

FILED

NATIONAL FUTURES ASSOCIATION
BEFORE THE
BUSINESS CONDUCT COMMITTEE

JUL 18 2014

NATIONAL FUTURES ASSOCIATION
LEGAL DOCKETING

In the Matter of:

FOREX CAPITAL MARKETS LLC
(NFA ID #308179),

Respondent.

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NFA Case No. 14-BCC-015

DECISION

Having reviewed all matters relevant to the Complaint issued by this Committee against Forex Capital Markets LLC (FXCM) in the above-captioned matter and having considered the Offer of Settlement (Offer) submitted by it and having accepted its Offer, the Committee issues this Decision.

I

ALLEGED VIOLATIONS OF NFA REQUIREMENTS

On July 18, 2014, this Committee issued a Complaint against FXCM, a Forex Dealer Member, futures commission merchant, and Retail Foreign Exchange Dealer Member of National Futures Association (NFA) located in New York City. The Complaint alleged that FXCM violated NFA Compliance Rule 2-36(d) by doing business with an unregistered entity which was required to be registered as a commodity pool operator (CPO) NFA Member; and NFA Compliance Rule 2-48 by failing to submit trade data to NFA through NFA's Forex Transaction Reporting Execution Surveillance System (FORTRESS).

II

SETTLEMENT OFFER

FXCM submitted an Offer in which – without admitting or denying the allegations of the Complaint – it proposed to settle this case by paying a fine in the amount of \$200,000 to NFA within 30 days of the date of issuance of a Decision accepting its Offer.

III

FINDINGS

Pursuant to FXCM's Offer – in which FXCM neither admitted nor denied the allegations of the Complaint – this Committee finds that FXCM violated NFA Compliance Rule 2-36(d) by doing business with an unregistered entity which was required to be registered as a CPO NFA Member; and NFA Compliance Rule 2-48 by failing to submit trade data to NFA through FORTRESS.

IV

PENALTY

The Committee, having considered this matter and having accepted the Offer made by FXCM, orders FXCM to pay a fine in the amount of \$200,000 to NFA within 30 days of the date of issuance of this Decision.

This Decision shall operate to bar any future Member Responsibility Actions or Business Conduct Committee Complaints against FXCM for any conduct occurring prior to the date of its Offer of which NFA had corporate knowledge, and shall resolve and terminate all complaints, investigations and audits relating to FXCM which were pending as of the date of its Offer.

FXCM's Offer and this Decision accepting FXCM's Offer shall not be used as a sole basis for any other action or proceeding by NFA against FXCM, including any registration matter, except FXCM's Offer and this Decision may be used in an action to enforce their terms or in a subsequent disciplinary action or regulatory action, where they may be considered as disciplinary history and evidence in aggravation on the issue of sanctions.

**NATIONAL FUTURES ASSOCIATION
BUSINESS CONDUCT COMMITTEE**

Date: 7-18-14

By: 

Chairman

m/rvh/FXCM Decision