

Form FBOT, Supplement S-1—Exhibit a-3 Submission of

- (1) Membership and participation agreements.
- (2) Clearing agreements.

This Exhibit has been amended to include the new Clearing Agreements for each Clearing Model, as described below.

(1) In order to be authorized to participate in the Clearing of the relevant transactions as a Clearing Member, a Clearing License issued by Eurex Clearing for each cleared transaction type is necessary. The general prerequisites for Clearing Licenses are laid down in Chapter I, Part 1, and Number 2.1.3 to 2.1.5 of the Clearing Conditions. Special prerequisites for relevant transaction types are laid down in the Special Clearing Provisions for the respective transaction type.

(2) Eurex Clearing has appended documentation related to membership, participation and clearing to its Clearing Conditions. A copy of the Clearing Conditions is included as Attachment 1 to this Exhibit and the relevant materials begin on page 320.¹ Included are *inter alia* the following templates of the Clearing Agreements for each Clearing Model offered by Eurex Clearing as Appendices to the Clearing Conditions: the Clearing Agreement between Eurex Clearing AG and a Clearing Member, the Clearing Agreement with a Non-Clearing Member and/or Registered Customer for the Elementary Clearing Model (Appendix 2 to the Clearing Conditions), the Clearing Agreement with a Non-Clearing Member and/or Registered Customer for the Individual Clearing Model (Appendix 3 to the Clearing Conditions) and the Clearing Agreement with a Net Omnibus Non-Clearing Member and/or Net Omnibus Registered Customer for the Net Omnibus Clearing Model (Appendix 7 to the Clearing Conditions). In addition, Eurex Clearing has published templates of Clearing Agreements for specific types of transactions (Appendix 6 and Appendix 8 to the Clearing Conditions).

Pursuant to Chapter I, Part 1.1.3 of the Clearing Conditions, the clearing of transactions must be carried out on the basis of a clearing agreement entered into between Eurex Clearing and a Clearing Member and/or one or more clearing agreements between Eurex Clearing, the relevant Clearing Member and a Non-Clearing Member. Part 1.1.4 of the Clearing Conditions provides the following description of a Non-Clearing Member: “An entity which does not have a Clearing License may only participate in the Clearing of Transactions through a Clearing Member. Any such entity which has entered into a Clearing Agreement with such Clearing Member and Eurex Clearing AG is referred to as ‘Non-Clearing Member’.”

Attachments:

- Eurex Clearing AG Clearing Conditions [See S-1, Exhibit A-5,
 - Clearing Agreement for each of the Clearing Models. Attachment A]
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