

**Eurex Clearing AG**  
**ECAG Rule Certification 050-20**  
**June 16, 2020**

1. The text of the proposed amendments to the Clearing Conditions (“**Clearing Conditions**”) of Eurex Clearing AG (“**Eurex Clearing**”) and FCM Regulations (“**FCM Regulations**”) of Eurex Clearing is appended as Attachment A. Any additions are underlined and any deletions are struck through.
2. The dates of intended implementation are July 7, 2020 and July 24, 2020.
3. Attached please find a certification that: (1) these amendments comply with the Commodity Exchange Act (the “Act”), and the Commission’s regulations thereunder; and (2) concurrent with the filing of this submission, Eurex Clearing is posting a copy of this filing to its website at: <http://www.eurexclearing.com/clearing-en/resources/cftc-dco-filing>.
4. A concise explanation and analysis of the operation, purpose, and effect of the amended rule appears below.
5. There were no opposing views expressed regarding these amended rules.
6. Confidential treatment is not requested.

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CONCISE EXPLANATION AND ANALYSIS OF THE OPERATION, PURPOSE, AND EFFECT OF THE PROPOSED RULE AND ITS COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ACT, INCLUDING CORE PRINCIPLES AND THE COMMISSION’S REGULATIONS THEREUNDER

Eurex Clearing is proposing the following amendments:

1. Eurex Clearing is proposing amendments in connection with EurexOTC Clear Release 10.1 to allow for USD-denominated overnight index swaps with a maximum remaining term (from the date of novation to the termination date) of 50 years and 10 business days.
2. Eurex Clearing is proposing amendments to offer clearing eligibility for SOFR-based OIS, SOFR-USD LIBOR basis swaps and SOFR-EFFR basis swaps. SOFR-based swaps will use the Effective Federal Funds Rate (“**EFFR**”) for discounting and Price Alignment Interest (“**PAI**”)/Price Alignment Amount (“**PAA**”) until the general transition from EFFR- to SOFR-based discounting for discounting and PAI/PAA takes place, which is currently envisaged for the weekend of October 16-19, 2020.
3. Eurex Clearing is proposing amendments as part of the transition from EONIA to €STR as the new euro risk-free rate and as previously communicated. Specifically, the amendments provide for: (i) the transition of the PAI and PAA and the discounting based on EONIA to €STR-flat (without a spread) in a single step for all EUR-denominated OTC derivatives; and (ii)

compensation for changes in the present values of EUR OTC derivatives resulting out of the transition by a euro cash credit or debit (e.g., via one-time cash fee instructions on trade level).

4. For bunched order clearing for OTC Interest Rate Derivative Transactions (see Eurex Clearing Circular 013/19 and corresponding CFTC Rule Certification 013.19), the amendments propose that for an allocation transaction that is submitted to Eurex Clearing via a third-party allocation service provider that is different from the ATS that submitted the bunched order transaction that is to be allocated, Eurex Clearing will implement a novation criterion that validates: (i) if the respective bunched order transaction is already cleared by Eurex Clearing and (ii) if its notional value is equal to or greater than the notional value of the respective allocation transaction that is to be novated. If (i) or (ii) fails, the allocation transaction will be rejected.
5. Clearstream Banking Frankfurt (“CBF”) amended its General Terms and Conditions (“GTC”), and, inter alia, the provision on CBF’s right of pledge that was previously set out in No. XXVII of CBF’s GTC become No. XXX of CBF’s GTC. Consequently, the proposed amendments update all references in Appendix 7, Appendix 11 and Appendix 14 to the Clearing Conditions as well as Appendix 2 to the FCM Regulations. Further, it is clarified that any reference to CBF’s or Clearstream Banking S.A.’s GTC shall also refer to any successor provision of the respective reference.

Amendments Nos. 1-4 above will become effective on July 24, 2020, and Amendment No. 5 above will become effective on July 7, 2020.

Further information regarding the operation, purpose, and effect of the proposed amendments is discussed in Eurex Clearing Circular 050-20, which is appended as Attachment A.

Eurex Clearing has identified the following derivatives clearing organization (“DCO”) Core Principle as potentially being relevant to the above amendments:

1. DCO Core Principle C (Participant and Product Eligibility): The proposed amendments will comply with DCO Core Principle C because the amendments provide for further clearing eligibility, and all products cleared by Eurex Clearing will continue to be subject to appropriate standards in compliance with this Core Principle.

CERTIFICATIONS PURSUANT TO SECTION 5c OF THE COMMODITY EXCHANGE ACT, 7  
U.S.C. §7a-2 AND COMMODITY FUTURES TRADING COMMISSION RULE 40.6, 17 C.F.R. §40.6

I hereby certify that:

- (1) the amendments comply with the Commodity Exchange Act, and the Commission's regulations thereunder; and
- (2) concurrent with the filing of this submission, Eurex Clearing is posting a copy of this filing to its website at: <http://www.eurexclearing.com/clearing-en/resources/cftc-dco-filing>.

/s/ Eric Seinsheimer

By: Eric Seinsheimer

Title: US CCO, Eurex Clearing AG

Dated: June 16, 2020