

# ENFORCEMENT RULE OF THE FUTURES TRADING ACT

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Ordinance of the Ministry of Finance and Economy No. 55, Dec. 24, 1998  
Amended by Ordinance of the Ministry of Finance and Economy No. 82, May 24, 1999  
Ordinance of the Ministry of Finance and Economy No. 155, Jul. 28, 2000  
Ordinance of the Ministry of Finance and Economy No. 352, Feb. 28, 2004  
Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005  
Ordinance of the Prime Minister No. 875, Mar. 3, 2008

## Article 1 (Purpose)

The purpose of this Rule is to provide for matters delegated by the Futures Trading Act and its Enforcement Decree as well as for those necessary for the enforcement thereof. *<Amended by Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005>*

## Article 1-2 (Similar Overseas Futures Trading)

As used in Article 2-2 of the Enforcement Decree of the Futures Trading Act (hereinafter referred to as the "Decree"), the term "transactions provided for by Ordinance of the Prime Minister" means any of the following transactions: *<Amended by Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005; Ordinance of the Prime Minister No. 875, Mar. 3, 2008>*

1. Over-the-counter metal transactions under the regulations of the London Metal Exchange;
2. Bullion transactions under the regulations of the London Bullion Market Association;
3. Vessel freight transactions under the regulations of the Vessel Freight Leading Dealer Association;
4. Over-the-counter foreign exchange transactions under the regulations of the U.S. National Futures Association; and
5. Over-the-counter foreign exchange transactions under the Mercantile Exchange Act of Japan.

*[This Article Newly Inserted by Ordinance of the Ministry of Finance and Economy No. 155, Jul. 28, 2000]*

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Article 1-3 Deleted. *<by Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005>*

Article 2 (Disclosure of Information)

Any information which shall be disclosed so as to come to many persons' knowledge under Article 31-2 (2) of the Act shall be any of the following:

*<Amended by Ordinance of the Prime Minister No. 875, Mar. 3, 2008>*

1. Any information included in documents submitted or reported to the Financial Services Commission and the Korea Securities and Futures Exchange established under the Korea Securities and Futures Exchange Act (hereinafter referred to as the "Exchange") in accordance with Acts and subordinate statutes, in which case one day has elapsed since they were kept as determined by the Financial Services Commission and the Exchange;
2. Any information in which case one day has elapsed since its contents were reported by two or more newspapers published for nationwide distribution, among general daily newspapers or special daily newspaper in the economic field referred to in the Registration, etc. of Periodicals Act;
3. Any information in which case twelve hours have elapsed since its contents were broadcasted through nationwide broadcasting among broadcasting referred to in the Broadcasting Act (excluding special broadcasting); and
4. Any information in which case twenty-four hours have elapsed since its contents were disclosed through electronic communication media established and operated by the Financial Services Commission or the Exchange.

*[This Article Newly Inserted by Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005]*

Article 3 (Method, etc. of Discretionary Futures Trading)

(1) If a futures company intends to make any discretionary futures trading under Article 48 (4) of the Act, it shall, in advance, enter into a written contract with a customer and designate a manager of its account. In this case, the contract period shall not exceed one year.

(2) If a futures company makes any discretionary futures trading under Article 48 of the Act, it shall, not later than the tenth day of the first month following the date of such trading, report the name of a customer,

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the contract number, price and time of such trading, etc. to the Financial Services Commission or the Exchange.<Amended by Ordinance of the Prime Minister No. 875, Mar. 3, 2008>

(3) A form of a contract for discretionary futures trading, the designation of an account manager, a report on discretionary futures trading, and other detailed matters necessary therefor shall be determined by the Financial Services Commission.

<Amended by Ordinance of the Prime Minister No. 875, Mar. 3, 2008>

[This Article Newly Inserted by Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005]

Article 4 Deleted. <by Ordinance of the Ministry of Finance and Economy No. 155, Jul. 28, 2000>

Article 5 Deleted. <by Ordinance of the Ministry of Finance and Economy No. 82, May 24, 1999>

ADDENDUM

This Rule shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance of the Ministry of Finance and Economy No. 82, May 24, 1999>

This Rule shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance of the Ministry of Finance and Economy No. 155, Jul. 28, 2000>

This Rule shall enter into force on the date of its promulgation.

ADDENDA <Ordinance of the Ministry of Finance and Economy No. 352, Feb. 28, 2004>

Article 1 (Enforcement Date)

This Rule shall enter into force on March 1, 2004.

Articles 2 through 4 Omitted.

ADDENDUM <Ordinance of the Ministry of Finance and Economy No. 412, Jan. 27, 2005>

This Rule shall enter into force on the date when the Exchange registers

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its establishment under Article 11 of the Addenda of the Korea Securities and Futures Exchange Act(Act No. 7112).

ADDENDA <*Ordinance No. 875, Mar. 3, 2008*>

Article 1 (Enforcement Date)

This Rule shall enter into force on the date of its promulgation.

Articles 2 though 5 Omitted.