

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 22-404

Organization: NEX SEF Limited ("NEX SEF")

Filing as a: DCM SEF DCO SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 9/15/22 **Filing Description:** Amendments to the NEX SEF Limited Trading Participant Holder Agreement

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- | | | |
|-------------------------------------|-------------------------------------|------------|
| <input checked="" type="checkbox"/> | Certification | § 40.6(a) |
| <input type="checkbox"/> | Approval | § 40.5(a) |
| <input type="checkbox"/> | Notification | § 40.6(d) |
| <input type="checkbox"/> | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/> | SIDCO Emergency Rule Change | § 40.10(h) |

Rule Numbers: See filing.

New Product

Please note only ONE product per Submission.

- | | | |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification | § 40.2(a) |
| <input type="checkbox"/> | Certification Security Futures | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class | § 40.2(d) |
| <input type="checkbox"/> | Approval | § 40.3(a) |
| <input type="checkbox"/> | Approval Security Futures | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission | § 39.5 |

Product Terms and Conditions (product related Rules and Rule Amendments)

- | | | |
|--------------------------|---|----------------------|
| <input type="checkbox"/> | Certification | § 40.6(a) |
| <input type="checkbox"/> | Certification Made Available to Trade Determination | § 40.6(a) |
| <input type="checkbox"/> | Certification Security Futures | § 41.24(a) |
| <input type="checkbox"/> | Delisting (No Open Interest) | § 40.6(a) |
| <input type="checkbox"/> | Approval | § 40.5(a) |
| <input type="checkbox"/> | Approval Made Available to Trade Determination | § 40.5(a) |
| <input type="checkbox"/> | Approval Security Futures | § 41.24(c) |
| <input type="checkbox"/> | Approval Amendments to enumerated agricultural products | § 40.4(a), § 40.5(a) |
| <input type="checkbox"/> | “Non-Material Agricultural Rule Change” | § 40.4(b)(5) |
| <input type="checkbox"/> | Notification | § 40.6(d) |

Official Name(s) of Product(s) Affected:

Rule Numbers:

September 15, 2022

VIA ELECTRONIC PORTAL

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

**Re: CFTC Regulation 40.6(a) Certification. Amendments to the NEX SEF Limited Trading Participant Holder Agreement.
NEX SEF Submission No. 22-404**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC” or “Commission”) Regulation 40.6(a), NEX SEF Limited (“NEX SEF”) hereby certifies to the Commodity Futures Trading Commission (“CFTC” or “Commission”) amendments to NEX SEF Trading Participant Holder Agreement (“TPHA” or “Form SEF Exhibit N-7”) effective on Monday, October 3, 2022 (collectively, the “Rule Amendments”) as outlined below.

Specifically, NEX SEF is amending the TPHA as follows:

1. Paragraph 3 to expand the customer eligibility criteria to include Professional Client consistent with the meaning in the FCA Handbook;
2. Adding new Paragraph 8 to clarify the contractual obligations of an Intermediary to collect Clearing Firm Representations for their customers; and
3. Updating NEX SEF contact information, copyright year and other administrative amendments.

NEX SEF reviewed the Swap Execution Facility core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”) and identified that the Rule Amendments may have some bearing on Core Principle:

- **Core Principle 2 – Compliance with Rules:** As a result of the changes to the customer documentation, the Rule Amendments that are being implemented will remain in satisfaction of this Core Principle.

Pursuant to Section 5c(c) of the Commodity Exchange Act (the “Act”) and Regulations 37.3(b)3 and 40.6(a), NEX SEF hereby certifies that the Rule Amendments comply with the Act, as amended, and the Commission’s regulations thereunder. There were no substantive opposing views to this proposal.

Pursuant to Commission Regulation 37.3(b)(3), once a SEF is registered as such with the Commission, any amendments to Form SEF must be filed as a submission under part 40 of the Commission’s regulations or as otherwise specified by the Commission.¹ The Rule Amendments serve to amend previous NEX SEF submissions.

Attachment 1 is provided in blackline format under separate cover (confidential treatment requested).

¹ See 78 Fed. Reg. 33476, at 33485 (June 4, 2013).

NEX SEF certifies that this submission has been concurrently posted on its website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact the undersigned at 212-299-2200 or via email at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: 1. Exhibit N-7 – Trading Participant Holder Agreement (blackline format) (confidential treatment requested)

Attachment 1

(CONFIDENTIAL TREATMENT REQUESTED)

(ATTACHED UNDER SEPARATE COVER)