X-pand into the Future

eurex circular 199/09

Date: Frankfurt, October 19, 2009
Recipients: All Trading Members of Eurex Deutschland and Eurex Zürich and Vendors
Authorized by: Thomas Book

Amendments to the Connection Agreement, to the related General Terms and Conditions and to the Price List

Related Eurex Circular: 048/09

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Content may be most important for:

➲ All departments

Attachments:

Updated sections of the following documents:

1. Agreement on the technical connection and the utilization of the Electronic Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)
2. General Terms and Conditions of the Agreement on the technical connection and the utilization of the Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)
3. Price List to the Agreement on the technical connection and the utilization of the Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)

With the launch of the Eurex / ISE link within the scope of Eurex Release 12.0, the legal documents of Eurex Frankfurt AG mentioned above will be changed with effect **from November 23, 2009**, according to the wording of the enclosed amended sections.

We kindly ask you to take note of the amendments to the above-mentioned documents, which will become effective with the launch of the Eurex / ISE link within the scope of Eurex Release 12.0. The complete documents will be published in due time on the Eurex website under the path:

www.eurexchange.com > Documents > Forms > Trading Derivatives

Attachment 1 to Eurex Circular 199/09

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MODIFICATIONS ARE MARKED AS FOLLOWS:

AMENDMENTS ARE UNDERLINED

DELETIONS ARE STRIKED THROUGH

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Agreement on the technical connection and the utilization of the Electronic Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)

[...]

§1 The subject matter of this Agreement is, by way of technical connectivity to and by provisioning, operation and maintenance of, the option of using the trading system Eurex

1. to connect for the trading participants of Eurex Deutschland and Eurex Zürich (hereinafter referred to as the "Eurex Exchanges") to the electronic trading of the Eurex Exchanges, in each case for on-exchange as well as OTC trading and
2. to claim usage of the ISE-Order-Routing-Services of Eurex Clearing AG by the trading participants of Eurex Deutschland

[...]

Attachment 2 to Eurex Circular 199/09

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General Terms and Conditions of the Agreement on the technical connection and the utilization of the Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)

[...]

§ 2 Utilization of the Trading System

(1) Only the trading participants who have been admitted to the Eurex Exchanges by the management boards of the Eurex Exchanges are entitled to the utilization of the Trading System of Eurex. The right to use the Trading System is a condition subsequent to the termination, revocation, cancellation or suspension of the admission to the Eurex. In addition, the rules of the "Agreement on the technical connection and the utilization of the Electronic Trading System of Eurex Deutschland and Eurex Zürich" (Connection Agreement) apply when trading members utilize the trading system in order to make use of the ISE-Order-routing-Services.

[…]

§ 3 Limitation on the Utilization

(1) The trading participant shall be obliged to refrain from any misuse of the Trading System, in particular omitting any utilization of the Trading System contravening orderly stock exchange trading and its settlement.

(2) The trading participant shall be obliged to solely use information or data obtained while using the Trading System only for trading and settlement. The submission or provision of these data or information to third parties is impermissible, unless this is carried out for purposes of settlement or unless EFAG has given its prior written consent. The foregoing shall not affect the trading participant's statutory disclosure obligations.

(3) In addition, in case ECAG trading members utilize the trading system in order to make use of the ISE-Order-Routing-Services from ECAG, the rules of the "Agreement on the technical connection and the utilization of the Electronic Trading System of Eurex Deutschland and Eurex Zürich" (Connection Agreement) apply.

[...]

Attachment 3 to Eurex Circular 199/09

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Price List to the Agreement on the technical connection and the utilization of the Trading System of Eurex Deutschland and Eurex Zürich (Connection Agreement)

1. Connection Fees

Connection Component	Price		Member Location*
	VALUES API	ETS	
Each Internet-based connection with 1 Mbit/s bandwidth	EUR 500	-	all
Each dedicated line connection with 1 Mbit/s bandwidth (first two connections)	EUR 750	-	all
Each dedicated line connection with 1 Mbit/s bandwidth (from third connection)	EUR 2,000	-	all
Each Proximity Service connection with 1 Mbit/s or 10 Mbit/s Bandwidth	EUR 2,000	EUR 2,000	Proximity Service**
Each dedicated line connection with 10 Mbit/s bandwidth	EUR 3,000	EUR 3,000	Amsterdam, Chicago, Dublin, Frankfurt, London, Mailand, New York City, Paris, Zürich, Helsinki, Madrid, Wien
	EUR 6,000	EUR 6,000	Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembuorg, Netherlands, Portugal, Singapore, Spain, Sweden, Swiss, United Kingdom, USA
	EUR 10,000	EUR 10,000	Australia
	EUR 20,000	EUR 20,000	Greece
	EUR 30,000	EUR 30,000	Gibraltar
	-	-	Dubai
Each logical channel with 1 mbit/s within an EBS-connection***	EUR 700	EUR 700	all
Each logical channel with 10 mbit/s within an EBS-connection***	EUR 1,400	EUR 1,400	all
Each ETS-Session (from third Session)	-	EUR 700	All
Additional bandwidth for using the ISE-Order-Routing-System [128 KBit]	-	EUR 450 per month	All

* Pricing only valid for currently existing Eurex member locations (as of April 1, 2008)

** The "Proximity Service" is an offer of Deutsche Boerse Systems AG implying additional charges

*** Connections to the Enhanced Broadcast Solution (EBS) offer of Eurex Frankfurt AG imply additional charges

[...]