

## Chapter 8C Clearing Services

### GENERAL

#### **8C01. SCOPE OF CHAPTER**

This chapter authorizes the Exchange to provide clearing services to another exchange or market. The procedures for the clearing, settlement and guarantee of trades executed on another exchange or market that are not specifically covered herein shall be governed by the Rules of the Exchange. Except as otherwise specifically provided herein, trade practice and sales practice rules and procedures, including, but not limited to, market regulation, market surveillance and customer protection rules and procedures, shall be governed by the rules of the other exchange or market at which the transaction takes place.

#### **8C02. CONDITIONS TO CLEAR CONTRACTS**

The Clearing House may clear transactions executed on or subject to the rules of another exchange or market in accordance with a clearing services agreement approved by the Board and subject to any necessary regulatory approvals of the clearing services agreement and the activities of such exchange or market.

#### **8C03. TRANSFERS**

The Clearing House may accept transfers of positions from another clearing house in order to perform clearing services for another exchange or Market. Such transfers shall be made in accordance with the Rules and operating procedures of the Exchange. Such transfers must be made at the daily settlement value per Rule 813.F.

#### **8C04. FUTURES LISTED FOR TRADING ON A FOREIGN BOARD OF TRADE**

Without limiting the generality of Rule 8C01, the Clearing House may provide clearing services to a foreign board of trade with respect to transactions in futures or options on futures traded on or subject to the rules of such FBOT. The Clearing House, in relation to providing such clearing services, will provide reports and such other information to the FBOT as may be required for the business operations and regulatory requirements applicable to the FBOT.

The Clearing House will clear customer positions in the FBOT's contracts for an FCM Clearing Member in a manner consistent with CFTC Regulation 30.7 or, subject to CFTC approval and any regulatory approval required in the FBOT's local jurisdiction, in a futures segregated account held in accordance with section 4d(a) of the CEA and CFTC regulations thereunder or in a cleared swaps customer account held in accordance with the CFTC Part 22 Regulations.

The Clearing House may require a person to be authorized as a clearing member for CME, CBOT, NYMEX or COMEX contracts as a condition to be authorized to clear transactions in the contracts of a particular FBOT.

The Clearing House provides clearing services pursuant to this Rule 8C04 to the Dubai Mercantile Exchange Limited and to FEX Global Pty Limited ("FGL"). CME may terminate clearing services for FBOTs subject to applicable terms.

#### **8C05. FGL TRADE SUBMISSION TO THE CLEARING HOUSE**

##### **8C05.A. Exclusivity of Clearing House Rules**

The Clearing House Rules shall exclusively apply, and prevail to the extent there is any conflict with any FGL rules, to all trades and resulting positions, from the time the trade is submitted for clearing. Notwithstanding the foregoing, if the Clearing House rejects an FGL trade for clearing, the Clearing House Rules shall cease to apply to that FGL trade until such trade is resubmitted for clearing.

##### **8C05.B. Clearing House Authority**

The Clearing House will have the sole authority to:

1. determine whether any trade submitted for clearing will be accepted or rejected. For the avoidance of doubt, FGL may not make a determination on clearing acceptance or rejection and

may only communicate the Clearing House's determination of whether a trade has been accepted or rejected for clearing.

2. block or cancel any trades submitted for clearing by, or on behalf of, FGL if it determines that such trades were executed or submitted to the Clearing House in error.

3. deny or terminate the connection of FGL to the Clearing House due to technical, operational or risk management issues at FGL.

4. determine whether it will accept any trade transaction counterparty risk.

5. determine whether contracts cleared by the Clearing House should be offset within the Clearing House pursuant to the Act.

**8C05.C. Voids and Price Adjustments**

A void or price adjustment for any FGL trade that has been accepted for clearing is not valid without the consent of the Clearing House.

**8C05.D. Submission to Clearing House Rules and Access to Execution Platforms**

FGL and its Trading Participants shall be bound by Clearing House Rules, including, but not necessarily limited to, the disciplinary Rules and the emergency Rules contained in Chapters 2, 4, 8, 8C and 9 and shall, at all times, provide the Clearing House with access to its execution platform for risk management purposes.