

the appropriate regulatory organizations in each country represented in the Major 11 International Index except Sweden and Switzerland, which together currently represent 9.39% of the Index value.

Index Calculation: The Index will be calculated using a "capitalization-weighted" methodology. As noted above, each sub-index will be given its assigned weighting at the close of trading on the day immediately prior to the listing of the indexed term note. The number of shares in each sub-index will be fixed on that day and will equal its weighting in the Index times 100 divided by the sub-index level. There will be no periodic rebalancing of the Index to reflect changes in the relative market capitalizations among the sub-indices. The initial sub-index value used in the Index calculation will equal the product of the number of shares in the sub-index times its representative sub-index level. The Index will initially be set to provide a benchmark value of 100.00 at the close of trading on the day preceding the listing of the indexed term note. The Exchange will calculate the Index and, similar to other stock index values published by the Exchange, the value of the Index will be calculated continuously and disseminated every 15 seconds over the Consolidated Tape Association's Network B each trading day until the last individual sub-indexes ceases updating in its home market. The Exchange will then disseminate the Index based on the closing values for each sub-index.

The shares for each sub-index will remain fixed during the life of the note, except in the event of a significant action taken by the publisher of the sub-index, such as a split of the value of the sub-index or a change in the method of calculation. If a sub-index ceases to be published, it may be replaced with a substitute or successor index, or the calculation agent may undertake to publish the sub-index using the same procedures last used to calculate the sub-index prior to its discontinuance.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act³ in general and furthers the objectives of Section 6(b)(5)⁴ in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in

facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

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

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications 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 inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Amex-97-20 and should be submitted by June 18, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-13877 Filed 5-27-97; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38656; File No. SR-BSE-97-01]

Self-Regulatory Organizations; Boston Stock Exchange; Notice of Filing of Proposed Rule Change Amending the Minor Rule Violation Plan

May 20, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on May 13, 1997, the Boston Stock ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which items have been prepared by BSE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Exchange seeks to amend its Minor Rule Violation Plan to add or increase summary fine provisions for carrying weapons, fighting on the Exchange premises, and failure to comply with Floor Official rulings.²

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

In its filing with the Commission, BSE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. BSE has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

¹ 15 U.S.C. § 78s(b)(1) (1988).

² The text of the proposed rule change is attached as Exhibit 2 to File No. SR-BSE-97-01, and is available for review at the principal office of BSE and in the Public Reference Room of the Commission.

³ 15 U.S.C. 78f(b).

⁴ 15 U.S.C. 78f(b)(5).

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

The purpose of the proposed rule change is to amend various provisions of the Minor Rule Violation Plan. The first change is to increase the summary fine for possession of a firearm or other weapon on the Exchange premises from \$2500 for any offense to \$5000 for any offense. In initially adopting this fine provision, the Market Performance Committee sought to attach the highest fine available as a deterrent in an effort to ensure the safety of members, Exchange staff, and guests.

The Exchange seeks to add a summary fine provision for unauthorized physical contact with the intent to cause harm or intimidate another on the Exchange premises, with summary fines of \$500 for the first offense, \$1000 for the second offense, and \$2500 for subsequent offenses. The corresponding rule provision is Article XIV, Section 5 of the Exchange Constitution. The intent of the Market Performance Committee in adopting such a provision is to prevent member disputes from escalating to a physical confrontation.

The Exchange also seeks to add a summary fine provision for failure to comply with an appealed Floor Official ruling that stands.³ The intent of the Market Performance Committee in adopting this provision is to ensure that rule interpretations and execution quality issues on which Floor Officials are asked to make rulings are addressed in a timely fashion for the benefit of the customer.

Finally, the Exchange seeks to amend the rule provision regarding appeals to summary fines to require filing with the Office of the General Counsel, rather than with the Surveillance Department, in an effort to provide a more efficient coordination of the appeal process.

In regard to these proposed changes, the Market Performance Committee stressed its belief that the violation of any of these fine provisions may in and of itself warrant a full disciplinary hearing, as they deal with the safety of others and the protection of customers.

The Exchange believes that the proposal is consistent with Section 6(b)(5) of the Act,⁴ in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing

information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and in general, to protect investors and the public interest; and is not designed to permit unfair discrimination between customer, issuers, brokers, or dealers.

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 that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which BSE consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street N.W., Washington, D.C. 20549. 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 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 inspection and copying in the Commission's Public Reference Section, 450 Fifth Street N.W., Washington, D.C. 20549. Copies of such filing will also be available for

inspection and copying at the principal office of BSE. All submissions should refer to File No. SR-BSE-97-01 and should be submitted by June 18, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁵

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 97-13878 Filed 5-27-97; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38663; File No. SR-NSCC-97-05]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating Revision of Service Fees

May 21, 1997.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act"), notice is hereby given that on April 24, 1997, the National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission") and on May 12, 1997, and May 15, 1997, amended the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by NSCC. The Commission is publishing this notice to solicit comments from interested persons on the proposed rule change.

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

The proposed rule change modifies NSCC's fee structure.

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

In its filing with the Commission, NSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.²

⁵ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² The Commission has modified the text of the summaries prepared by NSCC.

³ In conjunction with this filing the Exchange plans to file File No. SR-BSE-97-02, which will seek to amend the corresponding rule provision relating to Floor Officials.

⁴ 15 U.S.C. § 78f(b)(5).