

Appendix 13 to the Clearing Conditions of Eurex Clearing AG:

# FX Swap Line Agreement

between Eurex Clearing AG and a Clearing Member

As of 02.11.2021



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AMENDMENTS ARE MARKED AS FOLLOWS:

INSERTIONS ARE UNDERLINED

DELETIONS ARE CROSSED OUT

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[...]

13. *Failure to pay.* If a Clearing Member (in its capacity as FX Hedge Counterparty) fails to perform its payment obligations under one or more FX Hedging Transactions, the provisions in Chapter I Part 1 Number 7.2.1 of the Clearing Conditions shall not apply. Instead the Clearing Member is obliged to pay the FX Swap Line Contractual Penalty to Eurex Clearing AG, provided that the FX Swap Line Contractual Penalty is only payable once with respect to the same FX Hedging Transaction. The FX Swap Line Contractual Penalty applies regardless of any actual damages incurred by Eurex Clearing AG. The right of Eurex Clearing AG to claim further damages shall remain unaffected. The amount of the FX Swap Line Contractual Penalty – as determined by Eurex Clearing AG – is the equivalent in the relevant Clearing Currency of ~~40~~5 basis points of the payment due under the relevant leg of the relevant FX Hedging Transaction, with a minimum of EUR 2,500.00, CHF 3,000.00 or GBP 2,000.00, as applicable, and a maximum of EUR 10,000,000.00, CHF 12,000,000.00 or GBP 8,000,000.00, as applicable. The amount of the FX Swap Line Contractual Penalty can be amended in accordance with the procedure set out in Chapter I Part 1 Number 17.2 of the Clearing Conditions.

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