have willfully aided, abetted, counseled, commanded, induced or procured such violation by any other person?

Yes                      No

F.\* Has the applicant ever been debarred by any agency of the United States from contracting with the United States?

Yes No

G.\* Has the applicant ever been the subject of any order issued by or a party to any agreement with a domestic or foreign regulatory authority (other than the CFTC), including but not limited to a licensing authority, or self-regulatory organization (other than NFA or a domestic futures exchange) that prevented or restricted the applicant's ability to engage in any business in the financial services industry?

Yes No

\*Required to file application

## Disciplinary Information - Regulatory Disclosures

For additional assistance and information on completing this page, refer to the Instructions and Definition of Terms at the beginning of this document.

Answer the following questions.

H.\* Are any of the orders or other agreements described in Question G currently in effect against the applicant?

Yes No

I.\* Is the applicant a party to any action, or is there a charge pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes No

Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question.

For any "Yes" answer to the questions above, has the applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?\*

Yes No

Would you like to provide details of any regulatory matter?

Yes No

\*Required to file application

## Matter Information - Regulatory Disclosures



For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If the applicant must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

Matter Name:

(e.g., March 1999 SEC case; FINRA Case No. CM10034)

When the event occurred, parties involved, case number, allegations/charges, and the final disposition.

**AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:**

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

**Matter Information - Regulatory Disclosures** (additional matters, if needed)

Matter Name:

(e.g., March 1999 SEC case; FINRA Case No. CM10034)

When the event occurred, parties involved, case number, allegations/charges, and the final disposition.

**AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:**

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

**Matter Information - Regulatory Disclosures** (additional matters, if needed)

Matter Name:

(e.g., March 1999 SEC case; FINRA Case No. CM10034)

When the event occurred, parties involved, case number, allegations/charges, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

## Disciplinary Information - Financial Disclosures

For additional assistance and information on completing this page, refer to the Instructions and Definition of Terms at the beginning of this document.

Answer the following questions.

J.\* Has the applicant ever been the subject of an adversary action brought by, or on behalf of, a bankruptcy trustee?

Yes No

Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question.

For any "Yes" answer to the question above, has the applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?\*

Yes No

Would you like to provide details of any financial matter?

Yes No

\*Required to file application

## Matter Information - Financial Disclosures

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If the applicant must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

Matter Name:

(e.g., 00-R100 Unpaid Award; 98-0125476 Bankruptcy Denied)

When the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

**Matter Information - Financial Disclosures** (additional matters, if needed)

Matter Name:

(e.g., 00-R100 Unpaid Award; 98-0125476 Bankruptcy Denied)

When the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

**Matter Information - Financial Disclosures** (additional matters, if needed)

Matter Name:

(e.g., 00-R100 Unpaid Award; 98-0125476 Bankruptcy Denied)

When the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/charges, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

## Contact Information

All applicants complete this section.

Enter the individual to whom all registration data and inquiries are to be directed.

### Registration Contact

First Name\*

Last Name\*

Title

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number\*

Fax Number

E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership complete this section.

Enter the individual to whom all membership communications and inquiries are to be directed.

### Membership Contact

First Name\*  
Last Name\*  
Title  
Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\* (US Only)  
Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number\*  
Fax Number  
E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership complete this section.

Enter the individual to whom all accounting inquiries and other miscellaneous inquiries are to be directed.

## Accounting Contact

First Name\*  
Last Name\*  
Title  
Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\* (US Only)  
Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number\*  
Fax Number  
E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership that are applying as FCMs complete this section.  
Enter the individual to whom all assessment fee inquiries are to be directed.

### Assessment Fee Contact

First Name\*

Last Name\*

Title

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number\*

Fax Number

E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership complete this section.  
Enter the individual to whom all arbitration matters are to be directed.

### Arbitration Contact

First Name\*

Last Name\*

Title

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number\*  
Fax Number  
E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership complete this section.

Enter the individual to whom all compliance inquiries are to be directed.

## Compliance Contact

First Name\*  
Last Name\*  
Title  
Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\* (US Only)  
Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number\*  
Fax Number  
E-Mail Address

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

Only applicants for NFA Membership that are applying as an FCM, SD, MSP and/or RFED complete this section.

Enter the individual who is the designated chief compliance officer for the firm.

## Chief Compliance Officer Contact (Optional)

First Name  
Last Name  
Title  
Street Address1  
Street Address2  
Street Address3  
City  
State (US Only)  
Province  
Zip/Postal Code  
Country  
Phone Number  
Fax Number  
E-Mail Address

## Contact Information

All applicants complete this section.

Enter the information to identify the contact person to whom all enforcement and compliance communications and inquiries from the CFTC are to be directed. You can enter up to three (3) enforcement/compliance contacts in this document. If you have more than three (3), please add them in another document such as Microsoft Word and attach it to this document.

### Enforcement/Compliance Contact

First Name\*  
Last Name\*  
Title  
Street Address1\*  
Street Address2  
Street Address3  
City\*\*  
State\* (US Only)  
Province  
Zip/Postal Code\*\*  
Country\*  
Phone Number\*  
Fax Number  
E-Mail Address\*  
Confirm E-Mail Address\*



\*Required to file application

\*\*Required to file application for United States address

## Contact Information

All applicants complete this section.

Enter the information to identify the contact person to whom all enforcement and compliance communications and inquiries from the CFTC are to be directed. You can enter up to three (3) enforcement/compliance contacts in this document. If you have more than three (3), please add them in another document such as Microsoft Word and attach it to this document.

### Enforcement/Compliance Contact

First Name\*

Last Name\*

Title

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number\*

Fax Number

E-Mail Address\*

Confirm E-Mail Address\*

\*Required to file application

\*\*Required to file application for United States address

## Contact Information

All applicants complete this section.

Enter the information to identify the contact person to whom all enforcement and compliance communications and inquiries from the CFTC are to be directed. You can enter up to three (3) enforcement/compliance contacts in this document. If you have more than three (3), please add them in another document such as Microsoft Word and attach it to this document.

# Enforcement/Compliance Contact

First Name\*

Last Name\*

Title

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number\*

Fax Number

E-Mail Address\*

Confirm E-Mail Address\*

\*Required to file application

\*\*Required to file application for United States address

## Privacy Act and Paperwork Reduction Act Notice

OMB# 3038-0072

### Privacy Act and Paperwork Reduction Act Notice

The information in Forms 7-R, 7-W, 8-R and 8-T and on the fingerprint card is being collected pursuant to authority granted in Sections 2c, 4f, 4k, 4n, 4s, 8a and 19 of the Commodity Exchange Act [7 U.S.C. §§ 6f, 6k, 6n, 6s, 12a and 23]. Under Section 2c, it is unlawful for anyone to engage in off-exchange foreign currency futures transactions or off-exchange foreign currency leveraged, margined or financed transactions with persons who are not eligible contract participants without registration, or exemption from registration, as a retail foreign exchange dealer, futures commission merchant, introducing broker, commodity pool operator or commodity trading advisor, as appropriate. Under Section 4d of the Commodity Exchange Act [7 U.S.C. §6d], it is unlawful for anyone to act as a futures commission merchant or introducing broker without being registered in that capacity under the Act. Under Section 4m of the Commodity Exchange Act [7 U.S.C. §6m], it is unlawful for a commodity trading advisor or commodity pool operator to make use of the mails or any means or instrumentality of interstate commerce in connection with his business as a commodity trading advisor or commodity pool operator without being registered in the appropriate capacity under the Act, except that a commodity trading advisor who, during the course of the preceding 12 months, has not furnished commodity trading advice to more than 15 persons and does not hold himself out generally to the public as a commodity trading advisor, need not register. Under Section 4s of the Commodity Exchange Act [7 U.S.C. §6s], it is unlawful for anyone to act as a swap dealer or major swap participant without being registered in that capacity under the Act. Under Section 19 of the

Commodity Exchange Act [7 U.S.C. §23] and Section 31.5 of the CFTC's regulations, it is unlawful for anyone to act as a leverage transaction merchant without being registered in that capacity under the Act.

The information requested in Form 7-R is designed to assist NFA and the CFTC, as appropriate, in determining whether the application for registration should be granted or denied and to maintain the accuracy of registration files. The information in Form 7-W is designed to assist NFA and the CFTC in determining whether it would be contrary to the requirements of the Commodity Exchange Act, or any rule, regulation or order thereunder, or the public interest to permit withdrawal from registration.

The information requested in Form 8-R and on the fingerprint card will be used by the CFTC or NFA, as appropriate, as a basis for initiating an inquiry into the individual's fitness to be an associated person, floor broker or floor trader or to be a principal of a futures commission merchant, swap dealer, major swap participant, retail foreign exchange dealer, introducing broker, commodity trading advisor, commodity pool operator, leverage transaction merchant or non-natural person floor trader. Portions of the information requested in Form 8-R will be used by the CFTC and, in appropriate cases, by NFA, to confirm the registration of certain associated persons. The information requested in Form 8-T will be used by the CFTC, and, in appropriate cases, by NFA, to record the registration status of the individual and, in appropriate cases, as a basis for further inquiry into the individual's fitness to remain in business subject to the CFTC's jurisdiction.

With the exception of the social security number, all information in Forms 8-R and 8-T must be furnished. Disclosure of the social security number is voluntary. Disclosure of the Federal employer identification number is voluntary. The Social security number and the Federal employer identification number are sought pursuant to the Debt Collection Improvement Act of 1996. Under the Debt Collection Improvement Act, a social security number or a taxpayer identifying number furnished to the CFTC as part of the registration process can be used for purposes of collecting and reporting on any debt owed to the U.S. Government, including civil monetary penalties. The furnishing of a social security number or Federal employer identification number, however, assists the CFTC and NFA in identifying individuals and firms and therefore expedites the processing of those forms.

The failure by an applicant, registrant or principal to timely file a properly completed Form 7-R and all other related required filings may result in the denial of an application for registration or withdrawal thereof or, in the case of an annual records maintenance fee, treating the registrant as having petitioned for withdrawal. Failure by an applicant, registrant or principal to timely file or cause to be filed a properly completed Form 8-R or 8-T, any other required related filings, or a fingerprint card may result in the lapse, denial, suspension or revocation of registration, withdrawal of the application or other enforcement or disciplinary action by the CFTC or NFA.

With the exception of the fingerprint card, any information contained in the Personal Information Section and any information contained in Matter Information pages related to the Disciplinary Information Sections on Form 8-R and on Form 8-T or Item 7 on Form 8-W, the Forms 7-R, 7-W, 8-R and 8-T are considered by the CFTC to be public records and will be available for inspection by any person. Copies will be maintained by National Futures Association, Registration Department, Suite 1800, 300 S. Riverside Plaza, Chicago, IL 60606-6615. Further, the CFTC or NFA may disclose the fingerprint card and any other information described above to third parties pursuant to routine uses which the CFTC has published in the Federal Register or as otherwise authorized under the Privacy Act, [5 U.S.C. §552a], and the Commodity Exchange Act. Disclosure of such information may be made by the CFTC as follows: (1) in connection with administrative proceedings or matters in litigation; (2) in connection with investigations; (3) where the information is furnished to regulatory, self-regulatory and law enforcement or other governmental agencies to assist them in meeting responsibilities assigned to them by law or made available to any member of Congress who is acting in his or her capacity as a member of Congress; (4) where disclosure is required under the Freedom of Information Act [5 U.S.C. §552]; (5) in connection with an employer's hiring or retention of an employee; (6) in connection with the verification of information submitted for

sponsorship purposes; (7) in other circumstances in which the withholding of such information appears unwarranted; and (8) in connection with legally required or authorized reports. Disclosure may be made by NFA in accordance with rules approved by the CFTC.

If an individual believes that the placing in the CFTC's or NFA's public files of any of the information contained in the Personal Information Section or in Matter Information pages related to Disciplinary Information on Form 8-R and on Form 8-T or Item 7 on Form 8-W, or on the fingerprint card would constitute an unwarranted invasion of his personal privacy, the individual may petition the CFTC, pursuant to 17 CFR 145.9, to treat such information as confidential in response to requests under the Freedom of Information Act (FOIA) [5 U.S.C. §552]. The CFTC will make no determination as to confidential treatment of information submitted unless and until the information is the subject of an FOIA request. The filing of a petition for confidential treatment, however, does not guarantee that the information will be treated confidentially in response to an FOIA request.

Forms which have not been prepared and executed in compliance with applicable requirements may not be acceptable for filing. Acceptance of this form shall not constitute any finding that the information is true, current or complete. Misstatements or omissions of fact may constitute federal criminal violations [7 U.S.C. §13 and 18 U.S.C. §1001] or grounds for disqualification from registration.

This notice is provided in accordance with the requirements of the Privacy Act, [5 U.S.C. §552a(e)(3)] and summarizes some of an individual's rights under the Privacy Act [5 U.S.C. §552a] and the Freedom of Information Act [5 U.S.C. §552]. Individuals desiring further information should consult the CFTC's regulations under the Privacy Act, 17 CFR Part 146, and under the Freedom of Information Act, 17 CFR Part 145, and the CFTC's annual notice, published in the Federal Register, pursuant to the Privacy Act, of the existence and character of each system of records maintained by the CFTC.

You are not required to provide the information requested on a form subject to the Paperwork Reduction Act unless the form displays a valid OMB Control Number.

The time needed to complete and file Form 7-R, Form 3-R, Form 7-W, Form 8-R and Form 8-T and Form 8-W may vary depending upon individual circumstances. The estimated average times are:

Form 7-R				Form 3-R	0.1 hours	
FCM	0.5 hours	IB	0.4 hours	Form 7-W	0.1 hours	
SD	1.0 hour		CPO	0.4 hours	Form 8-R	0.8 hours
MSP	1.0 hour		CTA	0.4 hours	Form 8-T	0.2 hours
RFED	0.5 hours	FT	0.5 hours	Form 8-W	0.1 hours	

## Firm Agreement

BY FILING THIS FORM 7-R, THE APPLICANT AGREES THAT SUCH FILING CONSTITUTES THE APPLICANT'S

certification that the answers and the information provided in the Form 7-R are true, complete and accurate and that in light of the circumstances under which the applicant has given them, the answers and statements in the Form 7-R are not misleading in any material respect;

certification that the person who electronically files the Form 7-R on behalf of the applicant is authorized by the applicant to file the Form 7-R and to make the certifications, representations, requests, acknowledgements, authorizations and agreements contained in this agreement;

certification that, if the applicant is an applicant for registration as an SD or MSP, the applicant undertakes that, no later than ninety (90) days following the date this Form 7-R is filed, it will be and shall remain in compliance with the requirement of Section 4s(b)(6) of the Act that, except to the extent otherwise specifically provided by rule, regulation or order, the applicant may not permit any person associated with it who is subject to a statutory disqualification to effect or be involved in effecting swaps on behalf of the applicant, if the applicant knows, or in the exercise of reasonable care should know, of the statutory disqualification. For the purpose of this certification, "statutory disqualification" refers to the matters addressed in Sections 8a(2) and 8a(3) of the Act and "person" means an "associated person of a swap dealer or major swap participant" as defined in Section 1a(4) of the Act and CFTC regulations thereunder;

acknowledgement that the applicant is subject to the imposition of criminal penalties under Section 9(a) of the Act and 18 U.S.C. §1001 for any false statements or omissions made in the Form 7-R;

acknowledgement that the applicant is responsible at all times for maintaining the information in the Form 7-R in a complete, accurate and current manner by electronically filing updates to the information contained therein;

acknowledgement that the applicant may not act as an FCM, RFED, IB, CPO, CTA or FT until registration has been granted, that the applicant may not act as a Forex Firm or Forex Dealer Member until approval as a Forex Firm or designation as an approved Forex Dealer Member has been granted and that the applicant may not act as a Swap Firm until approval as a Swap Firm has been granted;

in the case of an IB, until registration or a temporary license has been granted;

or in the case of an SD or MSP, until registration or provisional registration has been granted;

or until confirmation of exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5 is granted;

authorization that NFA may conduct an investigation to determine the applicant's fitness for registration or for confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5 and, if applicable, NFA membership and agreement to cooperate promptly and fully, consistent with applicable Federal law, in such investigation, which investigation may include contacting foreign regulatory and law enforcement authorities, including the submission of documents and information to NFA that NFA, in its discretion, may require in connection with the applicant's application for registration, confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5 or NFA membership;

authorization and request that any person, including but not limited to contract markets, furnish upon request to NFA or any agent acting on behalf of NFA any information requested by NFA in connection with any investigation conducted by NFA to determine the applicant's fitness for registration or for confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5;

agreement that any person furnishing information to NFA or any agent acting on behalf of NFA in connection with the investigation so authorized is released from any and all liability of whatever nature by reason of furnishing such information to NFA or any agent acting on behalf of NFA;

agreement that, if the applicant is a foreign applicant:

subject to any applicable blocking, privacy or secrecy laws, the applicant's books and records will be available for inspection by the CFTC, the U.S. Department of Justice ("DOJ") and NFA for purposes of determining compliance with the Act, CFTC Regulations and NFA Requirements;

subject to any applicable blocking, privacy or secrecy laws, such books and records will be produced on 72 hours notice at the location in the United States stated in the Form 7-R or, in the case of an IB, CPO or CTA confirmed as exempt from registration pursuant to CFTC Regulation 30.5, at

the location specified by the CFTC or DOJ, provided, however, if the applicant is applying for registration as an FCM,

SD, MSP or RFED, upon specific request, such books and records will be produced on 24 hours notice except for good cause shown;

the applicant will immediately notify NFA of any changes to the location in the United States where such books and records will be produced;

except as the applicant has otherwise informed the CFTC in writing, the applicant is not subject to any blocking, privacy or secrecy laws which would interfere with or create an obstacle to full inspection of the applicant's books and records by the CFTC, DOJ and NFA;

subject to any applicable blocking, privacy or secrecy laws, the failure to provide the CFTC, DOJ or NFA with access to its books and records in accordance with this agreement

may be grounds for enforcement and disciplinary sanctions, denial, suspension or revocation of registration,

withdrawal of confirmation of exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5,

and denial, suspension or termination of NFA membership; and

subject to any applicable blocking, privacy or secrecy laws, the applicant for registration shall provide to NFA copies of any audit or disciplinary report related to the applicant for registration issued by any non-U.S. regulatory authority or non-U.S. self-regulatory organization and

any required notice that the applicant for registration provides to any non-U.S. regulatory authority or non-U.S. self-

regulatory organization and shall provide these copies both as part of this application and thereafter immediately

upon the applicant for registration's receipt of any such report or provision of any such notice;

representation that if the applicant is an applicant for exemption from registration as an IB, CPO or CTA pursuant to CFTC Regulation 30.5:

the applicant does not act as an IB, CPO or CTA, respectively, in connection with trading on or subject to the rules of a designated contract market in the United States by, for or on behalf of any U.S. customer, client or pool;

the applicant irrevocably agrees to the jurisdiction of the Commission and state and federal courts located in the U.S. with respect to activities and transactions subject to Part 30 of the CFTC's regulations; and

the applicant would not be statutorily disqualified from registration under §8a(2) or §8a(3) of the Act and is not disqualified from registration pursuant to the laws or regulations of its home country;

an express agreement that, whenever admitted to NFA membership, the applicant and its employees shall become and remain bound by all NFA requirements, including without limitation all applicable NFA Bylaws, Compliance Rules, Financial Requirements, Registration Rules, Code of Arbitration and Member Arbitration Rules, as then and thereafter in effect, and that this agreement shall apply each time the applicant becomes a Member of NFA; and

if the applicant is applying for NFA membership, certification that the applicant has authorized the person filing this application for NFA membership to file it on the Applicant's behalf.