

Notice

UPDATE ON TEMPORARY RELIEF FROM EXCHANGE RULE 4.18(e) AND OTHER REQUIREMENTS FOR INTERMEDIARIES HANDLING CUSTOMER BUSINESS

The Exchange has been advised by CFTC staff that no-action relief extending certain of the **temporary no-action relief** previously granted by the CFTC to registered U.S. intermediaries in response to the COVID 19 pandemic is currently under review and is expected to be issued early next week. The Exchange is issuing this notice to confirm that the temporary relief from compliance with certain Exchange rules granted by the Exchange to intermediaries is also being extended, effective today, until the expiration date of the extended CFTC no-action relief. Please refer to Exchange notices issued on March 13 and 18, 2020, June 10, 2020, and September 14, 2020, for specific information related to the Exchange's guidance and expectation on how to comply with certain Exchange rules during the extended relief period.

Any party that is utilizing the relief for recording of oral communications or the time-stamp requirement should endeavor to make proactive efforts to identify and create solutions to ensure compliance with Exchange rules at the expiration of the extended relief period. These solutions should include, at a minimum, the use of technology to ensure oral records are recorded and maintained for any remote worker and that the time-stamp requirements related to any person receiving a customer order are denoted appropriately through automation by electronic means. Lastly, parties should endeavor to review their current policies and procedures and update such documents to ensure they comply with general recordkeeping requirements during and after such relief.

The Exchange requests that anyone intending to use the oral recording relief **during the next 30 days** notify either of the contacts below or send an email to Compliance-US@theice.com. Such notice will enable the Exchange to confirm with the affected parties the requirements to which they will be subject again when the relief period ends, and to assist, where possible, in highlighting solutions for compliance with those requirements.

FOR MORE INFORMATION:

Vito Naimoli
Chief Regulatory Officer
(312) 836-6729

Vito.Naimoli@theice.com

OR

Kerry Demitriou
Chief Compliance Officer
(212) 748-4014

Kerry.Demetriou@theice.com

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Key Information Documents for certain products covered by the EU Packaged Retail and Insurance-based Investment Products Regulation can be accessed on the relevant exchange website under the heading "Key information Documents (KIDS)," commencing January 1, 2019.