



30 May 2018

Eurex Exchange News | Reminder: MiFID II Third Country Authorization Requirements

Dear Eurex participant,

In order to make use of the transitional provision under § 64x paragraph 8 of the German Banking Act, we kindly remind you that third country trading firms dealing on own account need to submit to the German Federal Financial Supervisory Authority (BaFin) a complete application as soon as possible. Please note that third country trading firms will only benefit from the transitional provision if they have submitted to BaFin a complete application by 2 July 2018 at the latest. Applications received after 2 July 2018 will not be considered by BaFin and hence might interfere with your ability to trade at Eurex.

On its webpage, BaFin published the process for requesting exemptions in accordance with § 64x paragraph 8, sentence 1 of the German Banking Act. We have aligned with BaFin that this process also refers to trading firms who apply for exemption pursuant to § 64x paragraph 8 sentence 2 in conjunction with paragraph 4 of the German Banking Act who may submit their application to cover also market making activities at Eurex in their exemption (obligatory market making).

An overview of the documents, which must be submitted as part of the application, can be found on the [BaFin website](#). As agreed with BaFin, the template: [Third Country Authorization Letter](#) on our website may be used by trading firms, which have not yet submitted their applications.

The above-mentioned transitional provisions apply to third country firms dealing on own account as:

- Eurex trading participants and
- DEA Users (trading firms who have access to Eurex via a DEA System provided by an admitted Eurex trading participant)

If you are providing direct electronic access (DEA), we kindly remind you to inform your immediate clients using your DEA system accordingly. We would appreciate if you could treat this request with high priority.

In the event you cannot rely on the transitional provision under § 64x paragraph 8 of the German Banking Act or proof proper authorization, this might be considered as violation of the German Banking Act and might put your ability to trade at the Eurex market on risk.

If you have already submitted a complete application under § 64x paragraph 8 of the German Banking Act to BaFin or obtained authorization by BaFin, we kindly ask you to disregard this mailing.

If you have any further questions or comments, please do not hesitate to contact your Key Account Manager or send an email to customer.readiness@eurexchange.com.

Kind regards
Your Customer Readiness Team

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