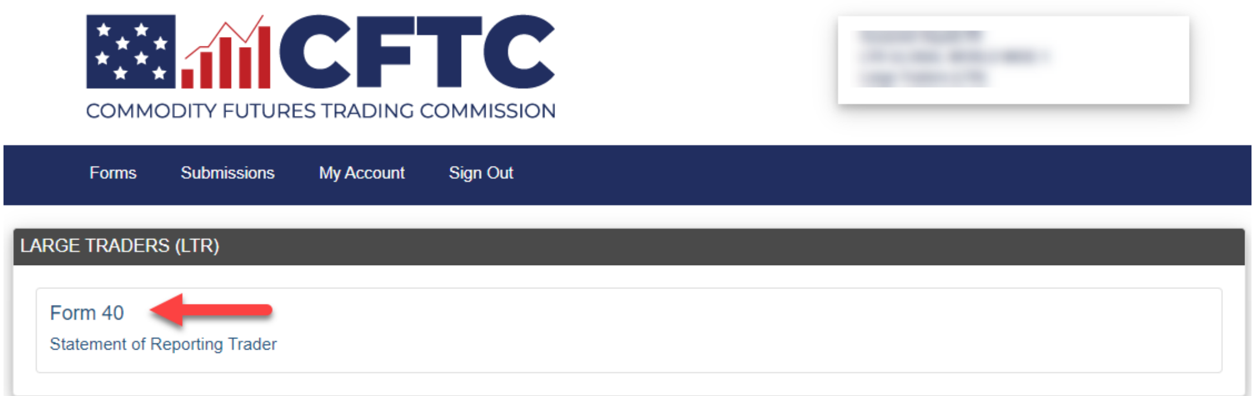
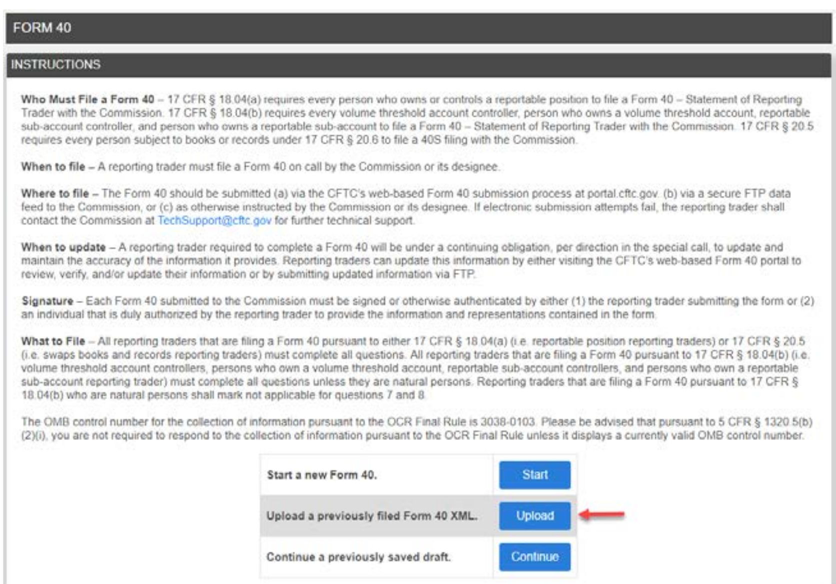
How do I amend a previously filed Form 40?

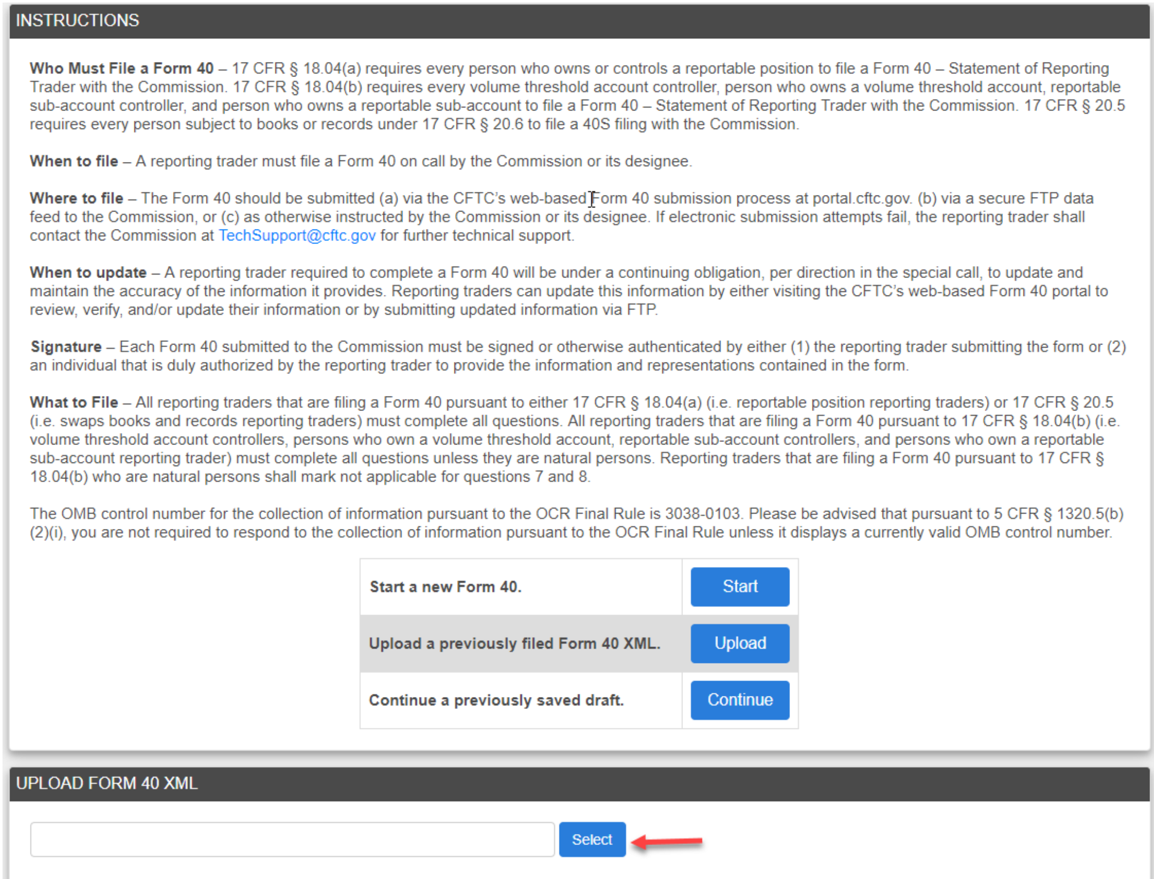
1. After successfully signing in to the CFTC Portal, select “Form 40” from the Forms page.



2. Select [Upload] to upload a previously filed Form 40 XML.



3. Choose the desired Form 40 XML file by selecting [Select].


INSTRUCTIONS

Who Must File a Form 40 – 17 CFR § 18.04(a) requires every person who owns or controls a reportable position to file a Form 40 – Statement of Reporting Trader with the Commission. 17 CFR § 18.04(b) requires every volume threshold account controller, person who owns a volume threshold account, reportable sub-account controller, and person who owns a reportable sub-account to file a Form 40 – Statement of Reporting Trader with the Commission. 17 CFR § 20.5 requires every person subject to books or records under 17 CFR § 20.6 to file a 40S filing with the Commission.

When to file – A reporting trader must file a Form 40 on call by the Commission or its designee.

Where to file – The Form 40 should be submitted (a) via the CFTC's web-based Form 40 submission process at portal.cftc.gov. (b) via a secure FTP data feed to the Commission, or (c) as otherwise instructed by the Commission or its designee. If electronic submission attempts fail, the reporting trader shall contact the Commission at TechSupport@cftc.gov for further technical support.

When to update – A reporting trader required to complete a Form 40 will be under a continuing obligation, per direction in the special call, to update and maintain the accuracy of the information it provides. Reporting traders can update this information by either visiting the CFTC's web-based Form 40 portal to review, verify, and/or update their information or by submitting updated information via FTP.

Signature – Each Form 40 submitted to the Commission must be signed or otherwise authenticated by either (1) the reporting trader submitting the form or (2) an individual that is duly authorized by the reporting trader to provide the information and representations contained in the form.

What to File – All reporting traders that are filing a Form 40 pursuant to either 17 CFR § 18.04(a) (i.e. reportable position reporting traders) or 17 CFR § 20.5 (i.e. swaps books and records reporting traders) must complete all questions. All reporting traders that are filing a Form 40 pursuant to 17 CFR § 18.04(b) (i.e. volume threshold account controllers, persons who own a volume threshold account, reportable sub-account controllers, and persons who own a reportable sub-account reporting trader) must complete all questions unless they are natural persons. Reporting traders that are filing a Form 40 pursuant to 17 CFR § 18.04(b) who are natural persons shall mark not applicable for questions 7 and 8.

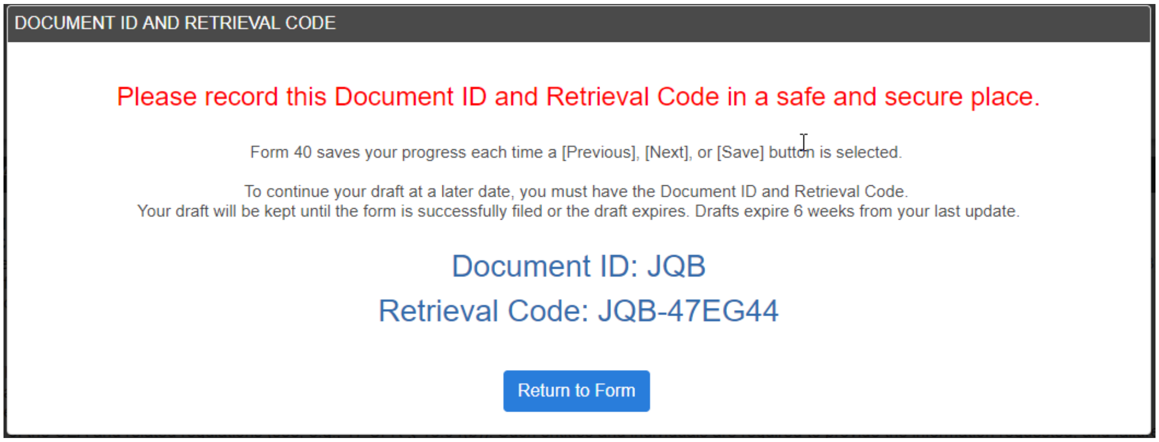
The OMB control number for the collection of information pursuant to the OCR Final Rule is 3038-0103. Please be advised that pursuant to 5 CFR § 1320.5(b)(2)(i), you are not required to respond to the collection of information pursuant to the OCR Final Rule unless it displays a currently valid OMB control number.

Start a new Form 40.	Start
Upload a previously filed Form 40 XML.	Upload
Continue a previously saved draft.	Continue

UPLOAD FORM 40 XML

Select

4. Once the XML file has been uploaded, the Document ID and Retrieval Codes appear. Please record this information for future access to this draft. Once recorded, select [Return to Form].



5. The form is populated with the information from the XML file.