



DIVISION OF SWAP DEALER AND INTERMEDIARY OVERSIGHT

STAFF ADVISORY

CFTC Staff Advisory
Other Written Communication
January 19, 2016

Audience: Chief Compliance Officers of Swap Dealers and Futures Commission Merchants (FCMs) that are “Banking Entities” under the Volcker Rule

Topic: Volcker Rule Compliance

Part 75 of the Commodity Futures Trading Commission’s regulations¹ implements section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly referred to as the “Volcker Rule.” This advisory is being issued to remind chief compliance officers of swap dealers and FCMs that are “banking entities” as defined in regulation 75.2(c), that the compliance requirements in Subpart D of Part 75 are included in the CFTC regulations that are to be addressed as part of the CCO duties and requirements under regulation 3.3.²

Notably, these regulations are included in the regulatory requirements to be addressed in CCO annual reports pursuant to regulation 3.3(e). Banking entities were required to conform their activities to the Volcker Rule and regulations by July 21, 2015 with limited exceptions for legacy covered funds.³ Accordingly, CCO annual reports for swap dealers and FCMs that are banking entities covering fiscal years ending after July 21, 2015 must address the compliance requirements in Subpart D of Part 75.

¹ See, Prohibitions and Restrictions on Proprietary Trading and Certain Interests in, and Relationships With, Hedge Funds and Private Equity Funds, 79 Fed. Reg. 5808-6075 (Jan. 31, 2014).

² *Id.* at 6020.

³ Board of Governors of the Fed. Res. Sys., Order Approving Extension of Conformance Period (Dec. 31, 2013) (*and see* Order Approving Extension of Conformance Period Under Section 13 of the Bank Holding Company Act, Dec. 18, 2014).