

Eurex Clearing AG
ECAG Rule Certification 076-24
October 31, 2024

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 date of intended implementation is November 18, 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.

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 below amendments to the Clearing Conditions and FCM Regulations.

A. EurexOTC Clear Release 18.0

The proposed amendments reflect the introduction of EurexOTC Clear Release 18.0. Specifically, the proposed amendments extend Eurex Clearing’s existing product offering for Standard Coupon Inflation Swaps (“SCIS”) by supporting the French Inflation Consumer Price Index excluding Tobacco (“FRCPIx”) and the UK Retail Price Index (“UKRPI”). SCIS trades with stubs will be allowed where each leg of an SCIS trade can have maximum one stub. In case each leg has one stub, both stubs must be of the same type, i.e., both are either front or back stubs.

Furthermore, the proposed amendments introduce the clearing of linked trades submitted via MarkitWire. Clearing Members and clients can link multiple trades together using MarkitWire’s “Package Trade” function and submit such linked trades for clearing on a trade-by-trade basis. All linked trades will be queued by the EurexOTC Clear system until the last trade with the same linker identifier is received. Subsequently the group of trades is considered for novation, and the incremental risk check is performed on package level. The group is cleared on an All or Nothing basis. Once novated, trades that are submitted with a common linker identifier will be booked

independently, and any post-trade event on these linked trades after novation must be performed on a trade level rather than a group level. Additionally, the transfer functions (trade, account and portfolio transfer) are enhanced by an optional “MTM Adjustment.” If requested by the initiating Member, EurexOTC Clear will automatically attach an “MTM Adjustment” amount to the transfer, which compensates the previous day’s trade value and allows the transfer without prefunding of the NPV.

For avoidance of doubt, Eurex Clearing does not currently offer inflation swaps under its DCO license to FCM Clearing Members.

B. Further minor amendments

The proposed amendments reflect the removal of references to the decommissioned USD LIBOR index and the introduction of required updates to the rate that is used for PAI determination of DKK Interest Rate Derivatives.

Further information regarding the operation, purpose, and effect of the proposed amendments is discussed in Eurex Clearing Circular 076/24, 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 extend Eurex Clearing’s existing product offering for SCIS, introduce the clearing of linked trades submitted via MarkitWire, and add an optional “MTM Adjustment” to transfer functions. All products cleared by Eurex Clearing under its DCO license will continue to be offered 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: <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: October 31, 2024

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23 Oct 2024
Eurex Clearing

EurexOTC Clear Release 18.0: Amendments to the Clearing Conditions and FCM Regulations of Eurex Clearing AG

**Eurex Clearing Circular 076/24 EurexOTC Clear Release 18.0:
Amendments to the Clearing Conditions and FCM Regulations of
Eurex Clearing AG**

1. Introduction

FCM Regulations regarding the following topics.

- A. EurexOTC Clear Release 18.0
- B. Further minor amendments

The amendments to the Clearing Conditions and the FCM Regulations will come into effect as of **18 November 2024**.

Learn more about the EurexOTC Clear Release 18.0 on our dedicated initiative page on the Eurex Clearing website www.eurex.com/ec-en/ under the following link: Support > Initiatives & Releases > EurexOTC Clear Releases > **EurexOTC Clear Release 18.0**. Circulars, timeline and much more information are available there for you.

2. Required action

Clearing Members, ISA Direct Clearing Members, Disclosed Direct Clients, FCM Clearing Members, vendors and other affected contractual parties should take the amendments to the Clearing Conditions and FCM Regulations into consideration.

3. Details

A. EurexOTC Clear Release 18.0

The following enhancements of EurexOTC Clear Release 18.0 require an update of the Clearing Conditions and the FCM Regulations:

Eurex Clearing extends its existing product offering for Standard Coupon Inflation Swaps (SCIS) by supporting the French Inflation Consumer Price Index excluding Tobacco (FRCPIx) and the UK Retail Price Index (UKRPI). SCIS trades with stubs will be allowed where each leg of a SCIS trade can have maximum one stub. In case each leg has one stub, both stubs must be of the same type, i.e., both are either front or back stubs.

MARKITWIRE. Clearing members and clients can link multiple trades together using MarkitWire's "Package Trade" function and submit such linked trades for clearing on a trade-by-trade basis. All linked trades will be queued by the EurexOTC Clear system until the last trade with the same linker identifier is received. Subsequently the group of trades is considered for novation and the incremental risk check is performed on package level. The group is cleared on an All or Nothing basis. Once novated, trades that are submitted with a common linker identifier will be booked independently, and any post-trade event on these linked trades after novation must be performed on a trade level rather than a group level.

In addition, the transfer functions (trade, account and portfolio transfer) are enhanced by an optional "MTM Adjustment". If requested by the initiating Member, EurexOTC Clear will automatically attach a "MTM Adjustment" amount to the transfer which compensates the previous day's trade value and allows the transfer without prefunding of the NPV.

The conditions under which Eurex Clearing allows transfers were established and defined in the rulebooks.

B. Further minor amendments

Eurex Clearing applies further minor amendments to the Clearing Conditions and the FCM Regulations by removing references to the decommissioned USD LIBOR index and required updates to the rate that is used for PAI determination of DKK Interest Rate Derivatives was made.

To reflect the aforementioned enhancements and changes, the following provisions will be amended as outlined in Attachment 1 and Attachment 2:

- ◆ Chapter VIII of the Clearing Conditions: Part I No 1.2.3; Part 2 No. 2.1.3, No 2.1.5.1, No. 2.1.7, No. 2.2.5 and No. 2.7; Part 5 No. 5.4

As of the effective date, the full version of the amended Rules and Regulations will be available for download on the Eurex Clearing website www.eurex.com/ec-en/ under the following link:

Rules & Regs > Eurex Clearing Rules and Regulations

The 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 prior to the relevant effective date(s) as stipulated in this circular. In case of an objection by the respective contractual party pursuant the preceding sentence, Eurex Clearing AG is entitled to terminate the respective contract (including a Clearing Agreement, if applicable). Instead of submitting an objection, the respective contractual party may submit in writing to Eurex Clearing AG comments to any amendments of the legal framework of Eurex Clearing AG within the first 10 Business Days after the publication of the amendments. Eurex Clearing AG shall assess whether these comments prevent the published amendments from becoming effective taking into account the interests of Eurex Clearing AG and all contractual parties.

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 of Eurex Clearing AG, as applicable.

Attachments:

- ◆ Amended sections of Chapter VIII of the Clearing Conditions of Eurex Clearing AG
- ◆ Amended sections of Chapter II of the FCM Regulations of Eurex Clearing AG

Clearing Members, Disclosed Direct Clients of Eurex Clearing AG and vendors

Target groups: Front Office/Trading, Middle + Backoffice, IT/System Administration, Auditing/Security Coordination

Contact: client.services@eurex.com

Web: Support > Initiatives & Releases > EurexOTC Clear Releases > **EurexOTC Clear Release 18.0**

Authorized by: Jens Janka

Further information

[!\[\]\(e8fb589d58dad1692debababa5e928b6_img.jpg\) Attachment 1 to Eurex Clearing Circular 076/24](#)

[!\[\]\(f95dab70c751fda7d824b8b03650f7aa_img.jpg\) Attachment 2 to Eurex Clearing Circular 076/24](#)

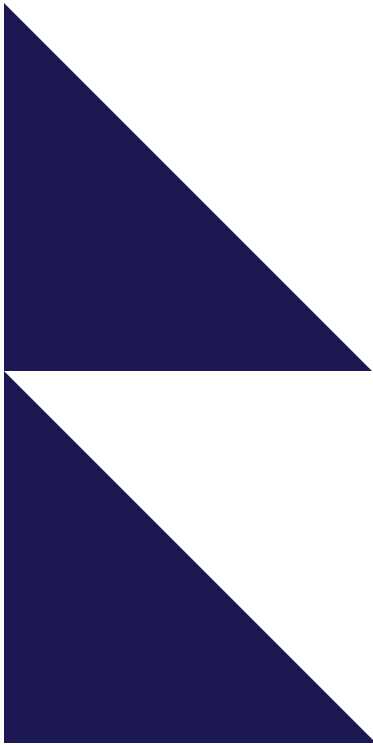
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Chapter VIII of the Clearing Conditions of Eurex Clearing AG

Clearing of OTC Interest Rate Derivative Transactions, and OTC NDF Transactions

As of 18.11.2024

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED;

DELETIONS ARE CROSSED OUT

[...]

Part 1 General Provisions

[...]

1.2 Conclusion of Transactions

[...]

1.2.3 Novation Criteria

- (1) Eurex Clearing AG will accept an Original OTC Transaction for inclusion in the Clearing in accordance with the novation process if all of the following novation criteria are fulfilled:

[...]

7. The Original OTC Transaction that is transmitted to the system of Eurex Clearing AG in order to be novated into an OTC Interest Rate Derivative Transaction or OTC NDF Transaction must be of a product type recognised by Eurex Clearing AG as published on the Eurex Clearing Website and provided for in Part 2 or Part 5 (the "**Product Type**");

[...]

12. Original OTC Transactions may, subject to further restrictions set out in the systems of Eurex Clearing AG, also be transmitted to Eurex Clearing AG as a package containing either a certain number of single Original OTC Interest Rate Derivative Transactions or a certain number of single Original OTC NDF Transactions ("**Package Original OTC Transactions**"). Each Original OTC Transaction contained in the Package Original OTC Transactions transmitted to Eurex Clearing AG needs to fulfil the novation criteria contained in this Number 1.2.3 (1). In case one or more Original OTC Transaction does not fulfil the novation criteria of this Number 1.2.3 (1), Eurex Clearing AG shall reject all Original OTC Transactions contained in the Package Original OTC Transactions. For the purpose of Package Original OTC Transactions, the assessment in accordance with Part 1 Number 1.2.3 (1) Clause 8 whether the Clearing Member or ISA Direct Clearing Member has delivered sufficient Eligible Margin Assets is performed on a net basis across all such Original OTC Transactions contained in the Package Original OTC Transactions.

[...]

13. For Original OTC Interest Rate Derivative Transactions transmitted to Eurex Clearing AG separately during one Business Day, which contain the same ID and size specification as other Original OTC Interest Rate Derivative Transactions, the requirements of Number 1.2.3 (1) lit. 12 subparagraph 1 sentence 2 to 4 and subparagraph 2 apply accordingly. In deviation from Number 1.2.2, the legal effectiveness of the novation of CCP Transactions resulting from such Original OTC Interest Rate Derivative Transactions will be subject to the following additional condition precedent (aufschiebende Bedingung) that all relevant OTC Trade Novation Reports relating to all CCP Transactions resulting from such Original OTC Interest Rate Derivative Transactions have been made available to the relevant Clearing Member or ISA Direct Clearing Member (or Clearing Agent acting on behalf of the ISA Direct Clearing Member).

[...]

1.2.4 **Special Provisions with respect to the Conclusion of CCP Transactions**

[...]

- (4) The Clearing Member and the ISA Direct Clearing Member acknowledge that Eurex Clearing AG does not assume any liability vis-à-vis them

[...]

- (ii) if the Trade Record or Trade ~~Economic's~~Economics Request has not been initiated by the Clearing Member, the ISA Direct Clearing Member or DC With System Access/Basic DC,

[...]

1.2.6 **Specific Provisions with respect to the Novation of CCP Transactions resulting out of Post-Trade Events**

[...]

- (2) If a post-trade event pursuant to Part 2 Number 2.6 or 2.7 or Part 5 Number 5.3 or 5.4 would lead to a novation resulting in a CCP Transaction, and all novation criteria are fulfilled except for the requirement to provide sufficient Eligible Margin Assets, the submission for novation will be pending and will remain included in the daily novation process until the end of the relevant Business Day, provided that if, prior to the end of such Business Day, further Eligible Margin Assets are provided, novations reflecting such Eligible Margin Assets will occur and at the time and in the order determined by Eurex Clearing AG's systems. At the end of each Business Day, all submissions for ~~novations~~novation that are still pending and do not fulfil all novation criteria, including the requirement to provide sufficient Eligible Margin Assets, will be rejected. For the avoidance of doubt, this shall mean that the relevant CCP

Transactions existing prior to such intended post-trade event will remain in place and no novation pursuant to the relevant post-trade event will take place.

[...]

Part 2 Clearing of OTC Interest Rate Derivative Transactions

2.1 General Provisions

[...]

2.1.3 Interest Rate Derivative Clearing License

The OTC Clearing License granted for the Clearing of OTC Interest Rate Derivative Transactions (the “**Interest Rate Derivatives Clearing License**”) entitles

[...]

- (iii) the relevant ISA Direct Clearing Member to clear OTC Interest Rate Derivative Transactions that are Own Transactions under the ISA Direct Provisions.

[...]

The holder of an Interest Rate Derivatives Clearing License may additionally clear zero coupon inflation swaps (“**ZCIS**”) and standard coupon inflation swaps (“**SCIS**”) if the following requirements are met:

- (a) The relevant Clearing Member or ISA Direct Clearing Member has elected to clear ZCIS and/or SCIS on the (i) ~~ZCIS on the~~ indices HICPxT and FRCPIx (EUR inflation), (ii) ~~SCIS on the index HICPxT (EUR inflation)~~ and/or (iii) ~~ZCIS on the~~ UK-RPI index (GBP inflation); and

[...]

2.1.5 Novation Criteria and Process Regarding OTC Interest Rate Derivative Transactions

[...]

2.1.5.1 Transaction Type Specific Novation Criteria and Terms for OTC Interest Rate Derivative Transactions

[...]

- (2) Currencies

The currency must be

[...]

(v) for SCIS: EUR or GBP.

[...]

(4) Maximum remaining term / Termination Date

The remaining term of the OTC Interest Rate Derivative Transaction from the date of novation to the Termination Date must be

[...]

(e) in case of ZCIS,

(i) for transactions in EUR (index FRCPIx), no more than 30 years and 10 Business Days;

[...]

(iii) ~~for~~ transactions in GBP (index UK-RPI), no more than 50 years and 10 Business Days.

(f) in case of SCIS,

(i) for transactions in EUR (index FRCPIx), no more than 30 years and 10 Business Days;

(ii) for transactions in EUR (index HICPxT), no more than 50 years and 10 Business Days; and

(iii) for transactions in GBP (index UK-RPI), no more than 50 years and 10 Business Days.

[...]

(7) Shortened or extended calculation period (stub period)

In case of IRS (including basis swaps), SCIS and OIS, a non-standard shortened or extended calculation period ("**Interest Rate Stub Period**") that relates to a time period after novation, if any, must meet the following criteria:

(a) a short or long first calculation period ("**Interest Rate Front Stub Period**") and/or a short or long last calculation period ("**Interest Rate Back Stub Period**") may be specified for IRS, SCIS and OIS per leg, provided that:

[...]

(b) The minimum period length of short Interest Rate Stub Periods is one day. The maximum period length for long Interest Rate Stub Periods for both, fixed rate payments under IRS in any eligible currency, and OIS is not restricted. The maximum period length for long Interest Rate Stub Periods is one year and one month for floating rate payments under IRS (including basis swaps) in EUR and

under basis swaps in USD. For floating rate payments under IRS in CZK, DKK, HUF, NOK and PLN, the maximum length for long Interest Rate Stub Periods is seven months and for floating rate payments under IRS (excluding basis swaps) in SEK the maximum length for long Interest Rate Stub Periods is four months. For floating rate payments under SCIS in EUR and GBP the maximum length for long Interest Rate Stub Periods is one year and one month.

- (c) For IRS and SCIS floating payments, the floating rates for Interest Rate Stub Periods must be specified in the Trade Record submitted via the ATS as follows:

[...]

- (bb) if a floating rate index tenor is specified, which is used for the fixing in respect of the Interest Rate Stub Period, the respective tenors. The following tenors (W = week(s), M = month(s), Y = year) are eligible:

(aaa) For IRS

- (i) in case the currency is EUR: 1W, 1M, 3M, 6M, 1Y;
- (ii) in case the currency is DKK: 1W, 1M, 3M, 6M;
- (iii) in case the currency is NOK: 1W, 1M, 2M, 3M, 6M;
- (iv) in case the currency is PLN: 1W, 2W, 1M, 3M, 6M;
- (v) in case the currency is SEK: 1W, 1M, 2M, 3M.

(vi) in case the currency is CZK or HUF: 1W, 2W, 1M, 2M, 3M, 6M

(bbb) For SCIS in case the currency is GBP or EUR: 1W, 1Y.

Only neighboring tenors of the Interest Rate Stub Period length are allowed (e.g. 3M or 6M for Interest Rate Stub Period length 3M+1W); or

[...]

(8a) Floating Rate Options

For IRS, OIS, FRA, the following Floating Rate Options are eligible (where applicable, the relevant Designated Maturity needs to be specified) subject to further provisions:

Floating Rate Options (major currencies)
[...]
USD-LIBOR (also referred to as USD-LIBOR-BBA);

Floating Rate Options (major currencies)
[...]

[...]

[...]

For ZCIS and SCIS, the following indices are eligible:

Indices
FRCPIx (for ZCIS in trade currency EUR);
HICPxT (for ZCIS and SCIS in trade currency EUR);
UK RPI (for ZCIS in trade currency GBP);

[...]

2.1.7 Margin Requirements

[...]

(4) [...]

(b) The relevant indices to determine the PAI are:

[...]

(vii) In case the currency is DKK then ~~T/N (the rate for tomorrow next deposits in Danish Krone as published by the Danish Financial Benchmark Facility)~~ DESTR (Denmark Short-Term Rate);

[...]

2.2 Product-related terms for OTC Interest Rate Derivative Transactions

[...]

2.2.5 Rates for calculating the Floating Amount

(1) Subject to Number 1.8, when calculating the Floating Amounts, the applicable Relevant Rate will be determined by Eurex Clearing AG on the basis of the Floating Rate Option label (and Designated Maturity, where applicable) as specified in the OTC Trade Novation Report in accordance with the following matrix (the “**Floating Rate Matrix**”):

Floating Rate Option: label specified in the OTC Trade Novation Report	Category / style	Underlying index and index administrator	Designated Maturity	Fixing Time (unless specified otherwise in the OTC Trade Novation Report)	Fixing Day (unless specified otherwise in the OTC Trade Novation Report)	Floating Rate Day Count Fraction	Rounding
[...]							
USD-LIBOR (or USD-LIBOR-BBA)	Category: Screen Rate Style: Term Rate	Index: U.S. Dollar LIBOR Index Administrator: ICE Benchmark Administration Ltd.	Applicable	11:55, London time	2 London Business Days preceding the Reset Date	As specified in the OTC Trade Novation Report	
[...]							

[...]

2.7 Transfer of OTC Interest Rate Derivative Transactions, Account Transfer and Trade Amendment

[...]

- (3) The transfer of an OTC Interest Rate Derivative Transaction will be performed against payment of a cash settlement amount in the amount of calculated by Eurex Clearing AG on the basis of the daily evaluation price (as set out in Number 2.1.6) the net present value of each transferred OTC Interest Rate Derivative Transaction. For the transferring Clearing Member, ISA Direct Clearing Member or FCM Clearing Member the net present value is the difference between zero and the daily evaluation price (as set out in Number 2.1.6) of the preceding Business Day. For the receiving Clearing Member, ISA Direct Clearing Member or FCM Clearing Member the net present value is the difference between the daily evaluation price of the day of the transfer and zero. Furthermore, the relevant Clearing Member(s) or ISA Direct Clearing Member(s) or FCM Clearing Member(s) may specify in the system of Eurex Clearing AG an additional amount payable by the relevant other Clearing Member, ISA Direct Clearing Member or FCM Clearing Member in connection with the transfer (in each case, as separately agreed between the relevant transferor and transferee). Furthermore, Eurex Clearing AG offers a functionality that allows Clearing Member(s) or ISA Direct Clearing Member(s) or FCM Clearing Member(s) to request an adjustment of the net present value calculated on the day of the transfer of the OTC Interest Rate Derivatives Transaction. Upon request of both, the transferring and the receiving Clearing Member, ISA Direct Clearing Member or FCM Clearing Member, Eurex Clearing AG

will perform an adjustment of the net present value of the transferred OTC Interest Rate Derivative Transaction by adding an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer and of the received OTC Interest Rate Derivative Transaction by deducting an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer. All amounts payable under this Paragraph (3) will be settled via Eurex Clearing AG.

[...]

(8) For a transfer of an OTC Interest Rate Derivative Transaction or an account transfer, Eurex Clearing AG may, subject to further restrictions set out in the systems of Eurex Clearing AG, offer a bulk transfer of two or more OTC Interest Rate Derivative Transactions (portfolio transfer) so that the check in accordance with Part 1 Number 1.2.3 (1) Clause 8 whether the Clearing Member or ISA Direct Clearing Member has delivered sufficient Eligible Margin Assets is performed on a net basis across all such OTC Interest Rate Derivative Transactions.

(9) Any transfer of an OTC Interest Rate Derivative Transaction and/or any account transfer is subject to the following conditions:

- (i) the beneficial owner for whose account the OTC Interest Rate Derivative Transaction was originally concluded does not change due to the transfer;;
- (ii) the entities to which the OTC Interest Rate Derivative Transaction affected by the transfer relates before and after the transfer are affiliates;
- (iii) the transfer is carried out to implement an asset purchase deal;
- (iv) the transfer is related to an acquisition, merger, consolidation or similar non-recurring transaction between two or more Clearing Members, Direct Clients or Indirect Clients and/or;
- (v) the transfer is executed to correct an erroneous booking or for account management purposes (such as bunched order allocation) as described in Number 2.7.2.1.

By entering a transfer order into the systems of Eurex Clearing AG, the respective Clearing Member, ISA Direct Clearing Member or DC with System Access (acting on behalf of the Clearing Member) represents and warrants that the transfer of the OTC Interest Rate Derivatives Transaction fulfills one of the conditions stipulated in (i) to (v).

[...]

2.7.2 Account Management or Account Transfers

[...]

(2) Such bookings may also be made with respect to part of an OTC Interest Rate Derivative Transaction except for IRS with a notional, fixed rate or floating rate

spread schedule in which case only the entire OTC Interest Rate Derivative Transaction may be booked in accordance with Paragraph (1).

[...]

Part 5 Clearing of OTC NDF Transactions

[...]

5.4 Transfer of OTC NDF Transactions, Account Transfer and Trade Amendment

[...]

- (3) The transfer of a OTC NDF Transaction will be performed against payment of a cash settlement amount in the amount of the net present value of each transferred OTC NDF Transaction. For the transferring Clearing Member or ISA Direct Clearing Member the net present value is the difference between zero and the daily evaluation price calculated by Eurex Clearing AG on the basis of the daily evaluation price (as set out in Number 5.1.6) of the preceding Business Day. For the receiving Clearing Member or ISA Direct Clearing Member the net present value is the difference between the daily evaluation price of the day of the transfer and zero. Furthermore, ~~the~~ The relevant Clearing Member(s) or ISA Direct Clearing Member(s) may specify in the system of Eurex Clearing AG an additional amount payable by a the relevant other Clearing Member or ISA Direct Clearing Member in connection with the transfer (in each case, as separately agreed between the relevant transferor and transferee). Furthermore, Eurex Clearing AG offers a functionality that allows Clearing Member(s) or ISA Direct Clearing Member(s) to request an adjustment of the net present value calculated on the day of the transfer of the OTC NDF Transaction. Upon request of both, the transferring and the receiving Clearing Member or ISA Direct Clearing Member, Eurex Clearing AG will perform an adjustment of the net present value of the transferred OTC NDF Transaction by adding an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer and of the received OTC NDF Transaction by deducting an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer. All amounts payable under this Paragraph (3) will be settled via Eurex Clearing AG. All amounts payable under this Paragraph (3) will be settled via Eurex Clearing AG.

[...]

- (8) For a transfer of an OTC NDF Transaction or an account transfer, Eurex Clearing AG may, subject to further restrictions set out in the systems of Eurex Clearing AG, offer a bulk transfer of two or more OTC NDF Transactions (portfolio transfer) so that the check in accordance with Part 1 Number 1.2.3 (1) Clause 8 whether the Clearing Member or Basic Clearing Member has delivered sufficient Eligible Margin Assets is performed on a net basis across all such OTC NDF Transactions.

(9) Any transfer of an OTC NDF Transaction and/or any account transfer is subject to the following conditions:

- (i) the beneficial owner for whose account the OTC NDF Transaction was originally concluded does not change due to the transfer;
- (ii) the entities to which the OTC NDF Transaction affected by the transfer relates before and after the transfer are affiliates;
- (iii) the transfer is carried out to implement an asset purchase deal;
- (iv) the transfer is related to an acquisition, merger, consolidation or similar non-recurring transaction between two or more Clearing Members, Direct Clients or Indirect Clients and/or;
- (v) the transfer is executed to correct an erroneous booking or for account management purposes (such as bunched order allocation) as described in Number 2.7.2.1.

By entering a transfer order into the systems of Eurex Clearing AG, the respective Clearing Member, ISA Direct Clearing Member or DC with System Access (acting on behalf of the Clearing Member) represents and warrants that the transfer of the OTC NDF Transaction fulfills one of the conditions stipulated in (i) to (v).

[...]

Chapter II: Special Provisions for Clearing of Interest Rate Derivative Transactions

FCM Regulations of Eurex Clearing AG

As of 18.11.2024

	Eurex05e
FCM Regulations of Eurex Clearing AG	As of 18.11.2024
	Page 2

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED;

DELETIONS ARE CROSSED OUT

[...]

Part 1 General Provisions

[...]

1.2 Conclusion of Transactions

[...]

1.2.3 Novation Criteria for the Novation of Original Swap Transactions

(1) [...]

(k) For Original Swap Transactions transmitted to Eurex Clearing AG separately during one Business Day, which contain the same ID and size specification as other Original Swap Transactions the requirements of Number 1.2.3 (1) lit. (j) subparagraph 1 sentence 2 to 4 and subparagraph 2 apply accordingly. In deviation from Number 1.2.2, the legal effectiveness of the novation of Swap Transactions resulting from Original Swap Transactions will be subject to the following additional condition precedent (aufschiebende Bedingung) that all relevant OTC Trade Novation Reports relating to all Swap Transactions resulting from such Original Swap Transactions have been made available to the relevant Clearing Member or ISA Direct Clearing Member (or Clearing Agent acting on behalf of the ISA Direct Clearing Member).

[...]

1.2.4 Specific Provisions with respect to the Conclusion of Swap Transactions

[...]

(4) [...]

(ii) if the Trade Record or Trade Economic's Request has not been initiated by the FCM Clearing Member or the FCM Client;

[...]

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1.2.6 Specific Provisions with respect to the Novation of Swap Transactions resulting out of Post-Trade Events

[...]

(2) If a post-trade event pursuant to Part 2 Number 2.7 would lead to a novation resulting in a Swap Transaction, and all novation criteria are fulfilled except for the requirement to provide sufficient Eligible Margin Assets, the submission for novation will be pending and will remain included in the daily novation process until the end of the relevant Business Day. At the end of each Business Day, all such pending submissions for novations which do not fulfil all novation criteria, including the requirement to provide sufficient Eligible Margin Assets, will be rejected. For the avoidance of doubt, this shall mean that the relevant Swap Transaction existing prior to such intended post-trade event will remain in place and no novation pursuant to the relevant post-trade event will take place.

[...]

Part 2 Clearing of Interest Rate Derivative Transactions

2.1 General Provisions

[...]

2.1.5 Novation Criteria and Process Regarding Interest Rate Derivative Transactions

[...]

2.1.5.1 Specific Novation Criteria and Terms for Swap Transactions

[...]

(7a) Floating Rate Options

For IRS, OIS, FRA, the following Floating Rate Options are eligible (where applicable, the relevant Designated Maturity needs to be specified) subject to further provisions:

Floating Rate Options (major currencies)
[...]
USD-LIBOR (also referred to as USD-LIBOR-BBA);
[...]

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2.2 Product-related terms for Interest Rate Derivative Transactions

[...]

2.2.1 Payment Obligations

[...]

(5) The following additional primary payment obligations apply:

[...]

(b) [...]

(aa) [...]

For T+2 currencies (JPY, CZK, DKK, HUF; NOK and SEK) the Variation Settlement Amount is settled on T+2 (in contrast to CHF, EUR, GBP, USD, PLN where the Variation Settlement Amount is settled on T+1). The value of the Variation Settlement Amount instructed on T settles on T+2 and reflects the interest payment from T+1 to T+2. It is calculated as:

$$PAA(T) = -MtM_exCF(T-1) * ONR(T, T+1) * YF(T+1, T+2),$$

with

$$MtM_exCF(T-1) = MtM(T-1) - DCF(T-1, T) - DCF(T-1, T+1).$$

(bb) The relevant indices to determine the PAA are

[...]

~~(vii) In case the currency is DKK then T/N (the rate for tomorrow next deposits in Danish Krone as published by the Danish Financial Benchmark Facility);~~

(viii) In case the currency is HUF then HUFONIA (Hungarian Forint Overnight Index Average);

~~(ix)~~ In case the currency is NOK then NOWA (Norwegian Overnight Weighted Average);

(ix) In case the currency is SEK then STIBOR T/N (the day-to-day fixing (known as the Tomorrow/Next (or T/N fixing)) of the rate for deposits in Swedish Krona known as the Stockholm Interbank Offered Rate)

(xi) In case the currency is PLN then WIBOR (Warsaw Interbank Offered Rate);

(xii) In case the currency is DKK then DESTB (Denmark Short-Term Rate).

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[...]

2.2.5 Rates for calculating the Floating Amount

- (1) Subject to Number 1.8, when calculating the Floating Amounts, the applicable Relevant Rate will be determined by Eurex Clearing AG on the basis of the Floating Rate Option label (and Designated Maturity, where applicable) as specified in the Swap Trade Novation Report in accordance with the following matrix (the “**Floating Rate Matrix**”):

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Floating Rate Option: label specified in the Swap Trade Novation Report	Category / style	Underlying index and index administrator	Designated Maturity	Fixing Time (unless specified otherwise in the Swap Trade Novation Report)	Fixing Day (unless specified otherwise in the Swap Trade Novation Report)	Floating Rate Day Count Fraction	Rounding
[...]							
DKK-DESTR-OIS Compound	Category: Calculated Rate Style: Compounded Floating Rate Option Compounding Method: OIS Compounding	Index: Denmark Short-Term Rate Index Administrator: National Bank of Denmark	Not Applicable	10:00, Copenhagen time	One Copenhagen Business Day following the day "I"	As specified in the OTC Trade Novation Report	To the nearest one ten-thousandth of a percentage point (0.0001 %)
[...]							
USD-LIBOR (or USD-LIBOR-BBA)	Category: Screen Rate Style: Term Rate	Index: U.S. Dollar LIBOR Index Administrator: ICE Benchmark Administration Ltd.	Applicable	11:55, London time	2 London Business Days preceding the Reset Date	As specified in the Swap Trade Novation Report	
[...]							

[...]

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2.7 Transfer of Swap Transactions, Account Transfer and Trade Amendment

[...]

- (2) The transfer of a Swap Transaction, including an Unallocated FCM Client Transaction, except in the case of the transfer of an Unallocated FCM Client Transaction pursuant to Number 2.7.3 (2)(b), will be performed against payment of a cash settlement amount in the amount of the net present value of each transferred Swap Transaction calculated by Eurex Clearing AG on the basis of the daily evaluation price ~~For the transferring FCM Clearing Member or Non-FCM Clearing Member the net present value is the difference between zero and the daily evaluation price (as set out in Number 2.1.6) of the preceding Business Day. For the receiving FCM Clearing Member or Non-FCM Clearing Member the net present value is the difference between the daily evaluation price of the day of the transfer and zero (as set out in Number 2.1.6).~~ Furthermore, ~~†~~ The relevant FCM Clearing Member(s) or Non-FCM Clearing Member may specify in the system of Eurex Clearing AG an additional amount payable by the transferring FCM Clearing Member or Non-FCM Clearing Member in connection with the transfer. Furthermore, Eurex Clearing AG offers a functionality that allows FCM Clearing Member(s) or Non-FCM Clearing Member(s) to request an adjustment of the net present value calculated on the day of the transfer of the Swap Transaction. Upon request of both, the transferring and the receiving FCM Clearing Member or Non-FCM Clearing Member, Eurex Clearing AG will perform an adjustment of the net present value of the transferred Swap Transaction by adding an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer and of the received Swap Transaction by deducting an amount equal to the amount of the daily evaluation price of the Business Day preceding the day of the transfer. All amounts payable under this Paragraph (2) will be settled via Eurex Clearing AG.

[...]

- (5) For a transfer of an Swap Transaction or an account transfer, Eurex Clearing AG may, subject to further restrictions set out in the systems of Eurex Clearing AG, offer a bulk transfer of two or more Swap Transactions (portfolio transfer) so that the check in accordance with Part 1 Number 1.2.3 (1) (f) whether the FCM Clearing Member and, if applicable, the Non-FCM Clearing Member clearing the other side has delivered sufficient Eligible Margin Assets is performed on a net basis across all such Swap Transactions.
- (6) Any transfer of a Swap Transaction and/or any account transfer is subject to the following conditions:
- (i) the beneficial owner for whose account the Swap Transaction was originally concluded does not change due to the transfer;
 - (ii) the entities to which the Swap Transaction affected by the transfer relates before and after the transfer are affiliates;

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(iii) the transfer is carried out to implement an asset purchase deal;

(iv) the transfer is related to an acquisition, merger, consolidation or similar non-recurring transaction between two or more FCM Clearing Members, Non-FCM Clearing Members or FCM Clients and/or;

(v) the transfer is executed to correct an erroneous booking or for account management purposes (such as bunched order allocation) as described in Number 2.7.2.

By entering a transfer order into the systems of Eurex Clearing AG, the respective FCM Clearing Member or Non- FCM Clearing Member, represents and warrants that the transfer of the Swap Transaction fulfills one of the conditions stipulated in (i) to (v).

[...]
