

part of eex group



Outsourcing Notice of ECC Non-Clearing Members

Member Readiness
10.03.2021
Leipzig

Doc. T07
Ref. 007A

- only required as scan -

Preliminary remarks

Non-Clearing Members may transfer certain back office functions to its respective Clearing Member ("Outsourcing") using FIXML („Improved Outsourcing“). The transfer of back office functions within one legal entity (e.g. to a branch office) is not regarded as Outsourcing and does not require a notification of ECC. The term "Insourcer" refers to the Clearing Member that undertakes the aforementioned activities on behalf of the Outsourcing Non-Clearing Member ("Outsourcer").

Outsourcing is only possible regarding the following functions ("Back Office Functions") in their **entirety**:

- give-up/take-up of eligible trades
- position transfer
- exercises & assignments
- trade and position adjustments

A selection of individual functions is not possible.

The outsourcing as well as the insourcing company must nominate at least one person as an escalation contact (by stating telephone number, name, etc.), who is available during all trading hours, including the post-trading period. Each of the contact persons registered with ECC needs to have sufficient knowledge in the German and/or English language.

In order to affect the Outsourcing please take the following steps:

1. Fill in this form and sign it in a legally binding manner.
2. Send this application in scanned version to the following E-Mail address:

MemberReadiness@ecc.de Phone: +49 341 24680 261
--

NOTIFICATION

Outsourcing Non-Clearing Member

Company's name (NCM):	Member-ID: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
-----------------------	--

The following staff member of the Outsourcer will be available during all trading phases:

Mr/ Mrs	Contact Person (name, surname)	Telephone number	E-Mail

We hereby notify the Outsourcing of Back Office Functions to the following Clearing Member who will insource the Back Office functions:

Company's name (CM):	Member-ID: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
----------------------	--

The following staff member of the Insourcer will be available during all trading phases:

Mr/ Mrs	Contact Person (name, surname)	Telephone number	E-Mail

The outsourcing shall take effect on _____ after close of trading.

For the improved outsourcing the below user ID¹ is used:

I	O	U			
---	---	---	--	--	--

¹ For security reasons, ECC Member Readiness will set up a dedicated user ID prefixed with IOU, IOU001 for example, on behalf of the outsourcing member. This ID is solely used for the purposes of improved outsourcing.

We, the outsourcing Non-Clearing Member represent and warrant by way of an independent guarantee and irrespective of fault (selbständiges, verschuldensunabhängiges Garantieverprechen) that we have granted the Insourcer with a Power of Attorney (PoA) to perform the outsourced Back Office Functions for us and on our behalf in the clearing system of ECC. We will only revoke such PoA after we have notified ECC hereof and the exact date when such revocation will become effective.

Additionally, we confirm the following:

1. Notwithstanding the Outsourcing of Back Office functions we're main fully responsible towards ECC for the proper conduct of the outsourced functions.
2. The Outsourcing is in line with the legal requirements and regulations applicable to the Outsourcing and insourcing entities and our respective clearing agreements.
3. The orderly conduct of the outsourced Back Office Functions is ensured. The Insourcer has adequate resources and expertise. Concerning this matter, we have obliged the Insourcer in particular to keep customer related data confidential and protected and to use such customer related data only for the purpose of fulfilling the outsourced functions.
4. The Outsourcing is supervised by appropriate procedures documented in writing including audits on a regular basis at the Insourcer.

On behalf of the Outsourcing **Non-Clearing Member**:

PRIVACY NOTICE

The undersigned assures that he has fully informed the contact persons named in connection with the contract, the stock exchange membership relationship or other legal relationships about the transfer of their personal data and that he has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

Place	Date	Company stamp and legally binding signature(s) Signature(s): Name(s):
-------	------	---

We, the insourcing entity, confirm the notified Outsourcing.

On behalf of the Insourcing **Clearing Member**:

PRIVACY NOTICE

The undersigned assures that he has fully informed the contact persons named in connection with the contract, the exchange membership relationship or other legal relationships about the transfer of their personal data and that he has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

Place	Date	Company stamp and legally binding signature(s) Signature(s): Name(s):
-------	------	---