
Exchange Rules for Eurex Deutschland and Eurex Zürich

(...)

2.2.3 Independent Surveillance Office~~Eurex~~

2.2.3.1 Responsibilities of the Independent Surveillance Office~~Eurex~~

(...)

2 Exchange Bodies of the Eurex Exchanges

(...)

2.2 Eurex Zürich

(...)

2.2.3 Independent Surveillance Office~~Eurex~~

Eurex Zürich shall establish its own watchdog, the Independent Surveillance Office~~Eurex~~, which shall be independent of the Board of Management in terms of both personnel and organization. Eurex Zürich shall provide such Independent Surveillance Office~~Eurex~~ with adequate facilities and staff.

The selection of the head of the Independent Surveillance Office~~of Eurex Zürich~~ shall require the approval of the Swiss Banking Commission.

2.2.3.1 Responsibilities of the Independent Surveillance Office~~Eurex~~

The Independent Surveillance Office~~Eurex~~ shall monitor the determination of prices and the conclusion and settlement of transactions in such a way that any exploitation of the knowledge of confidential information, any price manipulation and any other breaches of law can be detected. In particular, it shall

- a) verify compliance with the provisions of the relevant laws, statutes and rules,
- b) monitor the activities of Eurex Zürich in controlling its members,
- c) follow up any information from other Exchange Bodies or third parties concerning possible violations of insider trading prohibitions and the relevant provisions of exchange law,
- d) be the contact for members and third parties should they have complaints concerning Eurex Zürich or the members of Eurex Zürich or their traders.

Upon suspicion of violations of law or other irregularities, the Independent Surveillance Office~~Eurex~~ shall inform the Board of Management of Eurex Zürich and the supervisory authority (Swiss Banking Commission). The supervisory authority shall then order the necessary investigations.

(...)

3 Admission to Trading at Eurex Deutschland and Eurex Zürich

(...)

3.5 Disclosure of the Assignment Method

If the applicant for admission to exchange trading engages in options and futures trading in its own name for the account of third parties, the applicant must – upon request by the Boards of Management of the Eurex Exchanges, or by the Trading Surveillance ~~Office-Office~~ of Eurex Deutschland or the Independent Surveillance Office-Eurex of Eurex Zürich respectively – state the method pursuant to which it will assign to its customers, in a manner that ensures the neutrality of the assignment process, the drawings allocable to its agent position account.

(...)

4 General Provisions

(...)

4.5 Determination of Prices

4.5.1 Determination of the Exchange Price

Exchange prices shall be determined through the EDP system of the Eurex Exchanges. The Trading ~~Surveillance Office-Surveillance Office~~ of Eurex Deutschland and the Independent Surveillance Office-Eurex of Eurex Zürich shall ensure that the exchange prices are determined in an orderly manner. No official exchange price determination shall take place.

4.5.2 Determination of the Opening Price (Principle of Maximizing Executions - *Meistausführungsprinzip*)

The opening price shall be determined, as of a time to be determined by the Board of Management of Eurex Deutschland or Eurex Zürich, on the basis of both limited orders and market orders and quotes contained in the EDP system of the Eurex Exchanges and shall be the price at which the largest possible number of contracts of such orders and quotes may be executed (Principle of Maximizing Executions – *Meistausführungsprinzip*).

4.5.3 Determination of the Closing Price (Principle of Maximizing Executions)

A closing price may be determined for certain future transactions by the Board of Management of Eurex Deutschland and of Eurex Zürich respectively, as of a time to be determined by the Board of Management of Eurex Deutschland or Eurex Zürich respectively, on the basis of both limited orders and market orders and quotes contained in the EDP system of the Eurex Exchanges and shall be the price at which the largest possible number of contracts of such orders and quotes may be executed (Principle of Maximizing Executions).

4.5.34 Matching

4.5.34.1 General Rules

During the Trading Period, prices will be determined through the matching of orders and quotes at the respective best bid and ask prices; in the event that prices are identical, orders and quotes will be matched in the order in which they

were entered into the EDP system of the Eurex Exchanges. Market orders will be given priority. In the case of market orders for options contracts, the price may not be higher or lower, as the case may be, than the least favorable quote for the relevant option series. Market orders for futures contracts will only be executed within a price range to be determined by the Board of Management of Eurex Deutschland or Eurex Zürich. As far as the Board of Management of Eurex Deutschland and the Board of Management of Eurex Zürich respectively have not decided anything different in particular cases ~~the~~ EDP system of the Eurex Exchanges does not fix any closing prices. The details for the determination of prices shall be set forth in the Conditions for Trading at the Eurex Exchanges.

4.5.~~3~~4.2 Pro Rata Matching Principle

In deviation from subsection 4.5.~~3~~4.1, the prices for the products specifically identified for this purpose in part 2 of the Conditions for Trading at the Eurex Exchanges will be determined through the matching of orders and quotes at the respective best bid and ask prices but solely by means of priority accorded on the basis of price (Pro Rata Matching Principle). Under Pro Rata Matching, all orders entered in the order book with the same price limit will be executed on the basis of the percentage share that they represent of the total order volume available at such limit. Details pertaining to the Pro Rata Matching Principle are set forth in subsection 2.2 paragraph (5) of the Conditions for Trading at the Eurex Exchanges. Subsection 4.5.~~3~~4.1 sentences 4 through ~~7~~6 apply accordingly.

(...)

4.7 Position Limits

(...)

4.7.3 Monitoring of Position Limits

The Trading Surveillance ~~Office~~Office of Eurex Deutschland and the Independent Surveillance ~~Office~~Office of Eurex Zürich examine all positions of an Exchange Participant, including Agent Position Accounts, to verify compliance with the position limits. For this purpose, the Board of Management may use the services of a suitable auditor. Subsection 1.3 sentence 4 shall apply mutatis mutandis in all other respects.

(...)
