



Release date: 06 Apr 2020 | Eurex Clearing

No. 030/2020

Amendments to Chapter II of the Clearing Conditions of Eurex Clearing AG

Eurex Clearing Circular 030/2020

1. Introduction

This circular contains information with respect to Eurex Clearing's service offering and corresponding amendments to the Clearing Conditions of Eurex Clearing AG (Clearing Conditions) regarding the following topic:

- Correction regarding fallback solution for the determination of the daily settlement price for Futures Contracts

In this context, the respective provisions of the Clearing Conditions will be amended effective **4 May 2020**.

2. Required action

There is no action required from the Clearing Members.

3. Details

For Futures Contracts, the Clearing Conditions contain fallback provisions allowing Eurex Clearing to determine daily settlement prices "at its reasonable discretion", if the determination pursuant to the regular procedures is not possible or would not reflect the true market conditions.

The fallback provision will be corrected as follows:

- To emphasize that the fallback provision applies generally and for all types of Futures Contracts, the fallback provision will be merged with the general rule pursuant to which Eurex Clearing determines the daily settlement prices, according to the true market conditions of the respective contract and under consideration of its risk assessment.

In this context, the following provision will be amended as outlined in the attachment:

- Chapter II Part 2 Number 2.1.2 of the Clearing Conditions

As of the effective date, the full version of the amended Clearing Conditions will be available for download on the Eurex Clearing website www.eurexclearing.com under the following link:

[Resources > Rules and Regulations > Clearing Conditions](#)

The changes and amendments to the legal framework of Eurex Clearing AG published by this circular are deemed accepted by each affected contractual party of Eurex Clearing AG, unless the respective contractual party objects by written notice to Eurex Clearing AG within the first ten (10) Business Days after publication. Any ordinary right of Eurex Clearing AG to terminate the respective contract (including a Clearing Agreement, if applicable) shall remain unaffected.

Unless the context requires otherwise, terms used and not otherwise defined in this circular shall have the meaning ascribed to them in the Clearing Conditions of Eurex Clearing AG, as applicable.

Attachment:

- Amended sections of the Clearing Conditions of Eurex Clearing AG

Further information

Recipients:	All Clearing Members, Basic Clearing Members, Disclosed Direct Clients of Eurex Clearing AG and vendors
Target groups:	Front Office/Trading, Middle + Back Office
Contact:	client.services@eurexclearing.com
Web:	www.eurexclearing.com
Authorised by:	Heike Eckert

Further information

[Attachment to Eurex Clearing circular 030/20](#)

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Chapter II of the Clearing Conditions of Eurex Clearing AG

Transactions Concluded at Eurex Deutschland

(Eurex Exchange)

As of 04.05.2020

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

[...]

Part 2 Clearing of Futures Contracts

[...]

2.1 General Provisions

[...]

2.1.2 Daily Settlement Price

- (1) For each Futures Contract, profits and losses arising out of open positions on any Business Day will be determined at the end of the Post-Trading Period on the basis of the daily settlement price determined pursuant to Paragraph (2) and in accordance with Part 1 Number 1.2 (5), provided that if the determination of the daily settlement price of a Futures Contract pursuant to Paragraph (2) is not possible or if the price so determined does not reflect the true market conditions, Eurex Clearing AG may determine the settlement price at its reasonable discretion (*billiges Ermessen*).

[...]

- (2) Eurex Clearing AG determines the daily settlement price according to the true market conditions of the respective contract and under consideration of its risk assessment.

- (a) When determining the daily settlement prices pursuant to Sentence 1 for contracts of the current expiry month, the following procedure shall apply.

[...]

- ~~(i) In case the determination of the daily settlement price of a Futures Contract according to aforementioned regulations is not possible or if the price so determined does not reflect the true market conditions, Eurex Clearing AG may determine the settlement price at its reasonable discretion (*billiges Ermessen*).~~

(ij) The daily settlement price for Variance Futures contracts shall be determined according to the specification in Number 1.20.7 of the Eurex Contract Specifications.

[...]

(jk) The daily settlement price for Index Total Return Futures Contracts shall be determined according to Number 2.22.2.

[...]
