

Exhibit G (Supplement S-1 Clearing) – Information Sharing Agreements Among the Commission, ICE Futures Canada, Inc., ICE Clear Canada, Inc., and Relevant Regulatory Authorities

- (1) A description of the arrangements among the Commission, ICE Futures Canada, ICE Clear Canada, and The Manitoba Securities Commission that govern the sharing of information regarding the transactions that will be executed pursuant to ICE Futures Canada, Inc.'s registration with the Commission and the clearing and settlement of those transactions. This description should address or identify whether and how ICE Futures Canada, ICE Clear Canada, and The Manitoba Securities Commission governing the activities of ICE Futures Canada and ICE Clear Canada agree to provide directly to the Commission information and documentation requested by Commission staff that Commission staff determines is needed:

 - (i) To evaluate the continued eligibility of ICE Futures Canada for registration.
 - (ii) To enforce compliance with the specified conditions of the registration.
 - (iii) To enable the CFTC to carry out its duties under the Act and Commission regulations and to provide adequate protection to the public or registered entities.
 - (iv) To respond to potential market abuse associated with trading by direct access on the registered foreign board of trade.
 - (v) To enable Commission staff to effectively accomplish its surveillance responsibilities with respect to a registered entity where Commission staff, in its discretion, determines that a contract traded on a registered foreign board of trade may affect such ability.
- (2) A statement as to whether the regulatory authorities governing the activities of ICE Futures Canada and ICE Clear Canada are signatories to the International Organization of Securities Commissions Multilateral Memorandum of Understanding. If not, describe any substitute information-sharing arrangements that are in place.
- (3) A statement as to whether the regulatory authorities governing the activities of ICE Futures Canada and ICE Clear Canada are signatories to the Declaration on Cooperation and Supervision of International Futures Exchanges and Clearing Organizations. If not, a statement as to whether and how they have committed to share the types of information contemplated by the International Information Sharing Memorandum of Understanding and Agreement with the Commission, whether pursuant to an existing memorandum of understanding or some other arrangement.

On October 21, 2014 the CFTC and the MSC signed a Counterpart to the Memorandum of Understanding signed on March 25, 2014, regarding cooperation and the exchange of information in the supervision and oversight of regulated entities that operate on a cross-border basis in the United States and in certain Canadian Provinces.

All of the above permits the CFTC to:

- (i) evaluate the continued eligibility of ICE Futures Canada, Inc. for registration;
- (ii) enforce compliance with any specified conditions of the registration granted;
- (iii) carry out its duties under the Commodity Exchange Act and CFTC regulations and to provide adequate protection to the public or registered entities.
- (iv) respond to potential market abuse associated with trading by direct access on ICE Futures Canada, Inc.
- (v) effectively accomplish its surveillance responsibilities with respect to a registered entity where CFTC staff, in its discretion, determines that a contract traded on a registered foreign board of trade may affect such ability.

ICE Futures Canada and ICE Clear Canada each have Rules that permit the sharing of all information, including Participant information as set out in Rule 1.13 (ii) for ICE Futures Canada;

1.13 Confidential Information, Personal Information, and Disclosure

All information received by the Exchange concerning;

- a. past or current Futures and Options positions, cash positions, EFPs, EFRs, or any other type of transaction, held by a Participant, and/or the customers of a Participant;
- b. cash bid and stock information, (other than on an aggregated basis such that individual information is unable to be ascertained);
- c. financial information, including financial statements (whether audited or not), adjusted net capital calculations, financial questionnaires, or similar;
- d. any information that would generally be considered proprietary and confidential which is required to be provided by a participant or customer of a participant to the Exchange pursuant to any written agreement, the By-laws, and/or Rules of the Exchange; and
- e. Personal Information (as that term is defined in the *Personal Information Protection and Electronic Documents Act* R.S.C. 2000) pertaining to the employees, officers, directors, and/or customers of Participants;

shall be held in confidence by the Exchange and accessed only by such employees of the exchange which are required to access same and then only for the purposes required, and shall not be made known to any other Person except as follows:

- (i) with the written consent of the Participant or customer involved;
- (ii) **to the Manitoba Securities Commission, the U.S. Commodity Futures Trading Commission, or any other governmental authority as required by the statutes, rules, regulations and/or regulatory orders the Exchange is subject to; [Emphasis Added]**
- (iii) pursuant to an order issued by a court of competent jurisdiction;
- (iv) to an exchange, clearinghouse, or self-regulatory organization that the Exchange has entered into a written Memorandum of Understanding or Information Sharing agreement with, for the purposes of compliance, market surveillance and/or regulation;
- (v) to counsel for the Exchange;
- (vi) with respect to any matters concerning investigations, inspections, hearings and or settlements, as more fully set out in Rules 10 and 11;

- (vii) to the regulatory authority of any foreign jurisdiction in which the Exchange has been approved to conduct business, to the extent that the consent of the Exchange to make such disclosure was a condition of such approval, and in such case the Exchange shall advise the Participant in writing as to the extent of the disclosure and the stated purpose made to the Exchange for such information;
- (viii) to any entity, including an affiliated corporation (as that term is defined in *The Corporations Act (Manitoba)*, which the Corporation has entered into a written agreement with for the purposes of the provision of services relative to the business of the Exchange. Information provided, including Personal Information, may be provided to foreign entities and such Information will be subject to the laws of the foreign jurisdictions in which such entities reside; and
- (ix) to any other person if, to the extent and pursuant to such terms and conditions as the Board, from time to time, may deem appropriate.

and in Rule A-217 (ii) for ICE Clear Canada;

Section A-217 Confidential Information, Personal Information, and Disclosure

All information received by the Corporation concerning;

- a. past or current positions held by the Corporation for a Clearing Participant or customers of a Clearing Participant;
- b. margin deposits or Clearing Fund deposits, including amounts paid, dates paid, forms of deposits, bank wire information, and similar;
- c. financial information, including financial statements (whether audited or not), adjusted net capital calculations, financial questionnaires, and similar;
- d. any information that would generally be considered proprietary and/or confidential which is required to be provided by a Clearing Participant or customer of a Clearing Participant to the Corporation pursuant to any written agreement, the By-laws, Rules and/or Operations Manual of the Corporation; and
- (e) all Personal Information (as that term is as that term is defined in the *Personal Information Protection and Electronic Documents Act R.S.C. 2000*) pertaining to the employees, officers, directors, or customers of a Clearing Participant;

shall be held in confidence by the Corporation and accessed only by such employees of the Corporation which are required to access same and then only for the purposes required, and shall not be made known to any other Person, except as follows:

- (i) with the written consent of the Clearing Participant or customer involved;
- (ii) to the Manitoba Securities Commission or the US Commodity Futures Trading Commission as required by the statutes, rules, regulations, and/or regulatory orders the Corporation is subject to; [Emphasis Added]**
- (iii) pursuant to an order issued by a court of competent jurisdiction;
- (iv) to an exchange, clearinghouse, or self-regulatory organization that the Corporation has entered into a written Memorandum of Understanding or Information Sharing agreement with for the purposes of compliance, market surveillance, and/or regulation;
- (v) to counsel for the Corporation;
- (vi) to the regulatory authority of any foreign jurisdiction in which the Corporation has been approved to conduct business, to the extent that the consent of the Corporation to make such disclosure was a condition of such approval and in such case the Corporation shall advise the Clearing Participant or customer of the Clearing Participant in writing of the extent of the disclosure and the stated purpose for the provision of same;
- (vii) to any entity, including an affiliated corporation (as that term is defined in *The Corporations Act (Manitoba)*) which the Corporation has entered into a written agreement with for the purposes of the provision of services relative to the business of the Corporation. Information provided to the affiliated corporation, including Personal Information, may be provided to foreign entities and such Information will be subject to the laws of the foreign jurisdictions in which such foreign entities reside; and
- (viii) to any other person, to the extent and pursuant to such terms and conditions as the Board, from time to time, may deem appropriate.

ICE Futures Canada and ICE Clear Canada agree to provide directly to the CFTC and staff of the CFTC with such information as they may request:

- 1) to evaluate the continued eligibility of ICE Futures Canada, Inc. for registration.
- 2) to enforce compliance with the specified conditions of the registration.
- 3) to enable the CFTC to carry out its duties under the Act and Commission regulations and to provide adequate protection to the public or registered entities.
- 4) to respond to potential market abuse associated with trading by direct access on the registered foreign board of trade.
- 5) to enable Commission staff to effectively accomplish its surveillance responsibilities with respect to a registered entity where Commission staff, in its discretion, determines that a contract traded on a registered foreign board of trade may affect such ability.

ICE Futures Canada executed the International Information Sharing Memorandum of Understanding and Agreement on March 15, 1996. This MOU does not have a termination date and ICE Futures Canada has been continuously a signatory to this MOU since the date it executed it. ICE Clear Canada has not executed this MOU as it was not the designated clearinghouse of ICE Futures Canada in 1996, however it is prepared to execute the MOU and adhere to the terms and provisions of it.