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### 3 Admission to Trading at Eurex Deutschland and Eurex Zürich

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#### 3.8 Market Surveillance

##### 3.8.1 Examinations Abroad

The Boards of Management of the Eurex Exchanges may avail themselves, pursuant to the rules of private law, of the services of the administrating and operating institution of Eurex Deutschland or Eurex Zürich in the fulfillment of their responsibility to monitor compliance with the Rules and Regulations of the Eurex Exchanges with respect to foreign Exchange Participants. The respective administrating and operating institutions of Eurex Deutschland and Eurex Zürich may at any time require any Exchange Participant to provide information and evidence necessary for the purpose of conducting its supervisory activities. The respective administrating and operating institutions of Eurex Deutschland and Eurex Zürich must ensure in a suitable manner, in particular through contractual arrangements to be entered into by them, that they may, either themselves or through suitable agents appointed by them (e.g., auditors), examine any or all business activities of an Exchange Participant with regard to compliance with the Rules and Regulations of the Eurex organization on the Eurex Exchanges.

The Board of Management of Eurex Deutschland or the administrating and operating institution of Eurex Deutschland shall use Eurex Zürich for the examination of any or all business activities of any Exchange Participant whose registered office is located in Switzerland and which is admitted to trading at Eurex Zürich with regard to compliance with the Eurex Rules and Regulations. The Board of Management of Eurex Zürich shall use Eurex Deutschland or the administrating and operating institution of Eurex Deutschland for the examination of any or all business activities of any Exchange Participant whose registered office is located in Germany and which is admitted to trading at Eurex Deutschland with regard to compliance with the Eurex Rules and Regulations.

The respective administrating and operating institutions of Eurex Deutschland or Eurex Zürich shall immediately inform the Board of Management of the Eurex Exchange which requested the examination with regard to compliance with the Eurex Rules and Regulations of the results of such examination.

##### 3.8.2 Information inquiry of the Surveillance Authorities

Information inquiries of the Trading Surveillance Office of Eurex Deutschland to Exchange Participants with domicile in Switzerland admitted for Trading at Eurex Deutschland and Eurex Zürich shall be addressed to the Surveillance Office of Eurex Zürich (Independent Surveillance Eurex) which transfers such inquiries on its behalf to a respectively concerned Exchange Participant and, in turn, transfers the received reply by the Exchange Participant to the Trading Surveillance Office of Eurex Deutschland. Information inquiries of the Independent Surveillance Eurex to Exchange Participants with domicile in Germany admitted at Eurex Zürich and Eurex Deutschland shall be addressed to the Trading Surveillance Office of Eurex Deutschland which transfers such inquiries on its behalf to a respectively concerned Exchange Participant and, in turn, transfers the received reply by the Exchange Participant to the Independent Surveillance Eurex.

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## 4 General Provisions

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### 4.9 Evaluation of Data and Publication of Turnover

Data and Information received from the EDP system of the Eurex Exchanges or, upon the instigation of the Eurex Exchanges, via separate technical connections, shall only be used by the Exchange Participants for own purposes of trade and settlement. A transmission of such data to third parties or a processing of the data received shall, to the extent that this is not necessary for trading at the Eurex Exchanges, not be permitted without the prior consent by the Boards of Management of the Eurex Exchanges; this shall also apply to any kind of commercial use of such data.

Any data entered by the Exchange Participants into the EDP system of the Eurex Exchanges as well as reports and information received by the Eurex Exchanges from the Exchange Participants shall be treated confidentially.

The Boards of Management of the Eurex Exchanges are authorized to publish turnover figures from options and futures trading or have these published. In addition thereto, they are authorized to make publications that serve the purpose of properly informing the public about market news. The identity of the individual Exchange Participants shall not be disclosed without their prior consent.

The provisions of subsection 4.10 shall remain unaffected thereby.

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