

[ericssharkguide@yahoo.com](mailto:ericssharkguide@yahoo.com) or at (386) 852-8588. Pre-registration is highly recommended, but not required.

#### Registration Materials

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items to the workshop:

- Atlantic shark dealer permit holders must bring proof that the attendee is an owner or agent of the business (such as articles of incorporation), a copy of the applicable permit, and proof of identification.
- Atlantic shark dealer proxies must bring documentation from the permitted dealer acknowledging that the proxy is attending the workshop on behalf of the permitted Atlantic shark dealer for a specific business location, a copy of the appropriate valid permit, and proof of identification.

#### Workshop Objectives

The Atlantic Shark Identification Workshops are designed to reduce the number of unknown and improperly identified sharks reported in the dealer reporting form and increase the accuracy of species-specific dealer-reported information. Reducing the number of unknown and improperly identified sharks will improve quota monitoring and the data used in stock assessments. These workshops will train shark dealer permit holders or their proxies to properly identify Atlantic shark carcasses.

#### Safe Handling, Release, and Identification Workshops

Since January 1, 2007, shark limited-access and swordfish limited-access permit holders who fish with longline or gillnet gear have been required to submit a copy of their Safe Handling, Release, and Identification Workshop certificate in order to renew either permit (71 FR 58057; October 2, 2006). These certificate(s) are valid for 3 years. Certificates issued in 2016 will be expiring in 2019. As such, vessel owners who have not already attended a workshop and received a NMFS certificate, or vessel owners whose certificate(s) will expire prior to the next permit renewal, must attend a workshop to fish with, or renew, their swordfish and shark limited-access permits. Additionally, new shark and swordfish limited-access permit applicants who intend to fish with longline or gillnet gear must attend a Safe Handling, Release, and Identification Workshop and submit a copy of their workshop certificate before either of the permits will be issued. Approximately 310 free

Safe Handling, Release, and Identification Workshops have been conducted since 2006.

In addition to certifying vessel owners, at least one operator on board vessels issued a limited-access swordfish or shark permit that uses longline or gillnet gear is required to attend a Safe Handling, Release, and Identification Workshop and receive a certificate. Vessels that have been issued a limited-access swordfish or shark permit and that use longline or gillnet gear may not fish unless both the vessel owner and operator have valid workshop certificates onboard at all times. Vessel operators who have not already attended a workshop and received a NMFS certificate, or vessel operators whose certificate(s) will expire prior to their next fishing trip, must attend a workshop to operate a vessel with swordfish and shark limited-access permits that uses longline or gillnet gear.

#### Workshop Dates, Times, and Locations

1. April 3, 2019, 9 a.m.–5 p.m., Hilton Garden Inn, 55 Town Center Boulevard, Palm Coast, FL 32164.
2. April 11, 2019, 9 a.m.–5 p.m., Hilton Garden Inn, 1 Thurber Street, Warwick, RI 02886.
3. May 2, 2019, 9 a.m.–5 p.m., Hilton Garden Inn, 5353 North Virginia Dare Trail, Kitty Hawk, NC 27949.
4. May 15, 2019, 9 a.m.–5 p.m., Hilton Inn, 901 Airline Drive, Kenner, LA 70062.
5. June 7, 2019, 9 a.m.–5 p.m., Hampton Inn, 230 Lee Burbank Highway, Revere, MA 02151.
6. June 10, 2019, 9 a.m.–5 p.m., Courtyard by Marriott, 2 15th Street, Ocean City, MD 21842.

#### Registration

To register for a scheduled Safe Handling, Release, and Identification Workshop, please contact Angler Conservation Education at (386) 682-0158. Pre-registration is highly recommended, but not required.

#### Registration Materials

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items with them to the workshop:

- Individual vessel owners must bring a copy of the appropriate swordfish and/or shark permit(s), a copy of the vessel registration or documentation, and proof of identification.
- Representatives of a business-owned or co-owned vessel must bring proof that the individual is an agent of

the business (such as articles of incorporation), a copy of the applicable swordfish and/or shark permit(s), and proof of identification.

- Vessel operators must bring proof of identification.

#### Workshop Objectives

The Safe Handling, Release, and Identification Workshops are designed to teach longline and gillnet fishermen the required techniques for the safe handling and release of entangled and/or hooked protected species, such as sea turtles, marine mammals, and smalltooth sawfish, and prohibited sharks. In an effort to improve reporting, the proper identification of protected species and prohibited sharks will also be taught at these workshops. Additionally, individuals attending these workshops will gain a better understanding of the requirements for participating in these fisheries. The overall goal of these workshops is to provide participants with the skills needed to reduce the mortality of protected species and prohibited sharks, which may prevent additional regulations on these fisheries in the future.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: March 5, 2019.

**Karen H. Abrams,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2019-04302 Filed 3-8-19; 8:45 am]

**BILLING CODE 3510-22-P**

## COMMODITY FUTURES TRADING COMMISSION

### Revised Registration Form 7-R

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice of revised form.

**SUMMARY:** The Commodity Futures Trading Commission (the “Commission” or “CFTC”) is revising its Form 7-R, the application form that entities must use to register with the Commission as a commodity pool operator, commodity trading advisor, introducing broker, floor trader firm, retail foreign exchange dealer, futures commission merchant, leverage transaction merchant, swap dealer, or major swap participant (collectively, “applicants”).

**DATES:** *Implementation date:* The new, revised version of Form 7-R shall be implemented (and the prior version shall be superseded) as of the date upon which the National Futures Association (“NFA”) makes the new, revised version

of the Form 7–R available on the NFA website for use by applicants.

**FOR FURTHER INFORMATION CONTACT:** Matthew Kulkin, Director, 202–418–5213, [mkulkin@cftc.gov](mailto:mkulkin@cftc.gov); or Christopher Cummings, Special Counsel, 202–418–5445, [ccummings@cftc.gov](mailto:ccummings@cftc.gov), Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Entities that engage in certain specified business in the derivatives markets regulated by the Commission are required to register with the Commission by filing a completed Form 7–R with NFA.<sup>1</sup> These applicants include: Futures commission merchants, retail foreign exchange dealers, introducing brokers, commodity trading advisors, commodity pool operators, leverage transaction merchants, swap dealers, major swap participants, and floor trader firms.<sup>2</sup> Applicants have been required to use Form 7–R since 1977.<sup>3</sup> In the past, Form 7–R also was used to register with NFA and to apply for NFA membership.

Form 7–R requests information about the applicant that can be used to assess the applicant’s fitness to engage in business in the registration categories referenced above. Although Form 7–R is a Commission form, it is maintained and used primarily by the NFA.<sup>4</sup> Pursuant to section 17(o) of the Commodity Exchange Act (“Act”),<sup>5</sup> Regulation 3.2,<sup>6</sup> and a series of orders, the Commission delegated to NFA certain registration functions including, among other things, the processing of all Form 7–R filings.<sup>7</sup> Since the first

delegation to NFA in 1983, NFA has developed substantial expertise in registration matters, including reviewing and processing completed Forms 7–R. In 2002, with the approval of the Commission, NFA transitioned from a paper-based registration system to an online registration system that utilizes, among other things, an electronic version of Form 7–R.<sup>8</sup>

**II. Revisions to Commission Form 7–R**

NFA has requested that the Commission make several changes to Form 7–R.<sup>9</sup> Upon consideration of NFA’s request, the Commission is revising and updating Form 7–R. In addition, the Commission is updating the Form 7–R Privacy Act and Paperwork Reduction Act Statements. The Form 7–R revisions are described in this Notice.<sup>10</sup>

First, revised Form 7–R incorporates new functionality throughout the form, consisting of hyperlinks to the text of the applicable provisions of the Act, Commission regulations, and NFA Rules, whenever those authorities are referenced in the form. Additionally, Form 7–R incorporates certain clarifying language where appropriate. For example, the term “futures” has been replaced with the term “derivatives” in several locations to more accurately reflect the full scope of the Commission’s jurisdiction. Similarly, the reference to a failure “to pay an award issued in a futures-related arbitration” was replaced with the phrase “failure to pay an award related to a CFTC-related product.”

In the section titled “Location of Business Records,” revised Form 7–R no longer separately requests that non-U.S. applicants identify the non-U.S. address where their business records are located. Instead, both U.S. and non-U.S. applicants are required to comply only with the existing requirements of Form 7–R to identify the location of their business records, which remain unchanged, and, for non-U.S. applicants, to indicate that such records will be produced for inspection at NFA’s offices, or at another physical location (not a post office box) within the U.S. that the applicant identifies.

In the section titled “Holding Company Information,” the revised

and Major Swap Participants, 77 FR 2708 (Jan. 19, 2012).

<sup>8</sup> Registration of Intermediaries, 67 FR 38869 (June 6, 2002).

<sup>9</sup> Request from NFA to CFTC, dated March 23, 2018. This communication is on file with the Commission.

<sup>10</sup> This Notice describes the technical changes to Form 7–R. The Commission also is making a number of minor, non-substantive changes to Form 7–R that are not described herein.

Form 7–R requests additional information about any entity that is a principal (as defined in Form 7–R) of the applicant. Form 7–R previously required applicants to identify by name any entity that was a principal of the applicant. The revised Form 7–R requires that, for each entity that is principal of the applicant, the applicant must provide the entity’s Federal EIN and the location where the entity is incorporated, organized, or established. This additional information is intended to ensure accurate identification of the entity, given that firms sometimes can have the same or similar names.

The sections in Form 7–R titled “Disciplinary Information—Criminal Disclosures,” “Disciplinary Information—Regulatory Disclosures,” and “Disciplinary Information—Financial Disclosures” contain a series of questions that inquire about the disciplinary history of the applicant. These questions are designed to identify and gather information that may reflect on the fitness of the applicant and whether the applicant may be subject to a statutory disqualification from registration.<sup>11</sup> To this end, in the section titled “Disciplinary Information—Regulatory Disclosures,” a new question was added to existing Question E. Among other things, Question E inquires whether the applicant violated, or aided and abetted the violation of, any investment-related statutes or regulations, a potential statutory basis for refusing or conditioning registration.<sup>12</sup> The new question directs the applicant to disclose whether it has ever been found to have “failed to supervise another person’s activities under any investment-related statute or regulation.”<sup>13</sup> The new question is intended to ensure complete disclosure of conduct that may result in a refusal or limitation on registration.

Separately, NFA is simplifying the process by which it requests supplemental information and documentation regarding the applicant’s criminal, regulatory, or financial disclosures. The prior version of Form 7–R requested that applicants provide a written explanation of the facts and circumstances regarding any such disclosures. Applicants were also separately requested to provide NFA with copies of pertinent documents associated with each disclosure. To consolidate and modernize this process, the revised Form 7–R allows applicants to complete a separate “Disclosure Matter Page” for each matter, instance,

<sup>11</sup> See 7 U.S.C. 12(a) and (3) (2012).

<sup>12</sup> 7 U.S.C. 12(a)(3).

<sup>13</sup> See 7 U.S.C. 12(a)(3)(C).

<sup>1</sup> 17 CFR 3.10(a)(2), 3.11(a), and 3.12(c).

<sup>2</sup> 17 CFR 3.11(a); 3.12(c).

<sup>3</sup> Revision of Registration Forms and Amendment of Related Rules, 42 FR 23988 (May 11, 1977) (Form 7–R replaced Forms 1–R, 5–R and 6–R).

<sup>4</sup> NFA is currently the only registered futures association authorized by the Commission in accordance with section 17 of the Commodity Exchange Act.

<sup>5</sup> 7 U.S.C. 21(o) (2012).

<sup>6</sup> 17 CFR 3.2.

<sup>7</sup> See, e.g., Introducing Brokers and Associated Persons of Introducing Brokers; Authorization of National Futures Association to Perform Commission Registration Functions, 48 FR 35158 (Aug. 3, 1983); Performance of Registration Functions by National Futures Association, 49 FR 39593 (Oct. 9, 1984) (futures commission merchants, commodity pool operators, commodity trading advisors, and associated persons thereof); Performance of Registration Functions by National Futures Association; Delegation of Authorities; Performance of Registration Functions by National Futures Association with Respect to Floor Traders and Floor Brokers, 58 FR 19657 (Apr. 15, 1993); and Performance of Registration Functions by National Futures Association with Respect to Swap Dealers

or event requiring disclosure and to simultaneously upload all pertinent documents associated with each disclosure. The Disclosure Matter Page provides applicants with an efficient and effective method of supplying the supplemental information and documentation that NFA requests in the normal course whenever an applicant responds affirmatively to any of the questions regarding criminal, regulatory or financial disclosures.

Lastly, questions that pertain only to NFA membership have been removed from the form. As noted above, in the past, Form 7-R functioned both as a registration form for the Commission and NFA, and as an application for NFA membership. To the extent that questions ask for information that is necessary for NFA membership but is not necessary for registration, those questions have been removed from the form and will appear in a separate application for NFA membership. Specifically, revised Form 7-R no longer contains: a series of questions that inquire whether the applicant will transact in retail off-exchange foreign currency, swap, futures, or options; a question that is directed to applicants that are registering in multiple capacities that asks them to select the capacity in which they intend to vote on NFA membership matters; the question that asks applicants that are applying to

register as a futures commission merchant to indicate whether the applicant has “applied for membership at any United States commodity exchange;” a question that asks applicants that are applying for registration as a swap dealer or major swap participant to indicate whether the applicant is currently regulated by other U.S. regulators and to identify those regulators; and lastly, contact information for the applicant’s Membership Contact, Accounting Contact, Assessment Fee Contact, Arbitration Contact, Compliance Contact, or Chief Compliance Officer Contact.

A revised version of Form 7-R that incorporates the changes discussed in this Notice, as well as other minor, non-substantive changes, is set forth in Appendix 2 to this Notice.

### III. Related Matters

#### *Paperwork Reduction Act*

Recordkeeping or information collection requirements under the Paperwork Reduction Act (“PRA”) related to Form 7-R exist under current law. The titles for the existing information collections are “Registration Under the Commodity Exchange Act,” Office of Management and Budget (“OMB”) control number 3038-0023, and “Registration of Swap Dealers and Major Swap Participants,”

OMB control number 3038-0072. The preliminary view of the Commission is that the revisions to Form 7-R may modify the existing recordkeeping or information collection requirements under the PRA. To ensure compliance with the PRA, the Commission, concurrently with this Notice, is publishing in the **Federal Register** a separate notice and request for comment on the amended PRA burden associated with the revised Form 7-R. The Commission also will submit to OMB an information collection request to amend the information collection, in accordance with 44 U.S.C. 3506(c)(2)(A) and 5 CFR 1320.8(d).

Issued in Washington, DC, on March 5, 2019, by the Commission.

**Christopher Kirkpatrick,**  
*Secretary of the Commission.*

### **Appendices to Notice of Revised Form—Commission Voting Summary and Revised Registration Form 7-R**

#### **Appendix 1—Commission Voting Summary**

On this matter, Chairman Giancarlo and Commissioners Quintenz, Behnam, Stump, and Berkovitz voted in the affirmative. No Commissioner voted in the negative.

#### **Appendix 2—Revised Registration Form 7-R**

BILLING CODE 6351-01-P

Firm Application (Form 7-R)  
OMB Control Numbers 3038-0023 and 3038-0072

## COMMODITY FUTURES TRADING COMMISSION

Instructions for Completing the Firm Application

**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.**

**THE FAILURE TO DISCLOSE A DISCIPLINARY MATTER EITHER IN AN APPLICATION OR AN UPDATE WILL RESULT IN THE IMPOSITION OF A LATE DISCLOSURE FEE IN ACCORDANCE WITH NFA REGISTRATION RULE 210(C).**

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.

### DEFINED TERMS

Words that are underlined in this form are defined terms and have the meanings contained in the Definition of Terms section or links to the text of Commodity Exchange Act provisions, CFTC Regulations or NFA Rules.

### 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 Investigations or Legal (RIL) staff) 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 RIL 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 derivatives industry. All criminal matters must be disclosed, even if a matter is unrelated to the derivatives 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 U.S. 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 awards or CFTC reparations matters unless the applicant or registrant has failed to pay an award related to a CFTC-related product or an order entered in a reparations matter.

Only adversary actions that a U.S. bankruptcy trustee 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 each matter that caused a "Yes" answer, a Disclosure Matter Page (DMP), which is accessible using NFA's DMP Filing System, must be filed. In addition to the required DMP, other documents about the matter must be provided to NFA. If court documents are unavailable, a certified letter from the court verifying that must be sent to NFA. If documents other than court documents are unavailable, a written explanation for their unavailability must be provided. Electronic copies of the documents can be uploaded using NFA's DMP Filing System or documents may be sent to NFA by email to [registration@nfa.futures.org](mailto:registration@nfa.futures.org), fax to (312) 559-3411 or mail to NFA Registration Department, 300 S. Riverside Plaza, Suite 1800, Chicago, IL 60606.

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 entity's stock; entitlement to vote or empowered to sell 10% or more of an entity's voting securities; contribution of 10% or more of an entity's capital; or entitlement to 10% or more of an entity'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, including sole proprietors, any other name that the firm uses or has used in the past but not the name of any other legal entity that the firm 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:** means, with respect to an applicant, a registrant, or a person required to be registered under the Act:

(1) an individual who is:

- a sole proprietor of a sole proprietorship;
- a general partner of a partnership;
- a director, president, chief executive officer, chief operating officer, chief financial officer or a person in charge of a business unit, division or function subject to regulation by the Commission of a corporation, limited liability company or limited liability partnership;
- 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

(2) 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 an applicant or registrant's equity securities, other than non-voting securities;
- is entitled to vote 10% or more of the outstanding shares of any class of an applicant or registrant's equity securities, other than non-voting securities;
- has the power to sell or direct the sale of 10% or more of the outstanding shares of any class of an applicant or registrant's equity securities, other than non-voting securities;
- is entitled to receive 10% or more of an applicant or registrant's net profits; or
- has the power to exercise a controlling influence over an applicant or registrant's activities that are subject to regulation by the Commission; or

(3) an entity that:

- is a general partner of a partnership; or
- is the direct owner of 10% or more of the outstanding shares of any class of an applicant or registrant's equity securities, other than non-voting securities; or

(4) an individual who or an entity that:

- has contributed 10% or more of an applicant or registrant's capital unless such capital contribution consists of subordinated debt contributed by:

- an unaffiliated bank insured by the Federal Deposit Insurance Corporation;
- an unaffiliated "foreign bank," as defined in 12 CFR 211.21(n) that currently operates an "office of a foreign bank," as defined in 12 CFR 211.21(t), which is licensed under 12 CFR 211.24(a);
- such office of an unaffiliated, licensed foreign bank; or



□□an insurance company subject to regulation by any State, provided such debt is not guaranteed by an individual who or entity that is not a principal of the applicant or registrant.

**SELF-REGULATORY ORGANIZATION (SRO):** a private, non-governmental organization authorized to set and enforce standards of 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**

Firms must file electronic applications for each individual who is a principal of the firm, 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. Its normal hours are Monday through Friday, from 8:00 AM to 5:00 PM CT.

NAME

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 who is the Sole Proprietor. The name should not be a “doing business as” name the Firm or 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 (Surname)\*

Suffix

NFA ID#\*

CATEGORIES

Check category(ies).\*

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

BUSINESS INFORMATION

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 Charter Banks do not answer this question.)\*

State

Country

Federal EIN

Business Address

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.

Street Address1\*

Street Address2

Street Address3

\*Required to file application

City\*\*  
 State\* (US Only)  
 Province  
 Zip/Postal Code\*\*  
 Country\*  
 Phone Number\*  
 Fax Number  
 E-Mail

Web Site/URL

CRD/IARD ID

#### Other Names

Enter any other name the firm uses or has used in the past. The name should not be the name of any other legal entity. For example, the name should not be the name of an affiliate, subsidiary or any other legal entity the firm may have an affiliation/association with.

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 firm'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 CTA, this address must be the same as the business address, unless the CFTC has granted an exemption to the firm. If the firm is a CPO, the firm can maintain its books and records at a location other than the business address, as long as the firm files a notice of exemption pursuant to CFTC Regulation 4.23(c).

Street Address1\*  
 Street Address2  
 Street Address3  
 City\*\*  
 State\*(U.S. only)  
 Province  
 Zip/Postal Code\*\*  
 Country\*

\*Required to file application

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

Only non-U.S. applicants complete this section.

Enter the location in the U.S. where the firm'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\*

Country\*

**HOLDING COMPANY INFORMATION**

Enter the full legal name, Federal EIN and location where incorporated, organized or established for any entity that is a principal of the firm. It is important that the full legal name of the entity is entered. NFA will assign an NFA ID number to the entity if one has not already been assigned. An incorrect name could cause a delay in the application process. If more space is needed, please add in another document and attach it to this document. If none, continue to the next section.

Full Name	<u>10% or More Interest</u>
	Yes No

Federal EIN	State	Country
-------------	-------	---------

Full Name	<u>10% or More Interest</u>
	Yes No

Federal EIN	State	Country
-------------	-------	---------

\*Required to file application

**BRANCH OFFICE INFORMATION**

Swap Dealers, Major Swap Participants and Floor Trader Firms do not complete this section.

If the firm has more than one branch office, please add in another document and attach it to this document. If none, continue to the next section.

Branch ID

Street Address1\*

Street Address2

Street Address3

City\*\*

State\* (US Only)

Province

Zip/Postal Code\*\*

Country\*

Phone Number

Fax Number

E-Mail

**NON-U.S. REGULATOR INFORMATION**

Enter the name and location of each non-U.S. financial services industry regulatory authority or self-regulatory organization that has regulated the firm 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:

\*Required to file application

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

**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.

**THE QUESTIONS ON THIS PAGE MUST BE ANSWERED "YES" 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 QUESTIONS MAY BE ANSWERED "NO" IF THE CASE WAS DECIDED IN A JUVENILE COURT OR UNDER A YOUTH OFFENDER LAW.**

For each matter that requires a "Yes" answer to Questions A, B or C below, a Criminal Disclosure Matter Page (DMP) must be filed using NFA's DMP Filing System that requests:

- who was involved;
- when it occurred;
- what the allegations were;
- what the final determination was, if any; and
- the date of the determination.

In addition, documents must be provided for each matter requiring a "Yes" answer that show:

- the charges;
- the classification of the offense, i.e., felony or misdemeanor;
- the plea, sentencing and probation information, as applicable;
- the final disposition; and
- a summary of the circumstances surrounding the criminal matter.

The documents may be provided electronically using the upload function in the DMP Filing System or by sending them to NFA (See Instructions).

Answer the following questions.

A.\* Has the firm ever pled guilty or nolo contendere ("no contest") to or been convicted or found guilty of any felony in any U.S., non-U.S. or military court?

Yes

No

B.\* Has the firm ever pled guilty to or been convicted or found guilty of any misdemeanor in any U.S., non-U.S. 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 U.S. Criminal Code; or
- any transaction in or advice concerning futures, options, leverage transactions or securities?

Yes                      No

C.\* Is there a charge pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes                      No

Applicants with all "No" answers above answer this question.

Even though you answered "No" to all of the above questions, would you like provide a Criminal DMP?\*

Yes                      No

Applicants with "Yes" answers above answer this question

Will you be filing a Criminal DMP with respect to a new matter?\*

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.

For each matter that requires a "Yes" answer to Questions D, E, F, G, H or I below, a Regulatory DMP must be filed using NFA's DMP Filing System that requests:

- who was involved;
- when it occurred;
- what the allegations were;
- what the final determination was, if any;
- the date of the determination; and
- a summary of the circumstances surrounding the regulatory matter.

In addition, documents must be provided for each matter requiring a "Yes" answer that show:

- the allegations; and
- the final disposition.

The documents may be provided electronically using the upload function in the DMP Filing System or by sending them to NFA (See Instructions).

Answer the following questions.

D.\* In any case brought by a U.S. or non-U.S. governmental body (other than the CFTC), has a court ever permanently or temporarily enjoined the firm 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 U.S. or non-U.S. governmental body (other than the CFTC), has the firm 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 thereunder;

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; or

- have failed to supervise another person's activities under any investment-related statute or regulation thereunder?

Yes                  No

F.\* Has the firm ever been debarred by any agency of the U.S. from contracting with the U.S.?

Yes                  No

G.\* Has the firm ever been the subject of any order issued by or a party to any agreement with a U.S. or non-U.S. regulatory authority (other than the CFTC), including but not limited to a licensing



authority, or self-regulatory organization (other than NFA or a U.S. futures exchange) that prevented or restricted the firm's ability to engage in any business in the financial services industry?

Yes No

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

Yes No

I.\* Is the firm a party to any action, the resolution of which could result in a "Yes" answer to the above questions?

Yes No

Applicants with all "No" answers above answer this question.

Even though you answered "No" to all of the above questions, would you like to provide a Regulatory DMP?\*

Yes No

Applicants with "Yes" answers above answer this question

Will you be filing a Regulatory DMP with respect to a new matter?\*

Yes No

\*Required to file application

#### 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.

For each matter that requires a "Yes" answer to Question J below, a Financial DMP must be filed using NFA's DMP Filing System that requests:

- who was involved;
- when it occurred;
- what the allegations were;
- what the final determination was, if any;
- the date of the determination; and
- a summary of the circumstances surrounding the financial matter.

In addition, documents must be provided for each matter requiring a "Yes" answer that show:

- the allegations; and
- the final disposition.

The documents may be provided electronically using the upload function in the DMP Filing System or by sending them to NFA (See Instructions).

Answer the following question.

J.\* Has the firm ever been the subject of an adversary action brought by a U.S. bankruptcy trustee?

Yes No

Applicants with a "No" answer above answer this question.

Even though you answered "No" to the question above, would you like to provide a Financial DMP?\*

Yes No

Applicants with a "Yes" answer above answer this question

Will you be filing a Financial DMP with respect to a new matter?\*

Yes No

#### CONTACT INFORMATION

Enter the individual to whom all registration 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\*

\*Required to file application

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

Enter the individual to whom all enforcement and compliance communications and inquiries from the CFTC are to be directed. NFA may also send communications to this individual. Firms may list multiple enforcement/compliance contacts. If the firm would like to list more than one individual, please add in another document 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\*

Confirm E-Mail\*

\*Required to file application

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

#### PAPERWORK REDUCTION ACT NOTICE

OMB Numbers 3038-0023 and 3038-0072

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 7-W, Form 8-R and Form 8-T may vary depending upon individual circumstances. The estimated average times are:

Form 7-R

FCM	0.6 hours	IB	0.5 hours	Form 7-W	0.1 hours
SD	1.1 hours	CPO	0.5 hours	Form 8-R	1.0 hour
MSP	1.1 hours	CTA	0.5 hours	Form 8-T	0.2 hours
RFED	0.6 hours	FT		0.6 hours	

#### PRIVACY 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 2(c), 4f, 4k, 4n, 4s, 8a and 19 of the Commodity Exchange Act, 7 U.S.C. §§ 2(c), 6f, 6k, 6n, 6s, 12a and 23. Under Section 2(c), 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 conducting 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 and Federal employer identification number, all information in Forms 8-R and 8-T must be furnished. Disclosure of the social security number and 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, which allows the CFTC to use the social security number or taxpayer identifying number furnished to the CFTC as part of the registration process for purposes of collecting and reporting on any debt owed to the U.S. Government, including civil monetary penalties. Although voluntary, the furnishing of a social security number or Federal employer identification number 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.

NFA makes available to the public on NFA website(s), including the Background Affiliation Status Information Center (BASIC), firm directories, business addresses, telephone numbers, registration categories, effective dates of registration, registration status, and disciplinary action taken concerning futures commission merchants, introducing brokers, commodity pool operators, commodity trading advisors, swap dealers, major swap participants and retail foreign exchange dealers and their associated persons and principals; non-natural person floor traders and their principals; and floor trader order enterers.

Additional information on Forms 7-R, 7-W, 8-R and 8-T is publicly available, and may be accessed by contacting the National Futures Association, Registration Department, Suite 1800, 300 S. Riverside Plaza, Chicago, IL 60606-6615, except for the following information, which is generally not available for public release unless required under the Freedom of Information Act (FOIA) :

- the fingerprint card, including its demographic information;
- social security number;
- date of birth;
- location of birth;
- current residential address; and

any supplementary information filed in response to the Form 8-R "Personal Information," "Disciplinary Information," "Matter Information," or "Disclosure Matter" sections, Form 8-T "Withdrawal Reasons," "Disciplinary Information," or "Matter Information" sections, and Form 7-W, "Additional Customer Information" sections.

The CFTC, or NFA acting in accordance with rules approved by the CFTC, may disclose to third parties any information provided on Forms 7-R, 7-W, 8-R and 8-T pursuant to the Commodity Exchange Act, 7 U.S.C. § 1 et. seq., Privacy Act of 1974, 5 U.S.C. § 552a (Privacy Act), and the Commission's Privacy Act routine uses published in the Federal Register, which may include, but is not limited to, disclosure to Federal, state, local, or foreign law enforcement or regulatory authorities acting within the scope of their jurisdiction or for their use in meeting responsibilities assigned to them by law. The information will be maintained and disclosures will be made in accordance with CFTC Privacy Act System of Records Notice CFTC-12, National Futures Association (NFA) Applications Suite System (Exempted), CFTC-10, Investigatory Records (Exempted), or another relevant System of Records Notice, available from the CFTC "Privacy Program" page, [http://www.cftc.gov/Transparency/ PrivacyOffice](http://www.cftc.gov/Transparency/PrivacyOffice).

If an individual believes that information on the forms is confidential, the individual may petition the CFTC, pursuant to 17 CFR 145.9, to treat such information as confidential in response to requests under FOIA. 5 U.S.C. §552. The filing of a petition for confidential treatment, however, does not guarantee that the information will be treated confidentially in response to a FOIA request. 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.

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. 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 published System of Records Notices, which describe the existence and character of each system of records maintained by the CFTC, available at the CFTC "Privacy Program" page.

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.

#### APPLICANT AGREEMENT

The applicant certifies 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;

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, requests, acknowledgements, authorizations and agreements contained in this agreement;

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 Commodity Exchange Act, 7 U.S.C. §6s(b)(6), 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; and

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.

The applicant acknowledges that:

the applicant is subject to the imposition of criminal penalties under Section 9(a) of the Commodity Exchange Act, 7 U.S.C. §13(a), and 18 U.S.C. §1001 for any false statements or omissions made in the Form 7-R;

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; and

the applicant may not act:

in the case of an FCM, RFED, CPO, CTA or FT until registration 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.

The applicant authorizes 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

and request that any person, including but not limited to contract markets, or non-U.S. regulatory or law enforcement agencies, 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;

The applicant agrees that:

the applicant will cooperate promptly and fully, consistent with applicable Federal law, in any 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, which investigation may include contacting non-U.S. 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 or confirmation of exemption from registration as an IB, CPO and CTA pursuant to CFTC Regulation 30.5;

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; and

if the applicant is a non-U.S. 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 NFA or 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

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.

AGREE

[FR Doc. 2019-04297 Filed 3-8-19; 8:45 am]

BILLING CODE 6351-01-C

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities: Notice of Intent To Extend and Revise Collections 3038-0023 and 3038-0072; Adoption of Revised Registration Form 7-R

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission (“CFTC” or the “Commission”) is announcing an opportunity for public comment on the proposed extension and revision to the collection of certain information by the Commission. Under the Paperwork Reduction Act (“PRA”), Federal agencies are required to publish notice in the **FEDERAL REGISTER** concerning each proposed collection of information and to allow 60 days for public comment. The Commission revised its Form 7-R, the application form that entities that engage in certain specified business activities in the derivatives markets regulated by the Commission must use to register with the Commission. This notice solicits comments on the PRA implications of the revisions to Form 7-R, including comments that address the burdens associated with the modified information collection requirements of the revised Form 7-R.

**DATES:** Comments must be submitted on or before May 10, 2019.

**ADDRESSES:** You may submit comments, identified by “OMB control numbers 3038-0023 and 3038-0072; Adoption of Revised Registration Form 7-R,” by any of the following methods:

- The Agency’s website, via its Comments Online process at <http://comments.cftc.gov/>. Follow the instructions for submitting comments through the website.

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>.

### FOR FURTHER INFORMATION CONTACT:

Matthew Kulkin, Director, 202-418-5213, [mkulkin@cftc.gov](mailto:mkulkin@cftc.gov); or Christopher Cummings, Special Counsel, 202-418-5445, [ccummings@cftc.gov](mailto:ccummings@cftc.gov), Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** Under the PRA, 44 U.S.C. 3501 *et seq.*, Federal agencies must obtain approval from the Office of Management and Budget (“OMB”) for each collection of information they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **FEDERAL REGISTER** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed revision to the collections of information listed below. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB number.

**Titles:** Registration Under the Commodity Exchange Act (OMB control number 3038-0023); Registration of Swap Dealers and Major Swap Participants (OMB control number 3038-0072). This is a request for extension and revision of these currently approved information collections.

**Abstract:** The Commission is revising its Form 7-R,<sup>1</sup> the application form that entities must use to register with the Commission as a commodity pool operator, commodity trading advisor, introducing broker, floor trader firm, retail foreign exchange dealer, futures commission merchant, leverage transaction merchant, swap dealer, or major swap participant. The collections of information related to Form 7-R were previously approved by OMB in accordance with the PRA and assigned OMB control numbers 3038-0023 and 3038-0072.

#### 1. Form 7-R Revision

The revised Form 7-R contains several changes that, when considered

<sup>1</sup> See, *Adoption of Revised Registration Form 7-R*, published in the **FEDERAL REGISTER** concurrently with this Notice that contains the revised version of Form 7-R, incorporating the changes discussed in this notice.

together in aggregate, result in no net change to the existing information collection burden associated with Form 7-R. That burden varies by registration category and is currently 0.5 hour for futures commission merchants, 0.4 hour for introducing brokers, 0.4 hour for commodity pool operators, 0.4 hour for commodity trading advisors, 0.5 hour for floor trader firms, 0.5 hour for retail foreign exchange dealers, 1 hour for swap dealers, and 1 hour for major swap participants. Discussion of the noteworthy changes follows.

In the section titled “Location of Business Records,” Form 7-R no longer separately requests that non-U.S. applicants identify the non-U.S. address where their business records are located. Instead, both U.S. and non-U.S. applicants are required to comply only with the existing requirements of Form 7-R to identify the location of their business records, which remain unchanged, and, for non-U.S. applicants, to indicate that such records will be produced for inspection at NFA’s offices, or at another physical location (not a post office box) within the U.S. that the applicant identifies.

In the section titled “Holding Company Information,” the revised Form 7-R requests additional information about any entity that is a principal (as defined in Form 7-R) of the applicant. Form 7-R previously required applicants to identify by name any entity that was a principal of the applicant. The revised Form 7-R requires, for each entity that is identified as a principal of the applicant, then the applicant also must provide the entity’s Federal EIN and the location where the entity is incorporated, organized, or established. This additional information is intended to ensure accurate identification of the entity, given that firms sometimes can have the same or similar names.

In the section titled “Disciplinary Information—Regulatory Disclosures,” a new question was added to existing Question E. The new question directs the applicant to disclose whether it has ever been found to have failed to supervise another person’s activities under any investment-related statute or regulation. The new question is intended to ensure complete disclosure of conduct that may result in a refusal or limitation on registration.

Items that pertain only to NFA membership have been removed from the form. In the past, Form 7-R functioned as a registration form for the Commission and NFA, and as an application for NFA membership. To the extent that questions ask for information that is necessary for NFA