



Regulatory Circular RG09-06

Date: January 8, 2009
To: Members
From: Department of Accounting
Department of Regulated Entities
Department of Member Firm Regulation

Re: **SUMMARY OF 2008 YEAR-END REGULATORY
REPORTING REQUIREMENTS**

1) SIPC

Contact Ermer Love at (312) 786-7032 or lovee@cboe.com
Accounting Department

2) OE-418 (ITSFEA) Form

Contact Pat Sizemore at (312) 786-7752 or sizemore@cboe.com
Department of Regulated Entities

3) FOCUS Report Part IIA (CBOE) and Schedule I

Contact Mike LaGioia at (312) 786-7728 or lagioia@cboe.com or Don Sitarz at (312)
786-7414 or sitarz@cboe.com
Department of Member Firm Regulation

4) Anti-Money Laundering Compliance Program

Contact Tyson Wilson at (312) 786-7011 or wilsont@cboe.com or Dan Sieracki at (312)
786-7167 or sieracki@cboe.com
Department of Member Firm Regulation

SIPC

SIPC will be collected through members trading accounts at their clearing firms. If you are a lessor and a registered broker-dealer and do not have an account at a member firm, you will need to file a SIPC 4 form and pay the minimum assessment of \$150, which is due by January 30, 2009. Forms can be obtained from and sent to Ermer Love at the CBOE. Any SIPC checks should be made payable to SIPC. Questions regarding SIPC should be directed to Ermer Love at (312) 786-7032 in the Accounting Department.

OE- 418 (ITSFEA) Form

Exchange Rule 4.18 requires every member, other than a lessor, to establish, maintain and enforce written policies and procedures reasonably designed to prevent the misuse of material nonpublic information by the member or persons associated with the member. The Exchange has created a set of forms to assist individuals and small organizations to generally meet the record keeping requirements of the Rule. You must meet the following guidelines to solely use the OE-418 forms:

- 1) Individual members with no employees
- 2) Individual members who employ no more than 3 non-member employees
- 3) Member organizations with no more than 3 nominees/registered for and which employ no more than 6 non-member employees.

Forms, which are due by March 2, 2009 are available on the member's website at <http://www.cboe.org/GeneralInfo>, or if you wish to receive the form via email please contact Pat Sizemore at sizemore@cboe.com

Questions regarding the forms can be directed to Pat Sizemore of the Department of Regulated Entities at (312) 786-7752.

FOCUS Report Part IIA (CBOE) and Schedule I

Due Date: March 2, 2009

Fees: Electronic filing \$50

Paper filing \$150

(Note: Fines are assessed for filing after March 2, 2009)

Please note: The Exchange will charge your clearing firm account for the filing fees. If you do not have an active clearing firm account, please submit a check payable to CBOE to the Department of Member Firm Regulation no later than March 2, 2009.

Requirements: Every member and member organization registered with the SEC as a broker/dealer for which the Exchange has regulatory responsibility must file a FOCUS Report Form X-17A-5 Part IIA (CBOE) and Schedule I.

Please Note:

- If you are a nominee and a registered broker/dealer, you must submit a separate FOCUS Report Form X-17A-5 Part IIA (CBOE) and Schedule I for your personal broker-dealer activity. Your member organization must also submit forms for its activities.
- If you are a Temporary Member (formerly CBT exerciser) or lessor and have a broker/dealer registration with the SEC, you are required to file the FOCUS and Schedule I, even if you did not execute any trades during calendar year 2008.

To Obtain Winjammer Version 4.0.7 Software: Download the software from www.wjammer.com. Complete and sign an "Individual" or "Firm" WinJammer Software License and PIN Agreement and send it to Mike LaGioia or Don Sitarz - Department of Member Firm Regulation.

You may obtain copies of FOCUS Report Forms X17A-5 Part IIA, Schedule I and PIN Request forms at the following web address: <http://www.cboe.org/GeneralInfo>

Questions regarding FOCUS can be directed to Mike LaGioia at (312) 786-7728 or Don Sitarz at (312) 786-7414 of the Department of Member Firm Regulation.

Anti-Money Laundering (AML) Compliance Program

All registered broker dealers (including sole proprietors) are required to demonstrate compliance with CBOE Rule 4.20 by submitting the following:

- Name of the broker dealer's designated AML Compliance Officer
- A copy of the broker dealer's AML supervisory procedures, approved in writing
- Evidence of continuing AML training for all associated persons
- A copy of the independent review letter for the broker dealer's AML program

If these documents were submitted in 2008 and no changes to your procedures were made since the submission, you will only be required to submit evidence of continuing training and a copy of the 2008 independent review letter if no review was conducted in calendar year 2007. See the following regulatory circulars for more detail.

Copies of RG09-001 and RG09-003 can be found within the Regulatory Circular archive of the Legal Site: <http://www.cboe.org/legal/crclReg.aspx>

Questions regarding AML compliance can be directed to Tyson Wilson at (312) 786-7011 or Dan Sieracki at (312) 786-7167 of the Department of Member Firm Regulation.