

**Eurex Clearing AG**  
**ECAG Rule Certification 045-24**  
**July 29, 2024**

1. The text of the stated policy change is appended as Attachment A. There are no express changes to Eurex Clearing AG (“Eurex Clearing”) rulebooks proposed.
2. The date of intended implementation is September 2, 2024.
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.

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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

In Eurex Clearing Circular 045/24, appended as Attachment A, Eurex Clearing is announcing a change to the calculation of the Contribution Requirements by introducing a Default Fund Operational Buffer component to the formula.

Currently, the calculation of the Default Fund size is based on the Stress-Loss-Over-Margin (“SLOM”) metric. With this initiative, Eurex Clearing intends to adjust the SLOM metric with the introduction of the Default Fund Operational Buffer.

The calculation of the total size of the Default Fund will still be based on the sum of the 60-business day average of SLOM values of the two largest Clearing Member Groups (CG), but the SLOM values will be multiplied by the Default Fund Operational Buffer expressed as a percentage. With the introduction of the Default Fund Operational Buffer, the buffer will be set at 15% ( $DF_{buffer}$ ):

$$DF = (\emptyset_{60d} \text{ SLOM of largest CG} + \emptyset_{60d} \text{ SLOM of 2nd largest CG}) * (1 + DF_{buffer})$$

The main purpose of the Default Fund Operational Buffer is to account for potential larger fluctuations of the stress testing results between the regular monthly recalibration dates due to volatile market changes and changes to the Clearing Member portfolios, which, as a consequence, may lead to ad-hoc Supplementary Margin calls. With the introduction of the Default Fund Operational Buffer, the number of Supplementary Margin calls will be significantly reduced.

The size of the Default Fund Operational Buffer is subject to a regular review and will be amended when deemed necessary. Any changes to the Default Fund Operational Buffer will be announced via Eurex Clearing Circular.

The calculation of the Default Fund Contribution Requirement per Clearing Member will remain unamended. The Contribution Requirement is calculated as the larger of a minimum Default Fund Contribution Requirement per Clearing Member and the amount calculated as a product of a total size of the Default Fund less Eurex Clearing's Dedicated Amount ( $ECAG_{DA}$ ) and the proportion of a 30-business day average SLOM value of a Clearing Member to the 30-business day average of a sum of SLOM values of all Clearing Members:

$$DF_{CM} = \max((DF - ECAG_{DA}) * \frac{\emptyset_{30d}SLOM^{CM}}{\emptyset_{30d}SLOM^{All}}, DF_{min})$$

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

1. DCO Core Principle G (Default Rules and Procedures): The proposed stated policy will comply with DCO Core Principle G because Eurex Clearing will continue to have rules and procedures designed to allow for the efficient, fair, and safe management of events during which members or participants become insolvent or otherwise default. In addition, Eurex Clearing's default rules will continue to comply with CFTC Regulation 39.16.

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: <https://www.eurex.com/ec-en/rules-regs/regulations/cftc-dco-filings>.

/s/ Eric Seinsheimer

By: Eric Seinsheimer

Title: US CCO, Eurex Clearing AG

Dated: July 29, 2024