

COMMODITY FUTURES TRADING COMMISSION

FORM TER

LISTED SWAPS SUBJECT TO THE TRADE EXECUTION REQUIREMENT

INSTRUCTIONS

Intentional misstatements or omissions of material fact may constitute federal criminal violations (7 U.S.C. 13 and 18 U.S.C. 1001).

DEFINITIONS

Unless the context requires otherwise, all terms used in this Form TER have the same meaning as in the Commodity Exchange Act, as amended (“CEA” or “Act”), and in the General Rules and Regulations of the Commodity Futures Trading Commission (“Commission”) thereunder (17 CFR chapter I).

GENERAL INSTRUCTIONS

1. This Form TER, which includes instructions, is to be filed with the Commission by a designated contract market (“DCM”) or swap execution facility (“SEF”) for a swap or a group, category, type, or class of swaps, that is subject to or that becomes subject to the clearing requirement of section 2(h)(1) of the Act that the DCM or SEF lists for trading.
2. Individuals’ names, except the executing signature, shall be given in full (Last Name, First Name, Middle Name).
3. Signatures on all copies of the Form TER filed with the Commission can be executed electronically. If this Form TER is filed by a corporation, it shall be signed in the name of the corporation by a principal officer duly authorized; if filed by a limited liability company, it shall be signed in the name of the limited liability company by a manager or member duly authorized to sign on the limited liability company’s behalf; if filed by a partnership, it shall be signed in the name of the partnership by a general partner duly authorized; if filed by an unincorporated organization or association which is not a partnership, it shall be signed in the name of such organization or association by the managing agent, *i.e.*, a duly authorized person who directs or manages or who participates in the directing or managing of its affairs.
4. If any item is inapplicable, indicate by “none,” “not applicable,” or “N/A,” as appropriate.
5. The Commission may determine that additional information is required from the DCM or SEF in order to process its filing. **A Form TER that is not prepared and executed in compliance with applicable requirements and instructions**

CFTC Form TER

may be returned as not acceptable for filing. Acceptance of this Form TER, however, shall not constitute a finding that the Form TER has been filed as required or that the information submitted is true, current, or complete.

6. The information submitted on this Form TER will be published and maintained on the Commission's website and be available for inspection by any interested person.

AMENDMENTS

1. When filing this Form TER for purposes of amending a prior filing pursuant to § 36.2 of the Commission's regulations (17 CFR 36.2), a DCM or SEF must file a complete form that is marked to show changes as applicable.
2. Amendments shall be signed on behalf of the DCM or SEF by a duly authorized representative.

WHERE TO FILE

This Form TER must be filed electronically with the Secretary of the Commission in the manner specified by the Commission.

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Registered Entity Identifier Code (*optional*):

Organization:

Filing as a: ___ DCM ___ SEF

- If this is an **INITIAL** filing of Form TER, complete in full and check here.
- If this is an **AMENDMENT** to a previously filed Form TER, complete in full, list all items that are amended and check here.

SIGNATURES

The DCM or SEF has duly caused this Form TER or amendment to be signed on its behalf by the undersigned, hereunto duly authorized, this ___ day of _____, 20___. The undersigned represents hereby that all information contained herein is true, current, and complete. It is understood that all required items are considered integral parts of this Form TER and that the submission of any amendment represents that all unamended items remain true, current, and complete as previously filed.

Name of DCM or SEF

Signature of Duly Authorized Person

Print Name and Title of Signatory

CFTC Form TER

GENERAL INFORMATION – EXHIBIT INSTRUCTIONS

1. The following Exhibit(s) must be filed with the Commission for each swap, or any group, category, type, or class of swaps that the DCM or SEF lists for trading that is subject to the clearing requirement under section 2(h)(1) of the Act as set forth in § 50.4 of the Commission’s regulations (17 CFR 50.4).
2. An Exhibit must be labeled and include the information as specified in this Form TER. The following tables are the required template and must be reproduced for each contract listing, as appropriate.

EXHIBIT A-1 – INTEREST RATES

1. Attach as **Exhibit A-1**, the interest rate contracts the DCM or SEF lists for trading that are subject to the clearing requirement.

Product Class/Specification	
Currency	
Floating Rate Index	
Stated Termination Date Range	
Optionality	
Dual Currencies	
Conditional Notional Amounts	

EXHIBIT A-2 – CREDIT

2. Attach as **Exhibit A-2**, the credit contracts the DCM or SEF lists for trading that are subject to the clearing requirement.

Product Class/Specification	
Reference Entities	
Region	
Indices	
Tenor	
Applicable Series	
Tranched	