



Eurex Clearing Resources Circulars

Release date: 29 May 2019 | Eurex Clearing

No. 054/2019

Amendments to the Clearing Conditions and the Price List of Eurex Clearing AG

Eurex Clearing Circular 054/2019

This circular contains information with respect to Eurex Clearing's service offering and corresponding amendments to the Clearing Conditions of Eurex Clearing AG (Clearing Conditions) and to the Price List of Eurex Clearing AG (Price List) regarding the following topics:

- Asset-Based Selection for Clearing Members
- Fee waiver for formatted reports for Basic Clearing Members
- USD permanent cash holdings: Shortening of the notification period for delivery and withdrawal and temporary reduction of the respective cash service fee

The amendments above will become effective as of **17 June 2019**.

1. Asset-Based Selection for Clearing Members

With Eurex Clearing circular 102/18, Eurex Clearing introduced a complexity reduction of its legal framework in order to serve Clearing Members and their clients with an increased flexibility in functional set-ups accompanied with a facilitated onboarding process. The complexity reduction also includes the discontinuation of the Value Based Allocation Method within the Elementary Clearing Model as of 31 December 2019. In order to enforce the migration, Eurex Clearing is going to offer the Asset Based Allocation Method as only available option for new Clearing Members as of 17 June 2019.

This will be reflected in Appendix 1 to the Clearing Conditions.

To implement the amendments, the following provisions will be amended as outlined in attachment 1:

- Number 2 of the Annex to Appendix 1 of the Clearing Conditions.

2. Fee waiver for formatted reports for Basic Clearing Members

Currently, the service fee per formatted report and month for Clearing Members adds up to EUR 300, while unformatted reports are free of charge. In order to harmonise the pricing for Basic Clearing Members (BCMs), Eurex Clearing decided not to charge BCMS service fees for formatted reports any more until further notice.

To implement the amendments, the following provisions will be amended as outlined in attachment 2:

- Section 8 Number 8.3.4 of the Price List

3. USD permanent cash holdings: Shortening of the notification period for delivery and withdrawal and temporary reduction of the respective cash service fee

With Eurex Clearing circular 029/19, Eurex Clearing introduced a permanent cash holding for USD and a cash service fee of 40 bps for these holdings.

Due to system enhancements and operational improvements, Eurex Clearing is now able to reduce the notice period from two days for deposits and five days for withdrawals to one day for deposits and withdrawals.

In addition, Eurex Clearing applies for USD permanent cash holdings a temporary reduction of the cash service fee to 20 bps until further notice to further facilitate the deployment.

To implement the amendments, the following provisions will be amended as outlined in attachment 3:

- Section 9 Number 9.1.2 of the Price List

The amendments above will become effective on 17 June 2019.

As of the effective date, the full version of the amended documents will be available for download on the Eurex Clearing website www.eurexclearing.com under the following link:

[Resources > Rules and Regulations](#)

The changes and amendments to the legal framework of Eurex Clearing AG published by this circular are deemed accepted by each affected contractual party of Eurex Clearing AG, unless the respective contractual party objects by written notice to Eurex Clearing AG within the first ten (10) Business Days after publication. Any ordinary right of Eurex Clearing AG to terminate the respective contract (including a Clearing Agreement, if applicable) shall remain unaffected.

Unless the context requires otherwise, terms used and not otherwise defined in this circular shall have the meaning ascribed to them in the Clearing Conditions or FCM Clearing Conditions, as applicable.

Attachments:

- Amended sections of Number 2 of the Annex to Appendix 1 of the Clearing Conditions of Eurex Clearing AG
- Amended part of Section 8 Number 8.3.4 of the Price List of Eurex Clearing AG
- Amended part of Section 9 Number 9.1.2 of the Price List of Eurex Clearing AG

Recipients: All Clearing Members, Basic Clearing Members, Disclosed Direct Clients of Eurex Clearing AG, vendors, all FCM Clearing-Members and other affected contractual parties

Target groups: Front Office/Trading, Middle + Back Office

Contact: client.services@eurexclearing.com

Authorized by: Heike Eckert

Further information

[Attach1](#)

[Attach2](#)

[Attach3](#)

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Appendix 1 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

between Eurex Clearing AG and a Clearing Member

As of 17.06.2019

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

[...]

Annex Clearing Licence and further selections

[...]

2 ECM Standard Agreements

For the purposes of the Elementary Clearing Model Provisions, the Applicable Allocation Method shall (subject to the last Paragraph in this Number 2 below) be the Value Based Allocation, unless the Clearing Member elects the Asset Based Allocation:

- The Asset Based Allocation shall apply.

Value Based Allocation shall not be available and accordingly the Asset Based Allocation shall apply regardless of whether so elected above, if the Clearing Member entered into this Clearing Agreement on or after 17 June 2019 (i) in relation to a Direct Clearing License for OTC IRS only, or (ii) where Eurex Clearing has specified that the Clearing Member may not clear client related transactions under the Elementary Clearing Model Provisions.

[...]

AMENDMENTS ARE MARKED AS FOLLOWS:

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DELETIONS ARE CROSSED OUT

[...]

8 Service Fees Eurex Clearing, Eurex Deutschland, Frankfurt Stock Exchange (FWB), Repo Transactions and Securities Lending Transactions

[...]

8.3 General Service Fees

[...]

8.3.4 Service Fees for Provision of Reports

Service:	Fee per Report and Month:
Risk-Based-Margining Reports	EUR 0.00
Raw Data Reports for Clearing Member or Settlement Institution	EUR 0.00
Formatted Reports for Clearing Member or Settlement Institution	EUR 300.00**
Raw Data Reports or Formatted Reports for DC Market Participant and Indirect Client Market Participant*	EUR 300.00***
Securities Lending Reports (Pipe Separated Format)	EUR 0.00
GC Pooling Select Reports for Specific Repo License Holder via Common Report Engine (CRE)	EUR 0.00

* With approval by Clearing Member.

** If formatted reports of Clearing Members/Settlement Institutions are required for both transactions at FWB and/or a multilateral trading facility, only one report provision shall be charged.

*** If both the raw data report and the formatted report are provided at the same time, only one report provision shall be charged.

Eurex Clearing shall not charge its Basic Clearing Members any service fees for the provision of reports pursuant to the above table until this clause is revoked in writing.

[...]

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

[...]

9 Service Fees for Collaterals, Default Fund Contributions and Funds provided for the Fulfilment of Own Funds or equivalent Regulatory Capital Requirements

9.1 Service Fees for Eligible Margin Assets in the Form of Cash

[...]

- (2) If a Clearing Member notifies Eurex Clearing AG of any delivery of Eligible Margin Assets in the form of cash in USD at least ~~two~~one Business Days before the actual delivery, and restricts itself so that any withdrawal of any such Eligible Margin Assets may only be possible if Eurex Clearing AG has been notified at least ~~one~~five Business Days in advance, Eurex Clearing AG grants a discount on the service fee referred to in Paragraph (1) above of 20 %, resulting in an absolute fee amount of 0.40 % p.a. If the Clearing Member notifies Eurex Clearing AG of a withdrawal in accordance with Sentence 1, and, on the notified withdrawal date, the Clearing Member does not withdraw or only partially withdraws the notified withdrawal amount, Eurex Clearing AG will from thereon charge the fee pursuant to Paragraph (1) without applying the fee rebate pursuant to Sentence 1 to any amounts which have not been withdrawn.

[...]

[...]
