

Futures Ethics Periodic (Institutional) 2025

Course Outline and Provider Qualifications

Welcome to the Exchange Analytics Inc. Futures Ethics Periodic Course. The Commodity Exchange Act (CEA) requires that all registrants be aware and stay informed of their continuing obligations to the public. This course meets the Commodity Futures Trading Commission's ethics training requirements under the CEA. This program complies with the Statement of Acceptable Practices as issued by the CFTC, which requires that registrants receive periodic ethics training. All topics required by the CFTC's Statement of Acceptable Practices are addressed in Exchange Analytics' Initial Ethics training program. This Periodic course is considered to be a "refresher" course, whereby certain timely topics and important concepts are reviewed as they relate to the futures industry.

I. Industry Structure and Rules

- a. Industry Oversight
 - i. CFTC and the NFA
 - ii. CME Group and ICE
- b. Role of NFA
- c. Registration Categories – NFA Members
- d. Proficiency Requirements

II. Supervisory Systems and Internal Controls

- a. Supervision
- b. Policies and Procedures
- c. Internal Controls – Three Lines of Defense
- d. Chief Compliance Officer
- e. The Compliance Department
- f. Reporting Breaches
- g. Whistleblowers
- h. NFA Bylaw 1101
- i. Business Continuity
- j. Cybersecurity
- k. Recordkeeping – Generally
- l. Retention Requirements – Oral Communications
- m. Oral Communications Records and Rules
- n. Personal Devices and Unapproved Communication Methods
- o. Unapproved Communication Prohibitions and Requirements

III. Customer Due Diligence

- a. Know Your Customer
- b. Suitability
- c. Customer Information
- d. Eligible Contract Participants

- e. Anti-Money Laundering
- f. Beneficial Ownership
- g. Customer Margins
- IV. Customer Disclosures
 - a. Understanding Risks
 - b. Risk Disclosure
 - i. Futures
 - ii. Options on Futures
 - b. Negative Interest Rates and Contract Pricing
 - c. Non-Cash Margin Disclosure
 - d. Additional Risk Disclosures
 - e. Firm-Specific Risk Disclosures
 - g. Promotional Material
 - i. Disclaimers, Review & Approval
 - ii. Restrictions
 - iii. Forex
 - iv. Virtual Currency
 - v. Disclaimer Statements – Hypotheticals
 - h. Misrepresentation
 - i. AI Washing
- V. Honesty, Fairness & Market Integrity
 - a. Code of Ethics
 - b. Funding the Customer Account
 - c. Segregation of Funds
- VI. Conflicts of Interest
 - a. Conflicts of Interest - Customers
 - b. Commissions
 - c. Conflicts of Interest – Within the Firm
 - d. Managing Potential Conflicts Between Research Functions and Certain Business Units
 - e. Appearance of a Conflict
 - f. Avoiding Ethical Dilemmas
- VII. Just and Equitable Principles of Trade
 - a. Unauthorized Trading
 - b. Discretionary Trading Authority
 - c. CTA Exemptions
 - d. Broker Discretion
 - e. Order Execution and a Broker's Responsibility
 - f. Errors
 - g. Trading Recommendations
 - h. Breach of Fiduciary Duty
 - i. Trading Ahead
 - j. Allocation of Bunched Orders
 - k. Suspense Accounts
 - l. Average Pricing Systems
 - m. Automated Order Routing
 - n. Deployment of Automated Trading Systems
 - o. Understanding & Managing AI Risks

- p. Manipulation
 - q. Anti-Fraud Restrictions – CFTC Regulation 180.1
 - r. Insider Trading and Misappropriated Information
 - s. CFTC – Disruptive Trading Practices
 - t. CFTC – Disruptive Trading Practices Details
 - a. Violating Bids and Offers
 - b. Orderly Execution During the Closing Period
 - c. Spoofing
 - u. Canceling Orders and the Pre-Opening State
 - v. Prearranged Trading
 - w. Consent and Disclosure
 - x. Cross Orders
 - y. Wash Sales
 - z. Block Trades
 - aa. Exchange for Related Positions
 - bb. Position Limits
 - cc. Position Limits – Hedge Exemption
 - dd. Ownership and Control
 - ee. Deliveries
 - ff. Option Exercises and Assignments
 - gg. General Offenses
 - hh. False Statements
- VIII. Case Study
- IX. Assessment

Provider Qualifications - About the Authors

In its Interpretative Notice on Compliance Rule 2-9: Ethics Training Requirements, the National Futures Association states that 1) “Each Member should ensure that its selected provider is qualified and obtain proof that the provider has completed relevant proficiency testing and has three years of relevant industry experience, or similar experience;” and 2) that “Firms should only use providers that they reasonably in good faith believe are not subject to any investigations or bars from registration.” To address those requirements, Exchange Analytics presents the following information on the individuals who prepared this course material:

Marc Nagel serves as an advisor to Exchange Analytics and primary course author. He retired as Chief Operating Officer and Chief Compliance Officer of a clearing Futures Commission Merchant and currently works as a futures industry compliance consultant and expert witness. Mr. Nagel serves on the Futures Commission Merchant Advisory Committee of the National Futures Association and on the Advisory Board of the IIT- Chicago Kent College of Law Futures and Derivatives Conference. He is a licensed CPA and attorney, admitted to the State of Illinois Supreme Court, the U.S. District Court for the Northern District of Illinois, and the U.S. Tax Court. Mr. Nagel is a registered Floor Broker and has held various Exchange memberships since 1979. Mr. Nagel received his BS in Accountancy and CPA from the

University of Illinois and his JD from IIT/Chicago Kent College of Law. Mr. Nagel (NFA ID 0194163) is not subject to any investigations or bars from registration. He has no regulatory actions or other disciplinary history.

Joseph Adamczyk served as a co-author. Prior to his affiliation with Exchange Analytics, he served as the Chief Compliance Officer for Options Clearing Corporation (OCC). Mr. Adamczyk oversaw the firm's compliance risk monitoring and governance programs, advised the board of directors and staff on compliance and regulatory requirements, and interacted with federal regulators on compliance, risk, and examination matters. Before joining OCC, Mr. Adamczyk worked at CME Group where he served as the Managing Director & Associate General Counsel overseeing the company's non-U.S. legal staff and activities. In this role, he interacted with regulators from around the globe. He also handled CME Group's interactions with U.S. regulators and other authorities on cybersecurity and technology controls, requirements, cyber incident response, and examinations. At CME Group, Mr. Adamczyk also served as the Global Head of Investigations and Enforcement in the Market Regulation Department. In that role, he oversaw teams responsible for monitoring, investigating, and enforcing the CME Group exchanges' trade practice rules and other requirements. Mr. Adamczyk received his MBA from the University of Chicago, law degree from Loyola University Chicago School of Law, and undergraduate degree from DePaul University. He has no regulatory actions or other disciplinary history.