

ADDENDUM DATED May 15, 1989
TO THE FINANCIAL INFORMATION
SHARING MEMORANDUM OF UNDERSTANDING

1. We refer to the Financial Information Sharing Memorandum of Understanding ("FISMOU") entered into on 1 September 1988 by, among others, the Securities and Investments Board ("SIB"), Commodity Futures Trading Commission ("CFTC"), United Kingdom Self-Regulating Organisations ("SROs") and United States SROs, as defined in the FISMOU.

2. We further refer to the Order of the CFTC dated May 15, 1989 granting an exemption under Rule 30.10 of the CFTC's rules to the SIB and certain U.K. SROs and to those firms which they designate pursuant to which the CFTC will, among other things, defer to the financial regulation rules of the relevant U.K. regulator.

3. In consideration of the foregoing, and of the need to share financial information from time to time and on a regular basis with respect to firms in the United Kingdom granted an exemption under Rule 30.10, the undersigned parties hereby agree to this Addendum as permitted by paragraph (2) of Article VI of FISMOU:

- (a) In accordance with paragraph 3(c) of Article III of FISMOU, the SIB or the relevant U.K. SRO will use its best efforts to notify and discuss with the CFTC if it becomes aware, through a U.K. SRO or otherwise, of any information which in its respective judgment materially and adversely affects the financial or operational viability of any firm domiciled in the United Kingdom and doing business in the United States under a comparability exemption granted pursuant to Rule 30.10 of the CFTC's rules.
- (b) The SIB or the relevant U.K. SRO will provide to the CFTC, commencing with the first filing due after the effective date of this Addendum, as promptly as practicable after receipt of the relevant report, the following information with respect to a firm domiciled in the United Kingdom doing

business in the United States under a comparability exemption granted pursuant to Rule 30.10:

- (i) Copies of: (A) on an annual basis, a statement containing, with respect to such firm, financial information analogous to that set forth in the cover sheet required to be provided by U.S. SROs to the relevant U.K. regulator pursuant to Article III of FISMOU concerning an FCM; or (B) the annual audited financial statement, including the annual auditors report, required under the rules of the SIB or the relevant U.K. SRO. In either case, the SIB or relevant U.K. SRO will represent that it has reviewed the annual audited financial statement and that, based solely on its review of the information in that filing, it has no reason to believe (or it has reason to believe) that there exists a violation of the financial resources requirements of the SIB or relevant U.K. SRO promulgated under the FSA. If the SIB or relevant U.K. SRO provides the cover sheet in accordance with (A) above, the SIB or relevant U.K. SRO will provide a copy of the firm's annual audited financial statement upon request of the CFTC.
 - (ii) Details of any notifications received under the rules of the SIB or relevant U.K. SRO regarding any breach of the financial resources requirements.
- (c) The SIB or relevant U.K. SRO will provide the Commission simultaneously with its notification of the sponsorship of a firm domiciled in the United Kingdom wishing to do business in the United States under a comparability exemption pursuant to Rule 30.10 with the following information:

Copies of: (i) a statement containing, with respect to such firm, financial information analogous to that set forth in the cover sheet required to be provided by U.S. SROs to the relevant U.K. regulator pursuant to Article III of FISMOU concerning an FCM; or (ii) the most recent annual audited financial statement, including the annual auditors report, required under the rules of the SIB or the relevant U.K. SRO. In either case, the SIB or relevant U.K. SRO will represent that it has reviewed the annual audited financial statement and that, based solely on its review of the information in that filing, it has no reason to believe (or it has reason to believe) that there exists a violation of the financial resources requirements of the SIB or relevant U.K. SRO promulgated under the FSA. If the SIB or relevant U.K. SRO provides the cover sheet in accordance with (i) above, the SIB or relevant U.K. SRO will provide a copy of the

firm's annual audited financial statement upon request of the CFTC.

- (d) The CFTC may make information received pursuant to this Addendum available to National Futures Association.
- (e) Except as otherwise provided herein, the provisions of the FISMOU shall apply to this Addendum, to the extent relevant.

Signed this 15th day of May 1989.

United States Commodity
Futures Trading Commission

by _____

National Futures Association

by _____

Securities and Investments
Board

by [Signature]

The Securities Association

by [Signature]

The Association of Futures
Brokers and Dealers Limited

by [Signature]

Investment Management
Regulatory Organisation Ltd.

by J. A. Newgum