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AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED;

DELETIONS ARE CROSSED OUT

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[...]

## § 1 Scope of Application and Definitions

[...]

- (2) The EMIR Risk Committee shall be established and maintained pursuant to Article 28 of Regulation (EU) 648/2012 (EMIR) and Chapter I Part 1 Number 1.5 of the clearing conditions of Eurex Clearing AG (the "**Clearing Conditions**") as a ~~comprehensive committee (Gesamtausschuss)~~ in order to advise

[...]

- (5) Neither the Executive Board nor the Supervisory Board shall be obliged to accept any proposal made by, or take any action proposed by, the EMIR Risk Committee. Any ~~deliberation and/or~~ decision of the Executive Board or the Supervisory Board with respect to any such proposal shall be made at the sole discretion of the Executive Board or the Supervisory Board, respectively, without owing any obligation whatsoever to the EMIR Risk Committee in respect of such ~~deliberation or~~ decision or the reasoning thereof. For the avoidance of doubt, this does not affect any legal obligation of the Supervisory Board to discuss matters with respect to which it has been advised by the EMIR Risk Committee.

[...]

[...]

## § 7 EMIR Risk Committee Procedure; Voting

[...]

- (~~3~~4) The Chairman will not allow an EMIR Risk Committee Member to cast a ~~its~~ vote on a particular matter, if he determines or has reasons to believe that the EMIR Risk Committee Member has an actual or potential conflict of interest on that particular matter.

**§ 8 External independent experts; Supervisory Authorities**

[...]

- (3) The Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht* – “**BaFin**”), in its capacity as ~~t~~The competent supervisory authorities of Eurex Clearing AG, and the European Securities and Markets Authority (“**ESMA**”) shall be entitled to attend Meetings of the EMIR Risk Committee without voting rights and to be informed about the activities and decisions of the EMIR Risk Committee.
- (4) The Executive Board will promptly inform BaFin the Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht* – “**BaFin**”) and ESMA of any decision of the Supervisory Board or the Executive Board in which the Supervisory Board or the Executive Board decided not to follow the advice given by the EMIR Risk Committee with respect to any Relevant Matter. For this purpose, the Supervisory Board will immediately inform the Executive Board of any such decision.

[...]

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