

Eurex Clearing AG
ECAG Rule Certification 093/17
September 28, 2017

1. The text of the proposed stated policy is appended as Attachment A. No express amendments to the Clearing Conditions of Eurex Clearing are being proposed.
2. The date of intended implementation is January 1, 2018.
3. Attached please find a certification that: (1) these amendments comply with the Commodity Exchange Act (the “Act”), and the Commission’s regulations thereunder; and (2) concurrent with the filing of this submission, Eurex Clearing is posting a copy of this filing to its website at: <http://www.eurexclearing.com/clearing-en/resources/cftc-dco-filing>.
4. A concise explanation and analysis of the operation, purpose, and effect of the amended rule appears below.
5. There were no opposing views expressed regarding these amended rules.
6. Confidential treatment is not requested.

CONCISE EXPLANATION AND ANALYSIS OF THE OPERATION, PURPOSE, AND EFFECT OF THE PROPOSED RULE AND ITS COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ACT, INCLUDING CORE PRINCIPLES AND THE COMMISSION’S REGULATIONS THEREUNDER

Eurex Clearing is providing a stated policy in Eurex Clearing Circular 093-17 regarding two MIFID II-related measures that will be implemented. By way of background, Eurex Deutschland and Eurex Zürich (collectively, the “Eurex Exchanges”) announced in a related circular (Eurex Circular 102/17) the redesign of Eurex market-making in the context of MIFID II. Specifically, effective January 1, 2018, the Eurex Exchanges will introduce Regulatory Market-Making and definitions for “Stressed Market Conditions” and “Exceptional Circumstances.”

Consequently, Eurex Clearing is proposing to implement the following two stated policies:

1. First, Eurex Clearing will amend the current commercial market-marking model by renaming it to “Liquidity Provision” and providing a new contractual framework called the “Eurex Liquidity Provider Framework,” which will replace all current commercial market maker provisions and govern liquidity provider requirements and incentives. Eurex Clearing Circular 093-17 also details the required elements in this new contractual setup.
2. Second, Eurex Clearing is introducing requirements and incentives for liquidity providers for quotations during “Stressed Market Conditions.”

Further information regarding the operation, purpose, and effect of the proposed amendments is discussed in the attached Eurex Clearing Circular 093/17, which is appended as Attachment A.

Eurex Clearing has identified the following derivatives clearing organization (“DCO”) Core Principle as potentially being relevant to the above amendments:

1. DCO Core Principle C (Participant and Product Eligibility): The amendments will comply with DCO Core Principle C because the amendments state policy changes to Eurex Clearing’s market-marking framework in the context of MIFID II. All market makers will continue to be subject to appropriate admission and continuing eligibility standards, and such standards will be objective, publicly disclosed, and permit fair and open access in compliance with this Core Principle.

CERTIFICATIONS PURSUANT TO SECTION 5c OF THE COMMODITY EXCHANGE ACT, 7
U.S.C. §7a-2 AND COMMODITY FUTURES TRADING COMMISSION RULE 40.6, 17 C.F.R. §40.6

I hereby certify that:

- (1) the amendments comply with the Commodity Exchange Act, and the Commission's regulations thereunder; and
- (2) concurrent with the filing of this submission, Eurex Clearing is posting a copy of this filing to its website at: <http://www.eurexclearing.com/clearing-en/resources/cftc-dco-filing>.



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Dated: September 28, 2017