

Amendments underscored
Deletions [bracketed]

Rule 476A. Imposition of Fines for Minor Violation(s) of Rules

(a) In lieu of commencing a "disciplinary proceeding" as that term is used in Rule 476, the Exchange may, subject to the requirements set forth in this Rule, impose a fine, not to exceed \$5,000, on any member, member organization, [allied member,] principal executive, approved person, or registered or non-registered employee of a member or member organization, for any violation of a rule of the Exchange, which violation the Exchange shall have determined is minor in nature. Any fine imposed pursuant to this Rule and not contested shall not be publicly reported, except as may be required by Rule 19d-1 under the Securities Exchange Act of 1934, and as may be required by any other regulatory authority.

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• • • *Supplementary Material:*

List of Exchange Rule Violations and Fines Applicable Thereto Pursuant to Rule 476A

- Rule 15 ([ITS and] Pre-Opening Indications [Applications]) and Rule 15A ([ITS "Trade-Throughs" and "Locked-Markets" and ITS Block Trade Policy]Order Protection Rule)
- Rule 35 requirement that employees of members and member organizations be registered with, qualified by, and approved by the Exchange before being admitted to the Trading Floor.
- Failure to notify the Exchange's Security Office and surrender Exchange-issued identification cards within 24 hours of Floor members' or employees' termination or reassignment, or cancellation of such identification cards, as required by Rule 35.80
- Rule 36 provisions governing member and member organization communications between the Floor and other locations, the use and/or possession of portable or wireless communication or trading devices, and the proper handling and reporting of "give ups".
- Rule 60 requirements for dissemination of quotations for reported securities.
- Violation of the agency provisions of Rule 72[(b)](d)
- Rule 79A.[30]20 requirement to obtain Floor Official approval for trades at wide

variations from last sale

- Rule 91.10 requirements for a DMM to summon a representative of a firm who had entrusted an order with the DMM who has elected to take or supply for his or her account the securities named in the order to confirm the acceptance or rejection of such transaction.
- Rule 95 order identification requirements and prohibition of transactions which involve discretion on the Floor as to choice of security, total amount of security to be bought or sold or whether transaction is purchase or sale
- Reporting rule violations (Rules [97.40,] 104A.50, [107A.30, 112A.10, 304(h)(2),] 312(a), (b) & (c), 313, 345.12, 345.17, [346(c),] 351, [421, 440F, G &] 440H, 706, 4110.01, 4521, 4530 and 4560(a))
- Rule 103.[12]11 requirements to keep and provide records to the Exchange with respect to the time DMMs and DMM clerks are on the Floor of the Exchange acting in those capacities.
- Rule 104[(a)(1)(A)] requirements for the dealings and responsibilities of DMMs
- [• Rule 104.10 (Functions of DMM)]
- [• Rule 104.12 DMM investment account rule violations]
- Rule 105 and Guidelines [(DMM Registered Security Option Transactions)] (DMMs' Interest in Pools, Options, and Single Stock Futures)
- Rule 116.30 requirement for DMM's stopping stock
- Record retention rule violations (Rules 117, 121, 123, 123A.20, 345.11, 410, 432(a), 440, 440I and 472(c))
- Failure to Time-Record Orders Received at the DMM's Post (Rule 121) and Failure to Time-Record Orders received at a Member's Booth from off the Floor (Rule 123)
- Failure of a member or member organization to use standardized Floor stationery as required by Rule 123A.23
- [• Percentage Orders (Rule 123A.30)]
- Rule 123C - Failure to adhere to entry and cancellation procedures for limit-at-the-close and market-at-the-close orders
- Rule 123D requirements for DMMs relating to openings, re-openings, delayed openings, trading halts, and tape indications

- Failure to utilize procedures of Rule 127 to satisfy all better priced limit orders when effecting block crosses outside the quote and failure to provide public orders an execution at the cross price when required by Rule 127 procedures
- Failure to submit required trade data to comparison pursuant to Rule 130 within time periods determined by the Exchange.
- Failure to collect and/or submit all audit trail data specified in Rule 132
- Rule 134(c) and (e) requirement to comply with specified QT procedures and time periods
- Failure to Obtain Exchange Approval Rule Violations (Rules 312(h) & (i), 342(c), 342.10, [346(e) & (f),] 382(a), 791(c), and 4110)
- Failure of a member organization to have individuals responsible and qualified for the positions of Financial Principal, Operations Principal, Compliance Official, Branch Office Manager and Supervisory Analyst (Rules 342(b), (d) & .13, 311(b)(5), 344, and 3130(a))
- Rule 343 requirements relating to member organization office[r] sharing arrangements
- Failure of a member organization to have individuals responsible and qualified for the position[s] of Securities Lending Supervisor [and Securities Trader Supervisor] (Rule 345(a))
- Failure to obtain employer's prior written consent for engaging in an outside activity as required by Rule [346(b)] 3270
- Guaranteeing a customer's account against loss or sharing in profits or losses as prohibited by Rules 352(b) & (c), and 2150(b) & (c)
- Rule 387 requirements for customer COD/POD transactions
- Rules 392 and 5190 notification requirements
- Failure to acknowledge customer complaint within 15 business days, as required by Rule 401A
- Rule 407 requirements for transactions of employees of the Exchange, members or member organizations
- Rule 407A reporting and notification requirements for members
- Rule 408(a) requirement that written authorization be obtained for discretionary power in a customer's account

- Rule 410A requirements for automated submission of trading data
- Rule 410B requirements to report transactions in Exchange listed securities not otherwise reported to the Consolidated Tape
- Rule 411(b) requirement[s] to not combine the orders of several different customers to buy or sell odd-lots of the same stock, into a round-lot order, without the prior approval of the customers interested [to bundle multiple odd-lot orders in the same stock, which aggregate to 100 shares or more, to aggregate the orders into round-lot orders]
- Failure to transfer a customer securities account in accordance with the requirements of Rule 412 and the interpretations thereunder
- Failure to promptly provide or promptly update required membership profile information through the Exchange's Electronic Filing Platform ("EFP"), or failure to electronically certify that required membership profile information is complete and accurate, as required by Rule 416A
- Rule 440B short sale rule violations
- Rule 440C failure to deliver against a short sale without diligent effort to borrow
- Failure to designate and identify to the Exchange an Anti-Money Laundering contact person or persons as required by Rules 445(4) and 3310(d)
- Rules 451 and 452 requirements relating to transmission of proxy material and authorizing the giving of proxies
- Misstatements or omission of fact on submissions filed with the Exchange (Rule 476(a)(10))
- Rule 460.30 notification requirements
- Failure to submit books and records or to furnish information on the date or within the time period that the Exchange requires (Rule 476(a)(11))
- Rules 704 and 705 options position limits and exercise limits
- Failure of a member organization to have individuals responsible and qualified for the positions of Registered Options Principal, Senior Registered Options Principal and Compliance Registered Options Principal (Rules 720 and 722(b))
- Rule 726 options disclosure document and prospectus delivery requirement violations
- Rule 750(e)(i) requirement for options specialists to establish bid/ask spreads no greater than the maximum permitted Competitive Options Traders, based on the price

of the option or the bid/ask differential of the underlying security

- Rule 758(b)(i)(C)(1) requirement for Competitive Options Traders to establish bid/ask spreads no greater than the maximum permitted, based on the price of the option or the bid/ask differential of the underlying security
 - Rule 758(b)(ii)(A) limitations on principal/agency trading of a Competitive Options Trader
 - Rule 762 requirements to file option trade information
 - Rule 780(b)(i) requirement for members and member organizations to indicate final decisions of holders of equity options either to exercise or not to exercise expiring equity options by a specific time
 - Rule 780(f) requirement for members and member organizations to make, keep and file with the Exchange records concerning final exercise decisions made with respect to options in certain circumstances.
 - Rule 780.10(b) requirement to deliver "exercise advice"
 - Rule 781 allocation of exercise assignment notice violations
- [• Violations of Exchange policies regarding procedures to be followed in delayed opening situations]
- [• Failure to adhere to entry and cancellation procedures for limit-at-the-close and market-at-the-close orders on non expiration days, expiration Fridays and quarterly expirations days.]
- Failure of new member to adhere to order execution supervision procedures during period the member is required to wear a temporary badge
 - Failure to adhere to procedures for automatic execution of orders under the NYSE DIRECT +[®] facility (Rules 1000 - 1005)

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