

**Eurex Clearing AG**  
**ECAG Rule Certification 125/16**  
**October 18, 2016**

1. The text of the proposed amendments to the Clearing Conditions of Eurex Clearing AG (“Clearing Conditions”) is appended as Attachment A. Any additions are underlined and any deletions are struck through.
2. The dates of intended implementation are November 1, 2016, November 7, 2016, and November 21, 2016.
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 to implement the following rule amendments:

1. Eurex Clearing is stating that Eurex Clearing, Eurex Repo, and Clearstream Banking will introduce the Swiss franc (CHF), Pound Sterling (GBP), and U.S. dollar (USD) as trading currencies for GC Pooling® Select Invest, which is the Eurex Repo service for cash investors. Currently, only the euro is allowed. No amendments to the Clearing Conditions are being made or required for this statement.
2. Eurex Clearing is amending Chapter II (Transactions Concluded at Eurex Deutschland and Eurex Zürich) of the Clearing Conditions and the Price List of Eurex Clearing (“Price List”) to allow give-ups from agent accounts to market maker accounts. Currently, give-ups only can be taken up by agent or proprietary accounts.
3. Eurex Clearing is amending the Price list to clarify that Basic Clearing Members (“BCMs”) are exempt from OTC Interest Rate Derivatives clearing fee rebate schemes. A BCM license entitles a BCM to participate in the clearing of proprietary transactions via acting through a clearing agent.

4. Eurex Clearing is amending Chapter I (General Provisions) of the Clearing Conditions to clarify a provision on settlement finality that applies to EU regulations pertaining to settlement finality. Eurex Clearing operates a system pursuant to Section 1, paragraphs 16 and 24b of the German Banking Act and Article 2, letter a of the Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on the settlement finality in payment and securities settlement systems. This amendment inserts new Section 1.2.9 (Finality) to state expressly that Eurex Clearing is operating pursuant to this directive and to clarify the moment of entry and the moment of irrevocability of payment orders and transfer orders.
5. Eurex Clearing is amending Chapter II (Transactions Concluded at Eurex Deutschland and Eurex Zürich) of the Clearing Conditions to provide a procedure for the conversion of Flexible Contracts into contracts available for trading at the Eurex Exchanges. Flexible Contracts are off-book futures or options transactions that are customizable and entered via the Eurex Trade Entry Services, which is the Eurex service that enables trading participants to enter off-book transactions to the Eurex system. Currently, a trading participant may apply to convert a Flexible Contract into a contract available for trading if the contract specifications for a Flexible Contract correspond to the specifications of the contract available for trading, and all parties approve the conversion. This amendment provides for an automatic conversion if the contract specifications of Flexible Contracts correspond to the specifications of the respective contracts available for trading at the Eurex Exchanges.
6. Eurex Clearing is amending the Conditions for Utilization of the Eurex Trade Entry Services to provide for the migration of Trade Entry Services from the Eurex Classic system to T7. As discussed, Eurex Trade Entry Services enables trading participants to enter off-book transactions to the Eurex system. This technical migration includes the following certain changes: (i) the closure of the functionality gap between on-exchange and off-book trading regarding multi-leg instruments (e.g., non-standard options strategies), (ii) integration of the Flexible Futures and Options Trade Entry Service into the Block Trade Entry Service, (iii) categorization of the Multilateral Trade Entry Service as Block Trades for multilateral transactions, and (iv) enabling a buyer in addition to a seller to be able to initiate a Trade Entry.
7. Eurex Clearing is stating that it is waiving until further notice fees related to TES Late Entry with the introduction of the new system release, T7 Release 4.0. No amendments to the Clearing Conditions are being made or required for this statement.

Amendment No. 1 above will be effective on November 1, 2016. Amendments Nos. 2, 3, and 4 above will be effective on November 7, 2016. Amendments Nos. 5, 6, and 7 above will be effective on November 21, 2016. Further information regarding the operation, purpose, and effect of the proposed amendments is discussed in the attached Eurex Clearing Circular 125/16, which is appended as Attachment A.

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

1. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments allow for additional currencies to be used for the GC Pooling® Select Invest service, and this additional allowance will be objective, has been publicly disclosed, and will permit fair and open access.



2. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments provide for additional functionality that allows give-ups from agent accounts to be taken up by market maker accounts, and this additional functionality will be objective, has been publicly disclosed, and will permit fair and open access.
3. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments exempt BCMs from a certain clearing fee rebate scheme, and the Price List will continue to be objective, has been publicly disclosed, and will permit fair and open access.
4. DCO Core Principle E (Settlement Procedures): The amendments will comply with DCO Core Principle E because they clarify settlement finality for the moment of entry and irrevocability of payment orders and transfer orders, and Eurex Clearing's settlement procedures meet all the requirements of this Core Principle.
5. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments provide for a new automatic conversion of Flexible Contracts to contracts available for trading if the respective contract specifications correspond, and this new functionality will be objective, has been publicly disclosed, and will permit fair and open access.
6. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments provide for a technical migration of the Trade Entry Services functionality to T7, and the Trade Entry Services will continue to be objective, has been publicly disclosed, and will permit fair and open access.
7. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments suspend a late entry fee pending a system release, and the Price List will continue to be objective, has been publicly disclosed, and will permit fair and open access.

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>.



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Dated: October 18, 2016