

Chapter I of the Clearing Conditions of Eurex Clearing AG

General Provisions

As of 18.07.2016

AMENDMENTS ARE MARKED AS FOLLOWS:
INSERTIONS ARE UNDERLINED,
DELETIONS ARE CROSSED OUT.

Chapter I General Provisions

[...]

Part 6 Basic Clearing Member Provisions

[...]

9 Clearing Fund Contributions for Basic Clearing Member Transactions and DM Auctions

9.1 Clearing Fund Contribution

9.1.1 The Clearing Agent shall make Contributions to the Clearing Fund with respect to all Basic Clearing Member Transactions under each Basic Clearing Member Standard Agreement in accordance with Part 1 Number 6. ~~Basic Clearing Members shall not be entitled or obliged to make contributions to the Clearing Fund.~~ For the avoidance of doubt, the Basic Clearing Member is in accordance with Article 2 Paragraph 14 of EMIR responsible for discharging the financial obligations arising from its participation in the Clearing as Basic Clearing Member. Accordingly, without imposing any additional obligations on the Basic Clearing Member, any failure to pay or deliver by the Clearing Agent with respect to the Contributions that have been determined by Eurex Clearing AG in relation to a Basic Clearing Member shall constitute a Basic Clearing Member Termination Event for the relevant Basic Clearing Member. For as long as any such failure continues to exist, Eurex Clearing AG may one or more times suspend or limit the Clearing of new Basic Clearing Member Transactions of such Basic Clearing Member in accordance with Number 10.2 and/or may terminate the clearing membership of the Basic Clearing Member by giving a Basic Clearing Member Termination Notice in accordance with Number 10.3.

[...]
