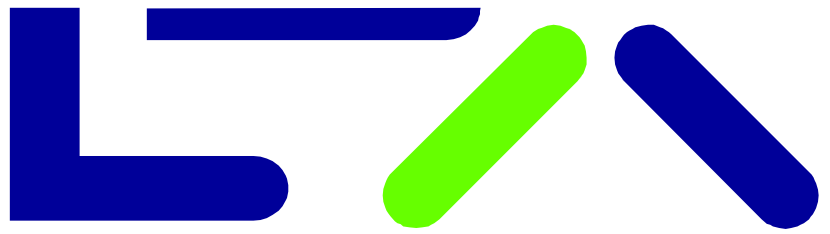


X-pand into the Future



eurex *Announcement*

First Amendment Ordinance to the Exchange Rules for Eurex Deutschland

The following First Amendment Ordinance to the Exchange Rules for Eurex Deutschland was decided on by the Exchange Council of Eurex Deutschland on 22 March 2018.

It shall take effect on 02 April 2018.

**First Amendment Ordinance to the
Exchange Rules for Eurex Deutschland and Eurex Zürich**

***Article 1 Amendment to the Exchange Rules for Eurex Deutschland and Eurex Zürich in
the version dated 3 January 2018, last amended by the New Version dated
18 December 2017***

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

Exchange Rules of Eurex Deutschland and Eurex Zürich

[...]

I. Section Areas of Business and Organisation

§ 1 Areas of Business

These Exchange Rules regulate the organization of the futures and options exchange approved under German law (hereinafter referred to as “Eurex Deutschland”) with its registered office in Frankfurt / Main, ~~and the futures and options exchange approved under Swiss law (hereinafter referred to as “Eurex Zürich”) with its registered office in Zürich.~~ Eurex Deutschland ~~and Eurex Zürich (hereinafter jointly referred to as “Eurex Exchanges”)~~ provides a fully automated trading platform for the conclusion of transactions, in particular standardized futures and options contracts (hereinafter referred to as “futures and options transactions” or “products”).

§ 2 Administrating and Operating Institutions of Eurex Deutschland

The administrating and operating institution of Eurex Deutschland is Eurex Frankfurt AG, with registered office in Frankfurt am Main.

§ 3 Exchange Supervisory Authorities

~~(1) Supervision of the operations of Eurex Deutschland shall be the responsibility of the competent highest state authority in the State of Hesse (hereinafter “Exchange Supervisory Authority”).~~

~~(2) Supervision of the operations of Eurex Zürich shall be the responsibility of the Swiss Financial Market Supervisory Authority FINMA (hereinafter “FINMA”).~~

~~(3) The Eurex Exchanges shall thus be supervised by the supervisory authorities of both countries, to the extent of their respective jurisdiction. Should the above authorities have to take supervisory measures abroad, such measures shall be implemented by means of administrative or legal cooperation, unless international agreements provide otherwise; insofar as the Exchange Supervisory Authority is concerned, such measures shall be implemented via the Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht, BaFin).~~

II. Section Exchange Bodies of ~~the~~ Eurex DeutschlandExchanges

1. ~~[deleted]Sub-Section~~Eurex Deutschland

§ 4 Exchange Council

- (1) Eurex Deutschland shall establish an exchange council pursuant to the Stock Exchange Act (Börsengesetz, BörsG) and the Exchange Regulation (Börsenverordnung) issued by the State of Hesse.
- (2) The Exchange Council of Eurex Deutschland shall have the following responsibilities pursuant to the Exchange Act (Börsengesetz, BörsG):
 1. the adoption of the Exchange Rules (Börsenordnung, BörsO) and the Fee Regulations (Gebührenordnung, GebO) for Eurex Deutschland,
 2. the adoption of Conditions for Trading (Bedingungen für den Handel) at Eurex Deutschland,
 3. the adoption of Admission Regulations for Eurex Deutschland for Exchange Traders,
 4. the adoption of Rules of Procedure for the Management Board,
 5. the appointment and removal of the members of the Management Board of Eurex Deutschland in agreement with the Exchange Supervisory Authority,
 6. the supervision of the Management Board of Eurex Deutschland,
 7. the appointment, re-appointment and removal of the head of the Trading Surveillance Office at Eurex Deutschland upon the recommendation of the Management Board of Eurex Deutschland and in agreement with the Exchange Supervisory Authority.

~~When fulfilling its responsibilities, the Exchange Council shall endeavour to achieve agreement between Eurex Deutschland and Eurex Zürich in the decision-making process.~~

Decisions by the Management Board of Eurex Deutschland with respect to the introduction of technical systems for trading or settlement of exchange transactions shall require the approval of the Exchange Council.

Furthermore, the Management Board of Eurex Deutschland requires the approval of the Exchange Council for measures of principal importance. In particular, this applies to:

- a) Decisions which change the course of trade considerably such as the Delisting of product groups,
- b) Decisions on the assumption of significant new fields of activity or their task,

- c) Establishment of extensive cooperations with other exchanges and organisations which may have an impact on the margin of decision making of Eurex Deutschland.

§ 5 Exchange Management

- (1) The Management Board shall be responsible for the management of Eurex Deutschland.

The members of the Management Board shall be reliable and must possess the appropriate professional qualification for the management of the exchange.

The Management Board shall represent Eurex Deutschland in and out of court, to the extent that the administrating and operating institution of Eurex Deutschland is not charged with such responsibility.

The Management Board shall perform the assigned duties and authorities for the public benefit only.

- (2) Eurex Deutschland shall generally be represented jointly by two members of the Management Board. In urgent cases when a second member of the Management Board cannot be contacted, one member of the Management Board may represent Eurex Deutschland alone.

The Management Board may also authorize other persons to act as representatives.

- (3) The Management Board of Eurex Deutschland shall fulfil all responsibilities which have not expressly been assigned to other Exchange Bodies or to the administrating and operating institution of Eurex Deutschland. Its responsibilities shall include in particular:
1. admitting Exchange Participants and Exchange Traders to futures and options trading at Eurex Deutschland or excluding them from futures and options trading,
 2. regulating the organization and business operations of Eurex Deutschland and setting the trading hours,
 3. without prejudice to the competence of the Trading Surveillance Office, monitoring and examining compliance with all laws, regulations, terms and conditions and other rules governing trading at Eurex Deutschland,
 4. adopting rules for the determination, monitoring, documentation and publication of the prices of Eurex Deutschland,
 5. deciding on the admission and the termination of admission of futures and options contracts to futures and options trading at Eurex Deutschland and deciding on the commencement, suspension or discontinuation of futures and options trading at Eurex Deutschland,
 6. ruling that no physical delivery shall be effected if this is necessary for the maintenance of orderly market conditions at Eurex Deutschland,

7. determining position limits for futures and options positions held by enterprises admitted to futures and options trading (Exchange Participants) at Eurex Deutschland,
8. the adoption of the Contract Specifications for Futures Contracts and Options Contracts at Eurex Deutschland ~~and Eurex Zürich~~ (Kontraktsspezifikationen für Futures-Kontrakte und Optionskontrakte an der Eurex Deutschland ~~und Eurex Zürich~~) ~~with effect for Eurex Deutschland.~~

The Management Board of Eurex Deutschland may commission other persons to fulfil certain responsibilities.

§ 6 Trading Surveillance Office

- (1) The Trading Surveillance Office must fulfil the responsibilities conferred upon it under the Exchange Act. In particular, it shall
 1. monitor futures and options trading at Eurex Deutschland and the settlement of exchange transactions,
 2. systematically and completely collect all data regarding futures and options trading and the settlement of exchange transactions and evaluate such data.
- (2) If the Trading Surveillance Office, in connection with its activities, establishes facts justifying the conclusion that violations of exchange laws or orders are occurring or that other irregularities exist which may impair the orderly conduct of trading at Eurex Deutschland or the settlement of exchange transactions, it shall promptly notify the Management Board of Eurex Deutschland and the Exchange Supervisory Authority thereof.
- (3) The head of the Trading Surveillance Office shall be appointed and removed by the Exchange Council at the recommendation of the Management Board and in agreement with the Exchange Supervisory Authority.
- (4) The Trading Surveillance Office may, to the extent necessary for the discharge of their duties, demand information and the production of documents from the Trading Participants (Exchange Participants and Exchange Traders), conduct inspections and, during normal working hours, enter the property and business premises of Eurex Deutschland and of the Exchange Participants. In particular, they may require that Eurex Deutschland and the Trading Participants provide all data from the EDP system relating to trading or settlement.

In addition, § 3 Paragraph 3 Clause 2 shall apply mutatis mutandis.

§ 7 Disciplinary Committee

The Disciplinary Committee (Sanktionsausschuss) shall have the responsibilities for Eurex Deutschland set forth in § 22 of the Exchange Act (Börsengesetz, BörsG). The Disciplinary

Committee and the Disciplinary Proceedings (Sanktionsverfahren) shall be organised according to the Exchange Regulation (Börsenverordnung) issued by the State of Hesse.

2. ~~[deleted]~~ Sub-Section Eurex Zürich

§ 8 ~~[deleted]~~ Administrative Council

~~The Administrative Council is the body which is responsible for the overall management, supervision and control of Eurex Zürich and which must fulfil the following responsibilities, in addition to those conferred upon it by law:~~

- ~~1.—the adoption of the Exchange Rules (*Börsenreglemente*) required for the operation of Eurex Zürich;~~
- ~~2.—the appointment and removal of the members of the Management Board of Eurex Zürich;~~
- ~~3.—the establishment of an internal Surveillance Office which must be independent of the Management Board of Eurex Zürich in terms of both personnel and organization;~~
- ~~4.—the establishment of an independent Appeals Board for Eurex Zürich;~~
- ~~5.—the adoption of Rules for Organization and Operation (*Organisations- und Geschäftsreglement*).~~

~~When fulfilling its responsibilities, the Administrative Council shall endeavour to achieve agreement between Eurex Zürich and Eurex Deutschland in the decision-making process.~~

~~Decisions by the Management Board of Eurex Zürich with respect to the introduction of technical systems for trading or settlement of exchange transactions shall require the approval of the Administrative Council.~~

§ 9 ~~[deleted]~~ Management Board

- ~~(1) The Management Board shall be responsible for the management of Eurex Zürich pursuant to the Rules for Organization.~~
- ~~(2) Eurex Zürich shall generally be represented jointly by two members of the Management Board. In urgent cases when a second member of the Management Board cannot be contacted, one member of the Management Board may represent Eurex Zürich alone.~~
- ~~(3) The Management Board of Eurex Zürich shall fulfil all responsibilities which have not expressly been assigned to other Exchange Bodies of Eurex Zürich. Its responsibilities shall include, in particular:
 - ~~1.—admitting Exchange Participants and Exchange Traders to futures and options trading at Eurex Zürich or excluding them from futures and options trading,~~~~

- ~~2. — regulating the organization and business operations of Eurex Zürich and setting the times of trading sessions,~~
- ~~3. — without prejudice to the competence of the Surveillance Office, monitoring and examining compliance with all laws, regulations, Exchange Rules (*Börsenreglemente*) required for the operation of Eurex Zürich, terms and conditions and other rules governing trading at Eurex Zürich,~~
- ~~4. — adopting rules for the determination, monitoring, documentation and publication of prices of Eurex Zürich,~~
- ~~5. — deciding on the admission and the termination of admission of futures and options contracts to futures and options trading at Eurex Zürich and deciding on the commencement, suspension or discontinuation of futures and options trading at Eurex Zürich,~~
- ~~6. — ruling that no physical delivery shall be effected if this is necessary for the maintenance of orderly market conditions at Eurex Zürich,~~
- ~~7. — determining position limits for futures and options positions held by enterprises admitted to futures and options trading (Exchange Participants) at Eurex Zürich,~~
- ~~8. — the adoption of the Contract Specifications for Futures Contracts and Options Contracts at Eurex Deutschland and Eurex Zürich (Kontraktsspezifikationen für Futures Kontrakte und Optionskontrakte an der Eurex Deutschland und Eurex Zürich) with effect for Eurex Zürich.~~

~~— The Management Board of Eurex Zürich may commission other persons to fulfil certain responsibilities.~~

§ 10

~~[deleted]Independent Surveillance Eurex (Überwachungsstelle)~~

- ~~(1) — Eurex Zürich shall establish its own watchdog, the Independent Surveillance Eurex, which shall be independent of the Management Board in terms of both personnel and organization. Eurex Zürich shall provide Independent Surveillance Eurex with adequate facilities and staff.~~
- ~~(2) — The selection of the head of the Independent Surveillance Eurex shall require the approval of the FINMA.~~
- ~~(3) — The Independent Surveillance Eurex shall monitor the determination of prices and the conclusion and settlement of transactions in such a way that any exploitation of the knowledge of confidential information, any price manipulation and any other breaches of law can be detected. In particular, it shall
 - ~~a) — verify compliance with the provisions of the relevant laws, statutes and rules,~~
 - ~~b) — monitor the activities of Eurex Zürich in controlling its Exchange Participants,~~~~

~~c) follow up any information from other Exchange Bodies or third parties concerning possible violations of insider trading prohibitions and the relevant provisions of exchange law,~~

~~d) be the contact for Exchange Participants and third parties should they have complaints concerning Eurex Zürich or the Exchange Participants of Eurex Zürich or its Exchange Traders.~~

~~— Upon suspicion of violations of law or other irregularities, the Independent Surveillance Eurex shall inform the Management Board of Eurex Zürich and the supervisory authority (FINMA). The supervisory authority shall then order the necessary investigations.~~

§ 11 [deleted] Appeals Board

~~If the admission to trading as a securities trader or Exchange Trader is refused, or if a securities trader or Exchange Trader is excluded from trading by Eurex Zürich, recourse may be taken to the independent Appeals Board. The Administrative Board shall set forth provisions governing the organization and the proceedings in rules which shall require the approval of the supervisory authority. This shall not affect the right, after completion of the appeal proceedings, to file a lawsuit before the civil court, where Swiss law shall exclusively apply in such cases.~~

§ 12 [deleted] Reporting Office

~~The reporting office within the meaning of Article 15 of the Swiss Law on Stock Exchange and Securities Trading (Gesetz über die Börsen und den Effektenhandel, BEHG) in connection with Article 6 of the Ordinance of the Swiss Financial Market Supervisory Authority on Stock Exchange and Securities Trading (Börsenverordnung FINMA, BEHV-FINMA) shall be the SIX Swiss Exchange AG.~~

III. Section General Conditions

1. Sub-Section Exchange Trading

§ 13 Electronic Trading System

The orders and quotes sent to the electronic trading system of ~~the Eurex Exchanges Deutschland~~ shall be automatically allocated to and matched with one another. Orders entered for the off-book trade, shall be matched pursuant to the provisions in Part 4 of the Conditions for Trading. ~~Transactions which are effected via this electronic trading system of the Eurex Exchanges shall be deemed transactions at Eurex Deutschland and, if both parties to any such transaction are admitted to trading at Eurex Zürich, also at Eurex Zürich.~~

The Management Boards of ~~the Eurex Exchanges Deutschland~~ may delete orders and quotes which have been entered in the order book if such deletion is necessary for the maintenance of an orderly exchange trading. The Management Boards of ~~the Eurex Exchanges Deutschland~~ will provide information on any deletion of orders or quotes immediately.

§ 13 a Pre-Trade Checks

The electronic trading system of ~~the Eurex Exchanges Deutschland~~ performs pre-trade checks in order to safeguard orderly exchange trading. The limits for these pre-trade checks are determined as follows:

- (1) The Management Boards of ~~the Eurex Exchanges Deutschland~~ determines limits for the transfer of notifications (entry of orders, modification of orders, deletion), that a Participant can send to the trading system within a certain period of time, taking into account its connection types (interface, sessions), and publish those limits ("max message limits"). Upon reaching this maximum limit the transfer of notifications will be delayed.
- (2) The Management Boards of ~~the Eurex Exchanges Deutschland~~ determines and publishes order and quote limits for any orders and quotes stored in the order book. Such order and quote limits determine the maximum number of orders and quotes which a Participant may, with regard to a specific product and taking into account its technical connection types (sessions), enter into the order book. When an Exchange Participant reaches the limit, any orders and quotes entered thereafter are refused by the trading system of ~~the Eurex Exchanges Deutschland~~ until the number of orders and quotes stored in the order book with regard to such product have fallen below a threshold determined by the Management Boards. To the extent the entry of a mass quote is the cause for a limit being reached, the system will permit the exceeding of such limit. In such case, only the orders and quotes entered thereafter will be refused. Exchange Participants may individually pre-set lower limits.

- (3) The Management Boards of ~~the~~ Eurex Exchanges Deutschland determines price collars for the individual contracts within which orders with a limit can be entered. An order or a quote with a limit outside the price collar will be rejected by the trading system of ~~the~~ Eurex Exchanges Deutschland.
- (4) Exchange Participants are obliged to determine a limit for the maximum order value of an order or quote for each Exchange Trader ("max order value"). An order or quote that exceeds the maximum order value will be rejected by the trading system of ~~the~~ Eurex Exchanges Deutschland.
- (5) Exchange Participants are obliged to determine a maximum number of contracts that an Exchange Trader can enter per order or per quote with regard to a specific product ("order volume"). An order or quote that exceeds the maximum number of contracts will be rejected by the trading system of ~~the~~ Eurex Exchanges Deutschland.

§ 14 Position Limits

- (1) The Management Boards of ~~the~~ Eurex Exchanges Deutschland may set or alter position limits in order to ensure orderly futures and options trading and to avoid risks for the spot markets (Kassamärkte). Exchange Participants shall be notified of such determination of position limits allowing for a reasonable period of time.
- (2) A position limit is a maximum number of contracts in the relevant products which an Exchange Participant is permitted to hold for its own account or for one of its customers. If several positions relating to the same position limit form a total position, every Exchange Participant involved may hold the respective positions for its own account or for a customer only if the total position does not exceed the position limit.

Several Positions relating to the same position limit may, in the following situations, be considered a total position:

1. Positions held for the same customer by several Exchange Participants.
2. Positions which an Exchange Participant holds for its own account and positions which the Exchange Participant holds while being another Exchange Participant's customer,
3. Positions which an Exchange Trader or other agent of one or more Exchange Participants may dispose of or which such Exchange Trader or other agent can control in a different way, irrespective of whether or not the positions are held by one or more Exchange Participants for their own accounts or for one or more customers.
4. Positions with regard to which one or more Exchange Participants or one or more of their customers coordinate their actions or cooperate with each other in any other way.

5. Positions which, in the opinion of the Management Boards of ~~the Eurex Exchanges Deutschland~~, ought to be considered a total position in order to ensure an orderly futures and options trading or to avert danger from the cash markets.
- (3) An Exchange Participant may not engage in any transactions if
1. this would result in exceeding a position limit,
 2. the position limit has already been exceeded, and if the transaction leads to a further increase in the relevant position or in the total position, or
 3. there are indications of an excess according to Nr. 1 or an increase according to Nr. 2.
- (4) If a position limit is exceeded or if, in the opinion of the Management Boards of ~~the Eurex Exchanges Deutschland~~, there are indications of a position limit having been exceeded, each Exchange Participant holding the relevant position or parts of the relevant total position for its own account or for the account of one of its customers is obligated to immediately reduce the relevant position or the relevant parts of the total position by such an amount as is necessary to discontinue the exceeding of the position limit. The Exchange Participant undertakes to obtain the consents for a position reduction, in case such consents are necessary, and to have them available at any time.

If an Exchange Participant fails to fulfil its obligation to reduce the position within a period of time determined by the Management Boards of ~~the Eurex Exchanges Deutschland~~, the Management Boards of ~~the Eurex Exchanges Deutschland~~ shall – by carrying out the relevant entries in the Eurex trading system – reduce the relevant positions to such an extent as is necessary to discontinue the exceeding of the position limit or to thwart any indication of a position limit being exceeded.

- (5) If the positions kept on the customer position accounts of an Exchange Participant as a whole exceed the position limit, the Exchange Participant has to prove to the Trading Surveillance Office of Eurex Deutschland ~~or to the Independent Surveillance Eurex of Eurex Zürich respectively~~, that the relevant customers' positions are within the position limits.

Upon request by the Trading Surveillance Office of Eurex Deutschland ~~or the Independent Surveillance Eurex of Eurex Zürich respectively~~, an Exchange Participant must provide evidence with regard to a single or to all of the individual positions of its customer account and with regard to the relevant customers, even independently from a position limit being exceeded.

To provide this evidence, the Exchange Participant shall immediately – with regard to fixed-income products, until 2 p.m. CET of a trading day – provide the Trading Surveillance Office of Eurex Deutschland ~~or the Independent Surveillance Eurex of Eurex Zürich respectively~~ with information about the relevant positions and the relevant customers at the end of the previous trading day. On the last trading day before expiry of a contract, these details shall be provided until 10 a.m. CET.

- (6) The Management Boards of ~~the~~ Eurex Exchanges-Deutschland may determine that the relevant Exchange Participant must notify its customer positions to the Trading Surveillance Office of Eurex Deutschland ~~or to the Independent Surveillance Eurex of Eurex Zürich respectively~~ if such positions exceed a specific percentage of the position limit.
- (7) The Trading Surveillance Office of Eurex Deutschland ~~and the Independent Surveillance Eurex of Eurex Zürich~~ examines all positions of an Exchange Participant, including Agent Position Accounts, to verify compliance with the position limits. For this purpose, the Management Board may use the services of a suitable auditor § 3 Paragraph 3 Clause 2 shall apply mutatis mutandis in all other respects.
- (8) Paragraphs 3 to 7 apply accordingly to commodity derivatives within the meaning of Article 2 Paragraph 1 No. 30 of the Delegated Regulation (EU) Nr.600/2014.

§ 15 Exclusion of Physical Delivery, Delisting of Underlyings

- (1) In order to maintain orderly trading conditions, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland may take any appropriate measures, in particular, it may issue instructions prohibiting delivery.
- (2) In case of an exclusion of delivery, a cash settlement of the relevant derivatives transactions shall take place. In such a case,
1. upon the expiration of futures contracts, all mutual rights and obligations under such contracts shall be deemed to be performed upon the last daily settlement payment;
 2. upon the exercise of stock options and options contracts on exchange-traded fund shares or debt securities, the prices of the respective underlying security determined by the Management Board of Eurex Deutschland for settlement in cash shall be decisive. The amount of cash settlement is determined by the difference between the relevant share price and the exercise price, multiplied by the number of shares underlying the options contract or by the number of exchange-traded fund shares or debt securities respectively.
- (3) In case of a delisting of the underlying of a derivatives transaction, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland may take appropriate measures; it may
1. order the exclusion of delivery to maintain orderly market conditions and
 2. order the delisting and the early termination to guarantee orderly exchange trading with regard to the concerned derivatives transactions. The Management Board shall determine the price of the derivatives transaction relevant for cash settlement.
- (4) An order concerning exclusion of delivery, delisting and early termination shall be made public by announcement.

§ 16 Suspension and Discontinuation of Trading

- (1) The Management Boards of ~~the~~ Eurex Exchanges-Deutschland may, with regard to the trading in futures and options contracts,
 - a) suspend such trading if an orderly futures and options trading appears to be temporarily threatened or if such suspension appears to be appropriate in order to protect the public; and
 - b) discontinue such trading, if it appears possible that an orderly futures and options trading can no longer be ensured.
- (2) The measures according to Paragraph 1 shall be announced.
- (3) If trading in specific options or futures contract admitted to Eurex Deutschland ~~or~~ Eurex Zürich is suspended in whole or in part, no new orders and quotes may be entered and no open positions may be closed respecting such contract for the duration of the suspension, nor, if exercise is possible under the terms of such contract, may any open positions be exercised during this period. All existing orders and quotes will be canceled. The resumption of futures and options trading in suspended contracts shall commence with a Pre-Trading Period. The Management Boards of ~~the~~ Eurex Exchanges-Deutschland may, in the event of a suspension of trading, issue different instructions on a case-by-case basis.

§ 17 Market Integrity

- (1) Trading Participants are obligated to use the installations of ~~the~~ Eurex Exchanges-Deutschland in accordance with the Exchange-related legal provisions in order to guarantee an orderly conduct of trading and the Exchange transaction settlement (hereinafter “orderly futures and options trading”).
- (2) Prior to the application of an electronic trading system or a trading algorithm, Trading Participants have to ensure that orderly futures and options trading will not be compromised by such electronic trading system, trading strategy or trading algorithm.
- (3) Trading Participants must not enter orders or quotes into the system of ~~the~~ Eurex Exchanges-Deutschland unless they intend to conclude a business transaction.
- (4) In order to guarantee an orderly futures and options trading, the Trading Participant or several Trading Participants acting upon mutual consultation may furthermore not conclude transactions at ~~the~~ Eurex Exchanges-Deutschland or enter orders or quotes in the trading system of ~~the~~ Eurex Exchanges-Deutschland that have the potential to influence in an erroneous or misleading way bid, ask or price of products traded at ~~the~~ Eurex Exchanges-Deutschland or to effect a price not in line with the market or an artificial price level without being in compliance with a common market practice in accordance with the orderly conduct of trading pursuant to the Exchange-related legal provisions.

§ 17 a Identification of algorithmic orders and of trading algorithms

- (1) Exchange Participants are obliged to mark the orders and firm quotes generated through algorithmic trading within the meaning of § 80 Paragraph 2 sentence 1 of the Securities Trading Act, to identify the trading algorithms used in each case as well as identify the person that initiated the order. This shall also apply in the event that orders are being transmitted via an Order Routing System or a direct electronic access.
- (2) The orders or quotes must be marked when they are entered into the trading system of ~~the Eurex Exchanges Deutschland~~. The trading algorithms used in each case must be identified when orders or quotes resulting from the trading algorithms are entered into the trading system of ~~the Eurex Exchanges Deutschland~~ and when such orders or quotes are modified or deleted. The marking of the orders or quotes generated and the identification of the trading algorithms used in each case must be made using the appropriate input options of the trading system of ~~the Eurex Exchanges Deutschland~~. The marking of the orders or quotes generated and the identification of the algorithms used in each case must be comprehensible, definite and consistent. Trading algorithms must be identified by setting out the complete automated decision-making process by which the entry of orders or quotes into the trading system of ~~the Eurex Exchanges Deutschland~~ or the modification or deletion of such orders or quotes was effected.
- (3) The Management Boards of ~~the Eurex Exchanges Deutschland~~ may issue further provisions on the structure and format of the marks and identifications.

§ 17 b Order to Trade Ratio

- (1) Exchange Participants are obligated to ensure an adequate ratio between order- and quote-entries, -modifications and -deletions (order-entries) and contracts traded. When determining an adequate Order to Trade Ratio, order entries, that have been deleted due to the netting process during an auction or due to a connection interruption in the trading system, are not considered. When determining an adequate Order to Trade Ratio, both a volume-based and a transaction-based ratio is considered.
- (2) The volume-based Order to Trade Ratio is determined by dividing the numerical volume of the order-entries of an admitted enterprise per product within one calendar day by the volume of the conducted transaction and then deducting 1. The numerical volume of an order-entry is the number of contracts to which the order-entry relates. A modification of an order is counted as a deletion of the previous order/quote and an entry of a new order/quote. If an order or a quote is fully or partially deleted by the Self-Match Prevention (SMP) functionality, the volume of the order entry increases on the buy- and the sell-side respectively by the number of deleted contracts only. The volume of the conducted transactions is determined by the volume of the Exchange Participants' trades concluded in the order book in the same product of the previous trading day. If the volume of the conducted transactions of the previous trading day is less than the volume-based minimum value, the Management Boards of ~~the Eurex Exchanges~~

Deutschland may increase this value to the value of the volume-based minimum value for determining the volume-based Order to Trade Ratio.

- (3) The transaction-based Order to Trade Ratio is determined by dividing the Exchange Participants' order-entries per product within one trading day by the number of trades. A modification of an order is counted as a deletion of the previous order/quote and an entry of a new order/quote. If an order or a quote is fully or partially deleted by the Self-Match Prevention (SMP) functionality, the number of order-entries on the buy- and the sell-side respectively by the number of deleted or modified contracts only. The number of trades is determined by the number of the Exchange Participants' trades concluded in the order book in the same product of the previous trading day. If the number of trades of the previous trading day is less than the transaction-based minimum value, the Management Boards of ~~the-Eurex~~ Exchanges-Deutschland may increase this value to the value of the transaction-based minimum value for determining the transaction-based Order to Trade Ratio.
- (4) The Order to Trade Ratio is adequate if, at the end of the trading day, it is less than or equal to the limit determined below. However, a distinction is made between the limit for the volume-based Order to Trade Ratio and the limit for the transaction-based Order to Trade Ratio. Furthermore, a distinction is made between the limit for Exchange Participants who meet the minimum quoting requirements for an increased Order to Trade Ratio, and the limit for other Exchange Participants. The minimum quoting requirements for an increased Order to Trade Ratio are decided and announced by the Management Boards of ~~the-Eurex-Exchanges~~ Deutschland.
- a) The limit for Exchange Participants who do not meet the minimum quoting requirements is a number, determined per product group pursuant to the Appendix to § 17 b, that is, per product, multiplied by a product-specific factor pursuant to the Appendix to § 17 b. If a product is not listed in the Appendix to § 17 b, this factor shall be 1.
- b) The limit pursuant to Paragraph 4a) is applicable if the Quote Performance of the Exchange Participant in a product is greater than the multiplication of the Grace Factor and the minimum quoting requirement pursuant to the Appendix to § 17 b.
- The limit for Exchange Participants who meet the minimum quoting requirements (MQ Limit), results per product from the multiplication of the limit pursuant to Paragraph 4a) with the minimum quoting base factor (MQ Base Factor), with the Quote Performance and the Average Quote Size, whereas the average Quote size is solely considered within the scope of the volume-based Order to Trade Ratio.
- Pursuant to the Appendix to § 17 b, the MQ Base Factor depends on the Spread Quality. The Spread Quality results from the time-weighted, average quoted Spread Quality compared to the maximum spread as set out in the minimum quoting requirements.

- The Quote Performance is the measured time of the quoting activity of an Exchange Participant in a product in relation to the maximum possible quote time as defined in the minimum quoting requirements.
- The Average Quote Size is the time-weighted average volume of quotes.

If the minimum quoting requirements are met under Stressed Market Conditions as set out in Paragraph 6, the MQ Limit is multiplied by the SMC Factor pursuant to the Appendix to § 17 b. The Quote Performance, Spread Quality and Average Quote Size are measured based on the values captured by ~~the Eurex Exchanges~~ Deutschland at the end of each trading day. Limit-orders are treated as quotes in case this is provided in the minimum quoting requirements. Only those quotes and limit-orders which meet the minimum quoting requirements are considered in the calculation of the MQ Base Factor.

If the MQ Limit is lower than the limit pursuant to Paragraph 4a), then this limit is applied.

- (5) The parameters for the calculation of the Order to Trade Ratio can be changed by the Management Boards of ~~the Eurex Exchanges-Deutschland~~ under exceptional market conditions in order to adequately adjust the Order to Trade Ratio to the respective exceptional market conditions. Exceptional market conditions can be characterized by rapid and significant changes in market activity, extraordinary volatility or rapid and significant interest rate fluctuations.
- (6) For the determination of Stressed Market Conditions, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland set the relevant parameters regarding price and volume changes within the meaning of Article 6 Paragraph 2 of the Delegated Regulation (EU) 2017/578.

§ 18 Right to Issue Orders

The Management Boards of ~~the respective~~ Eurex Exchange-Deutschland may give the appropriate orders to the persons and enterprises admitted to futures and options trading to safeguard orderly exchange trading and orderly settlement of transactions.

2. Sub-Section Settlement of Transactions/Clearing

§ 19 Central Counterparty

- (1) In order to guarantee the orderly settlement of futures and options transactions concluded at ~~the Eurex Exchanges~~ Deutschland, the clearing in respect of these transactions shall be handled exclusively by Eurex Clearing AG in its capacity as a central counterparty. Futures and options transactions which are concluded through the system of ~~the~~ Eurex Exchanges-Deutschland shall always be effected with Eurex

Clearing AG as central contractual party and with a Clearing Member of Eurex Clearing AG.

- (2) In order to guarantee an orderly settlement and clearing, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland may enter orders of Eurex Clearing AG and upon request of Eurex Clearing AG orders of an Exchange Participant, which is a Clearing Member, into the trading system of ~~the~~ Eurex Exchanges-Deutschland.

§ 20 Settlement Systems

- (1) The netting of rights and liabilities (settlement) of transactions concluded at ~~the~~ Eurex Exchanges-Deutschland shall be executed by Eurex Clearing AG.
- (2) The fulfilment of the transactions concluded at ~~the~~ Eurex Exchanges-Deutschland shall be carried out by Clearstream Banking AG, SIX SIS AG, Euroclear UK & Ireland. The Management Boards of ~~the~~ Eurex Exchanges-Deutschland shall define for each derivative transaction via which institute it can be settled.

3. Sub-Section Exchange Data and Data Protection

§ 21 Storage of Exchange Data / Publication of Prices and Turnover by ~~the~~ Eurex ExchangesDeutschland

- (1) Any and all exchange data shall be stored in the Exchange-EDP.
- (2) The respective prices and underlying turnover shall be published by the Management Boards of ~~the~~ Eurex Exchanges-Deutschland via the electronic media. The manner and scope of the publication of prices shall be determined by the Management Boards of ~~the~~ Eurex Exchanges-Deutschland in accordance with the legal requirements.
- (3) The Management Boards of ~~the~~ Eurex Exchanges-Deutschland ~~are~~ allowed to publish turnover figures from futures and options trading or to have these published. In addition thereto, ~~they~~ it may arrange for publications that serve the purpose of properly informing the public about market news.

§ 22 Evaluation of Data by the Exchange Participants

Data and Information received from the EDP system of ~~the~~ Eurex Exchanges-Deutschland or, upon the instigation of ~~the~~ Eurex Exchanges-Deutschland, via separate technical connections, shall only be used by the Exchange Participants for own purposes of trade and settlement. A transmission of such data to third parties or a processing of the data received shall, to the extent that this is not necessary for trading at ~~the~~ Eurex Exchanges-Deutschland, not be permitted without the prior consent by the Management Boards of ~~the~~

Eurex ~~Exchanges Deutschland~~; this shall also apply to any kind of commercial use of such data.

§ 23 Data Protection

- (1) To comply with their duty to monitor orderly exchange trading and orderly settlement of exchange transactions, ~~the~~ Eurex ~~Exchanges Deutschland~~ records incoming and outgoing phone calls on particular telephone extensions which the Management Boards of ~~the~~ Eurex ~~Exchanges Deutschland~~ published by circular. The records will be deleted after a lapse of ten years at the latest.
- (2) Data collected according to Paragraph 1, the non disclosure of which is within the interest of the Exchange Participants or of a third party, in particular individual related data as well as trade and business secrets, will only be used for the purpose specified in Paragraph 1 and only in case that relevant facts cannot be clarified via other evidence or if other means of disclosure are unacceptable. In cases of Clause 1, the Management Boards of ~~the~~ Eurex ~~Exchanges Deutschland~~ in each case may transmit collected data to these bodies to which law permits data to be circulated.

IV. Section Exchange Participants

1. Sub-Section Admission

§ 24 Admission Obligation

- (1) To participate in exchange trading, enterprises (Exchange Participants) and persons entitled to act as traders for such Exchange Participants (Exchange Traders) must be admitted to Eurex Deutschland, ~~or to Eurex Zurich and in addition Eurex Deutschland.~~ Applications for admission to exchange trading are to be submitted in the prescribed form to Eurex Deutschland ~~or Eurex Zürich, as applicable.~~
- (2) The applying enterprise must name in its application for admission the persons who are, by law, articles of association or shareholders' agreement, entrusted with the management of the business of the applicant and are authorized to represent it. The applying enterprise must, at the same time, name at least one person who is to be authorized to conclude transactions at ~~the respective~~ Eurex Exchange Deutschland.

§ 25 Obligation to Provide Evidence of Admission Requirements

Evidence that the conditions for the admission of enterprises and persons have been fulfilled must be furnished by the applicant. The obligation pursuant to Clause 1 shall apply to the Exchange Participant and the Exchange Trader during the whole period of time of admission. The Management Boards of ~~the~~ Eurex Exchanges Deutschland shall satisfy ~~themselves itself~~ in an appropriate manner that the necessary conditions for admission to ~~the respective~~ Eurex Exchange Deutschland are met at the time of admission and during the whole period of time of admission. The Management Boards of ~~the~~ Eurex Exchanges Deutschland may, either ~~themselves itself~~ or through an authorized agent, undertake a pertinent examination of the applicant at the applicant's expense and require the applicant to submit such statements and documents as they may deem appropriate. ~~They It~~ may also request information from third parties, after prior notice thereof to the applicant.

2. Sub-Section Admission Prerequisites

§ 26 General Conditions for Admission of Companies

An enterprise is to be admitted to trading

1. if such company, with regard to objects which may be traded on an exchange, acts on a commercial basis, concluding transactions involving
 - a) buying or selling for its own account or
 - b) buying or selling in its own name for the account of third parties or

- c) commission agency of contracts relating to buying or selling,
and if the business operations of such enterprise are of such nature and scale as to require a commercially organized business establishment;
2. if – with regard to companies operated in the legal form of a sole trader, the proprietor of such company, and with regard to other companies such persons who are by law, articles of association or shareholders’ agreement entrusted with the management of the business of the enterprise and are authorized to represent it – such proprietor or such persons are reliable and include at least one person who has the necessary professional qualifications to participate in exchange trading;
 3. if the orderly settlement of transactions concluded on the exchange is ensured according to § 27 to § 30;
 4. if the orderly technical connection to the Electronic Trading System of ~~the~~ Eurex Exchanges Deutschland is ensured according to § 31 and § 63;
 5. if the enterprise provides evidence of equity capital of at least EUR 50,000 unless it is a credit institution, a financial services institution or an enterprise within the meaning of § 53 Paragraph (1) Clause 1 or § 53 b Paragraph (1) Clause 1 of the Banking Act and is authorized to engage in principal broking services within the meaning of § 1 Paragraph (1) Clause 2 No. 4 or to render a financial service within the meaning of § 1 Paragraph (1a) Clause 2 No. 1 to 4 of the Banking Act; the equity capital consists of the paid-in capital and the reserves after deduction of withdrawals by the proprietor or the personally liable shareholders, of credit extended to such persons and of any excess of indebtedness with respect to the free assets of the proprietor; ~~and~~
 6. if, with respect to an enterprise that is obliged to provide evidence of equity capital according to No. 5, no facts may exist justifying the assumption that such enterprise, taking into account the proven equity capital, does not have the necessary economic capacity to participate in an orderly manner in exchange trading; ~~and~~
 - ~~7. if, in the case of an application for admission to Eurex Zürich, the special admission requirements according to § 32 are fulfilled.~~

§ 27 Guaranteeing an Orderly Settlement of Transactions

- (1) An orderly settlement of transactions according to § 26 No. 3 is guaranteed if
 1. the applying enterprise
 - has a clearing license of Eurex Clearing AG for clearing transactions carried out at ~~the~~ Eurex Exchanges Deutschland (hereinafter referred to as “Derivatives Clearing License”) (Clearing Member), or
 - has concluded a NCM-CM-Agreement with a Clearing Member of Eurex Clearing AG as prescribed by Eurex Clearing AG or has concluded NCM-CM-

Agreements with two or three different Clearing Members with respect to the clearing, and

2. the applying enterprise provides adequate technical equipment and employs at least one specifically qualified staff member in the settlement area. A staff member shall be presumed to be specially qualified if such staff member fulfils the requirements for back office staff members as specified in the Clearing Conditions of Eurex Clearing AG, and
 3. the conditions in the clearing process (§ 28 ff.) are met.
- (2) A Clearing Member shall be treated as Non-Clearing Member with respect to its futures and options transactions that are not being cleared by itself but by another Clearing Member on the basis of a NCM-CM-Agreement. A Clearing Member may instruct up to two other Clearing Members with the clearing of different futures and options transactions for itself.
- (3) ~~The~~ Eurex Exchanges Deutschland may restrict the admission to futures and options trading to specific futures and options transactions, if an orderly settlement is only guaranteed with respect to such specific futures and options transactions. This shall apply in particular where a Non-Clearing Member has not ensured an orderly settlement of all futures and options transactions that are available for trading at ~~the~~ Eurex Exchanges Deutschland by instructing a Clearing Member in accordance with § 28 Paragraph 1.

§ 28 Conditions within the Clearing Process

- (1) Exchange Participants which are not admitted to participate in the clearing process themselves (Non-Clearing Members) may ensure the orderly settlement of their futures and options transactions by instructing another company or other companies (Clearing Member) admitted to the clearing process of Eurex Clearing AG.
- (2) In order to guarantee the fulfilment of the conditions agreed between Clearing Members and their Non-Clearing Members in connection with their participation in the clearing process according to § 29 and § 30, the Clearing Members may agree with their Non-Clearing Members that orders and quotes of their Non-Clearing Members to be executed by the respective Clearing Members at ~~the~~ Eurex Exchanges Deutschland will initially be checked with regard to the fulfilment of fixed pre-trade limits (§ 29) and other agreed conditions (§ 30), and that such orders and quotes shall be matched with other orders or quotes in the system of ~~the~~ Eurex Exchanges Deutschland only in case of fulfilment of these conditions.
- (3) If orders or quotes of a Non-Clearing Member which have to be entered or which have already been entered in the system of ~~the~~ Eurex Exchanges Deutschland, would result in or constitute a breach of agreed conditions within the meaning of § 29 or § 30, ~~the~~ Eurex Exchanges Deutschland shall take measures according to Section IV Sub-Section 4 (Suspension and Revocation of an Enterprise's Admission to Trading).

§ 29 Limitation of Orders or Quotes („Pre-Trade Limits“)

- (1) Exchange Participants may enter restrictions with regard to their orders or quotes into the system of ~~the~~ Eurex-Exchanges Deutschland. An Exchange Participant that is not a Clearing Member (Non-Clearing Member) may agree on conditions with its Clearing Member on restrictions of orders or quotes. Such conditions may be entered into the system of ~~the~~ Eurex Exchanges Deutschland by the Clearing Member (“Pre-Trade Limits”).
- (2) Pre-Trade Limits may include several restrictions or a combination thereof listed in the following:
 - a) Maximum number of contracts with regard to a product per order or per quote. Insofar, the following limit is considered according to the type of order:
 - maximum number of contracts per order or quote (“Maximum Order Quantity”), provided they do not relate to combined orders or combined quotes; or
 - maximum number of contracts per combined order or combined quote (“Order Maximum Calendar Spread Quantity”), related to specific products.
 - b) Maximum amount with regard to the margin or specifically defined parts of the margin which the Clearing Member is, due to the conclusion of a transaction for the Non-Clearing Member vis-à-vis Eurex Clearing AG.¹
- (3) Upon request of the Clearing Members commissioned by the Non-Clearing Members, the latter are obligated to agree with such Clearing Members upon Pre-Trade Limits. In this case, Clearing Members may specify the Pre-Trade Limits agreed upon with their respective Non-Clearing Members in the system of ~~the~~ Eurex-Exchanges Deutschland.

§ 30 Other Conditions („Stop-Button“)

- (1) Upon request of any Clearing Member instructed by a Non-Clearing Member, and in order to guarantee the orderly settlement of transactions according to § 27, the Non-Clearing Member is obligated to agree on additional conditions vis-à-vis the relevant Clearing Member regarding (without further limitations) the entry or execution of orders or quotes within the meaning of § 28.
- (2) Provided that such Other Conditions agreed upon with a Clearing Member are not fulfilled by the Non-Clearing Member, the respective Clearing Member may, by an according entry in the system of Eurex Clearing AG (“Stop Button”) declare vis-à-vis ~~the~~ Eurex Exchanges Deutschland that it is no longer willing to execute the clearing of futures and options transactions of the concerned Non-Clearing Member for the clearing

¹ The limitation with regards to maximum amount of margin or specifically defined parts of the margin will not be available for products which are admitted to trading on ~~the~~ Eurex Exchanges Deutschland and are available for 23 hours trading.

of which it has been instructed. In doing so, the Clearing Member applies, with respect to such futures and options transactions for which this Clearing Member has been instructed by the Non-Clearing Member, for exclusion of the Non-Clearing Member from trading at ~~the~~ Eurex Exchanges Deutschland for the period of non-fulfilment of these Other Conditions. In substantiated exceptional cases in which the Clearing Member is unable to use the Stop Button, the declaration according to Clause 1 and Clause 2 may also be submitted in writing.

- (3) Clearing Members may agree with their respective Non-Clearing Members that in the event of exceeding certain values in accordance with this provision as other conditions, the Non-Clearing Member is restricted to enter and execute orders or quotes, for the period of such exceedance, and that existing orders or quotes are being cancelled in the system of ~~the~~ Eurex Exchanges Deutschland. Subject to this paragraph, only those restrictions may be agreed on which can be technically entered into the system. The Clearing Member and the Non-Clearing Member may enter only those restrictions into the system which have been previously agreed on.

§ 31 Requirements regarding Technical Equipment and Organisation

- (1) Each Exchange Participant is required to observe the technical requirements for connection to the trading system of ~~the~~ Eurex Exchanges Deutschland which are determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland and must furthermore, for the period of time of admission, have concluded with Eurex Frankfurt AG the Agreement on the technical connection and the utilization of the Exchange-EDP of Eurex Deutschland ~~and Eurex Zürich~~ (Eurex Connection Agreement) in its respectively valid version.
- (2) Each Exchange Participant is required to conduct pre-trade checks with regard to price, volume, value of orders and system usage prior to entering orders into the EDP system of ~~the~~ Eurex Exchanges Deutschland as well as post-trading checks, which both meet the requirements of the Delegated Regulation (EU) 2017/589.
- (3) Each Exchange Participant is required to test and guarantee that its trading systems, trading algorithms and trading strategies are in line with the trading system of ~~the~~ Eurex Exchanges Deutschland pursuant to § 63.
- (4) If an Exchange Participant intends to provide its customers with a direct electronic access, the Exchange Participant must meet the requirements pursuant to § 63 and give evidence.
- (5) Each Exchange Participant is obligated to guarantee the presence of a sufficient number of qualified personnel on its business premises at all times during all trading periods according to § 61 and to guarantee the availability by telephone in order to ensure the orderly operation of its exchange trading and the settlement of transactions of ~~the~~ Eurex Exchanges Deutschland, particularly in order to take the necessary measures at the instruction of ~~the~~ Eurex Exchanges Deutschland in the event of a technical disruption. In addition, ~~the~~ Eurex Exchanges Deutschland must be provided

with the name of a person to be contacted in the event of a technical disruption or with proof of a service agreement with a third party.

- (6) Each Exchange Participant is obliged to take appropriate measures for emergency planning and management. Each Exchange Participant must be able to cancel its orders in whole or in parts ("Kill Functionality").
- (7) If an Exchange Participant operates at two or more locations for trading at ~~the~~ Eurex Exchanges Deutschland, it may equip any two locations with a connection in order to ensure breakdown protection in the event of a disruption of the connection between one location and an access point.

§ 32 ~~[deleted] Special Conditions for Admission to Eurex Zürich~~

~~In addition, an admission to futures and options trading at Eurex Zürich requires the approval within the meaning of Article 10 of the Law on Stock Exchanges and Securities Trading (Gesetz über die Börsen und den Effektenhandel, BEHG) (approval as securities traders for enterprises with registered office in Switzerland) or within the meaning of Article 53 or 53a of the Ordinance on Stock Exchanges and Securities Trading (Verordnung über die Börsen und den Effektenhandel, BEHV) (approval as a remote member for enterprises with registered office outside Switzerland).~~

3. Sub-Section Obligations for Enterprises arising from Admission

§ 33 Trading Locations

- (1) When applying for admission or upon admission – at least two weeks prior to commencement of business – an Exchange Participant must notify the Management Boards of ~~the~~ Eurex Exchanges Deutschland of its trading locations. Furthermore, the Exchange Participant must notify any changes with regard to:
 - the relocation of trading locations;
 - additional trading locations;
 - the closure of trading locations.
- (2) Any notification according to Paragraph 1 must contain the address of such trading locations.
- (3) The Management Boards of ~~the~~ Eurex Exchanges Deutschland may permit the joint utilisation of business premises for trading at ~~the~~ Eurex Exchanges Deutschland upon application by the Exchange Participants involved in such joint utilisation.
- (4) If the new trading locations are in a country other than the original trading locations, it must be ensured that Eurex Deutschland ~~and / or Eurex Zürich are is~~ permitted to operate trading screens for trading at ~~the~~ Eurex Exchanges Deutschland in such

country. ~~The Eurex Exchanges-Deutschland~~ shall provide a list of acceptable countries upon request. Furthermore, the notification according to Paragraph 1 must contain additional information with regard to the compliance of the intended operation with the rules and regulations of the respective country.

§ 34 Margin Requirements; Daily Settlement Payments

- (1) Each Exchange Participant is required to provide the margin required of it in the amount determined by way of the calculation method of Eurex Clearing AG or determined by way of the calculation method of the Link Clearing House, and to effect any daily settlement payments within the specified period. The method applied by the Clearing Members of Eurex Clearing AG, by the Link Clearing House, respectively, to calculate such margin shall be disclosed to its affiliated Exchange Participants at their request. Exchange Participants must require margin and daily settlement payments from their customers in an amount which is at least equal to the amount determined on the basis of the formula applied by Eurex Clearing AG, in the amount determined on the basis of the formula applied by the Link Clearing House, respectively. Clause 2 shall apply mutatis mutandis to the relationship between the Exchange Participants and their customers.
- (2) Exchange Participants who are also Clearing Members are required to immediately notify the Management Boards of ~~the Eurex Exchanges-Deutschland~~ if an Exchange Participant (Non-Clearing Member) for which they act fails to meet any margin requirements or fails to effect any daily settlement payments when due. For Exchange Participants who are also Members of the Link Clearing House, Clause 1 regarding the failure to meet any margin requirements or daily settlement payments by Exchange Participants who clear via the Member of the Link Clearing House their transactions carried out at ~~the Eurex Exchanges-Deutschland~~ shall apply mutatis mutandis.
- (3) If futures and options trading commences prior to the time when margin is required to be provided or a daily settlement payment is required to be made, an Exchange Participant shall not be permitted to commence futures and options trading if there is any risk that such margin or daily settlement payment might not be provided or made when due. Such Exchange Participant shall promptly notify the Management Boards of ~~the Eurex Exchanges-Deutschland of the respective Eurex Exchange~~ of any such situation.

§ 35 Disclosure of the Assignment Method

If the applicant for admission to exchange trading engages in futures and options trading in its own name for the account of third parties, the applicant must – upon request by the Management Boards of ~~the Eurex Exchanges-Deutschland~~, or by the Trading Surveillance Office of Eurex Deutschland ~~or the Independent Surveillance Eurex of Eurex Zürich~~ ~~respectively~~ – state the method pursuant to which it will assign to its customers, in a manner

that ensures the neutrality of the assignment process, the drawings allocable to its agent position account.

§ 36 Agent for Service of Process

- (1) Each Exchange Participant must in a suitable manner ensure that any service of process from the Exchange Body of Eurex Deutschland, the administrating and operating institutions or the supervisory authorities, insofar as it is to be effected upon persons who work or worked outside Federal Republic of Germany ~~or Switzerland~~ for the Exchange Participant, can be effected upon an agent for service of process in ~~the the Federal Republic of Germany country in which the registered office of the respective Eurex Exchange is located~~. In the course of the procedure regarding admission to futures and options trading, ~~the-Eurex Exchanges-Deutschland~~ must be notified in writing of the identity of the respective agent for service of process. This also applies to any changes regarding such agents for service of process. In addition, each Exchange Participant must obtain the consent of the persons affected hereby, particularly that of the Exchange Traders working for it, that the Exchange Participant is authorized to appoint an agent for service of process within the meaning of Clause 1 in their name.
- (2) If an agent for service of process has not been specified, any written correspondence to the Exchange Participant shall be deemed to have been received by the Exchange Participant on the seventh day after being posted; a document sent electronically by E-Mail shall be deemed to have been received on the third day after being sent. This shall not apply if it is certain that the document has not reached the Exchange Participant at all or has been received by the Exchange Participant at a later point in time.

§ 37 Reporting Obligation

- (1) After the granting of admission, the Exchange Participants and Exchange Traders shall be required to notify the Management Boards of ~~the-Eurex Exchanges-Deutschland~~ promptly of any changes of a factual or legal nature as a result of which the conditions for admission may cease to be met. The Exchange Participant shall, in particular, be obliged to inform the Management Boards of ~~the-Eurex Exchanges-Deutschland~~ about all changes concerning the Derivatives Clearing License, the change of the Clearing Member via which it clears its concluded transactions, it shall, in particular, be obliged to inform the Management Boards of ~~the-Eurex Exchanges-Deutschland~~ in the event that it becomes aware of a criminal proceeding against it on suspicion of property or tax law violations, a proceeding on suspicion of non-compliance with the prohibition of insider trading, a proceeding on suspicion of inducement to engage in speculative exchange transactions or on suspicion of share price and market price manipulation.
- (2) Furthermore, it is obliged to inform the Management Boards of ~~the-Eurex Exchanges-Deutschland~~ if it becomes aware that such a proceeding is initiated or is pending against a person acting on behalf of its enterprise who by law, articles of association or

shareholders' agreement, is entrusted with the management of the business of the admitted applicant and who is authorized to represent it.

§ 38 Obligation to Cooperate

Each Exchange Participant which participates directly in futures and options trading at ~~the~~ Eurex ~~Exchanges-Deutschland~~ through its Participant Front End System located outside the Federal Republic of Germany ~~or Switzerland~~ ~~must~~ – to the extent permitted by law – ensure that all installations operated outside the Federal Republic of Germany ~~or Switzerland~~ (Participant Front End Systems, input devices, etc.), as well as the activities of such Exchange Participant conducted within the scope of the use of such devices, may be subject to inspection pursuant to the provisions of the Eurex Exchange Rules. The same shall apply if an Exchange Participant participates in futures and options trading at ~~one of the~~ Eurex ~~Exchanges-Deutschland~~ by means of input devices outside the Federal Republic of Germany ~~or Switzerland~~ which are connected to a Participant Front End System within the Federal Republic of Germany ~~or Switzerland~~.

§ 39 Examinations Abroad

- (1) The Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ may avail ~~themselves~~~~itself~~, pursuant to the rules of private law, of the services of the administrating and operating institution of Eurex Deutschland ~~or Eurex Zürich~~ in the fulfilment of ~~its~~ ~~their~~ responsibility to monitor compliance with the Rules and Regulations of ~~the~~ Eurex ~~Exchanges-Deutschland~~ with respect to foreign Exchange Participants. The respective administrating and operating institutions of Eurex Deutschland ~~and~~ ~~Eurex Zürich~~ may at any time require any Exchange Participant to provide information and evidence necessary for the purpose of conducting its supervisory activities. The respective administrating and operating institutions of Eurex Deutschland ~~and~~ ~~Eurex Zürich~~ must ensure in a suitable manner, in particular through contractual arrangements to be entered into by them, that they may, either themselves or through suitable agents appointed by them (e.g., auditors), examine any or all business activities of an Exchange Participant with regard to compliance with the Rules and Regulations of the Eurex organization on ~~the~~ Eurex ~~Deutschland-Exchanges~~.

~~The Management Board of Eurex Deutschland or the administrating and operating institution of Eurex Deutschland shall use Eurex Zürich for the examination of any or all business activities of any Exchange Participant whose registered office is located in Switzerland and which is admitted to trading at Eurex Zürich with regard to compliance with the Eurex Rules and Regulations. The Management Board of Eurex Zürich shall use Eurex Deutschland or the administrating and operating institution of Eurex Deutschland for the examination of any or all business activities of any Exchange Participant whose registered office is located in Germany and which is admitted to trading at Eurex Deutschland with regard to compliance with the Eurex Rules and Regulations.~~

~~(23)~~ The respective administrating and operating institutions of Eurex Deutschland ~~or Eurex Zürich~~ shall immediately inform the Management Board of ~~the~~ ~~Eurex Exchange Deutschland~~ ~~which requested the examination~~ with regard to compliance with the Eurex Rules and Regulations of the results of such examination.

~~(4)~~ ~~Information inquiries of the Trading Surveillance Office of Eurex Deutschland to Exchange Participants with domicile in Switzerland admitted for Trading at Eurex Deutschland and Eurex Zürich shall be addressed to the Surveillance Office of Eurex Zürich (Independent Surveillance Eurex) which transfers such inquiries on its behalf to a respectively concerned Exchange Participant and, in turn, transfers the received reply by the Exchange Participant to the Trading Surveillance Office of Eurex Deutschland. Information inquiries of the Independent Surveillance Eurex to Exchange Participants with domicile in Germany admitted at Eurex Zürich and Eurex Deutschland shall be addressed to the Trading Surveillance Office of Eurex Deutschland which transfers such inquiries on its behalf to a respectively concerned Exchange Participant and, in turn, transfers the received reply by the Exchange Participant to the Independent Surveillance Eurex.~~

4. Sub-Section Suspension and Revocation of an Enterprise's Admission to Trading / Exclusion from Trading

§ 40 Suspension and Revocation of Admission to Trading / Exclusion from Trading

(1) If a justified suspicion or certainty exists that any of the conditions for admission specified in the Exchange Rules was not satisfied or has subsequently ceased to be satisfied, the Management Boards ~~s~~ of ~~the~~ ~~Eurex Exchanges Deutschland~~ may exclude the respective Exchange Participant from trading or order the suspension of the Exchange Participant's admission to trading. If the orderly settlement of transactions according to § 26 No. 3 cannot be ensured, the exclusion from trading may be limited to such futures and options transactions with regard to which the orderly settlement can no longer be ensured.

§§ 40 – 44 contain special provisions for such cases in which the orderly settlement of transactions can no longer be ensured for special reasons. Such special provisions shall generally be applicable in addition to the provisions of this § 40 and of § 45; however, in the case of divergences, they shall have priority.

(2) Furthermore, the Management Boards ~~s~~ of ~~the~~ ~~Eurex Exchanges Deutschland~~ are authorized to temporarily exclude an Exchange Participant from futures and options trading and to order the suspension of the Exchange Participant's admission to trading if and for so long as such Exchange Participant interferes with the orderly conduct of trading, violates applicable rules or fails to comply with orders issued by the Management Board.

- (3) The suspension of admission of an enterprise may also be ordered for the duration of any default in the payment of fees assessed in accordance with the Fee Regulations.
- (4) In the case of Exchange Participants at Eurex Deutschland with their registered office in a state which is not a member state of the European Union or a contracting state to the Treaty for the European Economic Area (EEA), the Management Board of Eurex Deutschland may order that the admission be suspended or revoked entirely if the exchange of information with the competent authorities in such state for the purpose of monitoring compliance with the prohibition of insider trading or for the purpose of monitoring compliance with the prohibition of share price and market price manipulation is not ensured.
- (5) The Management Boards of ~~the Eurex Exchanges Deutschland~~ may order a suspension of admission for a maximum time period of six months. Upon expiry of such time period, a decision on the revocation of admission shall be taken according to § 48.
- (6) The right of the Management Boards of ~~the Eurex Exchanges Deutschland~~ to revoke the admission of an Exchange Participant shall remain unaffected.

§ 41 Exceeding of Pre-Trade Limits

- (1) If the inspection run by the System of ~~the Eurex Deutschland Exchanges~~ during the exchange hours produce findings to the extent that, with regard to a Non-Clearing Member's Pre-Trade Limits entered into the System of ~~the Eurex Exchanges Deutschland~~ by its respective Clearing Member (§ 29), any new orders or quotes entered by such Non-Clearing Member would exceed the agreed Pre-Trade Limits (when trading FX Futures between 0.00 a.m. and 7 a.m. § 29 Paragraph 2 lit. b shall not apply), this results in the Clearing Member refusing to carry out the clearing of futures and options transactions of such Non-Clearing Member with regard to individual products.
- (2) The Management Boards of ~~the Eurex Exchanges Deutschland~~ shall, in the case of a Clearing Member refusing to carry out the clearing of futures and options transactions of a Non-Clearing Member according to Paragraph 1, immediately for the duration of non-compliance by the affected Non-Clearing Member with such requirements, order the restriction of the affected Non-Clearing Member to trading individual products only and relating to a specific position account only. The effects of such exclusion from trading shall, in such case, be restricted to the products affected by such exclusion from trading.

The concerned Non-Clearing Member shall immediately be informed of the decision to exclude it from trading in individual products by way of electronic notice sent through the Eurex System, the access of such Non-Clearing Member to the System of ~~the Eurex Exchanges Deutschland~~ being restricted accordingly at the same time.

§ 42 Non-Fulfilment of Other Conditions (“Stop Button”)

- (1) As soon as a Clearing Member, by way of a respective system entry (“Stop Button“), declares vis-à-vis ~~the~~ Eurex Exchanges-Deutschland that it is no longer willing to execute in whole the clearing of futures and options transactions of a certain Non-Clearing Member, since the concerned Non-Clearing Member does not fulfil the other conditions agreed upon (§ 30), the Management Boards of ~~the~~ Eurex Exchanges-Deutschland shall immediately order the exclusion of the concerned Non-Clearing Member from Exchange trading and the suspension of exchange admission with respect to such futures and options transactions the clearing of which is effected through such Clearing Member. The exclusion from Exchange trading shall be effective until, by way of a new system entry (deactivation of the stop-button), the Clearing Member declares vis-à-vis ~~the~~ Eurex Exchanges-Deutschland that it is again willing to execute in whole the clearing of futures and options transactions of the concerned Non-Clearing Member the clearing of which is effected through such Clearing Member. In substantiated exceptional cases in which the Clearing Member is unable to deactivate the Stop Button, the declaration according to Clause 1 and Clause 2 may also be submitted in writing.
- (2) The concerned Non-Clearing Member shall immediately be informed of the decision to order a suspension of the exchange admission by way of electronic notice sent through the Eurex System, the access of such Non-Clearing Member to the System of ~~the~~ Eurex Exchanges-Deutschland being restricted accordingly at the same time.
- (3) Clearing Members who – by way of a system entry (“Stop Button”) have declared vis-à-vis the Management Boards of ~~the~~ Eurex Exchanges-Deutschland that they are not willing any more to execute the clearing of futures and options transactions of one of their Non-Clearing Members in whole with respect to all futures and options transactions the clearing of which is effected through the relevant Clearing Member or with regard to individual products, are obligated to immediately revoke their declaration vis-à-vis the Management Boards of ~~the~~ Eurex Exchanges-Deutschland by using the same system facility, if the concerned Non-Clearing Member again fulfils the conditions agreed upon with the Clearing Member. In this case, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland shall at the same time revoke the order of suspension of the exchange admission vis-à-vis the concerned Non-Clearing Member , immediately announce such revocation electronically via the Eurex system and, again, technically provide respective utilization of the system of ~~the~~ Eurex Exchanges-Deutschland to the Non-Clearing Member.

§ 43 Exclusion from Trading due to Default by Clearing Members of Eurex Clearing AG and Members of the Link Clearing House

- (1) If an enterprise which has been admitted to options or futures trading at Eurex Deutschland ~~or Eurex Zürich~~ and which has obtained a Derivatives Clearing License of Eurex Clearing AG for Direct Clearing Members fails to provide any margin or daily settlement payment required to be provided by it within the period prescribed therefor,

the admitted enterprise may be excluded from futures and options trading at ~~the respective~~ Eurex Exchange Deutschland by the Management Boards of ~~the~~ Eurex Exchanges Deutschland for the duration of such failure. To the extent such Direct Clearing Member is also entitled to clearing transactions of affiliated Exchange Participants which do not have a Derivatives Clearing License (the “Non-Clearing Members of a Direct Clearing Member”), Clause 1 shall apply mutatis mutandis to all Non-Clearing Members for which such Direct Clearing Member acts to the extent the clearing of the futures and options transactions of such Non-Clearing Members is effected through the relevant Direct Clearing Member.

- (2) If an enterprise which has been admitted to options or futures trading at Eurex Deutschland ~~or Eurex Zürich~~ and which has obtained a Derivatives Clearing License of Eurex Clearing AG for General Clearing Members fails to provide any margin or daily settlement payment required to be provided by it within the period prescribed therefore, the admitted enterprise and all Non-Clearing Members for which such General Clearing Member acts (referred to as the “Non Clearing Members of a General Clearing Member” and together with the Non Clearing Members of a Direct Clearing Member called the “Non Clearing Members”) may to the extent each Non-Clearing Member effects the clearing of its futures and options transactions through the relevant General Clearing Member be excluded from futures and options trading at ~~the respective~~ Eurex Exchange Deutschland by the Management Boards of ~~the~~ Eurex Exchanges Deutschland for the duration of such failure.
- (3) If an enterprise which has been admitted to options or futures trading at Eurex Deutschland ~~or Eurex Zürich~~ and which is a Member of a Link Clearing House fails to provide in due time any margin or daily settlement payment fixed by the Link Clearing House, such member of a Link Clearing House and such enterprises admitted to Eurex Deutschland ~~or Eurex Zürich~~ that are entitled via such Member of the Link Clearing House to clear their transactions carried out at ~~the~~ Eurex Exchanges Deutschland, may be excluded from futures and options trading at ~~the respective~~ Eurex Exchange Deutschland for the duration of such failure of margin or settlement payment at the request of the Link Clearing House by decision of the Management Boards of ~~the~~ Eurex Exchanges Deutschland or may be excluded from the trading of certain products that are cleared by Eurex Clearing AG. ~~Management Board~~
- (4) If an enterprise which has been admitted to Eurex Deutschland ~~or Eurex Zürich~~ and which has obtained a Derivatives Clearing License of Eurex Clearing AG for Clearing Members fails to make any payment or delivery to Eurex Clearing AG when due, the Management Boards of ~~the~~ Eurex Exchanges Deutschland may suspend such Clearing Member as well as all of its respective Non-Clearing Members – to the extent such Non-Clearing Members clear their futures and options transactions through the relevant Clearing Member – from futures and options trading on ~~the respective~~ Eurex Exchange Deutschland for the period of such failure or may exclude it from trading certain products.

**§ 44 Exclusion from Trading due to Default by Non-Clearing Members of
Eurex Clearing AG**

- (1) If a Non-Clearing Member fails to provide any required margin or daily settlement payment as determined by its Clearing Member respectively within the period prescribed, the enterprise may, at request of the respective Clearing Member and by the decision of the Management Board of ~~the respective~~ Eurex Exchange-Deutschland for the duration of the failure to provide any required margin or daily settlement, be suspended from futures and options trading at ~~the respective~~ Eurex Exchange Deutschland or may be excluded from the trading of certain products respectively, in each case to the extent the clearing of futures and options transactions by Eurex Clearing AG is effected through the relevant Clearing Member.
- (2) If a Non-Clearing Member fails to make any deliveries or payments, or fails to pay any premiums or fees that may be due to its Clearing Member respectively within the prescribed period as set out in the Rules and Regulations of ~~the~~ Eurex Deutschland Exchanges or in the Clearing Conditions for Eurex Clearing AG, the Management Board of ~~the respective~~ Eurex Exchange-Deutschland may, at the request of the respective Clearing Member, suspend such Non-Clearing Member from futures and options trading at ~~the respective~~ Eurex Exchange-Deutschland for the duration of the failure to make any deliveries or payments or the failure to pay any premiums or fees, or ~~the respective~~ Eurex Exchange-Deutschland may exclude such Non-Clearing Member from the trading of certain products the clearing of which is effected through such Non-Clearing Member, respectively.
- (3) In case a Non-Clearing Member does not provide the margin set by its Clearing Member or effect daily settlement payment within the meaning of Paragraph 1 or the payments owed to its Clearing Member (e.g. premiums and fees) within the meaning of Paragraph 2 in due time, such payments having their legal basis in the Clearing Conditions or in the Rules and Regulations applicable for ~~the~~ Eurex Exchanges Deutschland, the respective Clearing Member may, instead of a written application pursuant to Paragraph 1 or Paragraph 2, declare vis-à-vis ~~the~~ Eurex Exchanges Deutschland by making the according entry in the Eurex system ("Stop Button") that it is no longer willing to execute the clearing of futures and options transactions of the concerned Non-Clearing Member. At the same time, it is thereby applied for vis-à-vis ~~the~~ Eurex Exchanges-Deutschland that the respective Non-Clearing Member shall, with respect to the futures and options transactions the clearing of which is effected through the relevant Clearing Member, be excluded from trading at ~~the~~ Eurex Exchanges Deutschland for the period of the non-fulfilment of its above-mentioned duties.

**§ 45 Consequences of Suspension of Admission to Trading / Exclusion from
Trading**

- (1) From the point of ordering suspension of the exchange admission, the concerned Exchange Participant shall be obliged to delete all of its order and quotes in the trading system of ~~the~~ Eurex Exchanges Deutschland. Under supervision by ~~the respective~~

Eurex ~~Exchange Deutschland~~, such Exchange Participant shall furthermore guarantee that its positions can be adjusted or transferred. The Exchange Participant is not permitted to open new positions.

From the point of ordering suspension of the Exchange admission, the trading system of ~~the~~ Eurex ~~Exchanges Deutschland~~ prevents further orders or quotes of the concerned Exchange Participant from being entered into the trading system of ~~the~~ Eurex ~~Exchanges Deutschland~~. In addition, orders and quotes of the Exchange Participant already existing in the trading system are deleted. Regarding the orders or quotes of the concerned Exchange Participant, the regulations on the matching of transactions pursuant to No. 2.2 of the Conditions for Trading at Eurex Deutschland ~~and Eurex Zürich~~ do not apply. From the point of ordering suspension of the Exchange admission, the concerned Exchange Participant is not authorized to conclude transactions at ~~the~~ Eurex ~~Exchanges Deutschland~~ any more.

Furthermore, the concerned Exchange Participant shall, from this point onwards, not be authorized to execute the measures set forth in Paragraph 4 of the Conditions for Trading at Eurex Deutschland ~~and Eurex Zürich~~ regarding accounting. The concerned Exchange Participant shall be cut off from the respective technical facilities of the Eurex system.

The competences regarding adjustment or transfer of positions are regulated in Paragraph 2 to 6.

- (2) During the duration of its exclusion from futures and options trading or its restriction on trading of specified products at ~~the~~ Eurex ~~Exchanges Deutschland respectively which are cleared through Eurex Clearing AG~~, a suspended Exchange Participant which is a Clearing Member own~~ing~~s a Eurex Clearing AG Derivatives Clearing License may, under the supervision of the Management Board of ~~the respective~~ Eurex ~~Exchange Deutschland~~, close or transfer its positions.
- (3) If, ~~at~~ Eurex Deutschland, a Non-Clearing Member is excluded from futures and options trading or is restricted to the trading of specified products ~~respectively which are cleared through a Clearing Member of Eurex Clearing AG~~, the Clearing Member representing such Non-Clearing Member may close the positions of the Non-Clearing Member which are cleared through such Clearing Member under the supervision of the Management Board of ~~the respective~~ Eurex ~~Exchange Deutschland~~ and according to the provisions contained in the Clearing Conditions for Eurex Clearing AG.
- (4) If an enterprise which has obtained a Derivatives Clearing License of Eurex Clearing AG for General Clearing Members is excluded from futures and options trading at ~~the~~ Eurex ~~Exchanges Deutschland~~ pursuant to the provisions of this sub-part, the Non-Clearing Members for which such General Clearing Member acts shall only be excluded from futures and options trading at ~~the~~ Eurex ~~Exchanges Deutschland~~ or restricted to the trading of specified products respectively until they are able to engage in futures and options trading at ~~the respective~~ Eurex ~~Exchange Deutschland~~ through another General Clearing Member.

- (5) If an enterprise which has obtained a Derivatives Clearing License of Eurex Clearing AG for Direct Clearing Members and which furthermore is entitled to clearing transactions of affiliated Exchange Participants which do not have a Derivatives Clearing License, is excluded from futures and options trading at ~~the Eurex Exchanges Deutschland~~ or is restricted to the trading of specified products respectively in accordance with this sub-part, Eurex Clearing AG is entitled, pursuant to the Eurex Clearing AG provisions of the Clearing Conditions, to carry out the closing of the positions of such enterprise.

5. Sub-Section Termination of Admission to Trading of Enterprises

§ 46 Resignation of Admission to Trading

- (1) The admission of an Exchange Participant at ~~one of the Eurex Exchanges Deutschland~~ may be terminated upon notice of resignation to the Management Board of ~~the respective Eurex Exchange Deutschland~~. ~~If an enterprise is an Exchange Participant at both the Eurex Exchanges, the notice of resignation of admission to trading shall be sent to both the Eurex Exchanges at the same time.~~
- (2) However, such declaration of termination shall take effect only after the conditions of § 49 have been satisfied.

§ 47 Termination of Admission to Trading by the Exchange

The Management Boards of ~~the Eurex Exchanges Deutschland~~ may terminate or withdraw an enterprise's admission to trading. The Management Boards of ~~the Eurex Exchanges Deutschland~~ shall withdraw the admission to trading if such admission to trading has been suspended for six months and if reasons for ordering the suspension of the admission continue to exist.

~~If the concerned enterprise is admitted on both the Eurex Exchanges, the Management Boards of the Eurex Exchanges shall, to the extent permitted by statute, come to a unanimous decision.~~

§ 48 Consequences of Termination of Admission to Trading

If an Exchange Participant's admission to trading is terminated or revoked by the Management Board of ~~the respective Eurex Exchange Deutschland~~, such Exchange Participant shall be obliged to close its positions or transfer them to other Exchange Participants within a period prescribed by the Management Board of ~~the respective Eurex Deutschland Exchange~~; furthermore, such Exchange Participant must cancel all its orders and quotes in the ~~Eurex Exchange~~ system ~~of Eurex Deutschland~~ and may not open any new positions. Such Exchange Participant shall ensure that its customers are able to transfer their positions to another Exchange Participant. If such Exchange Participant fails to meet these requirements within the prescribed period, the Management Board of ~~the respective~~

Eurex ~~Exchange Deutschland~~ shall be entitled to transfer those positions onto another Exchange Participant provided that the required consent to such transfer has been given, or to cancel the orders and quotes and to close the positions of such Eurex Participant. The admission to trading of such Exchange Participant shall terminate only after the fulfilment of the requirements provided for in this paragraph and of all obligations owed to the clearing house and / or the relevant Clearing Member.

6. Sub-Section Exchange Trader

§ 49 Admission as an Exchange Trader

- (1) Exchange Traders shall be admitted upon application by ~~the respective~~ Eurex ~~Exchange Deutschland~~ if they are reliable and have the necessary professional qualifications. The professional qualifications shall be presumed if evidence of the necessary technical knowledge and experience is provided which qualifies the applicant for options and futures trading at ~~the respective~~ Eurex ~~Exchange Deutschland~~. In particular, the passing of an Eurex Exchange Trader examination shall constitute evidence of the necessary technical knowledge.
- (2) The admission procedure for Exchange Traders is regulated by the Admission Regulations for Exchange Traders at Eurex Deutschland.
- ~~(3) The rules and regulations contained in the Admission Regulations shall apply to Eurex Zürich mutatis mutandis.~~
- (34) On Eurex Deutschland ~~or Eurex Zürich respectively~~, a person may be authorized to act as an Exchange Trader for no more than one company. The Management Boards of ~~the~~ Eurex ~~Exchanges Deutschland~~ may make exceptions to this rule whenever an Exchange Participant outsources its trading infrastructure to a third party that provides this type of service for several Exchange Participants and is subject to regulatory requirements which appropriately regulate any conflicts of interest arising therefrom. These include:
 - basic principles regarding the disclosure of conflicts of interest, either to the supervisory authorities or to the customer;
 - the legal relationship between the Exchange Trader, or its employer respectively, and the Exchange Participant, such legal relationship resulting in a number of duties of good faith arising to the Exchange Trader vis-à-vis the Exchange Participant;
 - basic principles regarding the execution of orders which ensure that each customer will receive the best price and that no customer has disadvantages in comparison to any other customer.

An Exchange Participant which provides trading services as a third party within the meaning of Clause 2 for other Exchange Participants must not be involved in trading in its own name and for its own account at ~~the Eurex Exchanges Deutschland~~.

- (45) An Exchange Trader without residence or habitual residence within the country must specify to the Management Boards of ~~the Eurex Exchanges Deutschland~~ in his application for admission an authorised Agent for Service of Process within the country. If he fails to do so, any written correspondence addressed to the Exchange Trader shall be deemed to have been received by the Exchange Participant on the seventh day after being posted; a document sent electronically by E-Mail shall be deemed to have been received on the third day after being sent. This shall not apply if it is certain that the document has not reached the Exchange Trader at all or has been received by the Exchange Trader at a later point in time.

§ 50 Suspension of an Exchange Trader's Admission to Trading / Exclusion from Trading of an Exchange Trader

- (1) If a justified suspicion or certainty exists that any of the conditions for admission specified in the Exchange Rules was not satisfied or has subsequently ceased to be satisfied, the Management Boards of ~~the Eurex Exchanges Deutschland~~ may order the suspension of the respective Exchange Trader's admission to trading for a maximum time period of six months. Upon expiry of such time period, a decision on the revocation of admission shall be taken according to § 51.
- (2) The admission to trading of an Exchange Trader shall be suspended for the duration of the suspension of the company for which the Exchange Trader is concluding transactions at the Exchange.
- (3) The Management Boards of ~~the Eurex Exchanges Deutschland~~ shall furthermore be authorized to temporarily **exclude** Exchange Traders from futures and options trading if and for so long as they disturb the orderly conduct of trading, violate applicable rules or fail to comply with orders issued by the Management Board.

§ 51 Termination of an Exchange Trader's Admission to Trading

- (1) The admission of an Exchange Trader shall be terminated upon his submission of an appropriate declaration of resignation to ~~the Eurex Exchanges Deutschland~~ or through an appropriate declaration by the enterprise for which the Exchange Trader is concluding transactions at ~~the Eurex Exchanges Deutschland~~. Such declaration is to be submitted in writing in the form specified by ~~the Eurex Exchanges Deutschland~~.
- (2) The Management Boards of ~~the Eurex Exchanges Deutschland~~ may terminate an Exchange Trader's Admission to Trading by resignation or revocation of such Admission to Trading. The Management Boards of ~~the Eurex Exchanges Deutschland~~ shall revoke the admission to trading if such admission to trading has been suspended

for six months and if reasons for ordering a suspension of the admission to trading continue to exist.

- (3) The admission of an Exchange Trader shall also terminate upon termination of the admission of the company for which the Exchange Trader is concluding transactions at ~~the~~ Eurex Deutschland Exchanges.

7. Sub-Section Market Makers

§ 52 Application for Admission

- (1) Exchange Participants may, for each product admitted to ~~the~~ Eurex Exchanges Deutschland, apply for an admission as market maker. For each product which an Exchange Participant includes in a market making strategy within the meaning of Article 1 of the Delegated Regulation (EU) 2017/578 ("Market Making Strategy"), an admission as market maker is required.
- (2) The Management Boards of ~~the~~ Eurex Exchanges Deutschland shall decide on the application for admission.

§ 53 Quoting Obligations

- (1) In order book trading, market makers are required to continuously enter binding quotes in at least one product and during 50% of the daily trading hours on a monthly average. Daily trading hours pursuant to Clause 1 do not include opening auctions, closing auctions, volatility interruptions and exceptional circumstances within the meaning of Article 3 of the Delegated Regulation (EU) 2017/578. Exceptional circumstances within the meaning of Article 3a), b), c) and e) of the Delegated Regulation (EU) 2017/578 are determined and published by the Management Boards of ~~the~~ Eurex Exchanges Deutschland. The relevant requirements with regard to maximum spread and quoting volume, which have to be met by market makers when entering binding quotes, are determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland.
- (2) Market makers are obliged to flag quotes that are entered within the scope of their Market Making Strategy (Liquidity Provision Flag).
- (3) Market makers must immediately notify ~~the~~ Eurex Exchanges Deutschland in the event of an occurrence or a termination of exceptional circumstances within the meaning of Article 3 of the Delegated Regulation (EU) 2017/578 and, upon requested by the Management Boards of ~~the~~ Eurex Exchanges Deutschland, give evidence to the Management Boards of ~~the~~ Eurex Exchanges Deutschland.
- (4) Market makers must be constantly available during the trading hours of those products in which they pursue a Market Making Strategy.

- (5) Market makers are obliged to separately record all quotes that they enter as market makers and to retain those records for at least five years.
- (6) Market makers must have efficient systems and control mechanisms available to ensure that they fulfil their obligations pursuant to Paragraphs 1 to 5.

V. Section Access to the Trading System

1. Sub-Section Technical Connection to the Trading System

§ 54 Requirements

- (1) The trading system of ~~the~~ Eurex Exchanges Deutschland may be accessed by internet as well as by leased line. ~~The~~ Eurex Exchanges Deutschland may determine an access point for connection to the Network of ~~the~~ Eurex Exchanges Deutschland. The technical requirements (hardware, software, Network parameters, Network areas etc.) for the respective connection variants shall be determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland. It is required for all connection variants to the trading system that, by the establishment of such connection, the system of ~~the~~ Eurex Exchanges Deutschland - particularly trading and clearing - is not interfered with. The system load produced on the trading system of ~~the~~ Eurex Exchanges Deutschland by individual Exchange Participants can be measured by ~~the~~ Eurex Exchanges Deutschland and if necessary for reasons of system security or for other serious reasons, can be limited through technical means. Each Exchange Participant undertakes to ensure that it, according to the laws and regulations applicable to it, is entitled to connect to the trading system of ~~the~~ Eurex Exchanges Deutschland and to execute trading and clearing at ~~the~~ Eurex Exchanges.
- (2) ~~The~~ Eurex Exchanges Deutschland may check the configuration and the Network parameters of the Exchange Participants at any time and request the correction of diverging values. In the event of changes becoming necessary, the Exchange Participant is obliged to upgrade the technical standard of its Participant Front End Installation according to the technical requirements specified by ~~the~~ Eurex Exchanges Deutschland within the time period set by ~~the~~ Eurex Exchanges Deutschland. The Exchange Participants shall, upon request by Eurex Deutschland ~~or~~ Eurex Zürich ~~respectively~~, be obliged to grant access to their technical infrastructure used to connect to the trading system of ~~the~~ Eurex Exchanges Deutschland for purposes of technical inspection by ~~the~~ Eurex Exchanges Deutschland. This shall not be applicable to customer relevant data.

§ 55 Installation of Participant Front End Installations

- (1) All locations with Participant Front End Installations, if not employed in emergencies or for the purpose of participating in technical simulated tests must in principle be installed at the locations of the Exchange Participant and should be configured redundantly in order to increase failsafe mechanisms. The Exchange Participant itself shall be responsible for the software which uses the interfaces for accessing the trading system of ~~the~~ Eurex Exchanges Deutschland and must ensure that the software functions according to the rules and regulations of ~~the~~ Eurex Exchanges Deutschland. The

Exchange Participant shall be responsible for the utilization of the Participant Front End Installations.

- (2) Upon receipt of prior notification from an Exchange Participant or from an applicant for Exchange admission, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland may permit the installation and the operation of a Participant Front End Installation at the business premises of a third party, if the application of and compliance with the provisions of the rules and regulations of ~~the~~ Eurex Exchanges-Deutschland and supplemental conditions thereto are ensured, in particular in respect of such third party. By means of appropriate agreements concluded with the third party, the Exchange Participant or applicant for Exchange admission shall secure that the third party grants ~~the~~ Eurex Exchanges-Deutschland the right to inspect the business premises of such third party at all times for the purpose of determining compliance with the requirements for the installation and operation of a Participant Front End Installation.
- (3) An Exchange Participant may apply for the connection of several Participant Front End Systems. ~~The~~ Eurex Exchanges-Deutschland may limit the number of Participant Front End Systems applied for by an Exchange Participant, to the extent that such action is necessary for reasons relating to system performance or for other serious reasons. To the extent that Participant Front End Systems are installed in the United States of America, the connection to the trading system of ~~the~~ Eurex Exchanges-Deutschland must occur through a System of the Exchange Participant, to be used exclusively for this link from the United States of America; the use of such connection is compulsory.
- (4) The provision of § 33 remains unaffected.

2. Sub-Section Access to the Trading System by Individuals

§ 56 Application for Access Codes

- (1) In order to access the Electronic Trading System, each company admitted as Exchange Participant shall be assigned at least one user ID by the Management Boards of ~~the~~ Eurex Exchanges-Deutschland; such ID may only be used by the respective company. The Management Boards of ~~the~~ Eurex Exchanges-Deutschland may in particular, without limitation, assign several user IDs if an Exchange Participant settles different futures and options transactions through different Clearing Members in accordance with § 27 Paragraph 1 No 1. In such case, the Management Boards of ~~the~~ Eurex Exchanges-Deutschland shall assign one user ID with respect to each instructed Clearing Member. Based on this user ID, the Exchange Participant shall, upon application, be assigned personal user IDs and codes for all persons supposed to get access to the trading system of ~~the~~ Eurex Exchanges-Deutschland. The Management Boards of ~~the~~ Eurex Exchanges-Deutschland shall be notified of the names of the persons as well as user IDs. All Exchange Participants and all owners of the user IDs are obliged to immediately notify Eurex Deutschland of any changes.

- (2) Exchange traders as well as other persons using the electronic trading system (e.g. back-office personnel, safety officers) may be allowed access to the Electronic Trading System. Personal user IDs and codes may only be used for entries into to the Exchange-EDP by the persons they have been assigned to. Codes may not be disclosed to third persons. The person to whom the personal user ID and code has been assigned to must ensure that no third person uses them in order to make entries into the Exchange-EDP.
- (3) Only admitted Exchange traders of the Exchange Participant utilizing the personal user ID and code which has been assigned to them shall be permitted to use the trading system of ~~the~~ Eurex Exchanges Deutschland to transfer orders for conclusion of futures and options transactions.

3. Sub-Section Technical Requirements

§ 57 Software

- (1) To the extent required for the respective connection variant to the trading system of ~~the~~ Eurex Exchanges Deutschland, ~~the~~ Eurex Exchanges Deutschland shall arrange for the provision of the application software to the Exchange Participants. ~~The~~ Eurex Exchanges Deutschland shall specify the respective versions of the operating system software valid at the time and used for the operation of the Participant Front End Installations, including all necessary components. An Exchange Participant, or any third party contracted by the Exchange Participant, may only use the current version of the application software as made available upon instruction of ~~the~~ Eurex Exchanges Deutschland and may neither alter nor copy such software without the consent of ~~the~~ Eurex Exchanges Deutschland. The foregoing shall not apply to the production of copies of the application software if such copies are produced solely for data storage purposes. Each Exchange Participant is responsible for the installation of the application software on the components of its Participant Front End Installation.
- (2) If Exchange Participants intend to connect Third Party Software to a programmable interface of the trading system, they are required to assign an electronic identifier to this Software before connecting it to the programmable interface, observing ~~the~~ Eurex Deutschland Exchanges's instructions as to the systematic composition of such identifier and to have the Third Party Software registered at ~~the~~ Eurex Exchanges Deutschland. ~~The registration of Third Party Software at one of the Eurex Exchanges shall be deemed a registration at all Eurex Exchanges.~~

The Exchange Participants shall ensure that the identifier assigned to Third Party Software will be sent together with each transmission to the trading system, when the registered Third Party Software communicates with the trading system of ~~the~~ Eurex Exchanges Deutschland via the programmable interface. In case the trading system is impaired by the Third Party Software connected to the programmable interface of the

trading system, ~~the~~ Eurex Exchanges-Deutschland may prohibit the connection of such software with immediate effect.

§ 58 Extent of Use of Data Transmission Equipment

An Exchange Participant may not use for any other purposes the data transmission equipment of the Network of ~~the~~ Eurex Exchanges-Deutschland which serves trading and clearing on ~~the~~ Eurex Exchanges-Deutschland without the prior written approval of ~~the~~ Eurex Exchanges-Deutschland. However, ~~the~~ Eurex Exchanges-Deutschland reserves the right to use their data transmission equipment also for trading and clearing on other institutions.

4. Sub-Section Technical Emergency

§ 59 Measures upon Technical Problems

- (1) During technical disruptions, the Management Boards of ~~the~~ Eurex Deutschland Exchanges may suspend or restrict access to the trading system for one, several or all Exchange Participants, regardless of whether such problems appear at ~~the~~ Eurex Exchanges-Deutschland or at one, several or all Exchange Participants. The Management Boards of ~~the~~ Eurex Exchanges-Deutschland may resume trading or recommence after an interruption, even if one or several Exchange Participants still do not have access to the system of ~~the~~ Eurex Exchanges-Deutschland, if in the opinion of Management Boards of ~~the~~ Eurex Exchanges-Deutschland an orderly market continues to exist or is once again possible.
- (2) Exchange Participants are obligated to inform themselves about technical requirements and changes by means of the media made available by ~~the~~ Eurex Exchanges-Deutschland. ~~The~~ Eurex Exchanges-Deutschland shall, to the extent possible, inform the Exchange Participants without undue delay of any technical problems. In case of technical problems of the trading system of ~~the~~ Eurex Exchanges-Deutschland, Exchange Participants are obligated to grant access to their business premises in which Participant Front End Systems are installed to ~~the~~ Eurex Exchanges-Deutschland or Third Parties engaged by ~~the~~ Eurex Exchanges-Deutschland for problem resolution.
- (3) In the event of the suspension of trading on the basis of technical problems, ~~the~~ Eurex Exchanges-Deutschland shall place the trading system on "halt status", so that no more inputs can be effected by the Exchange Participants in the trading system.
- (4) The resumption of trading after a trading suspension pursuant to the foregoing regulation shall begin with a new Pre-Trading Period pursuant to subsection 1.3 of the Conditions for Trading on Eurex Deutschland and Eurex Zürich. Subsequently, trading will proceed consistently with the general provisions of the Conditions for Trading on Eurex Deutschland.

- (5) ~~The~~ Eurex ~~Exchanges-Deutschland~~ shall inform the Exchange Participants without delay of the reduced time of the trading period.
- (6) In the event that the trading system of ~~the~~ Eurex ~~Exchanges-Deutschland~~ is non-functional for a long period of time, the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ shall declare a technical emergency and shall determine, if necessary, alternative trading and clearing methods.
- (7) In the event that the Participant Front End System or other EDP system of ~~an~~ Exchange Participant is non-functional, the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ may, upon request, enter data into the trading system of ~~of~~ ~~Eurex-Deutschland~~ on behalf of such Exchange Participant. In this case, ~~the~~ Eurex ~~Exchanges-Deutschland~~ will verify the legitimation for data entry on the basis of the active user ID notified to it. As alternative to the legitimation regulated in Clause 2 by way of active user ID, the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ arranges for a PIN number to legitimate ~~an~~ Exchange Participant. Exchange Participants have to declare vis-à-vis the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ in writing their choice of the PIN procedure.
- (8) ~~The~~ Eurex ~~Exchanges-Deutschland~~ may require the Exchanges Participants to provide information and submit documents if this is necessary in order to prevent or solve technical problems.

5. Sub-Section Special Functions in Trading and in the System

§ 60 Order Routing Systems

- (1) An Order Routing System is a software used by the Exchange Participant that enables the users (indirect Trading Participants) of this software to transmit orders to the trading system of ~~the~~ Eurex ~~Exchanges-Deutschland~~ under the user ID of an Exchange Trader. After making application and receiving approval thereof from the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~, an Exchange Participant is entitled to connect an Order Routing System via a defined interface if the following prerequisites are fulfilled:
1. Before being channelled into the trading system, the orders transmitted via Order Routing System shall pass an electronic filter which is installed in the Participant Front End System, which checks and releases orders for further transmission according to parameters defined by the Exchange Participant.
 2. The filter shall be allocated an approved Exchange trader who is responsible for the definition of parameters and the control and monitoring of the filter, and whose personal user ID has been submitted by the Exchange Participant to the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ in writing.
 3. An Order Routing System may only be fed with orders for exchange transactions and their deletion. It is not permitted to enter, change and erase quotes and cross requests.

4. [kept free]
5. The Exchange Participant has to ensure that all users of the Order Routing System operated by such Exchange Participant have access to the exchange-related statutory provisions. Such access may be ensured in particular by way of providing a website on which the exchange-related statutory provisions can be viewed by the users. Users within aforementioned meaning are all natural and legal persons. Should the user be a legal person, such Exchange Participant has to commit that person to ensure that the natural persons acting on the user's behalf and using the Order Routing System are informed about the exchange-related statutory provisions.
6. The Exchange Participant is responsible for the indirect participant's compliance with the exchange-related statutory provisions.

In case of an additional installation, as the case may be, an installation of electronic eyes and/or third party software, respectively, which comes along with the connection of an Order Routing System with the electronic trading system ~~of the Eurex Exchange~~, this intention shall also be notified unrequested in writing by the Exchange Participant vis-à-vis the Management Boards ~~of the Eurex Exchanges Deutschland~~. The provision of § 62 shall remain unaffected.

- (2) The forwarding of trading data and information from the EDP system of ~~the Eurex Exchanges Deutschland~~ via an Order Routing System by an Exchange Participant to third parties requires the respective consent of the Management Boards ~~of the Eurex Exchanges Deutschland~~ according to § 223 of the Exchange Rules for Eurex Deutschland ~~and Eurex Zürich~~. The consent of the Management Boards ~~of the Eurex Exchanges Deutschland~~ vis-à-vis the Exchange Participant who is operating the respective Order Routing System is deemed to be given, if the relevant Exchange Participant has concluded a respective Market Data Dissemination Agreement with Deutsche Börse Group on the prices of ~~the Eurex Exchanges Deutschland~~.
- (3) The Management Boards ~~of the Eurex Exchanges Deutschland~~ may revoke an authorization for connection of an Order Routing System via a defined interface if
 1. the prerequisites for the authorization have not been fulfilled, in particular if the authorization has been granted upon false or incomplete information of the Exchange Participant; or
 2. if the prerequisites of the granting have ceased to apply retroactively; or
 3. if an orderly futures and options trading by way of linkage to the Order Routing System is not or cannot be guaranteed any more.

§ 61 Direct Electronic Access

- (1) An Exchange Participant is entitled, upon request of and after authorization by the Management Boards ~~of the Eurex Exchanges Deutschland~~ to grant another person

(indirect Trading Participant) direct access to the market via its infrastructure for the transmission of orders pursuant to § 2 Paragraph 9, provided that

- a) between the Exchange Participant and the indirect Trading Participant a contract has been concluded which at least contains the requirements within the meaning of Article 22 of the Delegated Regulation (EU) 2017/589 and
 - b) the Exchange Participant ensures that the indirect Trading Participant conducts control measures and fulfils its control obligations within the meaning of Article 19 to 23 of the Delegated Regulation (EU) 2017/589.
- (2) The Exchange Participant is obliged to immediately notify the Management Boards of ~~the~~ Eurex Exchanges Deutschland of any conclusion or termination of or any essential changes to the contract. Upon request by the Management Boards of ~~the~~ Eurex Exchange Deutschland, the Exchange Participant must present contracts pursuant to Paragraph 1 and provide information on the indirect Trading Participant's conduct of control measures and its outcome pursuant to Paragraph 1. Further supervisory and control rights of the exchange bodies and the exchange supervisory authority under statutory law remain unaffected.
- (3) The Exchange Participant is obliged to flag orders and trades which are entered or concluded, respectively, by an indirect Trading Participant via direct electronic access pursuant to Paragraph 1. Further details are determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland.
- (4) The forwarding of trading data and information from the electronic trading system of ~~the~~ Eurex Exchanges Deutschland via direct electronic access of an Exchange Participant to third parties requires the respective consent of the Management Boards of ~~the~~ Eurex Exchanges Deutschland pursuant to § 22 of the Exchange Rules for Eurex Deutschland and Eurex Zürich. The consent of the Management Boards of ~~the~~ Eurex Exchanges Deutschland vis-à-vis the Exchange Participant who is operating the direct electronic access is deemed to be given, if the relevant Exchange Participant has concluded a respective Market Data Dissemination Agreement with Deutsche Börse Group on the prices of ~~the~~ Eurex Exchanges Deutschland. In case of an additional installation, as the case may be, an installation of electronic eyes and/or third party software, respectively, which comes along with the opening of a direct electronic access with the electronic trading system, this intention shall also be notified unrequested in writing by the Exchange Participant vis-à-vis the Management Boards of ~~the~~ Eurex Exchanges Deutschland. The provision of § 62 shall remain unaffected.
- (5) The Exchange Participant is responsible for the indirect participant's compliance with the exchange-related statutory provisions. In case of violations against regulations on direct electronic access, in particular violations against the Exchange Rules or the Conditions for Trading, the Management Boards of ~~the~~ Eurex Exchanges Deutschland may suspend or terminate a direct electronic access pursuant to Paragraph 1.

The Management Boards of ~~the~~ Eurex Exchanges Deutschland may, in particular, terminate the direct electronic access if

1. the prerequisites for the authorization have not been fulfilled, in particular if the authorization has been granted upon false or incomplete information of the Exchange Participant; or
2. if the prerequisites of the granting have ceased to apply retroactively; or
3. if an orderly futures and options trading through direct electronic access is not or cannot be guaranteed any more.

§ 62 Automated Trading

Upon special application by an Exchange Participant, the Management Boards of ~~the~~ Eurex Exchanges Deutschland may permit the connection of Quote Machines and/or Electronic Eyes to the trading system of ~~the~~ Eurex Exchanges Deutschland through the programmable interfaces made available via the Participant Front End System, provided that the Exchange Participant continuously ensures that the Quote Machines and/or Electronic Eyes

1. are installed at the locations of the Exchange Participant admitted to futures and options trading and
2. are given parameters which correspond to at least one ~~admitted~~ person admitted to trading at Eurex Deutschland (Exchange trader) for the Eurex Exchange Participant and
3. are controlled by at least one such person during the course of the trading day.

§ 63 Conformance Tests and Verification of Implemented Trading Algorithms

- (1) Exchange Participants and enterprises that applied for admission are obliged to ensure that their systems interact with the trading system of ~~the~~ Eurex Exchanges Deutschland without any errors prior to the first access to the trading system and after each significant change of their trading systems as well as after each change of the trading system of ~~the~~ Eurex Exchanges Deutschland (Conformance Tests).
- (2) Exchange Participants are obliged, prior to the first access to the trading system of ~~the~~ Eurex Exchanges Deutschland or the introduction or comprehensive update of one of their trading algorithms or strategies, to certify to ~~the~~ Eurex Exchanges Deutschland that the trading algorithms or strategies used have been sufficiently and thoroughly tested in order to prevent them from contributing to or causing the generation of problems concerning the trading conditions.
- (3) Exchange Participants and enterprises that applied for admission are obliged to conduct the Conformance Tests in the testing environment provided by ~~the~~ Eurex Exchanges Deutschland. Nature and scope of the Conformance Tests as well as the terms of use for a Conformance Test testing environment are defined by the

Management Boards of ~~the~~ Eurex Exchanges Deutschland in consideration of Article 9 of the Delegated Regulation (EU) 2017/584.

- (4) ~~The~~ Eurex Exchanges Deutschland will provide the report on the results of the Conformance Tests solely to the respective Exchange Participant or enterprise that applied for admission.

VI. Section Trading Hours and Determination of Prices

§ 64 Trading Hours and Trading Periods

Trading in the Electronic Trading System may be realised between 0.00 a.m. and 11 p.m. plus the duration of a possibly to-be-conducted final auction (trading hours).

Trading shall be realised in consecutive periods as defined in the Conditions for Trading at Eurex Deutschland ~~and Eurex Zürich~~. The commencement and the end of such individual periods shall be determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland for each options or futures contract admitted. Trading Period must be within the trading hours.

All orders and quotes which have been entered into the EDP system until the end of the trading period determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland and which match with one another are deemed to be executed during the trading period, even if the matching of such orders and quotes should occur at a time after the end of the trading period due to the transactions still to be processed by the EDP system. The Management Boards of ~~the~~ Eurex Exchanges Deutschland may change the trading hours and the commencement of the individual periods on any particular exchange day to the extent necessary to maintain orderly trading conditions or for reasons relating to the Eurex Exchange system.

§ 65 Determination of the Exchange Price

Exchange prices shall be determined through the EDP system of ~~the~~ Eurex Exchanges Deutschland. The Trading Surveillance Office of Eurex Deutschland ~~and the Independent Surveillance Eurex of Eurex Zürich~~ shall ensure that the exchange prices are determined in an orderly manner. No official exchange price determination shall take place.

§ 66 Determination of the Opening Price (Principle of Maximizing Executions – Meistausführungsprinzip)

The opening price shall be determined, as of a time to be determined by the Management Boards of ~~the~~ Eurex Exchanges Deutschland, on the basis of both limited orders and market orders and quotes contained in the EDP system of ~~the~~ Eurex Exchanges Deutschland and shall be the price at which the largest possible number of contracts of such orders and quotes may be executed (Principle of Maximizing Executions – Meistausführungsprinzip).

§ 67 Determination of the Closing Price (Principle of Maximizing Executions – Meistausführungsprinzip)

A closing price may be determined for certain future transactions by the Management Boards of ~~the~~ Eurex Exchanges Deutschland respectively, as of a time to be determined by

the Management Boards of ~~the~~ ~~Eurex~~ ~~Exchanges-Deutschland~~ (Closing Auction) respectively, on the basis of both limited orders and market orders and quotes contained in the trading system of ~~the~~ ~~Eurex~~ ~~Exchanges-Deutschland~~ and shall be the price at which the largest possible number of contracts of such orders and quotes may be executed (Principle of Maximizing Executions). The Closing Auction is merely intended to determine the Closing Price; however, it shall not terminate the Trading Period with regard to all products.

VII. Section Obligation for Transparency and Reporting

§ 68 Pre-Trading Transparency

- (1) ~~The~~ Eurex ~~Exchanges-Deutschland~~ will publish the entire spectrum of the buying/selling rates as well as the market depth of the trading interest concerning these rates in accordance with the requests for information pursuant to Article 8 of the Regulation (EU) No. 600/2014 and Appendix I of the Delegated Regulation (EU) 2017/583.
- (2) Nature and scope of the publication as well as exceptions to these will be published by the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~.

§ 69 Post-Trading Transparency

- (1) With respect to transactions conducted at ~~Eurex Deutschland, the Exchanges the~~ Eurex ~~Exchanges-Deutschland~~ will publish the details mentioned in Appendix II of the Delegated Regulation (EU) 2017/583 pursuant to Article 10 of the Regulation (EU) No. 600/2014 and apply the attributes contained in Appendix II Table 3 of the Delegated Regulation (EU) 2017/583.
- (2) Nature and scope of the publication as well as exceptions to these will be published by the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~.

§ 70 Transaction Reporting for Enterprises outside the scope of the Regulation (EU) No. 600/2014

Where Exchange Participants are not obliged to report transactions pursuant to Article 26 Paragraph 5 of the Regulation (EU) No. 600/2014, ~~the~~ Eurex ~~Exchanges-Deutschland~~ shall take on this reporting pursuant to Article 26 Paragraph 5 of the Regulation (EU) No. 600/2014. Upon request by the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ the Exchange Participants shall be obliged to provide the necessary data. The type and manner of the data transfer will be defined by the Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~.

§ 71 Position Reporting for Commodity Derivatives

- (1) The Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ may request Exchange Participants who conduct transactions in commodity derivatives at ~~the~~ Eurex ~~Exchanges-Deutschland~~ pursuant to Article 2 Paragraph 1 No. 30 of the Regulation (EU) No. 600/2014 to provide them with data relating to positions in commodity derivatives on a daily basis. The obligation to provide the data refers to all positions in commodity derivatives held by the Exchange Participant and includes the positions held by the customers of the Exchange Participant and their customers to

the end customer, respectively. Where the necessary information for this purpose is not available to the Exchange Participant himself, he shall be obliged to apply appropriate procedures in order to receive such information from his customer.

- (2) The type and manner of this data transfer will be determined by the Management Boards of ~~the-Eurex-Exchanges Deutschland~~. The Exchange Participant may authorise a third party to transfer the data. ~~The-Eurex Exchanges-Deutschland~~ shall be notified of such authorisation. Further provisions shall be determined by the Management Boards of ~~the-Eurex-Exchanges Deutschland~~.

§ 72 Requesting And Saving of Data

The Management Boards of ~~the-Eurex Exchanges-Deutschland~~ may request Exchange Participants to provide them with data, where required for the compliance with the provisions in Article 25 Paragraph 2 of the Regulation (EU) No. 600/2014. Where the data is not available to the Exchange Participant himself, he shall be obliged to apply appropriate procedures in order to receive such information from his customer. Pursuant to Article 25 of the Regulation (EU) No. 600/2014 the data will be saved and used. § 21 of the Exchange Rules remains unaffected.

VIII. Section Final Provisions

§ 73 Amendments to Exchange Rules, Announcements

- (1) Amendments to Exchange Rules become effective after issuance one day after their announcement, unless the Exchange Council of Eurex Deutschland ~~respectively the Advisory Board of Eurex Zürich~~ determines a later point in time.
- (2) Unless a different procedure has been provided in these Exchange Rules, announcements by any of the Exchange Bodies of Eurex Deutschland ~~and Eurex Zürich~~ shall be published for three months through electronic online publication, viewable on the websites of ~~the~~ Eurex ~~Exchanges-Deutschland~~ under <http://www.eurexchange.com>. The Management Boards of ~~the~~ Eurex ~~Exchanges-Deutschland~~ may determine other media for announcement.

§ 74 Liability

- ~~(1)–Eurex Deutschland shall be liable in accordance with the laws of the Federal Republic of Germany.~~
- ~~(2)–The liability of Eurex Zürich shall be limited to gross negligence and intent.~~

§ 75 Applicable Law and Place of Jurisdiction

- ~~(1)–The relationship between Eurex Deutschland and its Exchange Participants and their Exchange Traders shall be ruled by the laws of the Federal Republic of Germany.~~
- ~~(2)–The relationship between Eurex Zürich and its Exchange Participants and their Exchange Traders shall exclusively be ruled by the laws of Switzerland. Place of Jurisdiction for all disputes arising in this context shall be Zürich.~~

Appendix to § 17 b Order to Trade Ratio

Product ID	Volume-Based Product Factor
BBVD	1.50
CBK1	1.75
CRI5	1.50
CSG1	1.25
CSG2	1.50
CSG4	1.50
DBW1	1.25
DBW2	1.50
DBW4	1.25
DBW5	2.00
EOA	1.50
EOAH	2.50
EXS1	4.25
FCCO	3.00
FDIV	1.75
FEDV	1.25
FESB	1.25
FESX	1.25
FGBS	1.25
FMCP	1.25
FMEU	2.00
ISPH	2.00
LEN	1.25
NOAE	2.00
ODX1	2.00
ODX2	1.50
ODX4	2.50
ODX5	1.25
OES1	1.25
OGB2	1.25
OGB4	1.25
OGB5	1.25
OOAT	2.25

OVS2	1.50
ROY4	1.25
UBS4	1.50
UNI1	1.25
UNI4	1.50
UNI5	1.50

Product ID	Transaction-Based Product Factor
ASM	1.50
CBKE	1.25
FGBL	1.25
ILD	1.75
ITK	1.50
LEN	1.25
LISN	1.25
NNIA	1.50

Product Type	Grace Factor	Volume-Based Minimum Amount	Volume-Based Base Limit	Quality of the Quoted Spread Quality	Volume-Based MQ Base Factor	Volume-Based SMC Factor
FSTK	0.10	10,000	250	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
FINX	0.10	10,000	400	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
FVOL	0.10	10,000	350	0.0	1.00	1.20
				0.2	3.00	
				0.4	3.50	
				0.6	4.00	
OINX	0.10	10,000	5,500	0.0	1.00	1.20
				0.2	1.75	
				0.4	2.00	
				0.6	2.25	
OFIX	0.10	10,000	1,200	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.75	
				0.6	2.00	
OCUR	0.10	10,000	6,500	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
FCUR	0.10	10,000	400	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
OSTK	0.10	10,000	1,100	0.0	1.00	1.20
				0.2	1.25	

Product Type	Grace Factor	Volume-Based Minimum Amount	Volume-Based Base Limit	Quality of the Quoted Spread Quality	Volume-Based MQ Base Factor	Volume-Based SMC Factor
				0.4	1.50	
				0.6	1.75	
FBND FINT	0.10	10,000	400	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
OFBD OFIT	0.10	10,000	1,200	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	
New Asset Classes	0.10	10,000	5,500	0.0	1.00	1.20
				0.2	1.25	
				0.4	1.50	
				0.6	1.75	

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Product Type	Grace Factor	Transaction -Based Minimum Amount	Transaction -Based Base Limit	Quality of the Quoted Spread Quality	Transaction- Based MQ Base Factor	Transaction -Based SMC Factor
FSTK	0.10	10,000	75	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
FINX	0.10	10,000	150	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
FVOL	0.10	10,000	75	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
OINX	0.10	10,000	225	0.0	20.00	1.20
				0.2	80.00	
				0.4	150.00	
				0.6	225.00	
OFIX	0.10	10,000	75	0.0	3.00	1.20
				0.2	20.00	
				0.4	30.00	
				0.6	50.00	
OCUR	0.10	10,000	225	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
FCUR	0.10	10,000	150	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
OSTK	0.10	10,000	75	0.0	6.00	1.20
				0.2	20.00	

Product Type	Grace Factor	Transaction -Based Minimum Amount	Transaction -Based Base Limit	Quality of the Quoted Spread Quality	Transaction- Based MQ Base Factor	Transaction -Based SMC Factor
				0.4	30.00	
				0.6	40.00	
FBND FINT	0.10	10,000	75	0.0	3.00	1.20
				0.2	5.00	
				0.4	7.50	
				0.6	20.00	
OFBD OFIT	0.10	10,000	225	0.0	4.50	1.20
				0.2	20.00	
				0.4	30.00	
				0.6	40.00	
New Asset Classes	0.10	10,000	225	0.0	20.00	1.20
				0.2	80.00	
				0.4	150.00	
				0.6	225.00	

Article 2 Effectiveness

These Exchange Rules become effective as of 2 April 2018.

The foregoing First Amendment Ordinance of the Exchange Rules for Eurex Deutschland is hereby executed. Pursuant to the decision of the Exchange Council of Eurex Deutschland dated 22 March 2018, the Amendment Ordinance shall take effect on 2 April 2018.

The Hessian Ministry for Economics, Energy, Transportation and Regional Development has given its approval required pursuant to § 16 Paragraph 3 of the Exchange Act in its letter dated 23 March 2018 (File No: III 7 – 37 d 04.05.02#008).

The Amendment Ordinance shall be announced by notice on the premises of the Eurex Deutschland and by electronic publication on the internet, available on the websites of Eurex (<http://www.eurexchange.com>)

Frankfurt/Main, 27 March 2018

Management Board of Eurex Deutschland

Mehtap Dinc

Michael Peters