

Additions: Underlined

Deletions: [Bracketed]

Rules of NYSE National, Inc.

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**Rule 10.9217. Violations Appropriate for Disposition Under Rule 10.9216(b)**

- (a) Any ETP Holder or Associated Person may be subject to a fine, not to exceed \$5,000, under Rule 10.9216(b) with respect to any rules listed below. The fine amounts and fine levels set forth below shall apply to the fines imposed. [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 Exchange Act or as may be required by any other regulatory authority.]
- (b) [If a person or organization that has been fined pursuant to this Rule pays the fine, such payment shall be deemed a waiver of any right to a disciplinary proceeding under the Rule 10.9000 Series and of any right to review of the matter by the BCC, CFR or the Board of Directors.]Regulatory Staff designated by the Exchange shall have the authority to impose a fine pursuant to this Rule.
- (c) [Any person or organization that has been fined pursuant to this Rule may contest such fine by filing with Enforcement a written application containing: (1) an identification of the Exchange action over which the review is being requested; (2) the reason(s) why the applicant disagrees with such action; and (3) the relief sought. Such written application must be submitted not more than five (5) business days after receipt of written notification that a fine has been imposed pursuant to this Rule. If a determination is contested pursuant to this subsection, the matter shall become a formal disciplinary action, and any penalty imposed by a hearing panel shall be publicly reported to the Exchange membership after such decision has become "final" pursuant to Rule 10.8313. ]Any person or organization found in violation of a minor rule under this plan is not required to report such violation on SEC Form BD or Form U-4, provided that the sanction imposed consists of a fine not exceeding \$2,500 and the sanctioned person or organization has not sought an adjudication, including a hearing, or otherwise exhausted the administrative remedies available with respect to the matter. Any fine imposed in excess of \$2,500 will be subject to current rather than quarterly reporting to the Securities and Exchange Commission pursuant to Rule 19d-1 under the Exchange Act.
- (d) Nothing in this Rule shall require the Exchange to impose a fine for a violation of any rule under this Minor Rule Plan. If the Exchange determines that any violation is not minor in nature, the Exchange may, at its discretion, proceed under the Rule 10.9000 Series rather than under this Rule.

**List of Rule Violations and Fines Applicable Thereto**

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(f) Record Keeping and Other Minor Rule Violations.

- Failure to comply with the employee registration or other requirements of Rule 2.2.
- Failure to comply with the Rule 2.1210 requirement that each person engaged in the investment banking or securities business of an ETP Holder be registered with the Exchange as a representative or principal in each category of registration appropriate to his or her functions and responsibilities as specified in Rule 2.1220.
- Failure to comply with the books and records requirements of Rule 11.4.1.
- Failure to comply with the requirements for preventing the misuse of material nonpublic information as set forth in Rule 11.5.5 and its Commentaries.
- Failure to comply with the supervision requirements of Rules 11.3.2 and 11.5.1
- Failure to comply with the supervision requirements of Rules 11.3.2 and 11.5.2.
- Failure to comply with the Consolidated Audit Trail Compliance Rule requirements set forth in the Rule 6.6800 Series.

(g) Fine Schedule

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(2) Record Keeping and Other Minor Rule Violations Fine Levels

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5. Failure to comply with the supervision requirements of Rules 11.3.2 and 11.5.2	\$2,000.00	\$4,000.00	\$5,000.00
<u>6. Failure to comply with the registration requirements of Rule 2.1210</u>	<u>\$1,000.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
[6]7. Failure to comply with the Consolidated Audit Trail Compliance Rule requirements set forth in the Rule 6.6800 Series <sup>2</sup>		[Up to \$2,500.00]	

<sup>1</sup> In addition to the specified fines, the Exchange may require the violator to remit all fees that it should have paid to the Exchange pursuant to compliance with Rule 2.2.

<sup>2</sup> For failures to comply with the Consolidated Audit Trail Compliance Rule requirements of the Rule 6.6800 Series, the Exchange may impose a minor rule violation fine of up to \$2,500. For more serious violations, other disciplinary action may be sought.

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