

## EXHIBIT 5

Additions underscored  
Deletions [bracketed]

\* \* \* \* \*

Effective Date: [December 1] January 2, 201[2]3

### NYSE Arca GENERAL OPTIONS and TRADING PERMIT (OTP) FEES

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#### REGULATORY FEES

Focus Filing Fee            \$100 annual filing fee for OTP Firms for which the Exchange is the Designated Examining Authority

Options Regulatory Fee\* \$0.004 per contract (\$0.005 per contract effective December 1, 2012)

\* The Options Regulatory Fee will be assessed on each OTP Holder or OTP Firm for all options transactions executed or cleared by the OTP Holder or OTP Firm that are cleared by The Options Clearing Corporation (“OCC”) in the customer range regardless of the exchange on which the transaction occurs. The fee is collected indirectly from OTP Holders and OTP Firms through their clearing firms by OCC on behalf of NYSE Arca. Effective December 1, 2012, an OTP Holder or OTP Firm shall not be assessed the fee until it has satisfied applicable technological requirements necessary to commence operations on NYSE Arca.

[Registration Fee]            [\$95 NASD Disclosure Processing Fee]  
   [\$13 NASD Manual Processing Fee for Fingerprint results submitted by other SROs]

DEA Fee                        \$2,000 monthly fee per firm<sup>3</sup>  
   \$250 annual fee per trader<sup>3</sup>  
   \$250 per quarter for firms not engaging in a public business<sup>4</sup>

APPLICATION RESULTING IN  
STATUTORY DISQUALIFICATION  
PROCEEDINGS

\$2,000 fee per application

**CRD Fees for OTP Holders and OTP Firms that are not FINRA Members**

<u>Each initial Form U4 filed for the registration of a representative or principal</u>	<u>\$100</u>
<u>Additional processing of each initial or amended Form U4, Form U5 or Form BD that includes the initial reporting, amendment, or certification of one or more disclosure events or proceedings</u>	<u>\$110</u>
<u>Processing and posting to the CRD system each set of fingerprints submitted electronically to FINRA, plus any other charge that may be imposed by the U.S. Department of Justice for processing each set of fingerprints</u>	<u>\$15</u>
<u>Processing and posting to the CRD system each set of fingerprint cards submitted in non-electronic format to FINRA, plus any other charge that may be imposed by the U.S. Department of Justice for processing each set of fingerprints</u>	<u>\$30</u>
<u>Processing and posting to the CRD system each set of fingerprint results and identifying information that have been processed through another self-regulatory organization and submitted to FINRA</u>	<u>\$30</u>
<u>System processing for each registered representative and principal</u>	<u>\$45 annually</u>

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3. This fee will apply to OTP Firms for which the Exchange is the Designated Examining Authority. An exemption from this fee will be granted to any NYSE Arca registered Floor Broker or Market Maker that effects at least 25% of all securities transactions, as measured in contract or share volume, on any options trading facility of NYSE Arca.

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