

§ 39.19	PROPOSED REQUIREMENT	DESCRIPTION	CONTENTS OF REPORT	TIME TO REPORT
General Reporting Instructions				
(a)	General Instruction	Each DCO shall provide to the CFTC the information specified in this section and any other information that the CFTC deems necessary to conduct its oversight of a DCO.		
(b)(1)	Submission of reports	Unless otherwise specified by the CFTC or its designee, each DCO shall submit the information required by this section to the CFTC electronically and in a form and manner prescribed by the CFTC.		
(b)(2)	Time Zones	Unless otherwise specified by the CFTC or its designee, any stated time in this section is Central time for information concerning DCOs located in that time zone, and Eastern time for information concerning all other DCOs.		
(c)(1) Daily Reporting				
(c)(1)(i)	Initial Margin	Initial margin requirements and initial margin on deposit for each clearing member, by origin		
(c)(1)(ii)	Daily Variation Margin	Daily variation margin, separately listing the mark-to-market amount collected from or paid to each clearing member, by origin, for variation margin on futures, options on futures, commodity options, and swap transactions		Compiled as of the end of each trading day and submitted to the Commission by 10:00 a.m. on the following business day
(c)(1)(iii)	Cash Flows	All other daily cash flows relating to clearing and settlement including, but not limited to, option premiums and payments related to swaps such as coupon amounts, collected from or paid to each clearing member, by origin		
(c)(1)(iv)	End-of-day Positions	End-of-day positions for each clearing member, by origin		
(c)(2) Quarterly Reporting				
	Financial Resources	A quarterly report of the DCO's financial resources as required by § 39.11(f)	39.11(f) Requirements: (i) the amount of financial resources necessary to meet the requirements set forth in the regulation; and (ii) the value of each financial resource available to meet those requirements (including financial statement, and guaranty fund info, if used).	17 business days after end of quarter
(c)(3) Annual Reporting				
(c)(3)(i)	CCO Annual Report	CCO Annual Report Required by § 39.10	Contents required by § 39.10.	Concurrently, not later than 90 days after the

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(c)(3)(ii)	Financial Statements	Audited year-end financial statements of the DCO or if none for the DCO, the consolidated financial statements of the parent company		end of DCO's fiscal year; DCOs may apply to the CFTC for extensions under (c)(3)(iii).
(c)(4)	Event-Specific Reporting			
(c)(4)(i)	Financial Resources Decrease	A decrease of 10 % in the total value of the financial resources required to be maintained by the DCO under § 39.11(a) either: (1) from the last quarterly report submitted under § 39.11(f) or (2) from the value as of the close of the previous business day,	(A) The total value of the financial resources (1) as of the close of business the day the 10 % threshold was reached, and (2) if reporting a decrease in value from the previous business day, the total value of the financial resources immediately prior to the 10 % decline;	1 business day following the day the 10% threshold was reached
(c)(4)(ii)	Ownership Equity Decrease	A decrease of 20% or more in ownership equity from the last reported ownership equity balance as reported on a quarterly or audited financial statement required to be submitted by paragraph (c)(2) or (c)(3)(ii), respectively.	(A) (i) A pro forma financial statement reflecting the DCO's estimated future financial condition following the anticipated decrease for reports submitted prior to the anticipated decrease or (ii) a current financial statement for reports submitted after such a decrease; and (B) details describing the reason for the decrease or anticipated decrease in the balance.	No later than 2 business days prior to for an event which the DCO knows or should reasonably know will cause a decrease. Otherwise, no later than 2 business days after such decrease in ownership equity.
(c)(4)(iii)	Deficit in Six-Month Liquid Asset Requirement	A deficit in the six-month liquid asset requirement of §39.11(e)(2).	Notice	Immediate Notice when a DCO knows or reasonably should know
(c)(4)(iv)	Change in Working Capital	When working capital becomes negative	(A) Balance sheet that reflects the DCO's working capital, and (B) an explanation as to the reason for the negative balance.	No later than two business days after
(c)(4)(v)	Intraday Margin Calls	Any intraday initial margin call to a clearing member.	Separately list each request and include the name of the clearing member, the amount requested and the account origin.	No later than 1 hour following the margin call.
(c)(4)(vi)	Delays in Initial Margin Collection	When a DCO has not received additional initial margin that it requested from a clearing member within the time frame allowed by the DCO's rules and procedures.	Notice	Immediate notice

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(c)(4)(vii)	Request to Clearing Member to Reduce Positions	A DCO's request to a clearing member to reduce its positions because the DCO has determined that the clearing member has exceeded its exposure limit or that the clearing member has failed to meet an initial or variation margin call or fulfill any other financial obligation to the DCO.	(A) The name of the clearing member; (B) The time the clearing member was contacted; (C) The number of positions by which the DCO requested the clearing member to reduce its position size; (D) All contracts that are the subject of the request; and (E) The reason for the request.	Immediate notice
(c)(4)(viii)	Determination to Transfer or Liquidate Positions of Clearing Member	A determination that any position a DCO carries for one of its clearing members must be liquidated immediately, transferred immediately, or that the trading of any account of a clearing member shall be only for the purposes of liquidation because that clearing member has failed to meet an initial or variation margin call or fulfill any other financial obligation to the DCO.	(A) The name of the clearing member; (B) The time the clearing member was contacted; (C) The contracts that are subject to the determination; (D) The number of positions that are subject to the determination; and (E) The reason for the determination.	Immediate notice
(c)(4)(ix)	Clearing Member Default	The default of a clearing member. An event of default shall be determined in accordance with the rules of the DCO.	(A) The name of the clearing member; (B) The contracts the clearing member defaulted upon; (C) The number of positions the clearing member defaulted upon; and (D) The amount of the financial obligation.	Immediate notice
(c)(4)(x)	Change in Ownership or Corporate or Organizational Structure	Any anticipated change in the ownership or corporate or organizational structure of the DCO or its parent company that would: (i) result in at least a 10 % change of ownership of the DCO, (ii) create a new subsidiary or eliminate a current subsidiary of the DCO or its parent company or (iii) result in the transfer of all or substantially all of its assets, including its registration as a DCO to another legal entity.	(1) a chart outlining the new ownership or corporate or organizational structure; (2) a brief description of the purpose and impact of the change; and (3) any relevant agreements effecting the change and corporate documents such as articles of incorporation and bylaws.	No later than 3 months prior to the anticipated change for events which the DCO knows or reasonably should have known about. Other: Immediately after it knows
(c)(4)(x)(D)	Confirmation of Change Report	Consummation of the change in ownership or corporate or organizational structure	Notice	No later than 2 business days following the effective date of the change.
(c)(4)(xi)	Key Personnel Change	The departure, removal, or addition of persons who are key personnel or are designated to be contacted in case of an emergency	Name and position of person who has left, as applicable when a position is vacated, the name of the person who will assume the duties of the position on a temporary basis until a permanent replacement fills the position.	No later than two business days after

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(c)(4)(xii)	Credit Facility Funding Arrangement Change	When a DCO changes a credit facility funding, is notified that such arrangement has changed or knows or reasonably should have known that the arrangement will change, including a change in lender, size of the facility, expiration date, or any other material changes or conditions.	Notice	No later than 1 business day after
(c)(4)(xiii)	Rule Enforcement	When the DCO: (A) initiates a rule enforcement action against a clearing member; or (B) imposes sanctions against a clearing member.	Notice	No later than 2 business days after
(c)(4) (xiv)	Financial Condition and Events	(A) The institution of any legal proceedings which may have a material adverse financial impact on the DCO; (B) Any event, circumstance or situation that is not otherwise required to be reported under this section that materially impedes the DCO's ability to comply with this part; or (C) A material adverse change in the financial condition of any clearing member that is not otherwise required to be reported under this section.	Notice	Immediate notice after the DCO knows or reasonably should have known
(c)(4)(xv)	Financial Statements Material Inadequacies	If a DCO discovers or is notified by an independent public accountant of the existence of any material inadequacy	24 hr: Notice of the material inadequacy; 48 hr: a written report stating what steps have been and are being taken to correct the material inadequacy.	24-48 hours after notification or discovery