SUGGESTED CHANGES TO THE RULES AND REGULATIONS OF NASDAQ OMX DERIVATIVES MARKETS

Implementation 1 November 2012
INTRODUCTION

This document contains a high level description of suggested changes to the Rules and Regulations of NASDAQ OMX Derivatives Markets (the “Rules”). Updates of the Rules are normally done twice a year with the purpose of introducing new functions and features as well as securing that the Rules are correct and reflect the current activities at NASDAQ OMX Derivatives Markets (“NASDAQ OMX”), but updates may also be made at other times if required.

This update is made to accommodate the new EU regulation on short selling (Regulation No 236/2012 of the European Parliament and of the Council) (the “Regulation”) which enters into force on 1 November 2012.

For an exhaustive version of the suggested changes, please find the track-changes versions of the Rules attached to the e-mail. Changes of editorial nature may not be set out in this document, but are included in the track-changes versions of the Rules attached to the e-mail.

The updated Rules will be implemented on 1 November 2012.

CONTRACT SPECIFICATIONS (CHAPTER 4 PART I AND II)

1) 4.3, 4.4, 4.28, 4.29, 4.46, 4.47, 4.48, 4.49, 4.56 and 4.57; The buy-in provision in each contract specification is amended to reflect the requirements of the Regulation that (i) NASDAQ OMX shall ensure that procedures are automatically triggered for the buy-in of shares to ensure delivery where a member who sells shares is not able to deliver the shares for settlement within four business days after the day on which settlement is due; (ii) where the buy-in of shares for delivery is not possible, an amount shall be paid to the buyer based on the value of the shares to be delivered at the delivery date plus an amount for losses incurred by the buyer as a result of the settlement failure; and (iii) the member who fails to settle reimburses all amounts paid pursuant to points (i) and (ii) above.