

Information Memo



Number 13-1
January 17, 2013

TO: ALL FLOOR MEMBERS, MEMBER ORGANIZATIONS AND TRADING FLOOR PERSONNEL

SUBJECT: GAMBLING POLICY

The following serves a reminder to New York Stock Exchange LLC and NYSE MKT LLC (collectively, the "Exchange") members, member organizations and employees subject to their supervision that promoting or participating in certain gambling activities on NYSE premises, including the Trading Floor, is strictly prohibited by the Floor Conduct and Safety Guidelines and Exchange Rules, including but not limited to Rule 476(a)(7) (collectively, "Exchange Rules and Policies"). See Information Memo 11-20, dated July 1, 2011.

Gambling is a criminal offense in New York and also a violation of Exchange Rules and Policies when a person, in a capacity other than as a participant or "player," operates, promotes or advances a gambling enterprise or activity with the agreement or understanding that they will receive money, property or otherwise share in the proceeds of the gambling activity pursuant to the agreement or understanding. Any remuneration or payment, including tips or gratuities to the individual advancing or promoting the gambling activity made pursuant to any custom or practice, can constitute an agreement or understanding to participate in the proceeds of gambling activity. For example, a sporting event pool where the participants purchase participation in the pool and each of the persons who win pay the person who organizes and promotes the pool an amount of money equal to a percentage of their winnings would be criminal and violate Exchange Rules and Policies. Other examples of prohibited gambling activity include schemes such as bookmaking, numbers games, or other organized for-profit betting activity relating to sporting activities, other outside events or games of chance. Telephones, computers, or other communications devices or business equipment located on the Floor or other premises under NYSE control may not be used for any prohibited gambling activities. Further, the display or visible possession of gambling devices such as pool boxes, betting slips, etc. used in any gambling activity is also strictly prohibited on the Floor or other premises under NYSE control.

Members and member organizations are reminded that the Floor Conduct and Safety Guidelines require that all persons, while on the Floor or on other premises under NYSE control, refrain from engaging in any act or practice that may be detrimental to the interest or welfare of the NYSE.

If you have any questions about whether a particular activity is prohibited, you should consult with your firm's compliance officer, senior manager, and/or legal counsel.

Questions about this policy or complaints about potential violations should be directed to:

Patricia Bergholc, Director, FINRA Market Regulation, 917.281.3054; or

David De Gregorio, Chief Counsel, NYSE Regulation, Inc., 212.656.4166.

Questions may also be directed to the FINRA On-Floor Surveillance Unit on the Floor.