

Eurex Clearing AG
ECAG Rule Certification 094-20
November 10, 2020

1. The text of the proposed amendments to the Clearing Conditions (“**Clearing Conditions**”) of Eurex Clearing AG (“**Eurex Clearing**”) is appended as Attachment A. Any additions are underlined and any deletions are struck through.
2. The date of intended implementation is November 30, 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: <https://www.eurex.com/ec-en/rules-regs/regulations/cftc-dco-filings>.
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.

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 to the Clearing Conditions:

1. Eurex Clearing is proposing the introduction of an optional Internal Buffer Margin Account offering, which can reduce the number of intraday margin calls (thus reducing operational efforts for clearing members) and can enable clearing members to use cash posted to Eurex Clearing more efficiently to cover multiple (subsequent) margin shortfalls in respect to different internal margin accounts throughout a day. Clearing members may request the establishment of one or more Internal Buffer Margin Account(s) and corresponding Internal Buffer Margin Suspense Account(s) to provide cash collateral, which can be used to cover intraday shortfalls in internal margin account(s) that are linked to an Internal Buffer Margin Account to reduce the need of intraday margin calls.

Clearing members can provide cash collateral in CHF, EUR, GBP and USD (permanent cash holding) to an Internal Buffer Margin Account. Any such cash will be treated as Buffer Margin, which has the same security purpose as Proprietary Margin. In case of a margin shortfall in respect to the internal margin account that is linked to an Internal Buffer Margin Account, Eurex Clearing would transfer a cash amount from the Internal Buffer Margin Account to the linked internal margin account to cover the shortfall. During the day, Eurex Clearing will monitor the internal margin account(s) linked to an Internal Buffer Margin Account and automatically retransfers any cash

collateral so provided from the Internal Buffer Margin Account back to the respective Internal Buffer Margin Account, if the internal margin account is overcollateralized.

Shortly before the end of day process, remaining cash collateral on an internal margin account linked to an Internal Buffer Margin Account that stems from the Internal Buffer Margin Account will be transferred to the Internal Buffer Margin Suspense Account. If an end of day margin call is successfully carried out, any such cash on the Internal Buffer Margin Suspense Account will be transferred to the Internal Buffer Margin Account. If an end of day margin call fails, any cash on the Internal Buffer Margin Suspense Account will be retransferred to the respective internal margin accounts.

2. Eurex Clearing is proposing further amendments to the Clearing Conditions to clarify that Excess Collateral and Unallocated Redelivery Claims assigned to an Internal Margin Account relating to a single Direct Disclosed Client may, under specific circumstances following the default of its Clearing Member, be returned to such Direct Disclosed Client directly.
3. Eurex Clearing is proposing other minor, non-substantive amendments.

For avoidance of doubt, these proposed amendments do not apply to the FCM Regulations and the LSOC offering.

Further information and detail on this OTC process as well as the process for ETD is contained in Eurex Clearing Circular 094-20, 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 D (Risk Management): The proposed amendments will comply with DCO Core Principle D because the amendments propose a new optional Internal Buffer Margin Account functionality and clarify the circumstances of return of excess collateral and unallocated redelivery claims assigned to an internal margin account, and Eurex Clearing will continue to ensure that it possesses the ability to manage risks associated with discharging its responsibilities through the use of appropriate tools and procedures.

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: November 10, 2020