Eurex Clearing Circular 093/18

End of Consultation on the proposed amendments to Special Provisions regarding the change of legally binding language version of the Clearing Conditions and related documents

Summary

As announced in Eurex Clearing circular 082/18, Eurex Clearing proposed to amend the legally binding language version of the Clearing Conditions of Eurex Clearing AG and any related documents forming part of the Clearing Conditions (including Price List, etc.) and implement the following change:

The English language version of the Clearing Conditions of Eurex Clearing AG (Clearing Conditions) and any related documents forming part of the Clearing Conditions (including Price List, etc.) shall become the sole and legally binding version.

Pursuant to Chapter I Part 1 Number 17.3 of the Clearing Conditions of Eurex Clearing AG (Clearing Conditions), Eurex Clearing has conducted a Consultation from **28 September 2018** until **27 October 2018** at midnight (Consultation period) on the above topic of Eurex Clearing circular 082/18.

Eurex Clearing has received no comments that led to further amendments of the versions of the Clearing Conditions of Eurex Clearing AG and any related documents forming part of the Clearing Conditions (including Price List, etc.) which were subject of the Consultation and no requests for the application of a Prolonged Notification Period.

Therefore, all changes as notified in Eurex Clearing circular 082/18 will come into effect on **26 November 2018**.

Attachments:

- Updated sections of the Clearing Conditions and related documents forming part thereof (including Price List etc.)

Date: 30 October 2018

Recipients: All Clearing Members, Basic Clearing Members, Non-Clearing Members and Registered Customers of Eurex Clearing AG

Authorized by: Heike Eckert

Target group:

- All departments

Related circular:
Eurex Clearing circular 082/18

Contact:
Your Group Client Key Account Manager Clearing,
clearing.services-admission@eurexclearing.com

End of Consultation on the proposed amendments to Special Provisions regarding the change of legally binding language version of the Clearing Conditions and related documents

As announced in Eurex Clearing circular 082/18, Eurex Clearing will amend the legally binding language version of the Clearing Conditions of Eurex Clearing AG and any related documents forming part of the Clearing Conditions (including Price List, etc.) and implement the following change:

The English language version of the Clearing Conditions of Eurex Clearing AG (Clearing Conditions) and any related documents forming part of the Clearing Conditions (including Price List, etc.) shall become the sole and legally binding version. The German language version of the Clearing Conditions and any related documents forming part thereof will no longer be provided, following the effective date of such amendments on 26 November 2018.

The planned amendments fall within the scope of Special Provisions of the Clearing Conditions of Eurex Clearing AG (Clearing Conditions) and were subject to a consultation process (Consultation). Eurex Clearing has conducted a Consultation from 28 September 2018 to 27 October 2018 at midnight (Consultation Period) on the above topic of Eurex Clearing circular 082/18.

Eurex Clearing has received no comments that led to further amendments of the version of the Clearing Conditions and related documents which were subject of the Consultation and no requests for the application of a Prolonged Notification Period.

Therefore, all changes as notified in Eurex Clearing circular 082/18, will come into effect on 26 November 2018.

As of the effective date, the complete Clearing Conditions and related documents will be available for download on the Eurex Clearing website under the link:

Resources > Rules and Regulations / Forms

Pursuant to Chapter I Part 1 Number 17.2.2 and Number 17.2.6 of the Clearing Conditions, each change and amendment of the Clearing Conditions published by this circular to Clearing Members, Non-Clearing Members, Registered Customers and Basic Clearing Members affected by such change or amendment (Affected Customers) at least fifteen (15) Business Days prior to the effective date indicated herein, is deemed accepted by each Affected Customer, unless it objects by written notice to Eurex Clearing within such notification period. The right of Eurex Clearing AG to terminate the Clearing Agreement pursuant to Chapter I Part 1 Number 7.2.1 Paragraph (4) of the Clearing Conditions shall remain unaffected.

Pursuant to Number 15 Paragraph 3 of the Price List of Eurex Clearing AG, the amendments and additions to the Price List as communicated with this circular shall be deemed to have been accepted by the respective Affected Customer, provided that such Affected Customer does not file an objection in writing with Eurex Clearing AG within ten (10) Business Days after the publication.

Pursuant to § 3 of the Agreement on the Technical Connection to the Clearing EDP of Eurex Clearing AG (Connection Agreement) in conjunction with § 15 of the General Terms and Conditions to the agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (GTC to the Connection Agreement), each change and amendment of the Connection Agreement published by this circular to Affected Customers at least fifteen (15) Business Days prior to the effective date indicated herein, is deemed accepted by each Affected Customer, unless such Affected Customer objects by written notice to Eurex Clearing within such notification period. The right to terminate the Connection Agreement pursuant to § 13 of the GTC to the Connection Agreement shall remain unaffected.

Terms used and not otherwise defined in this circular shall have the meanings ascribed to them in the Clearing Conditions.

If you have any questions or need further information please contact your Group Client Key Account Manager Clearing, clearing.services-admission@eurexclearing.com.

30 October 2018

****

AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

****

Chapter I of the Clearing Conditions of Eurex Clearing AG

General Provisions

As of 26.11.2018

[…]

Part 1 General Clearing Provisions

[…]

16 Publication and Notices

[…]

16.2 All notices to be given between Eurex Clearing AG and a Clearing Member or a Non-Clearing Member, Registered Customer or Basic Clearing Member shall be given in such form and at such address as agreed and/or notified from time to time by the relevant party. Notices may be given in the German or in the English language. ~~Upon written request by a Clearing Member, Non-Clearing Member, Registered Customer or Basic Clearing Member all notices from Eurex Clearing AG (except for automated reports and electronic circulars) to such requesting party shall be given in the German and in the English language or one of these languages.~~ Unless otherwise specified in these Clearing Conditions notices by Clearing Members, Non-Clearing Members, Registered Customers or Basic Clearing Members may be made by telefax or e-mail. If Eurex Clearing AG has published forms, such forms must be used. Forms published by Eurex Clearing AG in the English language only must be used in such language.

[…]

17 Miscellaneous

17.1 Governing law; Place of jurisdiction

17.1.1 Unless provided otherwise, the rights and obligations arising out of, and in connection with, these Clearing Conditions shall be governed by the substantive laws (*Sachrecht*), excluding German private international law, of Germany.

Only the ~~German~~ English language version of these Clearing Conditions (including any document that is stated to form part of the Clearing Conditions) is legally binding. A German language version is no longer provided.

In these Clearing Conditions (including any document that is stated to form part of the Clearing Conditions) terms used in the English language shall:

(i) if accompanied by a German language term, have the meaning attributed to such German language term in accordance with the relevant German law concepts; and

(ii) if not accompanied by a German language term, unless otherwise provided or unless the context requires otherwise, have the meaning of, and be interpreted in accordance with, German law and the corresponding German law concepts.

Any reference to the Clearing Conditions of Eurex Clearing AG (or to the *Clearing-Bedingungen der Eurex Clearing AG*) in any other document incorporating the Clearing

Conditions of Eurex Clearing AG (or the *Clearing-Bedingungen der Eurex Clearing AG*), stated to form part thereof or of any Clearing Agreement or otherwise referring thereto shall only be a reference to these Clearing Conditions in their binding English language version (as amended from time to time). Any reference in these Clearing Conditions to any document, rulebook, rules or terms of an entity other than Eurex Clearing AG in a particular language version shall remain unaffected.

[…]

Appendix 1 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

between Eurex Clearing AG and a Clearing Member

As of 26.11.2018

[…]

3. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 2 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

with a Non-Clearing Member and/or Registered Customer for the Elementary Clearing Model

As of 26.11.2018

[…]

2. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 3 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

with a Non-Clearing Member and/or Registered Customer for the Individual Clearing Model under Eurex Clearing AG Documentation

As of 26.11.2018

[…]

2. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 4 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

with a Non-Clearing Member and/or Registered Customer for the Individual Clearing Model under Client Clearing Documentation

As of 26.11.2018

[…]

2. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), save for provisions governing the creation, novation, cancellation of, or any other amendment to Transactions between the Clearing Member and the ICM Client, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 5 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

for the Clearing of GC Pooling Repo Transactions with the Holder of a Specific Repo License

As of 26.11.2018

[…]

3. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 6 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

for the Clearing of Securities Lending Transactions with the Holder of a Specific Lender License

As of 26.11.2018

[…]

2. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 7 to the Clearing Conditions of Eurex Clearing AG:

Pledge Agreement

relating to pledges of Eligible Margin Assets in the form of Securities

As of 26.11.2018

[…]

1 Clearing Conditions

This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")) ~~in their German version~~ as amended from time to time. The Clearing Conditions may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Schedule 1

Pledges relating to Securities in Luxembourg Accounts

[…]

10 Rights, Waivers and Determinations

10.1 Ambiguity

(a) Where there is any ambiguity or conflict between the rights conferred by law and those conferred by or pursuant to the Clearing Conditions and the Clearing Agreement (including this Schedule), the corresponding terms of the Clearing Conditions ~~in their binding German version~~ and of the Clearing Agreement (including this Schedule) shall prevail.

[…]

Appendix 10 to the Clearing Conditions of Eurex Clearing AG:

Clearing Agreement

with a Clearing Agent
and a Basic Clearing Member

As of 26.11.2018

[…]

2. This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")), the Price List for Eurex Clearing AG and the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG (the "**General Terms and Conditions to the Connection Agreement**"), in each case ~~in their German version~~ as amended from time to time. The Clearing Conditions, the Price List for Eurex Clearing AG and the General Terms and Conditions to the Connection Agreement may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Appendix 11 to the Clearing Conditions of Eurex Clearing AG:

Pledge Agreement

relating to pledges of Eligible Margin Assets in order to provide Basic Clearing Member Margin in the form of Securities

As of 26.11.2018

[…]

1 Clearing Conditions

This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")) ~~in their German version~~ as amended from time to time. The Clearing Conditions may be viewed and printed out (in one or more files) via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

Schedule 1 –
Pledges relating to Basic Clearing Member Margin in Luxembourg Securities Accounts held by the Basic Clearing Member (Bilateral Version)

[…]

11 Rights, Waivers and Determinations

11.1 Ambiguity

(a) Where there is any ambiguity or conflict between the rights conferred by law and those conferred by or pursuant to the Basic Clearing Member Clearing Agreement, the Clearing Conditions or the Agreement (including this Schedule 1), the corresponding terms of the Basic Clearing Member Clearing Agreement, the Clearing Conditions and of the Agreement to which this Schedule is attached (including this Schedule 1) ~~(in each case in their binding German version)~~ shall prevail.

[…]

Schedule 2 –
Pledges relating to Basic Clearing Member Margin in Luxembourg Securities Accounts held by the Third Party Pledge Holder (Triparty Version)[1]

[…]

12 Rights, Waivers and Determinations

12.1 Ambiguity

(a) Where there is any ambiguity or conflict between the rights conferred by law and those conferred by or pursuant to the Basic Clearing Member Clearing Agreement, the Clearing Conditions or the Agreement (including this Schedule 2), the corresponding terms of the Basic Clearing Member Clearing Agreement, the Clearing Conditions and of the Agreement to which this Schedule is attached (including this Schedule 2) ~~(in each case in their binding German version)~~ shall prevail.

[…]

Appendix 13 to the Clearing Conditions of Eurex Clearing AG:

FX Swap Line Agreement

between Eurex Clearing AG and a Clearing Member

As of 26.11.2018

[…]

2. *Incorporation of Clearing Conditions.* This Agreement incorporates by reference the Clearing Conditions (including all rules and conditions which are incorporated by reference therein (the "**Referenced Conditions**")) ~~in their German version~~ as amended from time to time. The Clearing Conditions may be viewed and printed out via internet on the website www.eurexclearing.com. The Referenced Conditions may be obtained from Eurex Clearing AG upon request.

[…]

DEFAULT MANAGEMENT COMMITTEE RULES

[…]

8 Governing Law; Place of Jurisdiction

8.1 Unless provided otherwise, the rights and obligations arising out of, and in connection with, these DMC Rules shall be governed by the substantive laws (*Sachrecht*), excluding German private international law, of the Federal Republic of Germany. Only the ~~German~~ English language version of these DMC Rules is legally binding. A German language version is no longer provided.

[…]

DEFAULT MANAGEMENT AUCTION RULES

[…]

12 Miscellaneous

12.1 Governing law; Place of jurisdiction

12.1.1 The rights and obligations arising out of, and in connection with, the DM Auction Rules shall be governed by the substantive laws (*Sachrecht*), excluding German private international law of the Federal Republic of Germany. ~~Except in relation to FCM Clearing Members, o~~Only the ~~German~~English language version of the DM Auction Rules is legally binding. A German language version is no longer provided.

[…]

STATUTES FOR THE FIC BOARD ADVISORY COMMITTEE

[…]

§ 15 Governing Law; Place of Jurisdiction

(1) Unless provided otherwise, the rights and obligations arising out of, and in connection with, these Statutes shall be governed by the substantive laws (*Sachrecht*), excluding German private international law, of the Federal Republic of Germany. Only the English language ~~German~~ version of these Statutes is legally binding. A German language version is no longer provided.

[…]

[…]

10. Final provisions

[…]

(2) The ~~German~~ English version shall be decisive for these Auction Terms' interpretation. A German language version is no longer provided.~~The English version is for information purposes only. In case of deviations between the German and the English version, only the German version shall apply.~~

[…]

EUREX CLEARING AG
DISCIPLINARY PROCEDURES RULES

[…]

Chapter III – Miscellaneous

[…]

4 Governing Law

(1) Unless provided otherwise, the rights and obligations arising out of, and in connection with, these Disciplinary Procedures Rules shall be governed by the substantive laws (*Sachrecht*), excluding German private international law, of the Federal Republic of Germany. Only the ~~German~~ English language version of these Disciplinary Procedures Rules is legally binding. A German language version is no longer provided.

[…]

DISPUTE RESOLUTION RULES

[…]

Part 4: Miscellaneous Provisions

[…]

21 Governing Law; Place of Jurisdiction; Binding Version

[…]

21.4 Only the ~~German~~ English language version of these Dispute Resolution Rules is legally binding. A German language version is no longer provided.

[…]

Price List of Eurex Clearing AG

[…]

Preamble

[…]

Basic Principles

The ~~German~~ English version of the Price List in effect at the respective time is an integral part of the Clearing Conditions. Capitalised terms used, but not defined in this Price List shall have the meaning ascribed to them in the Clearing Conditions, or, if applicable, in the FCM Regulations. However, any reference to a Clearing Member in this Price List shall also include FCM Clearing Members and Basic Clearing Members if not explicitly stated otherwise.

[…]

~~Vertrag über die technische Anbindung an die Clearing-EDV der Eurex Clearing AG (Anschlussvertrag)~~	Agreement on the Technical Connection to the Clearing EDP of Eurex Clearing AG (Connection Agreement)
~~zwischen der~~	between
~~Eurex Clearing AG~~ ~~Mergenthalerallee 61~~ ~~65760 Eschborn~~ ~~Postadresse:~~ ~~60485 Frankfurt~~ ~~– nachfolgend „Eurex Clearing“ genannt –~~	Eurex Clearing AG Mergenthalerallee 61 65760 Eschborn Postal address: 60485 Frankfurt - hereinafter referred to as "Eurex Clearing" -
~~und~~	and
~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~– nachfolgend „Vertragspartner“ genannt –~~	_____ _____ _____ – hereinafter referred to as "Contractual Party" –
~~§ 1 Dieser Anschlussvertrag regelt die näheren Einzelheiten an die technische Anbindung an die Clearing-EDV sowie die Rechte und Pflichten der Eurex Clearing und dem Vertragspartner.~~	§ 1 This Connection Agreement governs further details of the technical connection to the Clearing EDP as well as the rights and duties of Eurex Clearing and the Contractual Party.
~~§ 2 Bestandteil dieses Anschlussvertrages sind die **Allgemeinen Geschäftsbedingungen des Anschlussvertrags** und das **Preisverzeichnis des Anschlussvertrags** in ihrer jeweils gültigen Fassung. Beide Vertragsbestandteile können über das Internet unter der Adresse~~	§ 2 The **General Terms and Conditions of the Connection Agreement** and the **Price List of the Connection Agreement** in their respective current version shall be components of this Connection Agreement. Both components may be viewed and printed out from the Internet at www.eurexclearing.com.

~~www.eurexclearing.com~~ ~~eingesehen und herunter geladen werden.~~	
~~§ 3 Die Eurex Clearing ist berechtigt, diesen Anschlussvertrag und/oder einzelne Vertragsbestandteile jederzeit unter angemessener Berücksichtigung der Interessen des Vertragspartners zu ändern. Für entsprechende Änderungen gilt § 15 der Allgemeinen Geschäftsbedingungen des Anschlussvertrages.~~	§ 3 Eurex Clearing shall be entitled to amend this Connection Agreement and/or individual components of it at any time, paying due consideration to the interests of the Contractual Party. § 15 of the General Terms and Conditions of the Connection Agreement shall govern such amendments.
~~§ 4 Dieser Anschlussvertrag unterliegt dem Recht der Bundesrepublik Deutschland. Ausschließlicher Gerichtsstand ist Frankfurt am Main. Die Eurex Clearing ist berechtigt, den Vertragspartner auch an seinem allgemeinen Gerichtsstand zu verklagen. Für die Auslegung dieses Vertrages ist der deutsche Wortlaut maßgeblich.~~	§ 4 This Connection Agreement shall be governed by the law of the Federal Republic of Germany. Exclusive place of jurisdiction shall be Frankfurt am Main. Eurex Clearing shall be entitled to take legal action against a Contractual Party also at the Contractual Party's general place of jurisdiction. Only the English language version of ~~For interpretation of~~ this Connection Agreement~~, the German wording~~ shall be binding ~~only~~. A German language version is no longer provided.
~~§ 5 Dieser Anschlussvertrag regelt den Vertragsgegenstand abschließend. Abweichende mündliche Vereinbarungen oder Nebenabreden der Vertragsparteien bestehen insoweit nicht. Nebenabreden, Änderungen und Ergänzungen dieses Anschlussvertrages bedürfen der Schriftform. Das gilt auch für die Aufhebung des Schriftformerfordernisses.~~	§ 5 This Connection Agreement shall govern the subject matter exclusively. No differing oral agreements or ancillary agreements between the parties other than those expressly set forth herein exist. Supplementary agreements, changes and amendments shall be made in writing. This also applies to the annulment of the requirement for written form.

~~§ 6 Sollte eine Bestimmung dieses Anschlussvertrages unwirksam sein oder werden, so wird hierdurch die Wirksamkeit der übrigen Bestimmungen nicht berührt. Anstelle der unwirksamen Vertragsbestimmungen tritt entweder die gesetzliche Regelung oder, bei Fehlen einer solchen Vorschrift, eine solche Regelung, die die Vertragsparteien nach Treu und Glauben zulässigerweise getroffen hätten, wenn ihnen die Unwirksamkeit oder Nichtigkeit bekannt gewesen wäre. Gleiches gilt, sofern eine Regelungslücke festgestellt wird.~~	§ 6 In the event that any individual terms of this Connection Agreement should be or become invalid, this shall not affect the validity of the remaining terms hereof. Any invalid contractual provision shall be replaced either by the statutory provision or, in the event of absence of such a rule, such provision as the parties would in good faith have admissibly adopted if they had been aware of the invalidity or nullity of the term which it replaces. The same shall apply in so far as it may be determined that the contractual provisions are incomplete.

~~§ 7 Die Vertragsparteien sind sich einig, dass dieser Anschlussvertrag alle zeitlich vorhergehenden Vereinbarungen der Vertragsparteien über den Vertragsgegenstand ersetzt.~~	§ 7 The parties agree that this Connection Agreement supersedes all earlier agreements between the parties in respect of the subject matter of the Agreement.
~~Eurex Clearing AG~~ ~~Frankfurt am Main, den~~ ~~_____~~ ~~_____~~ ~~Unterschrift~~ ~~_____~~ ~~Unterschrift~~	Eurex Clearing AG Frankfurt / Main, _____(Date) _____ Signature _____ Signature
~~Vertragspartner~~ ~~_____~~ ~~Ort, Datum~~ ~~_____~~ ~~Unterschrift~~ ~~_____~~ ~~Unterschrift~~	Contractual Party _____ Place, Date _____ Signature _____ Signature