Section 15A(g)(3) of the Act.<sup>3</sup> Section 15A(g)(3) provides that a registered securities association may deny membership to, or condition the membership of, a registered broker or dealer if such broker or dealer does not meet the requisite levels of knowledge and competence.

The Commission believes that revising the Series 8 Examination, Specifications and Content Outline should help to ensure that only those securities sales supervisors with a comprehensive knowledge of current NASD rules, as well as an understanding of the Act, will be able to supervise general securities branch offices and registered representatives. The Commission believes that the revised areas covered by the Examination, Specifications and Content Outline are appropriate subject matters and include a sufficiently broad range of topics to ensure an appropriate level of expertise by supervisors. Additionally, the revised examination tests relevant subject matters in view of changes in applicable laws, rules, regulations, products, and industry practices. By ensuring this requisite level of knowledge, the NASD can remain confident that securities sales supervisors have demonstrated an acceptable level of securities knowledge to carry out their responsibilities.

The approval is contingent upon the filing of the Examination Specifications and Content Outline by the other appropriate SROs and the approval of those filings by the Commission.

The Commission finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of notice of filing thereof in the **Federal Register**. The Commission believes that accelerated approval is appropriate given that the Commission recently approved two parallel and substantively identical filings by the NYSE, and the importance of implementing the revised Content Outline and Series 8 Examination as soon as practicable.

It is therefore ordered, pursuant to Section 19(b)(2) <sup>4</sup> that the proposed rule change is approved contingent upon the filing of the Examination Specifications and Content Outline by the other appropriate SROs and the approval of those filings by the Commission.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.  $^5$ 

## Margaret H. McFarland,

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Deputy Secretary. [FR Doc. 95–1109 Filed 1–17–95; 8:45 am]

[Release No. 34-35210; File No. SR-NYSE-94-44]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by New York Stock Exchange, Inc. Relating to Amendments to Market-at-the-Close Order Handling Requirements for Expiration and Non-Expiration Days

January 10, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 5, 1994, the New York Stock Exchange, Inc. ("NYSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

## I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of modifications to the order entry and imbalance display procedures for market-at-the-close ("MOC") orders on expiration and non-expiration days, as described in two separate Information Memos. The Information Memo for expiration days would be issued before each application of the pilot program that allows the NYSE to use auxiliary closing procedures for handling MOC orders on expiration days (subject to Commission approval); the Information Memo for non-expiration days would be issued once this filing is approved. The

term "expiration days" refers collectively to the last trading day before the one day a month that standardized contracts in stock index futures, stock index options and options on stock index futures expire ("Expiration Friday"), and the last trading day of each calendar expiration ("QIX") options ("QIX Expiration Day").

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

## 1. Purpose

Under the current pilot program for expiration days,3 NYSE procedures require that MOC orders in any stock related to a strategy involving expiring index derivative products be entered for execution by 3:40 p.m., and that no cancellation or reduction of any MOC order in any stock take place after 3:40 p.m. For the pilot stocks on expiration days,4 imbalances of 50,000 shares or more are published as soon as practicable after 3:40 p.m. After the imbalance publication, MOC orders in the pilot stocks may be entered only to offset a published imbalance. MOC orders may not be entered if there is no imbalance publication. The Exchange proposes that all MOC orders in all stocks (regardless of strategy) be required to be entered by 3:40 p.m. on expiration days, except orders to offset imbalance publications.

Currently, on non-expiration days, imbalances of 50,000 shares or more in

<sup>3 15</sup> U.S.C. 78o-3(g)(3) (1988).

<sup>&</sup>lt;sup>4</sup> 15 U.S.C. 78s(b)(2) (1988)

<sup>5 17</sup> CFR 200.30-3(a)(12).

<sup>&</sup>lt;sup>1</sup> The Commission has approved the NYSE's auxiliary closing procedures for handling MOC orders on expiration days on a pilot basis until October 31, 1995. See Securities Exchange Act Release No. 34916 (October 31, 1994), 59 FR 55507 (November 7, 1994) (File No. SR–NYSE–94–32). The NYSE has requested that the revised procedures for expiration days, as proposed herein, be approved as part of the pilot program that is currently in effect. See letter from Donald Siemer, Director, Market Surveillance, NYSE, to Beth Stekler, Attorney, Division of Market Regulation, SEC, dated December 22, 1994 ("December 22nd letter").

<sup>&</sup>lt;sup>2</sup> The Commission has approved the NYSE's closing procedures for non-expiration days on a permanent basis. See Securities Exchange Act Release No. 31291 (October 6, 1992), 57 FR 47149 (October 14, 1992) (File No. SR–NYSE–92–12). The NYSE has requested that the revised procedures for

non-expiration days, as proposed herein, be approved on a permanent basis. *See* December 22nd letter, *supra*, note 1.

<sup>&</sup>lt;sup>3</sup> See supra, note 1.

<sup>&</sup>lt;sup>4</sup>The Expiration Friday pilot stocks consist of the 50 most highly capitalized Standard & Poors ("S&P") 500 stocks and any component stocks of the Major Market Index ("MMI") not included therein. The QIX Expiration Day pilot stocks consist of the 50 most highly capitalized S&P 500 stocks, any component stocks of the MMI not included therein and the 10 highest weighted S&P Midcap 400 stocks.