

Additions underlined.  
Deletions [bracketed].

## Rules of NYSE Arca, Inc.

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### **Rule 2.4. Application Procedures**

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(e) The Exchange shall approve an application if it finds that the applicant meets all of the qualifications for holding an ETP or OTP, as applicable. The Exchange shall reject an application if it does not make such a finding or if it finds that, if the application were approved, the ETP Holder, OTP Holder or OTP Firm, as applicable, would be subject to suspension or expulsion under the provisions of the Bylaws, Rules or procedures of the Exchange or the rules, regulations and procedures promulgated under the Securities Exchange Act of 1934, as amended. Except as otherwise permitted by the Exchange, no person may become an ETP Holder, OTP Holder or OTP Firm or continue as an ETP Holder, OTP Holder or OTP Firm in any capacity on the Exchange where such person is subject to a statutory disqualification.

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(i) An applicant that is an approved NYSE Arca ETP Holder may apply to become an OTP Holder through an expedited process, by submitting a Short Form OTP Holder Application and an NYSE Arca User Agreement. An applicant that is an approved NYSE Arca OTP Holder may apply to become an ETP Holder through an expedited process, by submitting a Short Form ETP Holder Application and an NYSE Arca Equities User Agreement. The Short Form OTP Holder Application and Short Form ETP Holder Application shall contain information sufficient to establish the identity of the applicant as an approved NYSE Arca ETP Holder or OTP Holder, as applicable, its proposed activity on the Exchange, and certain contact personnel, in addition to any other information that may be required by the Exchange.

### **Commentary:**

.01 Statutory Disqualification Proceedings Pending Before Another SRO. The Exchange may waive the provisions of Rule 2.4(e) when a proceeding is pending before another self-regulatory organization to determine whether to permit a member or associated person of a member to become or continue membership or association notwithstanding a statutory disqualification. In the event the Exchange determines to waive the provisions of Rule 2.4(e) with respect to an existing or prospective ETP Holder, OTP Holder, OTP Firm or covered person, the Exchange shall determine whether it will concur in any Exchange Act Rule 19h-1 filing made by another self-regulatory organization with respect to the permit holder or covered person.

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