



## Regulatory Notice 21-03

**DATE:** February 4, 2021

**TO:** All Members of MEMX LLC

**FROM:** MEMX Regulation

**RE:** MEMX Waives Requirement for Certain Members to Provide Broker-Dealer Annual Reports (Including Audited Financials)

This Regulatory Notice is being issued to advise all Members of MEMX LLC (“MEMX” or “the Exchange”) that MEMX recently filed with the Securities and Exchange Commission (“SEC”) a proposed rule change to adopt Interpretation and Policy .03 to MEMX Rule 4.2 to waive the requirement of SEC Rule 17a-5(d)(6) that Members for which MEMX is not the designated examining authority (“DEA”) must provide copies of their broker-dealer annual reports (“Annual Reports”), which include audited financials, to MEMX unless specifically requested by MEMX.

Accordingly, Members for which MEMX is not the DEA are **not required** to provide copies of their Annual Reports (or audited financials) to MEMX on an annual basis. Instead, such Members will only be required to provide such information to MEMX upon request, in accordance with MEMX Rule 4.2, which requires a Member to furnish to MEMX, upon request, current copies of any financial information filed with the SEC.

A copy of the proposed rule change is available [here](#). The proposed rule change became effective immediately upon filing and will become operative 30 days after such date, on February 20, 2021.

### **Additional Information**

For questions or inquiries regarding regulatory matters, please contact MEMX Regulation: [regulation@memx.com](mailto:regulation@memx.com).

For MEMX rule interpretations, please contact: [reginterps@memx.com](mailto:reginterps@memx.com).