

Chapter I of the Clearing Conditions of Eurex Clearing AG

## General Provisions

As of 02.03.2020

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AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

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[...]

## Part 1 General Clearing Provisions

### 1 General Rules

[...]

#### 1.10 Regulatory requirements and restrictions under U.S. law with respect to Eurex Transactions

In relation to Eurex Transactions, the Clearing Member represents and warrants by way of an independent guarantee and irrespective of fault (*selbständiges, verschuldensunabhängiges Garantieversprechen*) to Eurex Clearing AG that it maintains policies and procedures reasonably designed to ensure that it will, with respect to Direct Clients (other than a DC Market Participant) located in the United States (“**U.S. Direct Client**”), (i) only enter an order or quote into the trading systems of the Eurex Exchange with respect to a Client-Related Transaction relating to a U.S. Direct Client and (ii) only request the transfer of a Eurex Transaction to a Transaction Account of the Clearing Member relating to a U.S. Direct Client, if entering into the relevant Client-Related Transaction or the transfer of the relevant Eurex Transaction complies with the applicable regulatory requirements and restrictions under U.S. law. For the avoidance of doubt, this provision does not apply with respect to Indirect Client Market Participants.

#### ~~1.110~~ **FIC Board Advisory Committee**

~~1.110.1~~ Eurex Clearing AG will establish a FIC board advisory committee (the “**FIC Board Advisory Committee**”) for the purpose of consulting with and making recommendations to the executive boards of Eurex Clearing AG, Eurex Frankfurt AG and Eurex Repo GmbH (together the “**Eurex Group**”) with respect to the FIC Matters (as defined in Number 1.10.2), provided that this would not constitute a breach of law, a breach of an order of a court of a competent jurisdiction or of an applicable governmental, quasi-governmental or regulatory body.

~~1.110.2~~ “**FIC Matters**” with respect to the FIC Board Advisory Committee shall be exclusively the following:

[...]

1.11~~0~~.3 The FIC Board Advisory Committee consists of up to 10 (ten) committee members (“**FIC Committee Members**”). The FIC Committee Members shall be appointed in accordance with the procedure set out in in the statutes for the FIC Board Advisory Committee.

[...]

[...]

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