

## **Appendix B - Business Continuity & Disaster Recovery Plan Questionnaire**

Each National Futures Association (“NFA”) Member firm must adopt a written business continuity and disaster recovery plan tailored to its operations. NFA has developed the following questionnaire to assist firms in meeting that requirement.

The firm should maintain its business continuity and disaster recovery plan with other firm procedures. Having a written policy is not enough to meet your regulatory requirements, however. You must also implement and follow that policy and communicate it to your employees.

Please also consult the following NFA Rule and Interpretive Notice when designing your plan:

<https://www.nfa.futures.org/rulebook/rules.aspx?Section=4&RuleID=RULE%202-38>

<https://www.nfa.futures.org/rulebook/rules.aspx?Section=9&RuleID=9052>

A Member firm's written policy should answer all of the following questions as completely as possible. Although you may answer “not applicable” to particular questions, you should carefully consider the firm's operations before doing so.

- Where are the firm's backup facilities (including systems and personnel) located? Are the backup facilities located in separate geographical areas from the primary facility? Are the backup facilities on a different power grid than the primary facility? Do they utilize a different telecommunication vendor?
- What are the firm's procedures for backing up or copying essential documents and data? How often is this done?
- Does the firm store the information in hard copy? In electronic format? Where is the backup information stored?
- What staff competencies or duties are critical to continuing your operations? How has your firm duplicated these competencies in order to minimize the effect on the firm's operations if it loses primary staff?
- What specific steps will the firm take to minimize the impact of business interruptions encountered by the following third parties:
  - Banks?
  - Carrying brokers?
  - Order routers?
  - Data providers?
  - Other third parties that are critical to continuing your operation? Be specific.
- Describe the firm's disaster-related communication plan. Specifically, how will the firm contact each of the following essential parties:

- Employees?
- Customers?
- Carrying brokers?
- Vendors?
- Other third parties that are essential to continuing your operation? Be specific.
- How often does management review the plan for needed updates? What evidence does the firm maintain as proof that a review was completed?
- How often is the plan tested for effectiveness? Describe the testing process, including whether the firm plans to participate in any industry-wide disaster recovery testing. What evidence does the firm maintain as proof that a test was completed?
- Where does the firm maintain copies of the plan? Is the plan kept at one or more off-site locations that are readily accessible to key employees? Be specific.
- List the key employees that have received the plan. Has the plan been explained to these employees? What essential components have been discussed with all other employees? How often will the plan be communicated or distributed to employees?
- What procedures are in place to ensure that any updated plan is distributed to key employees and that all other employees are notified of changes to essential components?
- If an FDM or FCM Member, has the firm provided or updated NFA with the name and contact information for all key management employees? Has the firm provided NFA with the location, address and telephone number of its primary and alternative disaster recovery sites?

*If not, this information can be updated through the WinJammer™ Online Filing System.*

- If an IB, CPO, or CTA Member, has the firm provided or updated NFA with emergency contact information for one or more individuals NFA can contact in the event of an emergency? Are those individuals authorized to make key decisions in the event of an emergency?

*If not, this information can be updated in the firm's annual questionnaire. Go to NFA's website home page under the "Electronic Filings" heading. Then click on "Annual Questionnaire." Members will need an ORS sign-on ID and password to gain access.*

The components listed in the above steps are the minimum areas that the plan should address. Please include additional information on any other areas that are essential to your operations.