X-pand into the Future

e u r e x *circular 165/06*

Date: Frankfurt, July 31, 2006
Recipients: All Eurex members and vendors, CCP members, Eurex Repo and Eurex Bonds members
Authorized by: Daniel Gisler

CCP Release 3.1: Fees for Buy-in Transactions – CCP-eligible Products to be Extended by Spanish and Swedish Equities

Related Eurex Circulars: 060/06, 100/06, 152/06

Contact: Customer Support, tel. +49-69-211-1 17 00

Content may be most important for:

- ➲ Middle + Back Office
- ➲ IT / System Administration
- ➲ Auditing / Security Coordination

Attachments:

1. Additional amendments to the Clearing Conditions for Eurex Clearing AG effective August 14, 2006
2. Updated sections of the Price List of Eurex Clearing AG, effective November 20, 2006

on Eurex website only:

3. Updated sections of the Clearing Conditions for Eurex Clearing AG effective November 20, 2006

Summary:

Attached to this circular is an excerpt of the Clearing Conditions valid as of the planned production start of CCP Release 3.1 on **August 14, 2006**, which have been amended once again in Chapter V, number 2.2 to allow for flexible fees in the event of a buy-in auction.

This flexible fee that will be charged in the event of a buy-in auction has already been described in the "Functional Changes with CCP Release 3.1 and Impacts on the Legal Framework of Eurex Clearing AG" document. It extends the existing regulation by adding a variable component of 10 percent of the outstanding amount with a cap of 5,000 euro. This fee will be charged in euro or Swiss francs, depending on the settlement currency. Further amendments to the Clearing Conditions are mainly of editorial nature, implementing the newly introduced terminology which allows for a distinction between Clearing Members (General and Direct Clearing Members) and a Link Clearing House admitted to clearing in its function as Special Clearing Member at Eurex Clearing AG.

Admission of stock options on Spanish and Swedish underlyings to derivatives trading at Eurex Deutschland and Eurex Zürich AG, processing of deliveries resulting from exercises and allocations in these products via the CCP platform and settlement of deliveries in non-collective safe custody via a CBF-CREATION account at Clearstream Banking AG Frankfurt will be introduced in production on November 20, 2006. The corresponding amendments to the Contract Specifications of Eurex Deutschland and Eurex Zürich and to the Clearing Conditions have already been published with Eurex circular 152/06.

CCP Release 3.1: Fees for Buy-in Transactions – CCP-eligible Products to be Extended by Spanish and Swedish Equities

In Eurex circular 100/06 dated May 26, 2006, we distributed the Clearing Conditions for Eurex Clearing AG (hereinafter referred to as "Clearing Conditions") and the legal documents for the production start of CCP Release 3.1 scheduled for August 14, 2006. Attached to the present circular is an excerpt of the Clearing Conditions valid as of the planned production start of CCP Release 3.1 on August 14, 2006 which have been amended once again in Chapter V, number 2.2 to allow for flexible fees in the event of a buy-in auction.

This flexible fee that will be charged in the event of a buy-in auction has already been described in the "Functional Changes with CCP Release 3.1 and Impacts on the Legal Framework of Eurex Clearing AG" document, published on March 27, 2006 (see Eurex circular 060/06). It extends the existing regulation by adding a variable component of 10 percent of the outstanding amount with a cap of EUR 5,000. This fee will be charged in euro or Swiss francs, depending on the settlement currency. Further amendments to the Clearing Conditions are mainly of editorial nature, implementing the newly introduced terminology which allows for a distinction between Clearing Members (General and Direct Clearing Members) and a Link Clearing House admitted to clearing in its function as Special Clearing Member at Eurex Clearing AG.

The amendments to the Clearing Conditions effective August 14, 2006 have additionally been published on the Eurex website under

www.eurexchange.com > Member Section > Documentation/Manuals CCP > CCP 3.1 > Legal Documents / Setup Accounts

Admission of stock options on Spanish and Swedish underlyings to derivatives trading at Eurex Deutschland and Eurex Zürich, processing of deliveries resulting from exercises and allocations in these products via the CCP platform and settlement of deliveries in non-collective safe custody via a CBF-Creation account at Clearstream Banking AG Frankfurt will be introduced in production on November 20, 2006. The corresponding amendments to the Contract Specifications of Eurex Deutschland and Eurex Zürich and to the Clearing Conditions which will become effective on November 20, 2006 have already been published with Eurex circular 152/06. Attached please find the necessary amendments to the Price List of Eurex Clearing AG which will also come into force on November 20, 2006.

Clearing and service fees for deliveries that result from exercises and allocations in aforementioned products will be charged according to the fee structure valid for CCP Release 3.1. Settlement fees for these deliveries will be levied by Clearstream Banking AG Frankfurt.

The amended Clearing Conditions and the Price List of Eurex Clearing AG, both effective November 20, 2006, have been published on the Eurex website. To download your personal copy, please visit

www.eurexchange.com > Member Section > Documentation/Manuals CCP > CCP 3.1 > Legal Documents / Setup Accounts

Please do not hesitate to contact the Customer Support Team at telephone +49-69-211-1 17 00 for any further questions you may have.

Frankfurt, July 31, 2006

Eurex Clearing AG
D-60485 Frankfurt am Main
www.eurexchange.com

Customer Support
Tel. +49-69-211-1 17 00
Fax +49-69-211-1 17 01

Executive Board:
Andreas Preuß (Chairman), Daniel Gisler, Thomas Lenz, Peter Reitz, Jürg Spillmann