

Chapter I of the Clearing Conditions of Eurex Clearing AG

# General Provisions

As of 30.05.2022

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AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED,

DELETIONS ARE CROSSED OUT.

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[...]

## **Part 1 General Clearing Provisions**

### **1 General Rules**

[...]

#### **1.4 Settlement of Transactions**

[...]

##### **1.4.4 Buy-In Right, Buy-In Auction and Penalties**

- (1) Buy-In Right and Buy-In Auction; Penalties in respect of Securities outside the scope of the Penalty Regime of the CSD Regulation

- (a) The Special Clearing Provisions may provide that in the event of a failure by a Clearing Member or Basic Clearing Member under a Transaction to deliver Securities to Eurex Clearing AG on the applicable delivery date, Eurex Clearing AG shall be entitled at the cost of the defaulting Clearing Member or the defaulting Basic Clearing Member to initiate a buy-in process whereby Eurex Clearing AG attempts to acquire the relevant Securities from a third party.

For this purpose, Eurex Clearing AG may, subject to and in accordance with the Special Clearing Provisions

- (i) directly purchase the Securities from a third party,
- (ii) appoint a third party buy-in agent to acquire the Securities for Eurex Clearing AG ~~and/or~~
- (iii) conduct an auction in accordance with the Auction Terms of Eurex Clearing AG ("Auction Terms") published by Eurex Clearing AG on the Eurex Clearing Website. ~~The Auction Terms shall form part of these Clearing Conditions.~~ Eurex Clearing AG shall inform the Clearing Member when it attempts to execute a buy-in and the Clearing Member shall not be entitled to deliver the relevant Securities to Eurex Clearing AG during such time. The same applies to the extent the buy-in has been successfully executed by Eurex Clearing AG.

[...]

[...]

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