

**Amendments to Rules 2.18 and 4.33 –
Sexual Harassment Awareness Training Course**

Effective July 27, 2009, amendments to Rules 2.18 and 4.33 will be implemented. The amendments require that, prior to being granted either floor trading privileges or registration as a floor clerk, the applicant must attend a Sexual Harassment Awareness training course that has been developed by the Exchange and an outside consultant. No longer will an applicant have three (3) months after gaining floor access to take the required course.

In addition, the Exchange is requiring **ALL** floor brokers and currently registered floor clerks to take the Exchange's on-line Sexual Harassment Awareness training course in the next three (3) months. Any floor broker or registered floor clerk that has not taken the course by **October 30, 2009** may be subject to disciplinary action which could result in being denied access to the trading floor until such time as he or she takes the course.

The instructions to access the Exchange's on-line Sexual Harassment Awareness training course are attached to this Notice.

The text of the amendments to Rules 2.18 and 4.33 follows below. If you would like a copy showing the text of language changes, please contact the Corporate Secretary's Office at 212.748.4082.

Rule 2.18. Qualifications and Requirements for Floor Trading Privileges

- (a) To be eligible to receive and hold floor trading privileges a Person must:
- (i) Be an individual NYBOT Member, NYBOT Permit Holder or Lessee in good standing, and guaranteed by a Clearing Member in accordance with Rule 2.16; and
 - (ii) Comply with the application and approval procedures for the granting of floor trading privileges; and
 - (iii) Be sponsored by two (2) NYBOT Members who have been granted floor trading privileges and have been NYBOT Members for at least six (6) months preceding the date of the applicant's application for floor trading privileges; and
 - (iv) Attend an ethics course as required by CFTC or National Futures Association regulations; and
 - (v) Attend a sexual harassment awareness course sponsored by or acceptable to the Exchange as may be determined by the President, in his sole discretion; and
 - (vi) Prior to being granted floor trading privileges, successfully complete the Exchange's Floor Trading course; provided, however, that the Floor Trading Privileges Committee may, in its sole discretion, waive any part, or all, of such training course for a particular Member.

Rule 4.33. Clerk Qualification Requirements, Registration Procedures, and Trading Prohibitions

The following Clerk qualification, registration procedures and trading prohibitions apply to all clerical staff of Members or Member Firms trading in Commodity Contracts on the Trading Floor of the Exchange:

(a) Qualification Requirements: Unless otherwise provided under the Rules, clerical staff shall:

(i) include every Person a Member or Member Firm employs or wishes to employ on the Trading Floor of the Exchange, whether on a temporary or permanent basis, and regardless of whether such Person is a Member of another exchange;

(ii) be limited to runners, communication operators, telephone clerks, write-up clerks, TIPS clerks, supervisors, analysts and any other category which the President may specify from time to time;

(iii) attend a Sexual Harassment Awareness Course sponsored by or acceptable to the Exchange as may be determined by the President, in his sole discretion;

(iv) not consist of any other Member whose rights and privileges of Membership are suspended or any individual who has been expelled from Membership, where such employment or registration is in contravention of any term or condition of such suspension or expulsion which the Exchange, the Board or any Committee may impose or to which the suspended Member or expelled Person may have agreed.

[REMAINDER OF RULE UNCHANGED]

**Instructions for Access to
Sexual Harassment Awareness Training Course**

1. To access the course, please go to www.theicetraining.com/harassment
2. Click on "Take New Course" (on the top black menu bar).
3. You will be asked to register for the course. You will be asked to create a User Name and Password. The User Name must be at least five characters and the Password must be a minimum of eight characters. The purpose of the User ID and Password is to allow you to start and stop the program as often as desired and to then allow you to re-enter the course (from any computer) starting from where you left off.
4. When you have entered all your registration information and clicked the "Continue" button, you may be prompted to select which course you want. Please click on the Sexual Harassment Awareness Training Course.
5. The course will begin. If you have any technical problems please either call the provider Exchange Analytics at 800-823-8442 or email them at exch@xanalytics.com.

Re-Entry Into Course:

In order to re-enter the course from where you left off, please do the following:

1. Access the course at www.theicetraining.com
2. Click "Re-Enter Course" (on top black menu bar).
3. Enter your User ID and Password.