

**TEMPLATE: DO NOT SEND TO NFA**

## **NATIONAL FUTURES ASSOCIATION**

### **FIRM WITHDRAWAL**

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#### **Instructions for Using the Firm Withdrawal Template**

This document is not a Firm Withdrawal Request form. Do not send this document to NFA. It is a template that you may use to assist in filing the electronic withdrawal request.

You may fill out the template online and save and/or print it when you are finished or you can download the template and/or print it and fill it out later.

Not every section applies to every withdrawing firm. Certain sections apply depending on the reason for withdrawal. The text above these sections explains who must complete the section. In the electronic application, only the applicable sections will appear.

#### **Additional Assistance**

Additional information regarding registration requirements and specific topics can be found on the Registration page of NFA's web site at [www.nfa.futures.org](http://www.nfa.futures.org). NFA's Information Center, (800-621-3570 or 312-781-1410), is also available to provide assistance. It's normal hours are Monday through Friday, from 8:00 AM to 5:00 PM CT.

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## NATIONAL FUTURES ASSOCIATION

### FIRM WITHDRAWAL

Firm Name\*

Firm NFA ID#\*

#### Withdrawal Categories\*

Check all categories for which withdrawal is requested.

Enter the last date that activities requiring registration or approval will be or were performed. Leave blank if never commenced.

Category

Date Activities Ceased

☐

NFA MEMBER

☐

FOREX FIRM

☐

SWAP FIRM

☐

FOREX DEALER MEMBER

☐

FUTURES COMMISSION MERCHANT

☐

INTRODUCING BROKER

☐

COMMODITY POOL OPERATOR

☐

COMMODITY TRADING ADVISOR

☐

RETAIL FOREIGN EXCHANGE DEALER

☐

SWAP DEALER

☐

MAJOR SWAP PARTICIPANT

☐

FLOOR TRADER FIRM

List Clearing Firm(s):

\*Required to file withdrawal

# NATIONAL FUTURES ASSOCIATION

## FIRM WITHDRAWAL

### Location of Business Records

Enter the person having custody of the books and records of the registrant and the location of the books and records of the registrant. Such person is authorized to make the books and records of the registrant available in accordance with CFTC Regulation 1.31.

#### Books and Records Custodian

Name*	<input type="text"/>
Street Address1*	<input type="text"/>
Street Address2	<input type="text"/>
Street Address3	<input type="text"/>
City**	<input type="text"/>
State* (US Only)	<input type="text"/>
Province	<input type="text"/>
Zip/Postal Code**	<input type="text"/>
Country*	<input type="text"/>

Phone Number*	<input type="text"/>
Fax Number*	<input type="text"/>

E-Mail Address	<input type="text"/>
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#### Books and Records Location

Street Address1*	<input type="text"/>
Street Address2	<input type="text"/>
Street Address3	<input type="text"/>
City**	<input type="text"/>
State* (US Only)	<input type="text"/>
Province	<input type="text"/>
Zip/Postal Code**	<input type="text"/>
Country*	<input type="text"/>

\*Required to file withdrawal

\*\* Required to file withdrawal request for United States address

## NATIONAL FUTURES ASSOCIATION

### FIRM WITHDRAWAL

#### Basis for Withdrawal

Check all that apply.

##### Basis for Withdrawal Request\*

- ☐ The registrant has not commenced engaging in activities requiring registration or approval in such capacity.
- ☐ The registrant has ceased engaging in activities requiring registration or approval in such capacity.
- ☐ The registrant is exempt from registration in such capacity.
- ☐ The registrant is excluded from the persons or any class of persons required to be registered in such capacity.
- ☐ The registrant will cease engaging in activities requiring registration in such capacity when it becomes registered in another capacity for which it has applied for registration.

New registration capacity:

- |   |  |
|---|--|
| <input type="checkbox"/> Futures Commission Merchant    | <input type="checkbox"/> Commodity Pool Operator |
| <input type="checkbox"/> Introducing Broker             | <input type="checkbox"/> Swap Dealer             |
| <input type="checkbox"/> Retail Foreign Exchange Dealer | <input type="checkbox"/> Major Swap Participant  |
| <input type="checkbox"/> Commodity Trading Advisor      | <input type="checkbox"/> Floor Trader Firm       |
- ☐ The registrant will cease engaging in activities requiring registration or approval in such capacity when it merges with another firm which is or will be registered.

Name of the firm to be merged with:

#### Requested Withdrawal Date

Enter a date if the registration or approval needs to be withdrawn at a date other than 30 days from NFA's receipt of this request. If withdrawal is requested fewer than 30 days from NFA's receipt of the request, explain the reason for expediting the request.

Requested Date:

Reason:

## NATIONAL FUTURES ASSOCIATION

### FIRM WITHDRAWAL

Only firms that indicated that they are exempt or excluded from registration as the basis for their withdrawal complete this section.

#### Basis for Exemption

Answer the following questions.

Indicate the section of the Act, regulations or other authority permitting exemption or exclusion.\*

Indicate the circumstances which entitle the registrant to claim such exemption or exclusion.\*

Only firms that indicated that they have ceased engaging in activities requiring registration or approval as the basis for their withdrawal complete this section.

#### Additional Customer Information

Check all that apply.

- ☐ All customer or option customer agreements have been terminated or transferred.
- ☐ All positions have been closed or transferred.
- ☐ All cash balances, securities or other property, including any interest and assets in any commodity pool, have been returned, distributed, redeemed or transferred.

If customer agreements, positions or cash balances, securities or other property have been transferred, list recipient:

- ☐ All guarantee agreements have been terminated in accordance with the provisions of CFTC Regulation 1.10(j).
- ☐ There are no pending, anticipated or potential customer, option customer, swap counterparty or commodity pool participant claims against the registrant.

\*Required to file withdrawal

**FIRM WITHDRAWAL**

**Privacy Act and Paperwork Reduction Act Notice**

OMB# 3038-0072

**Privacy Act and Paperwork Reduction Act Notice**

The information in Forms 7-R, 7-W, 8-R and 8-T and on the fingerprint card is being collected pursuant to authority granted in Sections 2c, 4f, 4k, 4n, 4s, 8a and 19 of the Commodity Exchange Act [7 U.S.C. §§ 6f, 6k, 6n, 6s, 12a and 23]. Under Section 2c, it is unlawful for anyone to engage in off-exchange foreign currency futures transactions or off-exchange foreign currency leveraged, margined or financed transactions with persons who are not eligible contract participants without registration, or exemption from registration, as a retail foreign exchange dealer, futures commission merchant, introducing broker, commodity pool operator or commodity trading advisor, as appropriate. Under Section 4d of the Commodity Exchange Act [7 U.S.C. §6d], it is unlawful for anyone to act as a futures commission merchant or introducing broker without being registered in that capacity under the Act. Under Section 4m of the Commodity Exchange Act [7 U.S.C. §6m], it is unlawful for a commodity trading advisor or commodity pool operator to make use of the mails or any means or instrumentality of interstate commerce in connection with his business as a commodity trading advisor or commodity pool operator without being registered in the appropriate capacity under the Act, except that a commodity trading advisor who, during the course of the preceding 12 months, has not furnished commodity trading advice to more than 15 persons and does not hold himself out generally to the public as a commodity trading advisor, need not register. Under Section 4s of the Commodity Exchange Act [7 U.S.C. §6s], it is unlawful for anyone to act as a swap dealer or major swap participant without being registered in that capacity under the Act. Under Section 19 of the Commodity Exchange Act [7 U.S.C. §23] and Section 31.5 of the CFTC's regulations, it is unlawful for anyone to act as a leverage transaction merchant without being registered in that capacity under the Act.

The information requested in Form 7-R is designed to assist NFA and the CFTC, as appropriate, in determining whether the application for registration should be granted or denied and to maintain the accuracy of registration files. The information in Form 7-W is designed to assist NFA and the CFTC in determining whether it would be contrary to the requirements of the Commodity Exchange Act, or any rule, regulation or order thereunder, or the public interest to permit withdrawal from registration.

The information requested in Form 8-R and on the fingerprint card will be used by the CFTC or NFA, as appropriate, as a basis for initiating an inquiry into the individual's fitness to be an associated person, floor broker or floor trader or to be a principal of a futures commission merchant, swap dealer, major swap participant, retail foreign exchange dealer, introducing broker, commodity trading advisor, commodity pool operator, leverage transaction merchant or non-natural person floor trader. Portions of the information requested in Form 8-R will be used by the CFTC and, in appropriate cases, by NFA, to confirm the registration of certain associated persons. The information requested in Form 8-T will be used by the CFTC, and, in appropriate cases, by NFA, to record the registration status of the individual and, in appropriate cases, as a basis for further inquiry into the individual's fitness to remain in business subject to the CFTC's jurisdiction.

With the exception of the social security number, all information in Forms 8-R and 8-T must be furnished. Disclosure of the social security number is voluntary. Disclosure of the Federal employer identification number is voluntary. The Social security number and the Federal employer identification number are sought pursuant to the Debt Collection Improvement Act of 1996. Under the Debt Collection Improvement Act, a social security number or a taxpayer identifying number furnished to the CFTC as part of the registration process can be used for purposes of collecting and reporting on any debt owed to the U.S. Government, including civil monetary penalties. The furnishing of a social security number or Federal employer identification number, however, assists the CFTC and NFA in identifying individuals and firms and therefore expedites the processing of those forms.

The failure by an applicant, registrant or principal to timely file a properly completed Form 7-R and all other related required filings may result in the denial of an application for registration or withdrawal thereof or, in the case of an annual records maintenance fee, treating the registrant as having petitioned for withdrawal. Failure by an applicant, registrant or principal

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## NATIONAL FUTURES ASSOCIATION

### FIRM WITHDRAWAL

#### Privacy Act and Paperwork Reduction Act Notice

to timely file or cause to be filed a properly completed Form 8-R or 8-T, any other required related filings, or a fingerprint card may result in the lapse, denial, suspension or revocation of registration, withdrawal of the application or other enforcement or disciplinary action by the CFTC or NFA.

With the exception of the fingerprint card, any information contained in the Personal Information Section and any information contained in Matter Information pages related to the Disciplinary Information Sections on Form 8-R and on Form 8-T or Item 7 on Form 8-W, the Forms 7-R, 7-W, 8-R and 8-T are considered by the CFTC to be public records and will be available for inspection by any person. Copies will be maintained by National Futures Association, Registration Department, Suite 1800, 300 S. Riverside Plaza, Chicago, IL 60606-6615. Further, the CFTC or NFA may disclose the fingerprint card and any other information described above to third parties pursuant to routine uses which the CFTC has published in the Federal Register or as otherwise authorized under the Privacy Act, [5 U.S.C. §552a], and the Commodity Exchange Act. Disclosure of such information may be made by the CFTC as follows: (1) in connection with administrative proceedings or matters in litigation; (2) in connection with investigations; (3) where the information is furnished to regulatory, self-regulatory and law enforcement or other governmental agencies to assist them in meeting responsibilities assigned to them by law or made available to any member of Congress who is acting in his or her capacity as a member of Congress; (4) where disclosure is required under the Freedom of Information Act [5 U.S.C. §552]; (5) in connection with an employer's hiring or retention of an employee; (6) in connection with the verification of information submitted for sponsorship purposes; (7) in other circumstances in which the withholding of such information appears unwarranted; and (8) in connection with legally required or authorized reports. Disclosure may be made by NFA in accordance with rules approved by the CFTC.

If an individual believes that the placing in the CFTC's or NFA's public files of any of the information contained in the Personal Information Section or in Matter Information pages related to Disciplinary Information on Form 8-R and on Form 8-T or Item 7 on Form 8-W, or on the fingerprint card would constitute an unwarranted invasion of his personal privacy, the individual may petition the CFTC, pursuant to 17 CFR 145.9, to treat such information as confidential in response to requests under the Freedom of Information Act (FOIA) [5 U.S.C. §552]. The CFTC will make no determination as to confidential treatment of information submitted unless and until the information is the subject of an FOIA request. The filing of a petition for confidential treatment, however, does not guarantee that the information will be treated confidentially in response to an FOIA request.

Forms which have not been prepared and executed in compliance with applicable requirements may not be acceptable for filing. Acceptance of this form shall not constitute any finding that the information is true, current or complete. Misstatements or omissions of fact may constitute federal criminal violations [7 U.S.C. §13 and 18 U.S.C. §1001] or grounds for disqualification from registration.

This notice is provided in accordance with the requirements of the Privacy Act, [5 U.S.C. §552a(e)(3)] and summarizes some of an individual's rights under the Privacy Act [5 U.S.C. §552a] and the Freedom of Information Act [5 U.S.C. §552]. Individuals desiring further information should consult the CFTC's regulations under the Privacy Act, 17 CFR Part 146, and under the Freedom of Information Act, 17 CFR Part 145, and the CFTC's annual notice, published in the Federal Register, pursuant to the Privacy Act, of the existence and character of each system of records maintained by the CFTC.

You are not required to provide the information requested on a form subject to the Paperwork Reduction Act unless the form displays a valid OMB Control Number.

The time needed to complete and file Form 7-R, Form 3-R, Form 7-W, Form 8-R and Form 8-T and Form 8-W may vary depending upon individual circumstances. The estimated average times are:

Form 7-R				Form 3-R	0.1 hours
FCM	0.5 hours	IB	0.4 hours	Form 7-W	0.1 hours
SD	1.0 hour	CPO	0.4 hours	Form 8-R	0.8 hours
MSP	1.0 hour	CTA	0.4 hours	Form 8-T	0.2 hours
RFED	0.5 hours	FT	0.5 hours	Form 8-W	0.1 hours

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## **NATIONAL FUTURES ASSOCIATION**

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#### **Withdrawal Agreement**

BY FILING THIS FORM 7-W, THE REGISTRANT AGREES THAT SUCH FILING CONSTITUTES THE REGISTRANT'S certification that the answers and the information provided in the Form 7-W are true, complete and accurate and that in the light of the circumstances under which the registrant has given them, the answers and statements in the Form 7-W are not misleading in any material respect; certification that the person who electronically files the Form 7-W on behalf of the registrant is authorized by the registrant to file the Form 7-W on its behalf and to make all required certifications and acknowledgements; and acknowledgement that the registrant is subject to the imposition of criminal penalties under Section 9(a) of the Act and 18 U.S.C. §1001 for any false statements or omissions made in the Form 7-W.