

Chapter II of the Clearing Conditions of Eurex Clearing AG

Transactions Concluded at Eurex Deutschland

(Eurex Exchange)

As of 20.09.2021

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

[...]

Part 1 General Provisions

[...]

- (2) In consultation with the Eurex Exchange, Eurex Clearing AG shall determine which Eurex Transactions shall be included in the Clearing and shall publish them on the Eurex Clearing Website~~website of Eurex Clearing AG (www.eurexclearing.com)~~.

[...]

[...]

1.7 Obligations with regard to the Tax Legislation of the United States of America

[...]

- (2) [...]

Clearing Members admitted to trading at Eurex Deutschland and participating in the Clearing of any Eurex Transaction being subject to Section 871(m) of the IRC (“**Potential 871m Transaction**”) that references interest in at least one security that could give rise to a U.S. source dividend (as defined in Treasury Regulations Section 1.871-15 (a) (12) or any successor thereto) shall provide Eurex Clearing AG (i) with a duly executed Form W-8IMY (Certificate of Foreign Intermediary, Foreign Flow-Through Entity, or Certain U.S. Branches for United States Tax Withholding and Reporting) or Form W-9 (Request for Taxpayer Identification Number and Certification) and (ii) by the 10th day of each month with all information in form and substance, each as laid out on the Eurex Clearing Website~~Eurex Clearing's webpage (www.eurexclearing.com)~~.

[...]

[...]

Part 2 Clearing of Futures Contracts

[...]

[...]

2.3 Clearing of Fixed Income Futures Contracts

[...]

2.3.5 Failure to Deliver

- (1) In the event that a Clearing Member fails to deliver the bonds to be delivered notified by it on the delivery day (as per Number 2.3.1) according to the instructions of Eurex Clearing AG during the delivery times determined for the delivery day (as published by Eurex Clearing AG on ~~the Eurex Clearing Website-its website~~ (www.eurexclearing.com)), Eurex Clearing AG shall be entitled to take the following measures:

[...]

- (4) In the event that a Clearing Member fails to deliver bonds of the Federal Republic of Germany to be delivered by it on the delivery day until 14:15 CE(S)T, but until the respective End-of-Settlement time (as published by Eurex Clearing AG on ~~the Eurex Clearing Website-its website~~ (www.eurexclearing.com)) ("**Settlement Cut-Off Time**"), such Clearing Member shall pay to Eurex Clearing AG a contractual penalty in the amount of 0.04 per cent of the nominal value of the non- delivered bonds.

In the event that a Clearing Member fails to deliver bonds of the Federal Republic of Germany to be delivered by it on the delivery day until the respective Settlement Cut-Off Time or other bonds during the delivery times determined for the delivery day (as published by Eurex Clearing AG on ~~the Eurex Clearing Website-its website~~ (www.eurexclearing.com)), such Clearing Member shall pay to Eurex Clearing AG a contractual penalty for the period from the delivery day (whereby the delivery day will be taken into account for the calculation) to the earlier of (a) the date of actual delivery or (b) the date of a replacement purchase (whereby such earlier date will not be taken into account for the calculation) in the following amount:

[...]

2.5 Clearing of Futures Contracts of Exchange Traded Fund Shares

[...]

2.5.1 Delivery and Payment Procedures

[...]

- (2) [...]

All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (available on [the Eurex Clearing Website-www.eurexclearing.com](http://www.eurexclearing.com)).

[...]

2.7 Clearing of Futures Contracts on Shares

[...]

2.7.1 Delivery and Payment Procedures

(1) [...]

All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (available on [the Eurex Clearing Website-www.eurexclearing.com](http://www.eurexclearing.com)).

[...]

2.11 Clearing of Commodity Index Futures Contracts

[...]

2.11.1 Payment Procedures

To the extent not provided otherwise, all payments shall be made on the Business Day following the final settlement day (Number 1.10.4 of the Eurex Contract Specifications). All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (available on [the Eurex Clearing Website-www.eurexclearing.com](http://www.eurexclearing.com)).

[...]

2.12 Clearing of FX Rolling Spot Futures Contracts

[...]

2.12.6 Termination of FX Rolling Spot Futures by Eurex Clearing AG upon Request of a FX Rolling Spot Participant

[...]

(5) FX MIP Request

If adequate attempts to close FX Rolling Spot Futures as specified in Number 2.12.6 (4) did not result in the close of more than 5 per cent of the FX

Rolling Spot Futures the orders and quotes specified in Number 2.12.6 (5) (a) and b) were related to, the FX Rolling Spot Participant may file a FX MIP Request via e-mail using the FX MIP Request form available on ~~the Eurex Clearing Website~~ ~~the website of Eurex Clearing AG (www.eurexclearing.com)~~. Such FX MIP Request will only be considered if the requesting FX Rolling Spot Participant provides Eurex Clearing AG with the following information in such form:

[...]

(7) First FX MIP Announcement

If Eurex Clearing AG finds that all requirements of Number 2.12.6 (4) and (5) are fulfilled, it will publicly announce on ~~the Eurex Clearing Website~~ ~~its website (www.eurexclearing.com)~~ that a FX MIP Request has been filed and determine the point in time the FX MIP is scheduled to take place ("**First FX MIP Announcement**") on the Business Day following the day of the First FX MIP Assessment at the latest. The FX MIP shall take place on the fifth Business Day after the Business Day of the First FX MIP Announcement. However, Eurex Clearing AG may at its sole discretion schedule a later point in time, if it deems it necessary to do so. In such First FX MIP Announcement, Eurex Clearing AG will disclose the FX Rolling Spot Futures Contracts which are subject to the FX MIP but neither the affected buy side or sell side nor the identity of the FX Rolling Spot Participant which has filed the FX MIP Request.

(8) Obligations of FX Rolling Spot Participants filing a FX MIP Request

[...]

- b) Such FX Rolling Spot Participant further has to confirm vis-à-vis Eurex Clearing AG via e-mail using the FX MIP Request form available on ~~the Eurex Clearing Website~~ ~~the website of Eurex Clearing AG (www.eurexclearing.com)~~ that it wishes to proceed with the FX MIP and the number of FX Rolling Spot Futures Contracts that it wishes to terminate by the FX MIP (limited by the number stated in the FX MIP Request and taking into account the FX Rolling Spot Futures Contracts which have been closed by means of previous inverse transactions by the latest on 07:00 p.m. CE(S)T on the Business Day prior to the Business Day on which the FX MIP is scheduled. Failure to make such confirmation in time will result in the rejection of the FX MIP Request. A rejected FX MIP Request may not be resumed by a FX Rolling Spot Participant.

[...]

(10) Second FX MIP Announcement

- a) If the requirements of Number 2.12.6 (8) have not been fulfilled, Eurex Clearing will announce this on ~~the Eurex Clearing Website~~ ~~its website (www.eurexclearing.com)~~. Upon such announcement, the FX MIP Request will be rejected.

- b) If the requirements of Number 2.12.6 (8) have been fulfilled, Eurex Clearing will announce on [the Eurex Clearing Website its website \(www.eurexclearing.com\)](http://www.eurexclearing.com) the number of FX Rolling Spot Futures Contracts and the respective side of such FX Rolling Spot Future (buy side/sell side) that will be subject to termination due to the FX MIP.

[...]

2.14 Clearing of Futures Contracts on the dividends of Shares

[...]

2.14.1 Payment Procedures

To the extent not provided otherwise, all payments shall be made on the Business Day following the final settlement day (Number 1.13.4 of the Eurex Contract Specifications). All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (a list of such institutions is available on [the Eurex Clearing Website www.eurexclearing.com](http://www.eurexclearing.com)).

[...]

2.26 Clearing of Stock Tracking Futures

[...]

2.26.1 Payment Procedures

To the extent not provided otherwise, all payments shall be made on the Business Day following the final settlement day (Number 1.27.4 of the Eurex Contract Specifications). All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (available on [the Eurex Clearing Website www.eurexclearing.com](http://www.eurexclearing.com)).

[...]

Part 3 Clearing of Options Contracts

[...]

[...]

3.10 Clearing of Commodity Index Options Contracts

[...]

3.10.1 Payment Procedures

To the extent not provided otherwise, all payments shall be made on the Business Day following the final settlement day (Number 2.10.5 of the Eurex Contract Specifications). All Clearing Members must ensure their ability to effect payments on the due date thereof by having sufficient credit balances in the respective currency of the contract in the account with a payment institution recognised by Eurex Clearing AG (available on [the Eurex Clearing Website www.eurexclearing.com](http://www.eurexclearing.com)).

[...]
