

Replacement Clearing Member confirmation with respect to the Immediate Re-Establishment Conditions



Eurex Clearing AG
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Administration,
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*Company name (Replacement Clearing Member)	
_____	_____
*Address 1	*Street no.

*Address 2	
_____	_____
*Postal code	*Town/city

*Country	

*First name/surname (Contact person)	

_____	_____
*Phone	*Fax

*E-mail	

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We _____ ("**Replacement Clearing Member**") hereby provide the following declarations in order to comply with the Immediate Re-Establishment Conditions pursuant to Chapter I Part 3 Subpart A Number 11.4.2 (1) and (6) of the Clearing Conditions of Eurex Clearing AG:

1. Declaration pursuant to Chapter I Part 3 Subpart A Number 11.4.2 (1) of the Clearing Conditions

If the Covered Transactions shall be cleared with the Replacement Clearing Member pursuant to the Elementary Clearing Model Provisions or the ISA Provisions, we hereby undertake to Eurex Clearing AG that we will, no later than five (5) Business Days after the end of the ICM Porting Period, enter into a Clearing Agreement with Eurex Clearing AG in the form appended to the Clearing Conditions as Appendix 1, unless such Clearing Agreement has already been entered into.

In case no Clearing Agreement in the form appended to the Clearing Conditions as Appendix 1 has been entered into, we furthermore declare with respect to the Transactions being re-established that we are bound by the conditions set forth in the form of the Clearing Agreement appended to the Clearing Conditions as Appendix 1.

2. Confirmation pursuant to Chapter I Part 3 Subpart A Number 11.4.2 (6) of the Clearing Conditions

We confirm that neither a Termination Event pursuant to Chapter I Part 1 Number 7.2.1 (1) to (11) of the Clearing Conditions nor an Insolvency Termination Event pursuant to Chapter I Part 1 Number 7.2.2 of the Clearing Conditions has occurred or is about to occur with respect to us.

Capitalised terms used in this confirmation but not defined herein have the same meaning given to them in the Clearing Conditions.

Date

Place

Company stamp and signature (name in block capitals)