

NOTICE TO OMNIBUS ACCOUNTS REGARDING RESTRICTIONS ON ACCESS FOR SANCTIONED PARTIES¹

Futures exchanges (“Exchanges”) may prohibit direct and indirect access to a market participant that is a “sanctioned party” (or similar term) as defined by the given Exchange’s rules. For example, Chicago Mercantile Exchange Inc., The Board of Trade of the City of Chicago, Inc., New York Mercantile Exchange, Inc., and Commodity Exchange, Inc. define “Sanctioned Party” as “parties that are (i) identified on the Specially Designated Nationals and Blocked Person List of the U.S. Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) (“Restricted Persons”), (ii) 50% or more owned by Restricted Persons, (iii) located in a country or territory subject to comprehensive economic sanctions administered by OFAC (“Restricted Country or Territory” or “Restricted Countries or Territories”), (iv) owned or controlled by the governments of Restricted Countries or Territories, (v) subject to OFAC restrictions where such restriction prohibits a specific activity which would in turn prohibit the party from trading on an exchange or settling a transaction at an exchange, (vi) subject to restrictions administered or imposed by a state or government authority authorized to issue economic sanctions and blocking measures that has jurisdiction over a Clearing Member (each a “Sanctioning Body”) or (vii) acting on behalf of any of the foregoing.”

Accordingly, omnibus accounts are expressly prohibited from acting for customers, directly or indirectly, that are sanctioned parties (or similar term) under relevant Exchange rules. Moreover, as the holder of an omnibus account, you must notify all of your omnibus account customers of such prohibition.

If you become aware that a sanctioned party (or similar term) under Exchange rules is directly or indirectly acting through the omnibus account, you must immediately notify [FCM] and, unless permitted (either not restricted or specifically authorized) by OFAC and/or any sanctioning body, as applicable, under Exchange rules, cancel all direct and indirect access to the omnibus account by such market participant.

¹ This Notice is provided as a compliance aid only and is not a substitute for a firm’s obligation to review and understand applicable legal or regulatory requirements regarding access for sanctioned parties. Accordingly, firms should make their own decision regarding the applicability of such requirements based on their judgment and independent advice from their professional advisors. Although care has been taken to assure that the contents of this Notice are accurate as of the date of issue, FIA specifically disclaims any legal responsibility for any errors or omissions and disclaims any liability for losses or damages incurred through the use of the Notice or any part thereof. FIA undertakes no obligation to update the contents of this Notice following the date of issue.