

**Eurex Clearing AG**  
**ECAG Rule Certification 050-23**  
**August 3, 2023**

1. The text of the proposed amendments to the Statutes for the EMIR Risk Committee (“Statutes for the EMIR Risk Committee”) of Eurex Clearing AG (“Eurex Clearing”) is appended as Attachment A. Any additions are underlined and any deletions are struck through.
2. The date of intended implementation is September 1, 2023.
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: <https://www.eurex.com/ecen/rules-regs/regulations/cftc-dco-filings>.
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.

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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 proposing the below amendments.

**1. Amendments to the Statutes for the EMIR Risk Committee to enable the EMIR Risk Committee to conduct hybrid meetings**

Currently, the Statutes for the EMIR Risk Committee only allow for hybrid or virtual meetings on an exceptional basis. The proposed amendments to the Statutes for the EMIR Risk Committee provide for more flexibility for the EMIR Risk Committee to hold hybrid or virtual meetings on an ongoing basis, in line with the Rules of Procedure of the Supervisory Board of Eurex Clearing. Additionally, the proposed amendments encourage that at least one physical meeting will take place per year.

**2. Amendments to the Statutes for the EMIR Risk Committee to include the annual update of Eurex Clearing’s Recovery Plan into the list of topics**

The proposed amendments to the Statutes for the EMIR Risk Committee provide that the annual update of Eurex Clearing’s Recovery Plan will be included into the list of topics for which the Executive Board of Eurex Clearing shall seek advice from the EMIR Risk Committee.

Further information regarding the operation, purpose and effect of the proposed amendments is discussed in the attached Eurex Clearing Circular 050-23, which is appended as Attachment A.

Eurex Clearing has identified the following DCO Core Principle as potentially being relevant to the above amendments:

1. DCO Core Principle O (Governance Fitness Standards): The proposed amendments will comply with DCO Core Principle O because they provide greater flexibility for hybrid or virtual meetings of the EMIR Risk Committee and add to the list of topics for which the Executive Board of Eurex Clearing will seek advice from the EMIR Risk Committee. Eurex Clearing's governance arrangements and the EMIR Risk Committee will continue to comply with this Core Principle and accompanying CFTC Rule 39.24.

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: <https://www.eurex.com/ec-en/rules-regs/regulations/cftc-dco-filings>.

/s/ Eric Seinsheimer

By: Eric Seinsheimer

Title: US CCO, Eurex Clearing AG

Dated: August 3, 2023