

(a) Each firm for which relief is sought is registered, licensed or authorized, as appropriate, and is otherwise in good standing under the standards in place in Spain; such firm is engaged in business with customers located in Spain as well as in the United States; and, such firm would not be statutorily disqualified from registration under section 8a(2) of the CEA, 7 U.S.C. 12(a)(2);

(b) It will monitor firms to which relief is granted for compliance with the regulatory requirements for which substituted compliance is accepted and will promptly notify the Commission or NFA of any change in status of a firm which would affect its continued eligibility for the exemption granted hereunder, including the termination of its activities in the United States;

(c) All transactions on the Exchange with respect to customers resident in the United States will be made on or subject to the rules of the Exchange and the Commission will receive prompt notice of all material changes to MEFF Renta Fija rules, the SMA and other laws relevant to futures and options (e.g., Royal Decree 1814 and Royal Decree 629);

(d) Customers resident in the United States will be provided no less stringent regulatory protection than Spanish customers under all relevant provisions of Spanish law; and

(e) It will cooperate with the Commission with respect to any inquiries concerning any activity subject to regulation under the Part 30 rules, including sharing the information specified in Appendix A to the Part 30 rules on an "as needed" basis in accordance with the agreed information sharing arrangement and will use its best efforts to notify the Commission if it becomes aware of any information which in its judgment affects the financial or operational viability of a Spanish-domiciled firm doing business in the United States under the exemption granted by this Order.

(2) Each firm seeking rule 30.10 relief hereunder must apply in writing whereby it:

(a) Consents to jurisdiction in the United States under the Act and files a valid and binding appointment of an agent in the United States for service of process in accordance with the requirements set forth in Commission rule 30.5, 17 CFR 30.5;

(b) Acknowledges that it can be required by the Exchange to provide the Exchange immediate access to its books and records related to transactions under Part 30 required to be maintained under the applicable laws and Exchange rules in effect in Spain and that the Exchange will cooperate in providing access to such books and records to the Commission in accordance with the agreed upon information sharing arrangement;

(c) Represents that no principal, and no employee who solicits or accepts orders from United States customers, would be disqualified from directly applying to do business in the United States under section 8a(2) of the CEA, 7 USC 12a(2), and consents to notify the Commission promptly of any change in that representation based on a change in control as generally defined in Commission rule 3.32, 17 CFR 3.32;

(d) Consents that all futures or options transactions for customers located in the United States will be undertaken from a

location in Spain (except as otherwise permitted by the Commission) solely with respect to transactions on or subject to the rules of MEFF Renta Fija, and which U.S. customers may trade;

(e)(1) If a Clearing Member of the Exchange which carries the accounts of customers located in the United States: agrees to maintain funds equivalent to the aggregate "secured amount" (described in Commission rule 1.3(rr), 17 CFR 1.3(rr)), for all United States customers in a separate account as set forth in Commission rule 30.7, 17 CFR 30.7, and to treat those funds in the manner described by that rule;

(e)(2) If a Non-Clearing Member of the Exchange: agrees to comply with relevant Spanish laws and Exchange rules prohibiting them from accepting or otherwise handling customer funds;

(f) Agrees to provide customers with account statements on at least a monthly basis;

(g) Discloses the identity of each subsidiary or affiliate domiciled in the United States with a related business (e.g., banks and broker/dealer affiliates) and provides a brief description of such subsidiary's or affiliate's principal business in the United States;

(h)(1) Consents to participate in any NFA arbitration program which offers a procedure for resolving customer disputes on the papers where such disputes involve representations or activities with respect to transactions under Part 30, and consents to notify customers resident in the United States of the availability of such a program; *provided, however,* that the firm may require its customers resident in the United States to execute the consent attached hereto as Exhibit A concerning the exhaustion of certain mediation procedures made available by the Exchange prior to bringing an NFA arbitration proceeding; and *provided further* that the firm must undertake to provide the customer with information concerning how to commence such procedures pursuant to the consent attached hereto as Exhibit A;

(h)(2) *Provided, however,* that until the Exchange adopts a procedure for an "on the papers" hearing applicable to all Exchange arbitrations, consents to notify such customers that if they elect Exchange arbitration, they or their agent could be required to appear personally at a hearing, and if the customer elects NFA arbitration, consents to participate in such proceeding even in circumstances where the dispute arises primarily out of delivery, clearing, settlement or floor practices;

(i) Undertakes to comply with the applicable provisions of Spanish law and Exchange and CNMV rules which form the basis upon which this exemption from certain provisions of the Act is granted; and

(j) Agrees to provide to any U.S. customers either the generic risk disclosure statement approved by the Commission under rule 1.55(c), or the risk disclosure statements mandated by Commission rules 30.6(a) [i.e., 1.55(a)] and 33.7, and applicable Commission orders, as appropriate.¹⁶

¹⁶ See, e.g., CFTC Advisory No. 90-1 [1987-1990 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶ 24,597 (disclosure statement related to the deferred payment of option premiums).

Upon filing of the notice required under paragraph (1)(b) as to any such firm, the rule 30.10 relief granted by this Order may be suspended immediately as to that firm. That suspension will remain in effect pending further notice by the Commission, or the Commission's designee, to the firm and the Exchange and/or any applicable regulatory or self-regulatory organization.

Any material changes or omissions in the facts and circumstances pursuant to which this Order is granted might require the Commission to reconsider its finding that the standards for issuance of an order under Commission rules 30.3(a) and 30.10, including Appendix A of rule 30.10, have generally been satisfied.

Further, if experience demonstrates that the continued effectiveness of this Order in general, or with respect to a particular firm or product, would be contrary to public policy or the public interest, or that the systems in place for the exchange of information or other circumstances do not warrant continuation of the exemptive relief granted herein, the Commission may condition, modify, suspend, terminate, withhold as to a specific firm or product, or otherwise restrict the exemptive relief granted in this Order, as appropriate, on its own motion. If necessary, provisions will be made for servicing existing client positions.

Terms and Conditions of MEFF Renta Fija Options

Option on the MIBOR'90 Futures

Underlying Asset: MIBOR'90 Futures Contract

Contract Size: 1 futures contract

Exercise Style: American

Traded Options: Options on futures with expiration on the four nearest months of the quarterly cycle (March, June, September and December)

Last Trading Day: The last business day prior to the expiration date

Expiration Date: Third Wednesday of the underlying futures contract month (same date and time as the underlying futures expiration date)

Quotation Method: Multiples of Ptas. 250

Tick Value: The minimum fluctuation of the premium is one basis point, equal to Ptas. 250

Margining: Margin is calculated taking into account the overall futures and options portfolio

Option on the 3-Year Government Bond Futures

Underlying Asset: 3-year Government Bond Futures Contract