

CFTC Record Retention Schedule

by Practical Law Litigation

Maintained • USA (National/Federal)

Related Content

A schedule of the records that must be retained by certain national securities exchange members, brokers and dealers, money market funds, registered investment companies, investment advisors, transfer agents, and other entities that are regulated by the US **Commodity Futures Trading Commission**.

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Record retention schedules should list the records that employees typically create and receive, as well as those that they infrequently handle. The schedules should list each type of record alongside the minimum length of time that employees must retain it. Certain regulations requiring the retention of specific records apply only to particular types of entities. In addition to the rules and regulations listed in the record retention schedule below, there are specific record-keeping requirements that narrowly affect certain entities according to their industry, regulators, and member organizations (for example, the [New York Stock Exchange](#)).

The schedules below list the record retention requirements for certain futures commission merchants, brokers, contract markets and affiliated members or clearing organizations, commodity pool operators, commodity trading advisors, leverage transaction merchants, and other persons or entities regulated by the **Commodity Futures Trading Commission (CFTC)**. They do not cover record retention requirements imposed by state law. They may be incorporated into a company's general records retention schedule. Counsel for SEC-regulated companies should review the SEC's record retention regulations to determine which of the record types listed below they should include in their company's record management system. For more information on how to draft a proper record retention policy, see Practice Note, [Drafting a Document Retention Policy](#) and [Standard Document, Document Retention Policy](#).

CFTC Record Retention Schedule - Futures Commission Merchants and Introducing Brokers

RECORD	RETENTION PERIOD
Futures commission merchants and introducing brokers	
Ledgers or similar records, including supporting documents, of transactions that affect: <ul style="list-style-type: none">AssetsLiabilityIncome	5 years. Electronic records must be readily accessible for the entire period. Paper records must be stored in an easily accessible place the first 2 years.

<ul style="list-style-type: none"> Expense and capital accounts <p>[Not applicable to introducing brokers and applicants therefor operating under a guarantee agreement, if they are not also securities brokers or dealers.]</p>	
<p>Computations of adjusted net capital and minimum financial requirements as of the close of business each month.</p> <p>[Not applicable to introducing brokers and applicants therefor operating under a guarantee agreement, if they are not also securities brokers or dealers.]</p>	<p>5 years. Electronic records must be readily accessible for the entire period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records of all transactions corresponding to business of commodity interests and related cash or forward transactions [For a fully comprehensive list of commodity interest and related records, see 17 C.F.R § 1.35(a)(1)(i).]</p> <p>[Only applicable to futures commission merchants, retail foreign exchange dealers, and introducing brokers that generated over the preceding three years more than \$5 million in aggregate gross revenues from activities as introducing brokers]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p> <p>All records must be kept in a form and manner that allows for identification of a particular transaction.</p>
<p>All documents on which trade information is originally recorded.</p> <p>[This is applicable if also a member of a designated contract market or swap execution facility.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p> <p>All records must be kept in a form and manner that allows for identification of a particular transaction.</p>
<p>All oral and written communications provided or received regarding quotes, solicitations, bids, offers, instructions, trading, and prices that lead to the execution of a transaction in a commodity interest and any related cash or forward transactions</p> <p>[This is also applicable to retail foreign exchange dealers.]</p>	<p>If oral communication, 1 year; otherwise, 5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years. All records must be kept in a form and manner that allows for identification of a particular transaction.</p>
<p>All records of customers' orders as specified in 17 C.F.R. § 1.35(b).</p> <p>[Also applicable to retail foreign exchange dealers, introducing brokers, and swap execution facilities.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the</p>

	<p>transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>All records, data, and memoranda as required in 17 C.F.R. § 1.35(d)</p> <p>[This is applicable to futures commission merchants, retail foreign exchange dealers, introducing brokers for section 17 C.F.R. § 1.35(d)(3) only, and members of derivatives-clearing organizations clearing trades executed on designated contract markets and swap execution facilities.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Records for each futures or option account that state:</p> <ul style="list-style-type: none"> • The name, address, and principal occupation or business of the person for whom the account is carried. • The names of the persons guaranteeing the account or exercising trading control over the account. <p>Additionally, for each commodity option account:</p> <ul style="list-style-type: none"> • The name of the person who solicited/is responsible for this account. <p>[This is also applicable to members of contract markets and retail foreign exchange dealers.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records that support certifications relating to application for registration as an associated person to the futures commission merchant or introducing broker if that person's previous registration is still active or has terminated, which certify:</p> <ul style="list-style-type: none"> • Hiring or employment with the designated futures commission merchant or introducing broker. • That the registration has not been suspended or revoked. • Registration eligibility under the special registration procedures. • Any indications on the application of any pending suspension, revocation, or denial proceedings in any way, or indications that the CFTC had permitted an application withdrawal within the last 12 months after the institution of these penalty proceedings, in connection with which the futures commission merchant or introducing broker has been given a copy of the letter or complaint from the CFTC. 	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records supporting certifications required in connection with the application for registration of a person as an associated person of the</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first</p>

<p>futures commission merchant or introducing broker (except for the application described here), including:</p> <ul style="list-style-type: none"> • The intention to hire the applicant as an associated person. • The applicant's education and employment history. • The publicly available information supplied by the applicant. • Measures taken to prevent information contained in that application and related material from being disseminated without authorization. 	<p>2 years.</p>
<ul style="list-style-type: none"> • All promotional material provided, directly or indirectly, to option customers, as well as the true source of authority for the information contained in them. 	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Futures Commission Merchants</p>	
<p>An acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the money, securities, and property deposited therein are those of commodity or options customers and are being held in accordance with the Commodity Exchange Act and regulations promulgated under it.</p> <p>[This also applies to clearing organizations of contract markets]</p>	<p>5 years after date of closing of such bank account. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Authorization to provide CFTC officials with direct, read-only electronic access to transaction and account balance information for futures customer accounts.</p>	<p>5 years after date of closing of that bank account. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>An acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the obligations are those of commodity or options customers and are being held in accordance with the Commodity Exchange Act and regulations promulgated under it.</p> <p>[Also applies to clearing organizations of contract markets.]</p>	<p>5 years after date of closing of that bank account. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records pertaining to the investment of customers' funds, showing:</p> <ul style="list-style-type: none"> • The date investments were made. • The name of the person through whom investments were made. • The amount of money invested. • Descriptions of obligations in which investments were made, including CUSIP or ISIN numbers. • The identity of depositories where such obligations are segregated. • The date disposition made and amount received. • The date investments were liquidated or otherwise disposed of and the amount of money or current market value of securities received from that disposition, if any. • The name of the person to or through which sold. • The daily valuation for each instrument, and readily available documentation supporting this valuation. <p>[This also applies to clearing organizations of contract markets.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

Records of the daily computation of money, securities and property that must be in the segregated account, including a futures commission merchant's residual interest, as well as a detailed list of the futures commission merchant's depositories [For the full list, see 17 C.F.R. § 1.32(f)].	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Records provided for customers as of the close of the last business day each month, or any regular monthly date selected detailing:</p> <ul style="list-style-type: none"> • Customer's (or option customer's) position, including open contracts with prices at which acquired. • The net unrealized profit or loss. • Money, securities, or property detailed as margin. • Accounting of all changes/credits to the account during the allotted period. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Records provided for cleared swaps customers as of the close of the last business day each month, or any regular monthly date selected detailing:</p> <ul style="list-style-type: none"> • The cleared swaps. • The net unrealized profit/loss. • Any cleared swaps customer collateral carried with the futures commission merchant. • Accounting of all changes/credits to the account during the allotted period. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Confirmation statements for every cleared swap, commodity interest transaction, and commodity option transaction, including foreign futures or foreign options transactions, as specified in 17 C.F.R § 1.33(b).	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Records displaying a "point balance" of all open trades or contracts of commodity or option customers as of the last day of business of each calendar month or the regular monthly date selected.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>A listing of all commodity option positions carried for customers that are marked to the market, prepared as of the last day of business of each calendar month or the regular monthly date selected, displaying:</p> <p>Whether by put or by call.</p> <p>The delivery month or option expiration date.</p> <p>The strike price.</p>	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Separate records for each customer of all securities and property other than money received from customers to margin, purchase, guarantee, or secure trades and contracts including:</p> <ul style="list-style-type: none"> • A description of the securities and property. • The name and address of the customer. • The identity of the depository or place where securities are segregated. • The date of withdrawal or deposit from said depositories. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.

<ul style="list-style-type: none"> • The date the securities were received, returned, or otherwise disposed of, together with the facts and circumstances of such other disposition. • A written acknowledgement if deposited with a derivatives-clearing organization or a custodian thereof that the property deposited belongs to the customer. 	
<p>Records for accounts carried for another person on an omnibus basis, at the close of each market day in each omnibus account, that reflect:</p> <ul style="list-style-type: none"> • The total open long contracts / total open short contracts in each future. • The total open puts granted, total open calls purchased, and the total open calls granted for each option expiration date. 	Unspecified
A written acknowledgement from a bank or trust which has an account wherein an introducing broker may deposit a check drawn by a customer or option customer payable to the futures commission merchant that it was informed that the funds deposited in the account belong to the commodity or options customers and are being held in accordance with the Commodity Exchange Act and the regulations promulgated under it.	5 years after date of closing of that bank account. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Records of its daily segregation computation and the Statement of Cleared Swaps Customer Segregation Requirements and Funds in Cleared Swaps Customer Accounts under section 4d(f) of the Commodity Exchange Act required by 17 C.F.R. § 22.2(g)(2) and the detailed listing of depositories required under 17 C.F.R 22.2 (g)(5), together with all supporting documentation.	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
Introducing Brokers	
<p>All transaction records and all written pre-trade communications.</p> <p>[Applicable to introducing brokers not subject to 17 C.F.R. § 1.35(a)(1) that are members of a designated contract market or swap execution facility]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>All commodity interest and related records, and all pre-trade communications.</p> <p>[Applicable to all other introducing brokers not subject to 17 C.F.R. § 1.35(a)(1)-(a)(2)]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the</p>

transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.

For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.

5 years from date authorization ends. . Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.

Written authorization from a futures commission merchant allowing the introducing broker to receive a check in the name of the futures commission merchant

CFTC RECORD RETENTION SCHEDULE - FUTURES COMMISSION MERCHANTS AND INTRODUCING BROKERS

The following version of the **CFTC** record retention schedule for futures commission merchants and introducing brokers includes a third column to indicate the regulations that cover each type of records. This third column does not need to be part of a company's document retention policy.

RECORD	RETENTION PERIOD	REASON
<p>Ledgers or similar records, including supporting documents, of transactions that affect:</p> <ul style="list-style-type: none"> Assets Liability Income Expense and capital accounts <p>[Not applicable to introducing brokers and applicants therefor operating under a guarantee agreement, if they are not also securities brokers or dealers.]</p>	<p>5 years. Electronic records must be readily accessible for the entire period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.18(a), 17 C.F.R. § 1.18(c), and 17 C.F.R. § 1.31(b)</p>
<p>Computations of adjusted net capital and minimum financial requirements as of the close of business each month.</p> <p>[does not apply to introducing brokers and applicants therefor that are operating under a guarantee agreement, if they are not also securities brokers or dealers]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.18(b)(1), 17 C.F.R. § 1.18(c) and 17 C.F.R. § 1.31(b)</p>
<p>Records of all transactions corresponding to business of commodity interests and related cash or forward transactions [For a fully comprehensive list of commodity interest and related records, see 17 C.F.R. § 1.35(a)(1)(i).]</p> <p>[Only applicable to futures commission merchants, retail foreign exchange dealers, and introducing brokers that generated over</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during</p>	<p>17 C.F.R. § 1.35(a)(1)(i) and 17 C.F.R. § 1.31(b)</p>

the preceding three years more than \$5 million in aggregate gross revenues from activities as introducing brokers.]	<p>the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p> <p>All records must be kept in a form and manner that allows for identification of a particular transaction.</p>	
<p>All documents on which trade information is originally recorded.</p> <p>[This is applicable if also a member of a designated contract market or swap execution facility.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p> <p>All records must be kept in a form and manner that allows for identification of a particular transaction.</p>	17 C.F.R. § 1.35(a)(1)(ii) and 17 C.F.R. § 1.31(b)
<p>All oral and written communications provided or received regarding quotes, solicitations, bids, offers, instructions, trading, and prices that lead to the execution of a transaction in a commodity interest and any related cash or forward transactions.</p> <p>[This is also applicable to retail foreign exchange dealers.]</p>	<p>If oral communication, 1 year; otherwise, 5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p> <p>All records must be kept in a form and manner that allows for identification of a particular transaction.</p>	17 C.F.R. § 1.35(a)(1)(iii) and 17 C.F.R. § 1.31(b)
<p>All records of customers' orders as specified in 17 C.F.R. § 1.35(b).</p> <p>[Also applicable to retail foreign exchange dealers, introducing brokers, and swap</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date.</p>	17 C.F.R. § 1.35(b) and 17 C.F.R. § 1.31(b)

<p>execution facilities.]</p>	<p>Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
<p>All records, data and memoranda as required in 17 C.F.R. § 1.35(d).</p> <p>[This is applicable to futures commission merchants, retail foreign exchange dealers, introducing brokers for section 17 C.F.R. § 1.35(d)(3) only, and members of derivatives-clearing organizations clearing trades executed on designated contract markets and swap execution facilities.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 1.35(d)-(e) and 17 C.F.R. § 1.31(b)</p>
<p>Records for each futures or option account that state:</p> <ul style="list-style-type: none"> • The name, address, and principal occupation or business of the person for whom the account is carried. • The names of the persons guaranteeing the account or exercising trading control over the account. <p>Additionally, for each commodity option account:</p> <ul style="list-style-type: none"> • The name of the person who solicited/is responsible for such account. <p>[This is also applicable to members of contract markets and retail foreign exchange</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.37(a) and 17 C.F.R. § 1.31(b)</p>

dealers.]		
<p>Records that support certifications relating to application for registration as an associated person to the futures commission merchant or introducing broker if that person's previous registration is still active or has terminated, which certifies:</p> <ul style="list-style-type: none"> • Hiring or employment with the designated futures commission merchant or introducing broker. • That the registration has not been suspended or revoked. • Registration eligibility under the special registration procedures. <p>Any indications on the application of any pending suspension, revocation, or denial proceedings in any way, or indications that the CFTC had permitted an application withdrawal within the last 12 months after the institution of these penalty proceedings, in connection with which the futures commission merchant or introducing broker has been given a copy of the letter or complaint from the Commission.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 3.12(d)(1)(i) - (d)(1)(v), 17 C.F.R. § 3.12(e), and 17 C.F.R. § 1.31(b)</p>
<p>Records supporting certifications required in connection with the application for registration of a person as an associated person of the futures commission merchant or introducing broker (except for the application described here), including:</p> <ul style="list-style-type: none"> • The intention to hire the applicant as an associated person. • The applicant's education and employment history. • The publicly available information supplied by the applicant • Measures taken to prevent information contained in that application and related material from being disseminated without authorization. 	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 3.12(c), 17 C.F.R. § 3.12(e), and 17 C.F.R. § 1.31(b)</p>
<p>All promotional material provided, directly or indirectly, to option customers, as well as the true source of authority for the information contained in them.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 33.8 and 17 C.F.R. § 1.31(b)</p>
Futures Commission Merchants		
<p>An acknowledgment from a bank, trust company, clearing organization of a contract</p>	<p>5 years after date of closing of that bank account. Electronic records must be readily</p>	<p>17 C.F.R. § 1.20(d)(1) and 17 C.F.R. § 1.31(b)</p>

<p>market, or futures commission merchant that it was informed that the money, securities, and property deposited are those of commodity or options customers and are being held in accordance with the Commodity Exchange Act.</p> <p>[This is also applicable to clearing organizations of contract markets.]</p>	<p>accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	
<p>Authorization to provide CFTC officials with direct, read-only electronic access to transaction and account balance information for futures customer accounts without further notice or consent from the futures commission merchant.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.20(d)(3) and 17 C.F.R. § 1.31(b)</p>
<p>An acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the obligations are those of commodity or options customers and are being held in accordance with the Commodity Exchange Act and regulations promulgated under it.</p> <p>[This is also applicable to clearing organizations of contract markets.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.26 and 17 C.F.R. § 1.31(b)</p>
<p>Records pertaining to the investment of customers' funds, showing:</p> <ul style="list-style-type: none"> • The date investments were made. • The name of the person through whom investments were made. • The amount of money invested. • Descriptions of obligations in which investments were made, including CUSIP or ISIN numbers. • The identity of depositories where such obligations are segregated. • The date disposition made and amount received. • The date investments were liquidated or otherwise disposed of and the amount of money or current market value of securities received from that disposition, if any. • The name of the person to or through which sold. • The daily valuation for each instrument, and readily available documentation supporting that valuation. 	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.27 and 17 C.F.R. § 1.31(b)</p>

[This is also applicable to clearing organizations of contract markets.]		
Records of the daily computation of money, securities and property that must be in the segregated account, including a futures commission merchant's residual interest, as well as a detailed list of the futures commission merchant's depositories [For the full list, see 17 C.F.R. §1.32 (f)].	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.32(c) , 17 C.F.R. § 1.32(f) , 17 C.F.R. § 1.32(k) , and 17 C.F.R. § 1.31(b)
Records provided for customers as of the close of the last business day each month, or any regular monthly date selected detailing: <ul style="list-style-type: none"> • Customer's (or option customer's) position, including open contracts with prices at which acquired. • The net unrealized profit or loss. • Money, securities, or property detailed as margin. • Accounting of all changes/credits to the account during the allotted period. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.33(a)(1) , 17 C.F.R. § 1.33(a)(2) , 17 C.F.R. § 1.33(e) , and 17 C.F.R. § 1.31(b)
Records provided for cleared swaps customers as of the close of the last business day each month, or any regular monthly date selected detailing: <ul style="list-style-type: none"> • The cleared swaps. • The net unrealized profit/loss. • Any cleared swaps customer collateral carried with the futures commission merchant. • Accounting of all changes/credits to the account during the allotted period. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.33(a)(3) , 17 C.F.R. § 1.33(e) , and 17 C.F.R. § 1.31(b)
Confirmation statements for every cleared swap, commodity interest transaction, and commodity option transaction, including foreign futures or foreign options transactions, as specified in 17 C.F.R. § 1.33(b) .	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.33(b) , 17 C.F.R. § 1.33(e) , and 17 C.F.R. § 1.31(b)
Records displaying a "point balance" of all open trades or contracts of commodity/option customers as of the last day of business of each calendar month or the regular monthly date selected.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.34(a) , and 17 C.F.R. § 1.31(b)
A listing of all commodity option positions carried for customers that are marked to the market, prepared as of the last day of	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.34(b) and 17 C.F.R. § 1.31(b)

<p>business of each calendar month or the regular monthly date selected, displaying:</p> <p>Whether by put or by call</p> <p>The delivery month or option expiration date</p> <p>The strike price</p>		
<p>Separate records for each customer of all securities and property other than money received from customers to margin, purchase, guarantee, or secure trades and contracts including:</p> <ul style="list-style-type: none"> • A description of the securities and property. • The name and address of the customer. • The identity of the depository or place where securities are segregated. • The date of withdrawal or deposit from said depositories. • The date the securities were received, returned, or otherwise disposed of, together with the facts and circumstances of such other disposition. • A written acknowledgement if deposited with a derivatives-clearing organization or a custodian thereof that the property deposited belongs to the customer. 	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.36(a) and 17 C.F.R. § 1.31(b)</p>
<p>Records for accounts carried for another person on an omnibus basis, at the close of each market day in each omnibus account, that reflect:</p> <ul style="list-style-type: none"> • The total open long contracts / total open short contracts in each future. • The total open puts granted, total open calls purchased, and the total open calls granted for each option expiration date. 	<p>Unspecified</p>	<p>17 C.F.R. § 1.37(b)</p>
<p>A written acknowledgement from a bank or trust which has an account wherein an introducing broker may deposit a check drawn by a customer or option customer payable to the futures commission merchant that it was informed that the funds deposited in the account belong to the commodity or options customers and are being held in accordance with the Commodity Exchange Act and the regulations promulgated under it.</p>	<p>5 years after date of closing of that bank account. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.57(c)(4)(iv) and 17 C.F.R. § 1.31(b)</p>
<p>Records of its daily segregation computation and the Statement of Cleared Swaps Customer Segregation Requirements and</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer,</p>	<p>17 C.F.R. § 22.2(g)(10) and 17 C.F.R. § 1.31(b)</p>

<p>Funds in Cleared Swaps Customer Accounts under section 4d(f) of the Commodity Exchange Act required by 17 C.F.R. § 22.2(g)(2) and the detailed listing of depositories required under 17 C.F.R. § 22.2(g)(5), together with all supporting documentation.</p>	<p>assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
<p>Introducing Brokers</p>		
<p>All transaction records and all written pre-trade communications.</p> <p>[This is applicable to introducing brokers not subject to 17 C.F.R. § 1.35(a)(1) that are members of a designated contract market or swap execution facility]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 1.35(a)(2) and 17 C.F.R. § 1.31(b)</p>
<p>All commodity interest and related records, and all pre-trade communications.</p> <p>[This is applicable to all other introducing brokers not subject to 17 C.F.R. § 1.35(a)(1)-(a)(2)]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation</p>	<p>17 C.F.R. § 1.35(a)(3) and 17 C.F.R. § 1.31(b)</p>

	<p>date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
Written authorization from a futures commission merchant allowing the introducing broker to receive a check in the name of the futures commission merchant.	<p>5 years from date authorization ends.</p> <p>Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	17 C.F.R. § 1.57(c)(1) and 17 C.F.R. § 1.31(b)

CFTC Record Retention Schedule - Contract Markets, Derivatives Clearing Organizations, and Members of Contract Markets

RECORD	RETENTION PERIOD
Contract Markets	
Records detailing, for each future, option, or swap trade, the transaction date, time quantity, and other particulars as applicable [For a complete list of applicable records, see 17 C.F.R. § 1.35(g).]	5 years. Records must be retained in computer-readable form on compatible magnetic tapes or discs for the first 60 days. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
A record of each transaction wherein a member acts for both a buyer and a seller, including the date, price, quantity, by whom executed, the exact time of execution, and as applicable, underlying commodity, option, or swap, contract for future delivery or physical, price or premium, whether a put or a call, and strike price.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Derivatives Clearing Organizations	
<p>Records from clearing organizations receiving documents from members representing investment of customers' or option customers' funds showing:</p> <ul style="list-style-type: none"> • The date on which documents were received from each member. • Description of documents, including CUSIP or ISIN numbers. • The date on which documents were returned to each member. • Details of disposition by other means. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>A record for each clearing member of all securities and property (other than money) retained by itself or by a bank or trust acting as custodian, from clearing members belonging to certain customers or option customers of these members to margin, purchase, guarantee or secure trades or contracts including:</p> <ul style="list-style-type: none"> • Dates when the securities/property were received. • Identity of depositories or other places where securities or property are segregated. • The date returned or otherwise disposed of, together with the facts and circumstances of such other disposition. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.

<p>All records of transactions in paired swaps or swaptions, and methods used to convert paired swaps or swaptions into futures equivalents.</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Records of:</p> <p>All cleared transactions, including swaps.</p> <p>All information necessary to record allocation of bunched orders for cleared swaps.</p> <p>Results of and methodology used for all tests, reviews, and calculations in connection with setting and evaluating margin levels, determining the value and adequacy of financial resources, and establishing settlement prices.</p> <p>All rules and procedures required to be submitted under 17 C.F.R. Ch. 1, Pt. 39 and 17 C.F.R. Ch. 1, Pt. 40, including all proposed changes in rules, procedures, or operations subject to 17 C.F.R. §40.10.</p> <p>Any data or documentation required by the CFTC or by the derivatives clearing organization to be submitted to the derivatives clearing organization by its clearing members, or by any other person in connection with the derivatives clearing organization's clearing and settlement activities.</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Members of contract markets</p>	
<p>All documents on which trade information is originally recorded.</p> <p>[This is also applicable to members of swap execution facilities.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>All transaction records; all written pre-trade communications; and all oral pre-trade communications that lead to the purchase or sale of any commodity for future delivery, security futures product, swap, or commodity option authorized under section 4c of the Commodity Exchange Act for the account of any person other than that floor broker.</p> <p>[Applicable to members of a designated contract market or swap execution facility that are registered or required to be registered with the CFTC as a floor broker. Unregistered members need only retain all transaction records, if these records need not include transmissions by short message service or multimedia messaging service]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Trading cards for purchases or sales of any commodity for future delivery, commodity option, or swap as specified in 17 C.F.R. § 1.35(f).</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the</p>

transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.

For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.

CFTC RECORD RETENTION SCHEDULE - CONTRACT MARKETS, DERIVATIVES CLEARING ORGANIZATIONS, AND MEMBERS OF CONTRACT MARKETS

The following version of the SEC-specific record retention schedule for money market funds includes a third column to indicate the regulations that cover each type of records. This third column does not need to be part of a document retention policy.

RECORD	RETENTION PERIOD	REASON
Contract Markets		
Records detailing, for each future or option trade, the transaction date, time quantity, and other particulars as applicable. [For a complete list of applicable records, see 17 C.F.R. § 1.35(g) .]	5 years Records must be retained in computer-readable form on compatible magnetic tapes or discs for the first 60 days. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.35(g) , 17 C.F.R. § 38.951 , and 17 C.F.R. § 1.31(b)
A record of each transaction wherein a member acts for both a buyer and a seller, including the date, price, quantity, by whom executed, the exact time of execution, and as applicable, underlying commodity, option, or swap, contract for future delivery or physical, price or premium, whether a put or a call, and strike price.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.39(a) , 17 C.F.R. § 38.951 , and 17 C.F.R. § 1.31(b)
Derivatives Clearing Organizations		
Records from Clearing organizations receiving documents from members representing investment of customers' or option customers' funds showing: <ul style="list-style-type: none"> The date on which documents were received from each member. Description of documents, including CUSIP or ISIN numbers. The date on which documents were returned to each member. Details of disposition by other means. 	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 1.27(b) , 17 C.F.R. § 1.27(c) , and 17 C.F.R. § 1.31(b)
A record for each clearing member of all securities and property (other than	5 years. Electronic records must be readily accessible for the entire 5-year	17 C.F.R. § 1.36(b) and 17 C.F.R. § 1.31(b)

<p>money) retained by itself or by a bank or trust acting as custodian, from clearing members belonging to certain customers or option customers of these members to margin, purchase, guarantee or secure trades or contracts including:</p> <ul style="list-style-type: none"> • Dates when the securities/property were received. • Identity of depositories or other places where securities or property are segregated. • The date returned or otherwise disposed of, together with the facts and circumstances of such other disposition. 	<p>period. Paper records must be stored in an easily accessible place the first 2 years.</p>	
<p>All records of transactions in paired swaps or swaptions, and methods used to convert paired swaps or swaptions into futures equivalents.</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 20.6(a) and 17 C.F.R. § 1.31(b)</p>
<p>Records of:</p> <p>All cleared transactions, including swaps.</p> <p>All information necessary to record allocation of bunched orders for cleared swaps.</p> <p>Results of and methodology used for all tests, reviews, and calculations in connection with setting and evaluating margin levels, determining the value and adequacy of financial resources, and establishing settlement prices.</p> <p>All rules and procedures required to be submitted under 17 C.F.R. Ch. 1, Pt. 39 and 17 C.F.R.Ch. 1, Pt. 40, including all</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two</p>	<p>17 C.F.R. § 45.2, 17 C.F.R. § 39.20, 17 C.F.R. Ch. 1, Pt. 39, 17 C.F.R. Ch. 1, Pt.40, and 17 C.F.R. § 1.31(b)</p>

<p>proposed changes in rules, procedures, or operations subject to 17 C.F.R. § 40.10.</p> <p>Any data or documentation required by the CFTC or by the derivatives clearing organization to be submitted to the derivatives clearing organization by its clearing members, or by any other person in connection with the derivatives clearing organization's clearing and settlement activities.</p>	<p>years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
Members of Contract Markets		
<p>All documents on which trade information is originally recorded.</p> <p>[This is also applicable to members of swap execution facilities.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.35(a)(1)(ii) and 17 C.F.R. § 1.31(b)</p>
<p>All transaction records; all written pre-trade communications; and all oral pre-trade communications that lead to the purchase or sale of any commodity for future delivery, security futures product, swap, or commodity option authorized under section 4c of the Commodity Exchange Act for the account of any person other than that floor broker.</p> <p>[Applicable to members of a designated contract market or swap execution facility that are registered or required to be registered with the CFTC as a floor broker. Unregistered members need only retain all transaction records, if these records need not include transmissions by short message service or multimedia messaging service.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 1.35(a)(4), 17 C.F.R. § 1.35(a)(6), and 17 C.F.R. § 1.31(b)</p>
<p>Trading cards for purchases or sales of any commodity for future delivery, commodity option, or swap as specified in 17 C.F.R. § 1.35(f).</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two</p>	<p>17 C.F.R. § 1.35(f), 17 C.F.R. § 1.31(b)</p>

years of the 5-year period following that date.

For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.

CFTC Record Retention Schedule - Commodity Pool Operators

RECORD	RETENTION PERIOD
<p>If exempt regarding offerings to qualified eligible participants/clients:</p> <p>Records prepared in connection with activities as the pool operator of the exempt pool (including, without limitation, records relating to the qualifications of the aforementioned eligible participants/clients) at the main business address.</p> <p>[Also applicable to commodity trade advisors.]</p> <p>[Also applicable to pool administrators, distributors, or custodians; banks; or registered brokers or dealers if the records are not maintained at the main business address by someone acting in a similar capacity regarding the pool.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>All books and records prepared in connection with activities concerning Commodity Pool Operators who are exempt from registering as such.</p>	<p>5 years from the date of preparation. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>An itemized daily record of each commodity interest transaction of the pool, containing:</p> <p>The date.</p> <p>The quantity.</p> <p>The commodity interest.</p> <p>And, as applicable:</p> <p>The price or premium.</p> <p>The delivery month or expiration date.</p> <p>Whether by put or by call.</p> <p>The strike price.</p> <p>The underlying contract for future delivery or underlying physical.</p> <p>The swap type and counterparty.</p> <p>The future commission merchant and/or retail foreign exchange dealer carrying the account, and the introducing broker (if any).</p> <p>Whether the interest was purchased, sold, exercised, or expired, and the gain or loss realized.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>An itemized daily record of each commodity interest transaction of the commodity pool operator and each principal thereof, showing:</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or</p>

<p>The date.</p> <p>The price.</p> <p>The quantity.</p> <p>The commodity interest.</p> <p>The delivery month or expiration date.</p> <p>The swap type and counterparty.</p> <p>The person for whom the transaction was affected.</p> <p>The futures commission merchant or retail foreign exchange dealer carrying the account and the introducing broker, if any.</p> <p>Whether the interest was purchased or sold.</p>	<p>novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>An itemized daily record showing all receipts and disbursements of:</p> <p>Money, securities and other property.</p> <p>The acknowledgment of each pool participant that he received a Disclosure Document for the pool.</p> <p>A subsidiary ledger for each participant in the pool showing the participant's name and address and all funds, securities and other property that the pool received from or distributed to the participant.</p> <p>A ledger of all assets, liability, capital, income, and expense accounts.</p> <p>Any adjusting entries and original entries or their equivalent that form the basis of a ledger.</p> <p>Copies of each confirmation of:</p> <p>a commodity interest transaction; and</p> <p>each purchase or sale statement and each monthly statement of the pool received from a futures commission merchant, retail foreign exchange dealer, or swap dealer.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A copy of a commodity interest transaction, each purchase and sale statement and each monthly statement for the pool furnished by a futures commission merchant or retail foreign exchange dealer to:</p> <p>The commodity pool operator relating to a personal account of the commodity pool operator.</p> <p>Each principal thereof.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records of each of the following distributed by the commodity pool operator to any current or prospective participant or received by the commodity pool operator from any commodity trading advisor of the pool, showing the first date of distribution or receipt:</p> <p>Report.</p> <p>Letter.</p> <p>Circular.</p> <p>Memorandum.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

Publication.	
Writing.	
Advertisement.	
Text of mass media presentations.	
The following financial records: A statement of financial condition as of the close of: each regular monthly period of net assets are \$500,000 or more at the beginning of the pool's fiscal year; and each regular quarterly period for all other pools, to be completed within 30 days after the end of the period. A statement of income (loss) for the period between: the most recent of: the date of the most recent statement of financial condition provided to the Commission in accordance with 17 C.F.R. § 4.22(c); April 1, 1979; or The formation of the pool. the date of the statement of financial condition required by 17 C.F.R. § 4.23(a)(10), which must be completed within 30 days after the end of such period. A manually signed copy of each account statement and annual report provided under 17 C.F.R. §§ 4.22, 4.7(b) or 4.12(b), and records of the key financial balances submitted to the National Futures Association for each commodity pool annual report, which records must clearly demonstrate how the key financial balances were compiled from the annual report. Cancelled checks, bank statements, journals, ledgers, invoices, copies of confirmations, copies of purchase and sale statements, and all other records that support the financial statements required in this section.	5 years, the first 2 years in an easily accessible place

CFTC RECORD RETENTION SCHEDULE - COMMODITY POOL OPERATORS

The following version of the **CFTC**-specific record retention schedule for companies classified as registered investment companies includes a third column to indicate the regulations that cover each type of records. This third column does not need to be part of a document retention policy.

RECORD	RETENTION PERIOD	REASON
If exempt regarding offerings to qualified eligible participants/clients: Records prepared in connection with activities as the pool operator of the exempt pool (including, without limitation, records relating to the qualifications of the aforementioned eligible participants/clients) at the main business address. [Also applicable to commodity trade advisors.]	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.	17 C.F.R. § 4.7(b)(4) and 17 C.F.R. § 1.31(b)

<p>[Also applicable to pool administrators, distributors, or custodians; banks; or registered brokers or dealers if the records are not maintained at the main business address by someone acting in a similar capacity regarding the pool.]</p>		
<p>All books and records prepared in connection with activities concerning Commodity Pool Operators who are exempt from registering as such.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.13(c)(i)-(c)(ii) and 17 C.F.R. § 1.31(b)</p>
<p>An itemized daily record of each commodity interest transaction of the pool, containing:</p> <p>The date.</p> <p>The quantity.</p> <p>The commodity interest.</p> <p>And, as applicable:</p> <p>The price or premium.</p> <p>The delivery month or expiration date.</p> <p>Whether by put or by call.</p> <p>The strike price.</p> <p>The underlying contract for future delivery or underlying physical.</p> <p>The swap type and counterparty.</p> <p>The future commission merchant and/or retail foreign exchange dealer carrying the account, and the introducing broker (if any).</p> <p>Whether the interest was purchased, sold, exercised, or expired, and the gain or loss realized.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.23(a)(1) and 17 C.F.R. § 1.31(b)</p>
<p>An itemized daily record of each commodity interest transaction of the commodity pool operator and each principal thereof, showing:</p> <p>The date.</p> <p>The price.</p> <p>The quantity.</p> <p>The commodity interest.</p> <p>The delivery month or expiration date.</p> <p>The swap type and counterparty.</p> <p>The person for whom the transaction was affected.</p> <p>The futures commission merchant or retail foreign exchange dealer carrying the account and the introducing broker, if any.</p> <p>Whether the interest was purchased or sold.</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be</p>	<p>17 C.F.R. § 4.23(b), 17 C.F.R. § 45.2(b)-(c), and 17 C.F.R. § 1.31(b)</p>

	<p>readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
<p>An itemized daily record showing all receipts and disbursements of:</p> <p>Money, securities and other property.</p> <p>The acknowledgment of each pool participant that he received a disclosure document for the pool as specified in 17 C.F.R. § 4.21(b).</p> <p>A subsidiary ledger for each participant in the pool showing the participant's name and address and all funds, securities and other property that the pool received from or distributed to the participant.</p> <p>A ledger of all assets, liability, capital, income, and expense accounts.</p> <p>Any adjusting entries and original entries or their equivalent that form the basis of a ledger.</p> <p>Copies of each confirmation of:</p> <p>A commodity interest transaction; and</p> <p>Each purchase or sale statement and each monthly statement of the pool received from a futures commission merchant, retail foreign exchange dealer, or swap dealer.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period.</p> <p>Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.23(a)(2)-(a)(7) and 17 C.F.R. § 1.31(b)</p>
<p>A copy of a commodity interest transaction, each purchase and sale statement and each monthly statement for the pool furnished by a futures commission merchant or retail foreign exchange dealer to:</p> <p>The commodity pool operator relating to a personal account of the commodity pool operator.</p> <p>Each principal thereof.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period.</p> <p>Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.23(b)(2)(i)-(b)(2)(ii) and 17 C.F.R. § 1.31(b)</p>
<p>Records of each of the following distributed by the commodity pool operator to any current or prospective participant or received by the commodity pool operator from any commodity trading advisor of the pool, showing the first date of distribution or receipt:</p> <p>Report.</p> <p>Letter.</p> <p>Circular.</p> <p>Memorandum.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period.</p> <p>Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.23(a)(9) and 17 C.F.R. § 1.31(b)</p>

Publication.		
Writing.		
Advertisement.		
Text of mass media presentations.		
<p>The following financial records:</p> <p>A statement of financial condition as of the close of:</p> <p>each regular monthly period of net assets are \$500,000 or more at the beginning of the pool's fiscal year; and</p> <p>each regular quarterly period for all other pools, to be completed within 30 days after the end of the period.</p> <p>A statement of income (loss) for the period between:</p> <p>The most recent of:</p> <p>the date of the most recent statement of financial condition provided to the Commission in accordance with 17 C.F.R. § 4.22(c),</p> <p>April 1, 1979, or</p> <p>the formation of the pool.</p> <p>the date of the statement of financial condition required by 17 C.F.R. § 4.23(a)(10), which must be completed within 30 days after the end of such period.</p> <p>A manually signed copy of each account statement and annual report provided under 17 C.F.R. § 4.22, 4.7(b) or 4.12(b), and records of the key financial balances submitted to the National Futures Association for each commodity pool annual report, which records must clearly demonstrate how the key financial balances were compiled from the annual report.</p> <p>Cancelled checks, bank statements, journals, ledgers, invoices, copies of confirmations, copies of purchase and sale statements, and all other records that support the financial statements required in this section.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 4.23(a)(8) and 17 C.F.R. § 4.23(a)(10)-(12); 17 C.F.R. § 1.31(b).</p>

CFTC Record Retention Schedule - Leverage Transaction Merchants

RECORD	RETENTION PERIOD
Any financial statements, computation statements, schedules or written notices as specified in 17 C.F.R. § 31.7(a)(2) , 17 C.F.R. § 31.7(b) , and 17 C.F.R. § 31.14(b)(1) .	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Records of required and actual cover as of the close of each business day.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Records of cash loans that are collateralized by warehouse receipts held as cover for leverage contracts including:</p> <p>The date of the loan.</p>	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.

<p>The lender's name.</p> <p>The purpose of the loan.</p> <p>The amount, interest rate, and maturity date of the loan.</p> <p>The date of partial or complete liquidation of the loan.</p> <p>A description of the warehouse receipt collateralizing the loan, which includes:</p> <p>The receipt number;</p> <p>The issuer's name; and</p> <p>The total quantity of the commodity covered by the warehouse receipt.</p>	
<p>Ledgers, including supporting documents, of transactions affecting asset, liability, income, expense and capital accounts.</p> <p>[This also applies to leverage transaction merchant applications.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Computations of a leverage transaction merchant's adjusted net capital and minimum financial requirements as of the close of business each month.</p> <p>[This also applies to leverage transaction merchant applications.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>An acknowledgment from a futures commission merchant, bank, or trust company that it was informed that the leverage customer funds deposited with it are treated by the depositor as belonging to leverage customers and are being held in accordance with the provisions of 17 C.F.R. § 31.12.</p>	<p>5 years from the last relevant event, such as the closing of a segregated funds account or cover account, investment liquidation, or return of securities or property. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>An acknowledgment from a futures commission merchant carrying leverage customer funds in a commodity account used as cover for leverage transactions that:</p> <p>The futures commission merchant has been informed that the commodity account is being treated by the depositor as leverage customers' funds and is being held in accordance with the provisions of 17 C.F.R. § 31.12.</p> <p>The customers on whose behalf the account is maintained by the leverage transaction merchant must not be liable for margin calls or other required deposits related to that account.</p> <p>On liquidation of the open contracts in the account, the futures commission merchant's claim in the account balance will be lower ranking to that of the leverage customers.</p>	<p>5 years from the last relevant event, such as the closing of a segregated funds account or cover account, investment liquidation, or return of securities or property. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Records of permissible investment including:</p> <p>The date the purchase was made.</p> <p>The name of the person through which the purchase was made.</p> <p>The amount of funds so used.</p> <p>A description of the purchase that includes the receipt number and issuer's name.</p> <p>Where the instruments are segregated.</p> <p>The date of liquidation or other disposition.</p>	<p>5 years from the last relevant event, such as the closing of a segregated funds account or cover account, investment liquidation, or return of securities or property. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

The amount of money received on liquidation or disposition.	
The name of the person to or through which the disposition was made.	
Records of the daily computation of the leverage customer funds to be segregated.	5 years from the last relevant event, such as the closing of a segregated funds account or cover account, investment liquidation, or return of securities or property. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Records (for each leverage customer) of all securities and property received from leverage customers to purchase, guarantee, or secure entry into a leverage contract including:</p> <p>A description of the securities or property received.</p> <p>The name and address of that leverage customer.</p> <p>The dates when the securities or property were received.</p> <p>Where the securities or properties are segregated and the dates of deposits/withdrawals therefrom.</p> <p>The date of return to that leverage customer or other disposition, together with the facts and circumstances of such other disposition.</p>	5 years from the last relevant event, such as the closing of a segregated funds account or cover account, investment liquidation, or return of securities or property. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
Records of all transactions, including all pertinent data and memoranda, relating to leverage contracts, commodity futures, commodity options, and cash commodities, including all items listed in 17 C.F.R. § 31.14(b)(1).	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Records showing for each leverage customer's account:</p> <p>The name, address, and principal occupation or business of the person for whom the account is carried.</p> <p>The name and address of any other person who assumes or purports to assume any financial responsibility or control of such account.</p> <p>The names of the persons who have solicited and are responsible for the account.</p>	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
A financial ledger showing all charges against and credits to each leverage customer's account.	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
<p>Record of transactions separately showing all leverage contracts entered into with each leverage chronologically, including:</p> <p>The date.</p> <p>The leverage commodity.</p> <p>The transaction number.</p> <p>The maturity date.</p> <p>The number of contracts.</p> <p>Whether the transaction was a purchase, sale, repurchase, resale, liquidation, rescission, or delivery.</p> <p>The amount realized.</p>	5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.
A daily record showing separately for each leverage commodity complete	5 years. Electronic records must be readily accessible for the entire 5-

<p>details of all leverage transactions executed on that day, including all of the following:</p> <p>The person for whom made.</p> <p>The leverage commodity and contract.</p> <p>The number of contracts.</p> <p>The transaction number for each contract.</p> <p>Whether a purchase, sale, repurchase, resale, liquidation, rescission, or delivery.</p> <p>The total value of the transaction.</p>	<p>year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>For any leverage contract solicited to a prospective leverage customer, a signed and dated copy of the risk disclosure statement contained in a disclosure document which acknowledges that the leverage customer received and understood the disclosure document.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A record of all notifications under 17 C.F.R. § 31.11(h).</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A listing of all open leverage contracts, as of the close of the last business day of each calendar month, by leverage commodity and contract, and separately by long leverage contract and short leverage contract, including the following details regarding each leverage contract:</p> <p>The customer account identification number.</p> <p>The name of the leverage commodity and contract.</p> <p>The date of execution and maturity date.</p> <p>The transaction identification number.</p> <p>The value of the leverage contract when initiated.</p> <p>The unrealized profit or loss on each open leverage contract marked to the market based on the leverage transaction merchant's bid price for a long leverage contract and ask price for a short leverage contract.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A record of the bid and ask prices of each leverage commodity that the leverage transaction merchants sells or offers to sell, or purchases or offers to purchase, including the times these prices were in effect to the nearest ten seconds.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A record of all margin calls, including all contracts with leverage customers and attempts to contact leverage customers with regard to these calls.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

Note: [CFTC Record Retention Schedule - Leverage Transaction Merchants](#)

CFTC Record Retention Schedule - Swap Dealers, Major Swap Participants, Swap Data Repositories, and Swap Execution Facilities

RECORD	RETENTION PERIOD
All documents customarily generated in accordance with market practice that demonstrate the existence and nature of an order or transaction,	If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or

<p>including, but not limited to, records of all orders (filled, unfilled, or cancelled); correspondence; journals; memoranda; ledgers; confirmations; risk disclosure documents; statements of purchase and sale; contracts; invoices; warehouse receipts; documents of title.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Pre-execution trade information, including, at a minimum, records of all oral and written communications provided or received concerning quotes, solicitations, bids, offers, instructions, trading, and prices, that lead to the execution of a swap, whether communicated by telephone, voicemail, facsimile, instant messaging, chat rooms, electronic mail, mobile device, or other digital or electronic media. (For a fully comprehensive list of items, see 17 C.F.R. § 23.202(1)(i)-(ii).)</p>	<p>5 years from the date the record was created. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>All trade execution records, including all items as specified in 17 C.F.R. § 23.202(a)(2)(i)-(x).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Records of post-execution trade information containing an itemized record of all relevant post-trade processing and events, including:</p> <p>All items listed in 17 C.F.R. 23.202(a)(3)(i).</p> <p>All swap confirmations, along with the date and time, to the nearest minute, using Coordinated Universal Time (UTC), by timestamp or other timing device.</p> <p>Each swap portfolio reconciliation, including the number of portfolio reconciliation discrepancies and the number of swap valuation disputes (including the time-to-resolution of each valuation dispute and the age of outstanding valuation disputes, categorized by transaction and counterparty).</p> <p>Each swap portfolio compression exercise in which it participates, including the dates of the compression, the swaps included in the compression, the identity of the counterparties participating in the exercise, the results of the compression, and the name of the third-party entity performing the compression, if any.</p> <p>Each swap that it centrally clears, categorized by transaction and counterparty.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>

<p>Ledgers reflecting all items listed in 17 C.F.R. 23.202(a)(4).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Daily trading records of all related cash or forward transactions executed, including all items as listed in 17 C.F.R. § 23.202(b)(1)-(3).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years from the date the record was created. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>Daily trading records of all related cash or forward transactions executed, including all items as listed in 17 C.F.R. § 23.202(b)(4)-(7).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>Records of each position held by each swap dealer and major swap participant, identified by product and counterparty, including records reflecting whether each position is "long" or "short" and whether the position is cleared, and in a manner that permits identification of the transactions that established the position.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>Until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p>
<p>Records of each transaction executed on a swap execution facility or designated contract market or cleared by a derivatives clearing organization maintained in compliance with the Commodity Exchange Act and CFTC regulations.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>Until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p>
<p>Business records, including:</p> <p>Minutes of meetings of the governing body and relevant committee minutes, including handouts and presentation materials.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

<p>Organizational charts for its governing body and relevant committees, business trading unit, clearing unit, risk management unit, and all other relevant units or divisions.</p> <p>Biographies or resumes of managers, senior supervisors, officers, and directors.</p> <p>Job descriptions for manager, senior supervisor, officer, and director positions, including job responsibilities and scope of authority.</p> <p>Internal and external audit, risk management, compliance, and consultant reports (including management responses).</p> <p>Business and strategic plans for the business trading unit.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	
<p>Records reflecting all assets and liabilities, income and expenses, capital accounts, and all other financial records required to be kept under the Commodity Exchange Act and CFTC regulations.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A record of each complaint received by the swap dealer or major swap participant concerning any partner, member, officer, employee, or agent including:</p> <ul style="list-style-type: none"> • The complainant's name, address, and account number. • The date the complaint was received; • the name of all persons identified in the complaint. • A description of the nature of the complaint. • The disposition of the complaint, and the date the complaint was resolved. <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>A record indicating that each counterparty of the swap dealer or major swap participant has been provided with a notice containing the physical address, email or other widely available electronic address, and telephone number of the department of the swap dealer or major swap participant to which any complaints may be directed.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>
<p>All marketing and sales presentations, advertisements, literature, and communications, and a record documenting that the swap dealer or major swap participant has complied with, or adopted policies and procedures reasonably designed to establish compliance with, all applicable federal requirements, CFTC regulations, and the rules of any self-regulatory organization of which the swap dealer or major swap participant is a member.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years..</p>
<p>Records of all activities relating to the business of the facility, in a form and manner acceptable to the CFTC, including a complete audit trail for all swaps executed on or subject to the rules of the swap execution facility, investigatory files, and disciplinary files.</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination,</p>

[Applicable to swap execution facilities.]	<p>maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>
<p>All swap data, including all historical positions.</p> <p>[Applicable to swap data repositories.]</p>	<p>Throughout the existence of the swap and for 5 years following the termination of the swap. . Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>

[CFTC RECORD RETENTION SCHEDULE - SWAP DEALERS, MAJOR SWAP PARTICIPANTS, SWAP DATA REPOSITORIES, AND SWAP EXECUTION FACILITIES]

The following version of the **CFTC**-specific record retention schedule for swap dealers, major swap participants, swap data repositories, and swap execution facilities includes a third column to indicate the regulations that cover each type of records. This third column does not need to be part of a document retention policy.

RECORD	RETENTION PERIOD	REASON
<p>All documents customarily generated in accordance with market practice that demonstrate the existence and nature of an order or transaction, including, but not limited to, records of all orders (filled, unfilled, or cancelled); correspondence; journals; memoranda; ledgers; confirmations; risk disclosure documents; statements of purchase and sale; contracts; invoices; warehouse receipts; documents of title.</p> <p>[Applicable to swap dealers and major swap participants]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(i), 17 C.F.R. § 23.203, 17 C.F.R. § 1.31(b)</p>
<p>Pre-execution trade information, including, at a minimum, records of all oral and written communications provided or received concerning quotes, solicitations, bids, offers, instructions, trading, and prices, that lead to the execution of a swap, whether</p>	<p>5 years from the date the record was created. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(a)(1), and 17 C.F.R. § 1.31(b)(1)</p>

<p>communicated by telephone, voicemail, facsimile, instant messaging, chat rooms, electronic mail, mobile device, or other digital or electronic media. (For a fully comprehensive list of items, see 17 C.F.R. § 23.202(1)(i)-(ii).)</p> <p>[Applicable to swap dealers and major swap participants.]</p>		
<p>All trade execution records, including all items as specified in 17 C.F.R. 23.202(a)(2)(i)-(x).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(a)(2), and 17 C.F.R. § 1.31(b)</p>
<p>Records of post-execution trade information containing an itemized record of all relevant post-trade processing and events, including:</p> <p>All items listed in 17 C.F.R. 23.202(a)(3)(i).</p> <p>All swap confirmations, along with the date and time, to the nearest minute, using Coordinated Universal Time (UTC), by timestamp or other timing device.</p> <p>Each swap portfolio reconciliation, including the number of portfolio reconciliation discrepancies and the number of swap valuation disputes (including the time-to-resolution of each valuation dispute and the age of outstanding valuation disputes, categorized by transaction and counterparty).</p> <p>Each swap portfolio compression exercise in which it participates, including</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(a)(3)(i)-(v), and 17 C.F.R. § 1.31(b)</p>

<p>the dates of the compression, the swaps included in the compression, the identity of the counterparties participating in the exercise, the results of the compression, and the name of the third-party entity performing the compression, if any.</p> <p>Each swap that it centrally clears, categorized by transaction and counterparty.</p> <p>[Applicable to swap dealers and major swap participants.]</p>		
<p>Ledgers reflecting all items listed in 17 C.F.R. § 23.202(a)(4).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(a)(4), and 17 C.F.R. § 1.31(b)</p>
<p>Daily trading records of all related cash or forward transactions executed, including all items as listed in 17 C.F.R. § 23.202(b)(1)-(3).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years from the date the record was created. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(b), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)(1)</p>
<p>Daily trading records of all related cash or forward transactions executed, including all items as listed in 17 C.F.R. § 23.202(b)(4)-(7).</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible</p>	<p>17 C.F.R. § 23.201(a)(1)(ii), 17 C.F.R. § 23.202(b), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)(1)</p>

	<p>until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	
<p>Records of each position held by each swap dealer and major swap participant, identified by product and counterparty, including records reflecting whether each position is "long" or "short" and whether the position is cleared, and in a manner that permits identification of the transactions that established the position.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>Until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p>	<p>17 C.F.R. § 23.201(a)(2), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>
<p>Records of each transaction executed on a swap execution facility or designated contract market or cleared by a derivatives clearing organization maintained in compliance with the Commodity Exchange Act and CFTC regulations.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>Until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p>	<p>17 C.F.R. § 23.201(a)(3), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>
<p>Business records, including:</p> <p>Minutes of meetings of the governing body and relevant committee minutes, including handouts and presentation materials.</p> <p>Organizational charts for its governing body and relevant committees, business trading unit, clearing unit, risk management unit, and all other relevant units or divisions.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(b)(1)(i)-(vi), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>

<p>Biographies or resumes of managers, senior supervisors, officers, and directors.</p> <p>Job descriptions for manager, senior supervisor, officer, and director positions, including job responsibilities and scope of authority.</p> <p>Internal and external audit, risk management, compliance, and consultant reports (including management responses).</p> <p>Business and strategic plans for the business trading unit.</p> <p>[Applicable to swap dealers and major swap participants.]</p>		
<p>Records reflecting all assets and liabilities, income and expenses, capital accounts, and all other financial records required to be kept under the Commodity Exchange Act and CFTC regulations.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(b)(2), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>
<p>A record of each complaint received by the swap dealer or major swap participant concerning any partner, member, officer, employee, or agent including:</p> <ul style="list-style-type: none"> • The complainant's name, address, and account number. • The date the complaint was received. • The name of all persons identified in the complaint; • A description of the nature of the complaint. • The disposition of the complaint, and the date the complaint was resolved. <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(b)(3)(i), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>
<p>A record indicating that each counterparty of the swap dealer or major swap participant has been provided with a notice containing the physical address, email or other widely available electronic address, and telephone number of the department of the swap dealer or major swap participant to which any complaints may be directed.</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(b)(3)(ii), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>

[Applicable to swap dealers and major swap participants.]		
<p>All marketing and sales presentations, advertisements, literature, and communications, and a record documenting that the swap dealer or major swap participant has complied with, or adopted policies and procedures reasonably designed to establish compliance with, all applicable federal requirements, CFTC regulations, and the rules of any self-regulatory organization of which the swap dealer or major swap participant is a member.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>5 years. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 23.201(b)(4), 17 C.F.R. § 23.203, and 17 C.F.R. § 1.31(b)</p>
<p>Records of all activities relating to the business of the facility, in a form and manner acceptable to the CFTC, including a complete audit trail for all swaps executed on or subject to the rules of the swap execution facility, investigatory files, and disciplinary files.</p> <p>[Applicable to swap dealers and major swap participants.]</p>	<p>If the record is for a swap or related cash or forward transaction, it must be kept until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and for 5 years after that date. Electronic versions of these records must be easily accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the 5-year period following that date. Paper versions of these records must be readily-accessible until the termination, maturity, expiration, transfer, assignment, or novation date of the transaction and during the first two years of the 5-year period following that date.</p> <p>For all other records, 5 years, with electronic records readily accessible all 5 years, and paper records easily accessible the first 2 years.</p>	<p>17 C.F.R. § 37.1001, 17 C.F.R. § 1.31(b), and 17 C.F.R. § 45.2</p>
<p>All swap data, including all historical positions.</p> <p>[Applicable to swap data repositories.]</p>	<p>Throughout the existence of the swap and for 5 years following the termination of the swap. Electronic records must be readily accessible for the entire 5-year period. Paper records must be stored in an easily accessible place the first 2 years.</p>	<p>17 C.F.R. § 49.12, 17 C.F.R. § 49.15, 17 C.F.R. Ch. 1, Pt. 43, and 17 C.F.R. § 1.31(b)</p>

CFTC Record Retention Schedule - Other Persons or Entities and Generally Applicable Requirements

RECORD	RETENTION PERIOD
All books and records prepared in connection with activities as the	5 years. Electronic records must be readily accessible for the entire 5-

commodity trading advisor of qualified eligible persons (including, without limitation, records relating to the qualifications of such qualified eligible persons and substantiating any performance representations).	year period. Paper records must be stored in an easily accessible place the first 2 years.
[Applicable to commodity trading advisors]	
Books and records showing all details of all positions and transactions in the commodity or swap on all reporting markets, executed over the counter or under 17 C.F.R. Ch. 1, Pt. 35, and on foreign boards of trade.	Unspecified
[Applicable to every volume threshold account controller; person who owns a volume threshold account; reportable sub-account controller; person who owns a reportable sub-account; and trader who owns, holds, or controls a reportable futures or option position.]	
Books and records showing all details of all positions and transactions in the cash commodity or swap, its products, and byproducts, and all commercial activities that it hedges in the futures, option, or swap contract in which it is reportable.	Unspecified
[Applicable to every volume threshold account controller; person who owns a volume threshold account; reportable sub-account controller; person who owns a reportable sub-account; and trader who owns, holds, or controls a reportable futures or option position.]	
All records for transactions resulting in the positions listed above.	Unspecified
[Applicable to every person with equal to or greater than 50 gross all-months-combined futures equivalent positions in paired swaps or swaptions on the same commodity.]	
Records showing transactions in the cash commodity underlying these positions or its products and byproducts, and all commercial activities that are hedged or that have risks that are mitigated by such positions.	Unspecified
[Applicable to every person with equal to or greater than 50 gross all-months-combined futures equivalent positions in paired swaps or swaptions on the same commodity.]	
Records of the computations required under 17 C.F.R. Ch. 1, Pt. 190.	5 years or for a period of one year after the close of the bankruptcy proceeding for which they were compiled, whichever is longer. Electronic records must be readily accessible for the entire period. Paper records must be stored in an easily accessible place the first 2 years.
[Applicable to bankruptcy trustees.]	

Note: [CFTC Record Retention Schedule - Other Entities and Generally Applicable Requirements](#)

PRODUCTS

PLC US Capital Markets & Corporate Governance, PLC US Corporate and Securities, PLC US Federal Litigation, PLC US Law Department

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