

# NASDAQ OMX | BX OPTIONS

## Options Participant Application and Options Participant Agreement

**Initial Application**

**Amendment** (*Applicants are required to amend this form when adding market making to their BX Options business.*)

All approved NASDAQ OMX BX members are eligible to transact business in NASDAQ OMX BX Options provided that BX specifically authorizes the member as an "Options Participant." To become an Options Participant, BX members should complete an Options Participant Application and an Options Participant Agreement. Upon approval as an Options Participant, BX members must comply with the incremental requirements of BX Options Market rules.

Applications may be emailed to [Membership@nasdaqomx.com](mailto:Membership@nasdaqomx.com) or mailed to:

NASDAQ OMX Membership Department  
 1900 Market Street, 2<sup>nd</sup> Floor  
 Philadelphia, PA 19103-3584

### BX Options Participant Application

A. General Applicant Information	
<p>Applicant name and address:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>CRD Number _____</p> <p>Designated Options Examining Authority</p> <p>_____</p> <p>Main Number _____</p>	<p>Contact for questions concerning this application:</p> <p>Name _____</p> <p>Title _____</p> <p>Phone _____</p> <p>Email _____</p> <p>Fax _____</p>
B. Nature of Activity on BX	
<p>Please check the business activity(ies) in which the firm intends to engage as an Options Participant. (<b>NOTE:</b> If this is <b>not</b> the same activity that the firm currently engages in (e.g. market making), BX Rule 1017 requires the Applicant to apply for approval to effect a material change in business operations.)</p> <p style="text-align: center;"> <input type="checkbox"/> Market Maker           <span style="margin-left: 200px;"><input type="checkbox"/> Order Entry</span> </p>	

C. Clearing Arrangement <sup>1</sup>	
<input type="checkbox"/> Self Clearing OCC clearing account number _____ NSCC clearing account number _____	<input type="checkbox"/> Agreement with Clearing Agent OCC clearing account _____ NSCC clearing account _____ Provide name of clearing agent: _____
D. Supervision	E. Executive Representative
<p>Provide the following information for the person that will be primarily responsible for Applicant's BX Options trading activity. Refer to BX Options <a href="#">Chapter XI Sec. 2, if Applicant intends to transact business with the Public.</a></p> Name _____ Title _____ CRD Number _____ Phone _____ Email _____ Fax _____	<p>Provide the following information for the BX Executive Representative. Refer to BX <a href="#">Rule 1150.</a></p> Name _____ Title _____ CRD Number _____ Phone _____ Email _____ Fax _____
F. Examination Information	G. Checklist of Additional Material
<p>Provide the date of the member's last examination during which supervisory procedures were reviewed. Describe what revisions to the firm's supervisory procedures, if any, have been made to accommodate options participation.</p> Date _____ Description _____ _____ _____ _____	<p>In order for this application to be deemed complete, please include the following documents, as applicable:</p> <ul style="list-style-type: none"> <li>○ Letter of Guarantee <i>(BX Options Chapter VII, Sec. 8(a) and Chapter XV, Sec.1)</i></li> <li>○ Information Barrier Procedures * <i>(BX Chapter VII, Sec. 10(b))</i></li> <li>○ List identifying all accounts to be used for market maker activity on BX Options * <i>(BX Chapter VII, Sec.7(a))</i></li> </ul> <p>*Applies to Market Maker Applicants</p>

<sup>1</sup> Pursuant to BX Options Chapter XV, Sec. 1, BX Options participants are required to provide an NSCC clearing account number for purposes of direct debit of fees, fines, charges and/or other monetary sanctions or other monies due and owing to the Exchange.

**BX Options Participant Agreement**  
**(BX Options Rules, [Chapter II, Section 1\(b\)iv](#))**

Firm name: \_\_\_\_\_ CRD number: \_\_\_\_\_

In connection with the member's application for participation in the NASDAQ OMX BX Options Market and in the event that this application is approved for participation, the Applicant hereby agrees to abide by the terms and conditions set forth below:

The Applicant undertakes to (1) engage only in those business activities permissible pursuant to its membership agreement(s) with BX, NASDAQ, PHLX, FINRA, and any other Self-Regulatory Organization of which the Applicant is a member; (2) obtain the prior approval of BX pursuant to [BX Rule 1017](#) before removing or modifying any restrictions imposed on permissible business activities or before effecting any material change in business operations; and (3) file a written notice and application with BX at least 30 days prior to effecting a change in the ownership or control of the Applicant pursuant to BX Rule 1017, in circumstances where required by the Rule.

The Applicant also agrees:

- A. To comply with the federal securities laws, the rules and regulations thereunder, the BX rules including but not limited to NASDAQ OMX BX Options Market rules and all rulings, orders, directions and decisions issued and sanctions imposed under the BX rules;
- B. To pay such dues, assessments and other charges in the manner and amount as from time to time shall be fixed pursuant to the BX rules;
- C. That this Agreement has been executed on behalf of, and with the authority of, the above-named Applicant. The Undersigned and Applicant represent that the information and statements contained within the application and other information filed are current, true and complete. The Undersigned and the Applicant further represent that to the extent that any information submitted is not amended, such information is currently accurate and complete and agree that the information contained in the Applicant's Uniform Application for Broker-Dealer Registration (Form BD) will be kept current and accurate by proper amending of the Form BD as changes occur. Applicant further represents that the registrations for waive-in Associated Persons, registered with BX, will be kept current by proper amending of Form U4 and Form U5.

By:

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_