Page 1 of * 16			CHANGE COMMISS N, D.C. 20549 19b-4		File No. * SR 2022 - * 32 No. (req. for Amendments *)		
Filing by MIAX	Emerald, LLC						
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934							
Initial *  ✓	Amendment *	Withdrawal	Section 19(b)	(2) * Section 19(b)(3	Section 19(b)(3)(B) *		
Pilot	Extension of Time Period for Commission Action *	Date Expires *		Rule  19b-4(f)(1)  19b-4(f)(2)  19b-4(f)(3)	19b-4(f)(4) 19b-4(f)(5) 19b-4(f)(6)		
Notice of pro	posed change pursuant to the Payr e)(1) *	ment, Clearing, and Settlem Section 806(e)(2) *	nent Act of 2010	Security-Based Swap Securities Exchange A Section 3C(b)(2) *	Submission pursuant to the Act of 1934		
Exhibit 2 Sent As Paper Document  Exhibit 3 Sent As Paper Document  Exhibit 3 Sent As Paper Document							
	on rief description of the action (limit 25 nange Rule 515 to make minor non-		en Initial is checked *).				
Contact Information  Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.							
First Name *	Greg	Last Name *	Ziegler				
Title *	Senior Counsel						
E-mail *	gziegler@miaxoptions.com						
Telephone *	(609) 897-1483	Fax					
Signature Pursuant to has duty cau	the requirements of the Securities E used this filing to be signed on its be	Exchange of 1934, MIAX E shalf by the undersigned the	imerald, LLC ereunto duty authorize	d.			
Date	11/10/2022	_	(Ti	tle *)			
Ву	Gregory P. Ziegler		Senior Counsel				
	(Name *)	_					
form. A digital s	the signature block at right will initiate digitally ignature is as legally binding as a physical sign is form cannot be changed.	signing the lature, and	Gregory Zisgler	Date: 2022.11.10 14:44:30 -05'00'			

### SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

Form 19b-4 Information *						
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SR-EMERALD-2022-32 19b4.docx						

The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

### Exhibit 1 - Notice of Proposed Rule Change \*

Add Remove View

SR-EMERALD-2022-32-Exhibit 1.doc

The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

Exhibit 1A - Notice of Proposed Rule Change, Security-Based Swap Submission, or Advanced Notice by Clearing Agencies \*

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The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

### Exhibit 2- Notices, Written Comments, Transcripts, Other Communications

Add Remove View

Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.

Exhibit Sent As Paper Document

**Exhibit Sent As Paper Document** 

### Exhibit 3 - Form, Report, or Questionnaire

Add Remove View

Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is referred to by the proposed rule change.

#### **Exhibit 4 - Marked Copies**

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The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit the staff to identify immediately the changes made from the text of the rule with which it has been working.

### Exhibit 5 - Proposed Rule Text

Add Remove View

SR-EMERALD-2022-32 Exhibit 5.docx

The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part of the proposed rule change

#### **Partial Amendment**

Add Remove View

If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.

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### 1. <u>Text of the Proposed Rule Change</u>

(a) MIAX Emerald, LLC ("MIAX Emerald" or "Exchange"), pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> proposes to make a minor, non-substantive edit to Exchange Rule 515, Execution of Orders and Quotes.

Notice of the proposed rule change for publication in the <u>Federal Register</u> is attached hereto as <u>Exhibit 1</u>, and the text of the proposed rule change is attached hereto as <u>Exhibit 5</u>.

- (b) Not applicable.
- (c) Not applicable.

### 2. Procedures of the Self-Regulatory Organization

The proposed rule changes were approved by the Chief Executive Officer of the Exchange or his designee pursuant to authority delegated by the MIAX Emerald Board of Directors on June 16, 2022. Exchange staff will advise the Board of Directors of any action taken pursuant to delegated authority. No other action by the Exchange is necessary for the filing of the proposed rule changes.

Questions and comments on the proposed rule changes may be directed to Greg Ziegler, Vice President, Senior Counsel, at (609) 897-1483.

# 3. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

a. <u>Purpose</u>

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>2</sup> 17 CFR 240.19b-4.

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The Exchange proposes to amend Exchange Rule 515 to make a minor, non-substantive edit to the numbering convention used in the rule to provide accuracy, precision, and ease of reference within the rule text.

Specifically, the Exchange proposes to amend Rule 515(h)(4)(D) to change the reference from subparagraph "(D)" to subparagraph "(iv)." On July 1, 2022, the Exchange submitted a substantive proposal to adopt new paragraph (D) to Exchange Rule 515(h)(4).<sup>3</sup> Concurrently, the Exchange filed a proposal to make a number of non-substantive edits within rule 515 to, among other things, harmonize the numbering hierarchy within the rule to that used throughout the Exchange's Rulebook.<sup>4</sup> However, this proposal did not include paragraph (D) to Rule 515(h)(4) as that provision had not yet become operative on the Exchange.

The Exchange recently implemented its proposal that includes new subparagraph (D) to Rule 515(h)(4)<sup>5</sup> and now proposes to amend subparagraph (D) to renumber as subparagraph (iv) to conform with the numbering convention used throughout Rule 515. No other changes to the rule are proposed.

### b. <u>Statutory Basis</u>

See Securities Exchange Act Release No. 95272 (July 13, 2022), 87 FR 43065 (July 20, 2022) (SR-EMERALD-2022-23).

See Securities Exchange Act Release No. 95343 (July 20, 2022), 87 FR 44475 (July 26, 2022) (SR-EMERALD-2022-24).

See MIAX Emerald Regulatory Circular 2022-59, Four Decimal Precision for Pricing Stock-Option Complex Strategies (October 18, 2022) available at <a href="https://www.miaxoptions.com/sites/default/files/circular-files/MIAX Emerald Options RC 2022 59.pdf">https://www.miaxoptions.com/sites/default/files/circular-files/MIAX Emerald Options RC 2022 59.pdf</a>.

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The Exchange believes that the proposed rule changes are consistent with Section 6(b) of the Act<sup>6</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>7</sup> in particular, in that they are designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest.

The Exchange believes that the proposed change to Exchange Rule 515 promotes just and equitable principles of trade and removes impediments to and perfects the mechanism of a free and open market and a national market system because the proposed rule change will provide greater clarity to Members<sup>8</sup> and the public regarding the Exchange's Rules by conforming the numbering in Exchange Rule 515 to the existing identification scheme in the Exchange's Rulebook. It is in the public interest for rules to be accurate and concise so as to eliminate the potential for confusion.

### 4. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Specifically, the Exchange believes the proposed change will not impose any burden on intra-market

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78f(b).

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78f(b)(5).

The term "Member" means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed "members" under the Exchange Act. See Exchange Rule 100.

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competition as there is no functional change to the Exchange's System<sup>9</sup> and because the rules of the Exchange apply to all MIAX Emerald participants equally. The Exchange believes the proposed rule change will not impose any burden on intra-market competition as the proposed change is not designed to address any competitive issue but rather is designed to remedy a minor non-substantive issue and provide added precision and accuracy to the rule text of Exchange Rule 515. In addition, the Exchange does not believe the proposal will impose any burden on inter-market competition as the proposal does not address any competitive issues and is intended to protect investors by providing further transparency and precision for referencing the Exchange's Rules.

# 5. <u>Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others</u>

No written comments were either solicited or received.

### 6. Extension of Time Period for Commission Action

Not applicable.

# 7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2)</u>

Pursuant to Section 19(b)(3)(A) of the Act<sup>10</sup> and Rule 19b-4(f)(6)<sup>11</sup> thereunder, the Exchange has designated this proposal as one that effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the

The term "System" means the automated trading system used by the Exchange for the trading of securities. <u>See</u> Exchange Rule 100.

<sup>&</sup>lt;sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>11</sup> 17 CFR 240.19b-4(f)(6).

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date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

The Exchange believes that the proposed change does not affect the protection of investors or the public interest because the proposed change is a minor, non-substantive edit that will provide greater clarity to Members and the public regarding the Exchange's Rules. Further, the Exchange believes the proposed change does not impose any significant burden on intramarket competition because the proposed change applies equally to all Exchange participants and does not raise any new or novel regulatory issues. Additionally, the Exchange believes the proposed change does not impose any significant burden on inter-market competition as the proposed change is not designed to address any competitive issue but rather is designed to remedy a minor non-substantive issue in the Exchange's Rulebook to provide accuracy and clarity to the rule text of Exchange Rule 515.

Accordingly, because the proposed rule change does not introduce any new regulatory issues, the Exchange has filed this rule filing as non-controversial under Section 19(b)(3)(A) of the Act<sup>12</sup> and paragraph (f)(6) of Rule 19b-4 thereunder. <sup>13</sup>

Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement. Furthermore, a proposed rule change filed pursuant to Rule 19b-4(f)(6) under the Act<sup>14</sup> normally does not become operative for 30 days after the date

<sup>&</sup>lt;sup>12</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>13</sup> 17 CFR 240.19b-4(f)(6).

<sup>&</sup>lt;sup>14</sup> 17 CFR 240.19b-4(f)(6).

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of its filing. However, Rule 19b-4(f)(6) $^{15}$  permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest.

The Exchange respectfully requests that the Commission waive the 30-day operative delay period after which a proposed rule change under Rule 19b-4(f)(6) becomes effective. Waiver of the operative delay would allow the Exchange to update the subparagraph numbering in Exchange Rule 515 immediately, thereby avoiding any potential investor confusion during the operative delay period. Waiver of the operative delay is, therefore, consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission were to take such action, the Commission shall institute proceedings to determine whether the proposed rule shall be approved or disapproved.

# 8. <u>Proposed Rule Change Based on Rules of Another Self-Regulatory Organization or of the Commission</u>

Not applicable.

# 9. <u>Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act</u> Not applicable.

# 10. <u>Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act</u>

Not applicable.

<sup>&</sup>lt;sup>15</sup> 17 CFR 240.19b-4(f)(6).

### 11. Exhibits

- 1. Notice of proposed rule for publication in the Federal Register.
- 5. Text of proposed rule change.

**EXHIBIT 1** 

SECURITIES AND EXCHANGE COMMISSION

(Release No. 34- ; File No. SR-EMERALD-2022-32)

November , 2022

Self-Regulatory Organizations: MIAX Emerald, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend Exchange Rule 515 to Make a Minor, Non-Substantive Edit

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on November 10, 2022, MIAX Emerald, LLC ("MIAX Emerald" or "Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. <u>Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed</u> <u>Rule Change</u>

The Exchange proposes to make a minor, non-substantive edit to Exchange Rule 515, Execution of Orders and Quotes.

The text of the proposed rule change is available on the Exchange's website at <a href="http://www.miaxoptions.com/rule-filings/emerald">http://www.miaxoptions.com/rule-filings/emerald</a>, at MIAX Emerald's principal office, and at the Commission's Public Reference Room.

II. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change</u>

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on

<sup>15</sup> U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>2</sup> 17 CFR 240.19b-4.

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the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

### A. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

### 1. Purpose

The Exchange proposes to amend Exchange Rule 515 to make a minor, non-substantive edit to the numbering convention used in the rule to provide accuracy, precision, and ease of reference within the rule text.

Specifically, the Exchange proposes to amend Rule 515(h)(4)(D) to change the reference from subparagraph "(D)" to subparagraph "(iv)." On July 1, 2022, the Exchange submitted a substantive proposal to adopt new paragraph (D) to Exchange Rule 515(h)(4).<sup>3</sup> Concurrently, the Exchange filed a proposal to make a number of non-substantive edits within rule 515 to, among other things, harmonize the numbering hierarchy within the rule to that used throughout the Exchange's Rulebook.<sup>4</sup> However, this proposal did not include paragraph (D) to Rule 515(h)(4) as that provision had not yet become operative on the Exchange.

The Exchange recently implemented its proposal that includes new subparagraph (D) to Rule 515(h)(4)<sup>5</sup> and now proposes to amend subparagraph (D) to renumber as subparagraph (iv)

See Securities Exchange Act Release No. 95272 (July 13, 2022), 87 FR 43065 (July 20, 2022) (SR-EMERALD-2022-23).

See Securities Exchange Act Release No. 95343 (July 20, 2022), 87 FR 44475 (July 26, 2022) (SR-EMERALD-2022-24).

See MIAX Emerald Regulatory Circular 2022-59, Four Decimal Precision for Pricing Stock-Option Complex Strategies (October 18, 2022) available at <a href="https://www.miaxoptions.com/sites/default/files/circular-files/MIAX\_Emerald\_Options\_RC\_2022\_59.pdf">https://www.miaxoptions.com/sites/default/files/circular-files/MIAX\_Emerald\_Options\_RC\_2022\_59.pdf</a>.

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to conform with the numbering convention used throughout Rule 515. No other changes to the rule are proposed.

### 2. Statutory Basis

The Exchange believes that the proposed rule changes are consistent with Section 6(b) of the Act<sup>6</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>7</sup> in particular, in that they are designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest.

The Exchange believes that the proposed change to Exchange Rule 515 promotes just and equitable principles of trade and removes impediments to and perfects the mechanism of a free and open market and a national market system because the proposed rule change will provide greater clarity to Members<sup>8</sup> and the public regarding the Exchange's Rules by conforming the numbering in Exchange Rule 515 to the existing identification scheme in the Exchange's Rulebook. It is in the public interest for rules to be accurate and concise so as to eliminate the potential for confusion.

#### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Specifically,

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78f(b).

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78f(b)(5).

The term "Member" means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed "members" under the Exchange Act. See Exchange Rule 100.

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the Exchange believes the proposed change will not impose any burden on intra-market competition as there is no functional change to the Exchange's System<sup>9</sup> and because the rules of the Exchange apply to all MIAX Emerald participants equally. The Exchange believes the proposed rule change will not impose any burden on intra-market competition as the proposed change is not designed to address any competitive issue but rather is designed to remedy a minor non-substantive issue and provide added precision and accuracy to the rule text of Exchange Rule 515. In addition, the Exchange does not believe the proposal will impose any burden on inter-market competition as the proposal does not address any competitive issues and is intended to protect investors by providing further transparency and precision for referencing the Exchange's Rules.

C. <u>Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others</u>

Written comments were neither solicited nor received.

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act<sup>10</sup> and Rule 19b-4(f)(6)<sup>11</sup> thereunder.

The term "System" means the automated trading system used by the Exchange for the trading of securities. <u>See</u> Exchange Rule 100.

<sup>&</sup>lt;sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>17</sup> CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.

Comments may be submitted by any of the following methods:

### Electronic comments:

- ☐ Use the Commission's Internet comment form (<a href="http://www.sec.gov/rules/sro.shtml">http://www.sec.gov/rules/sro.shtml</a>); or
- □ Send an e-mail to rule-comments@sec.gov. Please include File Number SR-EMERALD-2022-32 on the subject line.

#### Paper comments:

□ Send paper comments in triplicate to Vanessa Countryman, Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-EMERALD-2022-32. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (http://www.sec.gov/rules/sro.shtml).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications

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relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR-EMERALD-2022-32 and should be submitted on or before [insert date 21 days from publication in the <u>Federal Register</u>]. For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>12</sup>

Vanessa Countryman Secretary

<sup>12</sup> 

**EXHIBIT 5** 

New text is <u>underlined</u>; Deleted text is in [brackets]

### **MIAX Emerald Options Exchange Rules**

\*\*\*\*

### Rule 515. Execution of Orders and Quotes

- (a) (g) No change.
- (h) Crossing Orders.
  - (1) (3) No change.
- (4) Complex Qualified Contingent Cross ("cQCC") Orders. cQCC Orders, as defined in Rule 518(b)(6), are automatically executed upon entry provided that, with respect to each option leg of the cQCC Order, the execution (i) is not at the same price as a Priority Customer Order on the Exchange's Book; and (ii) is at or between the NBBO. The System will reject a cQCC Order if, at the time of receipt of the cQCC Order: (i) the strategy is subject to a cPRIME Auction pursuant to Rule 515A, Interpretation and Policy .12 or to a Complex Auction pursuant to Rule 518(d); or (ii) any component of the strategy is subject to a SMAT Event as described in Rule 518(a)(16).
  - (i) (iii) No change.
- ([D]iv) A cQCC Order may be entered with or without the stock component. A cQCC Order entered without the stock component will be treated as a complex strategy with only option components. A cQCC Order entered with the stock component shall be subject to Rule 518.01. A Member that submits a cQCC Order to the Exchange (with or without the stock component) represents that such order satisfies the requirements of a qualified contingent trade (as described in Interpretations and Policies .01 of Rule 516) and agrees to provide information to the Exchange related to the execution of the stock component as determined by the Exchange and communicated via Regulatory Circular.

\*\*\*\*