

Chapter I of the Clearing Conditions of Eurex Clearing AG

# General Provisions

As of 01.09.2021

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THE CLEARING CONDITIONS WILL BE AMENDED.

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED,

DELETIONS ARE CROSSED OUT.

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[...]

## **Part 2 Elementary Clearing Model Provisions**

[...]

## **Part 2 Subpart C: Clearing of Omnibus Transactions**

[...]

### **8 Porting of assets and positions in relation to an Omnibus Standard Agreement**

8.1 This Number 8 shall apply with respect to a Clearing Member, if Eurex Clearing AG has determined, based on the legal circumstances in the jurisdiction where such Clearing Member is domiciled, that the porting mechanics contemplated herein shall be applicable with respect to such Clearing Member. Eurex Clearing AG will from time to time publish a list of the relevant jurisdictions in respect of which this Number 8 is not (or not fully) applicable.

If Eurex Clearing AG is not able to apply or not fully apply this Number 8 due to certain restrictions arising from any laws, court rulings, orders or any other measure applicable to the Clearing Member in the relevant jurisdiction, Eurex Clearing AG shall be entitled:

- (i) to deviate from any provision under this Number 8 to facilitate the porting of assets and positions to the relevant Replacement Clearing Member, or
- (ii) to terminate the relevant Omnibus Standard Agreement (including all Omnibus Transactions thereunder) by giving written notice thereof to the Clearing Member specifying the date and time on which the termination shall occur. The provisions under Chapter I Part 2 Subpart A Number 6.3 shall apply accordingly.

[...]

## Part 4 Individual Segregated Account Provisions

[...]

### 10 Porting of assets and positions in relation to an ISA Standard Agreement

10.1 This Number 10 shall apply with respect to a Clearing Member, if Eurex Clearing AG has determined, based on the legal circumstances in the jurisdiction where such Clearing Member is domiciled, that the porting mechanics contemplated herein shall be applicable with respect to such Clearing Member. Eurex Clearing AG will from time to time publish a list of the relevant jurisdictions in respect of which this Number 10 is not (or not fully) applicable.

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If Eurex Clearing AG is not able to apply or not fully apply this Number 10 due to certain restrictions arising from any laws, court rulings, orders or any other measure applicable to the Clearing Member in the relevant jurisdiction, Eurex Clearing AG shall be entitled:

- (i) to deviate from any provision under this Number 10 to facilitate the porting of assets and positions to the relevant Replacement Clearing Member, or
- (ii) to terminate the relevant ISA Standard Agreement (including all ISA Transactions thereunder) by giving written notice thereof to the Clearing Member specifying the date and time on which the termination shall occur. The provisions under Number 11 shall apply accordingly.

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