

Announcement

of Frankfurter Wertpapierbörse (FWB)

Sixth Amendment Ordinance to

the Exchange Rules for the Frankfurter Wertpapierbörse

On 28 March 2019, the Exchange Council of the Frankfurter Wertpapierbörse decided on the Sixth Amendment Ordinance to the Exchange Rules for the Frankfurter Wertpapierbörse.

The Amendment Ordinance shall become effective at the points in time specified in Article 2 of the Amendment Ordinance.

A copy of the Ordinance is deposited at the reception desk of the trading floors, Frankfurter Wertpapierbörse, Börsenplatz 4, 60313 Frankfurt am Main, and is available for inspection during the general opening hours. The mentioned Ordinance was laid down on 24 April 2019.

**Sixth Amendment Ordinance
to the Exchange Rules for the Frankfurter Wertpapierbörse**

**Article 1 Amendment to the Exchange Rules for the Frankfurter Wertpapierbörse in the
version dated 29 June 2017, last amended by the Amendment Ordinance dated
22 November 2018**

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

Section III Visit to the Trading Halls and Exchange Trading

[...]

Sub-section 3 Exchange EDP

[...]

§ 44 Technical Problems

[...]

- (4) In the event of a breakdown of the Participant Trading System or a partial breakdown of the Exchange EDP, the Management Board may, upon request by a company,

a) provide information on the orders, the quotes and the transactions concluded by the respective company and/or

b) delete orders, Binding Quotes of the Designated Sponsor and Binding Quotes of the Quote Provider in the Market-Maker Model and enter Market Orders and Limit Orders into the Exchange EDP on behalf of such Trading Participant.

~~(Trading on Behalf)~~ In ~~the~~is case of Clause 1 a) and b), the Management Board will verify the legitimization ~~for data entry~~ on the basis of the active user ID notified to it.

In case of the deletion of all orders and quotes of the respective company (mass deletion), the company has to legitimise itself by way of the active user ID and by way of a PIN number. Companies have to declare vis-à-vis the Management Board in writing their choice of the PIN procedure. The company shall ensure that the active user ID and the PIN number, respectively, are provided by a legitimised person. Details shall be specified by the Management Board. As alternative to the legitimization regulated in Clause 2 by way of active user ID, the Management Board arranges for a PIN number to legitimate a company for usage of the "mass deletion" functionality. Companies have to declare vis-à-vis the Management Board in writing their choice of the PIN procedure.

[...]

[...]

Section VII Securities Transactions

Sub-section 1 Trading Models and Trading Periods

[...]

Sub-section 1a Off-book Trading

As an element of exchange trading, the Frankfurter Wertpapierbörse ~~may~~ provides the trading participants with the T7 Entry Service (“TES”) as order entry functionality as well as with the request-for-quote functionality (“Xetra EnLight”) to conclude off-book trades pursuant to the ~~following~~ provisions of this Sub-section 1a and the respective provisions of the Conditions for Transactions on the Frankfurter Wertpapierbörse (“Off-Book Trades” or “Off-Book Trading”). The off-book trades are accomplished outside the central order book. ~~The~~Off-book trades do not result in an exchange price.

§ 72 a Permissible OrdersTrades

- (1) The Management Board determines the securities eligible for off-book trading and the permissible minimum tick size for which a transaction may be concluded.
- (2) Only transactions in securities exceeding a certain ~~order~~ volume may be concluded using ~~the TES order functionality for~~ off-book trading. The Management Board shall determine the minimum ~~order~~ volume for the respective off-book trades.
- (3) Transactions may only be concluded using ~~the TES order functionality for off book trading~~ if the transaction’s expected price is not outside the reference price’s price range pursuant to § 95. The Management Board shall determine the price range.
- (4) Binding offers may only be entered and transactions may only be concluded using Xetra EnLight if the transaction’s expected price is not outside the price range of the best bid and ask limit in Continuous Trading with Intra-Day Auctions.
Outside of the trading period for Continuous Trading with Intra-Day Auctions, during auctions and whenever there is no bid or ask limit, binding offers may only be entered and transactions may only be concluded if the transaction’s expected price is not outside the reference price’s price range pursuant to § 95. The Management Board shall determine the price range specified above.
- (5) No off-book trades may be concluded in the respective security prior to the determination of the first exchange price pursuant to §§ 88 et seq.

§ 72 b Procedure for Off-book Trading

- (1) Off-book trades may be negotiated and concluded during the off-book trading period by entering ~~orders into the system~~ offer conditions and their confirmation via TES or via Xetra EnLight by entering binding offers and accepting them. The system automatically deletes ~~orders~~entries of offer conditions or offers that are not fully executed by the end of the off-book trading period.
- (2) At the end of the off-book trading period, the system will still be available to the trading participants for trade cancellation.

Sub-section 2 Entry of Orders

§ 73 Orders in the Trading System

[...]

- (5) In case of Stop-Limit Orders, Stop-Market Orders, Orders-On-Event, Stop Orders of One-Cancels-Other Orders and in case of Trailing Stop Orders, it is possible that, in the period of time between the triggering Event and the execution of these orders by the Trading System, other orders are executed. ~~Prices that have been realized within Xetra Best Service as well as prices at which Volume Discovery Orders are executed at Midpoint, do not result in the entry of such orders in the order book.~~

[...]

[...]

Sub-section 5 ~~Best Service Provider~~Cancelled

§ 83 ~~Commissioning and Supervision of Best Service Providers~~Cancelled

- ~~(1) Companies which agree to assume the duties under § 84 (Best Service Provider) in an agreement with the responsible operating institution pursuant to § 3 Paragraph 1, may offer Best Service in the Trading System. The agreement shall list the securities for which the Best Service Provider can assume Best Service. The Management Board shall define the securities for which a Best Service may be carried out.~~
- ~~(2) The operating institution under § 3 Paragraph 1 shall, in a written agreement, commission the Best Service Provider with the adoption of duties pursuant to § 84 for each security in which a Best Service is to be carried out. The operating institution under Clause 1 shall immediately inform the Management Board about the commissioning. Only admitted companies which have access to the system and which~~
- ~~1. can guarantee an orderly performance of their duties pursuant to § 84 thanks to their personnel, technical and financial resources as well as their expertise and experience and to whom no legal provisions are opponent,~~
 - ~~2. guarantee that the information disclosed to them and to the third persons acting on their behalf within the activity as Best Service Provider are handled confidentially and are not disclosed to third parties,~~
 - ~~3. give no cause for concern that the orderly performance of the duties incumbent upon them as Best Service Provider oppose their other activity or their social circumstances,~~
 - ~~4. carry out their activity in a way that allows for a complete supervision by the Management Board~~

~~may be commissioned as Best Service Provider.~~

~~The operating institution may define detailed requirements in the agreement pursuant to Clause 1.~~

- ~~(3) The Best Service Provider is obliged to immediately notify the Management Board in writing of the conclusion of an agreement on the transfer of orders by another admitted company for Best Service. The Management Board shall determine at which point in time the transfer of orders may take place after that.~~
- ~~(4) The Management Board collects and documents if and to what extent the Best Service Providers fulfil their duties pursuant to § 84. It may interdict the activity of Best Service Provider in whole or in part, also temporarily, provided that the prerequisites of their commissioning have not been fulfilled or have ceased to exist retroactively or if the Best Service Providers do not perform the duties incumbent upon them pursuant to § 84 in an orderly way. The operating institution shall reserve the right to terminate the agreement pursuant to Paragraph 2 Clause 1 in case of such interdiction.~~
- ~~(5) By termination of the agreement pursuant to Paragraph 2 Clause 1, the Best Service Provider may terminate its activity as Best Service Provider with a five days' notice.~~

§ 84 Duties of Best Service ProvidersCancelled

- ~~(1) In the Continuous Trading with Intra-Day Auctions, own customer orders as well as customer orders submitted by other companies (customer orders) may be executed against Best Service Provider quotes of a specific Best Service Provider pursuant to § 94; the execution price shall be a price improvement for the customer in comparison to the potential execution in the order book of the Trading System (Best Service), provided the relevant customer orders are marked as set forth by the Management Board.~~
- ~~(2) On basis of the parameters entered by the Best Service Provider before, Binding Quotes of the Best Service Provider shall be generated against which customer orders can be executed (Best Service Provider Quotes).~~
- ~~(3) Within the Best Service, only own customer orders of the Best Service Provider and customer orders of another company, with which the Best Service Provider has concluded a respective agreement on transfer of customer orders, may be executed.~~
- ~~(4) The transactions accomplished within the Best Service shall not result in exchange prices and shall be marked separately upon publication.~~

[...]

Sub-section 7 Price Determination and Order Execution

[...]

§ 94 ~~Price Determination and Execution of Orders in Best Service~~Cancelled

- ~~(1) The calculation of the execution price shall take place pursuant to the entered parameters pursuant to Paragraph 2 on basis of the price to which the respective customer order would have been executed in the Trading System at the same time, without considering the Best Service Provider quote (potential execution price). In the event that the potential execution of the customer order would take place in several partial executions, a respective, volume-weighted average price as potential execution price shall be calculated.~~
- ~~(2) In Best Service, the Best Service Provider shall enter the absolute amount of the price difference as parameter for the execution price, with which the relevant limit of the Best Service Provider Quote, as calculated pursuant to Paragraph 1, shall fall below the potential execution price in case of execution of a customer buy order and exceed it in case of a customer sell order. In addition, the Best Service Provider shall enter the maximum volume of orders determined by it for the Best Service regarding the execution of a customer order as well as a maximum aggregate volume for the Best Service. The Best Service Provider may change or cancel at any time the parameters entered in the system. Customer orders will not be executed against the Best Service Provider if a customer order exceeds the maximum volume of orders or the remaining aggregate volume of the Best Service Provider or if no parameters have been entered.~~
- ~~(3) Customer orders shall be executed against the Best Service Provider Quote if the respective customer order may be executed directly against the Best Service Provider Quote and if it is possible to determine a potential execution price for such customer order at the time of entry of such customer order. If it is not possible to directly execute an order pursuant to Clause 1, customer orders will not be executed against the Best Service Provider.~~
- ~~(4) Notwithstanding the foregoing provisions, customer orders shall in particular not be executed against the Best Service Provider in case of customer orders~~
- ~~1. with a Best Service (pursuant to the general provisions) that would initiate a single volatility interruption in case of execution in the order book, or~~
 - ~~2. which have been entered as Iceberg Order or Volume Discovery Order.~~
- ~~(5) Customer orders which are not executed against the Best Service Provider pursuant to Paragraph 2 Clause 4 and Paragraph 4 Number 1 or 2 will be directly executed in the order book pursuant to the general provisions.~~
- ~~(6) If, in case of Paragraph 3 Clause 1, the order book contains orders with a better or the same limit compared to the execution price in Best Service, the Trading System will~~

~~generate orders of the Best Service Provider in the order book against which such orders may be executed.~~

[...]

Section XI Final Provisions

[...]

§ 123 Trading Hours

[...]

(2) In deviation to Paragraph 1, trading in Structured Products in the Continuous Auction can take place from 8.00 a.m. to 10.00 p.m. In all other securities, trading in the Continuous Auction can take place from 8.00 a.m. to 8.00 p.m.

(2a) In deviation to Paragraph 1, off-book trading ~~in the Entry Service TES~~ can take place from 98.00 a.m. to 5.458.00 p.m. Within such timeframe, the Management Board shall determine the trading period for off-book trading (off-book trading time).

[...]

[...]

Article 2 Effectiveness

- (1) Sub-section 1 a, § 72 a, § 72 b, and § 123 shall become effective, as amended by Article 1, three days following approval of the waivers from the pre-trade transparency requirement pursuant to Article 4 (1) and Article 9 (1) of Regulation (EU) No 600/2014, however, no earlier than 27 May 2019.
- (2) §§ 44, 73, 83, 84, 94 shall become effective, as amended by Article 1, on 01 July 2019.
- (3) The Management Board shall announce effectiveness pursuant to Paragraph 1 by notice on the premises of the FWB and by electronic publication on the internet, available on the websites of the FWB at <http://www.deutsche-boerse.com>.

The foregoing Sixth Amendment Ordinance to the Exchange Rules for the Frankfurter Wertpapierbörse is hereby executed. Pursuant to the decision of the Exchange Council of the Frankfurter Wertpapierbörse dated 28 March 2019, the Amendment Ordinance shall become effective at the points in time specified in Article 2 of the Amendment Ordinance.

The Hessian Ministry of Economics, Energy, Transport and Housing has given its approval required pursuant to §16 Paragraph 3 of the Exchange Act by letter dated 12 April 2019 (File No: III 7 – 37 d 04.05.04#012).

The Sixth Amendment Ordinance to the Exchange Rules for the Frankfurter Wertpapierbörse shall be announced by notice on the premises of the Frankfurter Wertpapierbörse and by electronic publication on the internet, available on the websites of the Frankfurter Wertpapierbörse (<http://www.deutsche-boerse.com>).

Frankfurt/Main, 24 April 2019

Management Board of the Frankfurter Wertpapierbörse

Dr. Martin Reck

Michael Krogmann