

CIRCULAR 164-22

December 21, 2022

**DISCIPLINARY DECISION — OFFER OF SETTLEMENT
CREDIT SUISSE SECURITIES (USA) LLC**

On December 2, 2021, following an investigation conducted by its Regulatory Division, Bourse de Montréal Inc. (the “Bourse”) filed a complaint against Credit Suisse Securities (USA) LLC (“CSSU”), a foreign approved participant of the Bourse.

This complaint stated the following:

1. Between the period from May 19, 2011 to September 10, 2020, CSSU contravened article 6366 A) (article 3.4 from January 1, 2019) - “Access to Electronic Trading” and article 7403 (article 3.400 from January 1, 2019) - “Application for Approval as an Approved Person” of the Rules of the Bourse (the “Rules”), by providing access to five (5) of its employees, for various periods varying between 45 days and 3,258 days, to the electronic trading system of the Bourse without having obtained the prior approval of the Bourse; and
2. Between the period from May 19, 2011 to September 10, 2020, CSSU contravened article 3011 (article 3.100 from January 1, 2019) - “Surveillance and Compliance” as it did not establish and maintain a system to supervise the activities of each employee that is reasonably designed to achieve compliance with the Rules and Policies of the Bourse, more specifically as it did not follow its policies and procedures in regards to requesting access to the Bourse trading system and had an incomplete review process in place where the query used by the firm did not capture all groups of employees.

Following a hearing held on December 1, 2022, the Disciplinary Committee of the Bourse accepted the offer of settlement negotiated between the staff of the Regulatory Division of the Bourse and CSSU, which includes the imposition of a fine totalling \$95,000, as well as the payment of an additional amount of \$6,085 for the related costs.

To access the full text version of the Disciplinary Committee’s decision, please refer to the following link:
https://www.m-x.ca/f_publications_en/disciplinary_decision_credit_suisse_20221221_en.pdf

For further information, please contact Jean-Pierre St-Cyr, Senior Legal Officer, Legal and Regulatory Affairs at (514) 829-4034 or by e-mail at jean-pierre.st-cyr@tmx.com.

Adam Allouba
Chief Legal Counsel