

ASX CLEAR (FUTURES) OPERATING RULES

PART 1 DEFINITIONS

Definitions

- 1.1 ...In the absence of a contrary definition in these Rules, words and expressions shall have the same meaning as in the Exchange Operating Rules.

Words

Meanings

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Allocation

~~An allocation of an Open Contract (other than an OTC Open Contract) or Market Contract (other than an OTC Transaction) as provided by the Exchange Operating Rules. The signification through the Exchange System that an Open Contract (other than an OTC Open Contract) is to be held in the name of another Clearing Participant.~~

Amended 01/07/13

Explanatory Note - The definition of "Allocation" has been amended to reflect that Allocation now occurs under FR 32 and therefore the primary definition should reside in the Futures Rules. Unlike the prior definition in the ASX 24 Rules, this definition recognises that Open Futures Contracts are Allocated by Clearing Participants (rather than Trading Participants).

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Buyer

- (a) In relation to a Market Contract, the Trading Participant who enters into the Market Contract as buyer or if such Trading Participant is a Non-Clearing Trading Participant, its Guarantor Clearing Participant ~~; or if prior to Registration that Market Contract is Allocated or deemed to be Allocated to another Exchange Participant as buyer in accordance with the Exchange Operating Rules and that Allocation is accepted or confirmed or deemed to be accepted or confirmed by that Exchange Participant, that Exchange Participant, or if that Exchange Participant is a Non-Clearing Trading Participant its Guarantor Clearing Participant.~~
- (b) In relation to an Open Contract the Clearing Participant in the buying position with respect to such Open Contract.
- (c) In relation to a Bond the Clearing Participant in the buying position.

- (d) In relation to a Repurchase Agreement the Clearing Participant in the buying position.

Amended 01/09/08

Explanatory Note - As Allocation now only occurs in respect of Open Contracts (i.e. contracts already registered and novated) the part of para (a) struck out is no longer relevant.

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Designate

The indication or designation by any means within the Exchange System that an Open Contract is either a House Position or a Client Position.

Explanatory Note - The definition of "Designate" has been amended to reflect that Futures Participants now designate Open Futures Contracts under FR 32 and therefore the primary definition should reside in the Futures Rules. Unlike the prior definition in the ASX 24 Rules, this definition recognises that Open Futures Contracts (rather than non-novated Market Contracts) are designated to House or Client Accounts.

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Guarantor Clearing Participant

A Clearing Participant who in accordance with Exchange Operating Rules is the guarantor of the Market Contracts of a Participant which is not a Clearing Participant ~~and who enters into or receives an Allocation of a Market Contract in accordance with Exchange Operating Rules.~~

Amended 04/12/02

Explanatory Note - As Allocation now occurs only in respect of Open Contracts (i.e. contracts already registered and novated) the part of the definition struck out is no longer relevant.

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Seller

- (a) In relation to a Market Contract the Trading Participant who enters into the contract as seller or if such Trading Participant is a Non-Clearing Trading Participant, its Guarantor Clearing Participant, ~~or if prior to Registration that Market Contract is Allocated or deemed to be Allocated to another Exchange Participant as seller in accordance with the Exchange Operating Rules and that Allocation is accepted or confirmed or deemed to be accepted or confirmed by that Participant, that Exchange Participant or if that Exchange Participant is a Non-Clearing Trading Participant, its Guarantor Clearing Participant.~~
- (b) In relation to an Open Contract the Clearing Participant in the selling position with respect to such Open Contract.
- (c) In relation to a Bond the Clearing Participant in the selling position.

- (d) In relation to a Repurchase Agreement the Clearing Participant in the selling position.

Amended 01/09/08

Explanatory Note - As Allocation now occurs only in respect of Open Contracts (i.e. contracts already registered and novated) the part of para (a) struck out is no longer relevant.

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PART 2 GENERAL

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Undertaking to Abide by the Rules

- 4.11 (a) ~~Subject to Rule 4.11(b), e~~ Each Clearing Participant agrees to be bound by the Rules in its dealings with ASX Clear (Futures) and with each other Clearing Participant and each Clearing Participant agrees that the provisions of the Rules shall be binding on the Clearing Participant as between the Clearing Participant and ASX Clear (Futures) and as between the Clearing Participant and every other Clearing Participant. Each Clearing Participant shall also comply in full with any undertaking given, or condition imposed by the Rules. Further, each Clearing Participant must comply with any condition imposed by ASX Clear (Futures) on the admission of a Participant.
- (b) [Deleted]
- (c) Clearing Participants shall lodge with ASX Clear (Futures) on request from time to time, an undertaking in the form required by ASX Clear (Futures) and to the effect set out in Rule 4.11(a) duly signed by the Clearing Participant.

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Explanatory Note - Amended to remove a cross-reference to para (b) that no longer exists. Paragraphs have not been renumbered as there are existing cross-references to various paragraphs in Guidance Notes 5 and 8.

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- 4.14 Subject to Rule 4.15 it shall be the responsibility of each Clearing Participant:

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- (ea) To:
- (i) ~~submit to~~ notify ASX Clear (Futures), in the manner and form set out in the Procedures, details of persons who are authorised by the Clearing Participant to:
- (A) sign documentation; and to
- (B) deal with clearing issues; and
- (C) access and perform actions through the Exchange System.

_____ in connection with the operation of its business as a Clearing Participant; and

- (ii) promptly notify ASX Clear (Futures) in the manner prescribed in the Procedures if any ~~of the person notified whose names are submitted~~ under this Rule 4.14(ea)(i) ceases to be authorised by the Clearing Participant to engage in the activities referred to in Rule 4.14(ea)(i) ~~sign the relevant documentation or to deal with clearing issues~~ or if any new person is given that authority.

ASX Clear (Futures) is entitled to rely on any authorisation or notification made by or on behalf of a Clearing Participant in accordance with this the list referred to in Rule 4.14(ea)(i) and the Procedures as updated from time to time under Rule 4.14(ea)(ii) as evidence that the relevant persons is whose names are on the list at any given time are authorised to engage in the activities for which that person has been authorised, including to sign on behalf of the Clearing Participant documentation on behalf of the Clearing Participant, presented to ASX Clear (Futures) or to deal with clearing issues, or access and perform actions through the Exchange System, in connection with the operation of its business as a Clearing Participant.

Nothing in this Rule 4.14(ea) limits the persons whom ASX is entitled to assume are authorised by the Clearing Participant to sign documentation, and to deal with clearing issues, or access and perform actions through the Exchange System, in connection with the operation of its business as a Clearing Participant or the operation of Rule 4.11A.

- (eb) To ensure that an authorised representative of the Clearing Participant (referred to in Rule 4.14(ea) is available to receive communications from other Clearing Participants or from ASX Clear (Futures) during the times set out in the Procedures;

Explanatory Note – ASXCLF is moving a number of existing workflows from paper forms to entries in the system. To reflect this the Authorised Signatory provisions have been updated. To align with other ASX rulebooks ASXCLF is proposing to introduce a requirement that an authorised representative is available as a contact during business hours.

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PART 3 REGISTRATION OF MARKET CONTRACTS AND OBLIGATIONS OF ASX CLEAR (FUTURES)

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31 Registration of a Market Contract with ASX Clear (Futures)

- 31.1 (a) A Market Contract Recorded by the Exchange, or a BRC transaction notified to ASX Clear (Futures) in accordance with the Procedures, shall be deemed to have been presented to ASX Clear (Futures) by the Buyer and Seller and shall be deemed to be registered with ASX Clear (Futures) at the time the Market Contract is Recorded by the Exchange or the BRC transaction is recorded in the clearing system utilised by ASX Clear (Futures) Exchange System. Only Clearing Participants shall be entitled to have Market Contracts registered in their name.

In this Rule 31:

- (i) A Market Contract Traded on the Trading Platform shall be deemed to be Recorded by the Exchange upon the Trading Platform producing a matched trade record of the Trade.
- (ii) A Market Contract Traded other than on the Trading Platform shall be deemed to be Recorded by the Exchange upon being recorded in the clearing system utilised by ASX Clear (Futures) Exchange System.
- (iii) A Market Contract will be Recorded by the Exchange on the day on which the Contract is Traded or in the case of Trades effected after the Close of Trading, on the next Business Day of the Exchange.

Explanatory Note:

~~For the purposes of Rule 31, the Exchange System is the clearing system utilised by ASX Clear (Futures).~~

- (ab) Where there is an objection to a Trade, a Market Contract Traded on the Trading Platform shall be deemed to be Recorded by the Exchange in substitution for the original recording where the Trade is Confirmed upon resolution of an objection in accordance with the Exchange Operating Rules.
- (b) The cancellation or amendment of a Market Contract under the Exchange Operating Rules, and any action taken by the relevant Trading Participants and the Exchange to give effect to the cancellation or amendment under those rules, is binding on any Clearing Participant which has clearing obligations for the relevant Market Contract and:
 - (i) if the Market Contract has not been registered, ASX Clear (Futures) will correct the error in the particulars of the Market Contract before it is registered; or
 - (ii) if the Market Contract has been registered, ASX Clear (Futures) will cancel the registration of each Open Contract arising under Rule 31.3 and, if ASX Clear (Futures) considers it appropriate, register in its place a corrected Market Contract. ASX Clear (Futures) will notify a Clearing Participant which has clearing obligations for the relevant Market Contract of the cancellation of the Market Contract and any corrected Market Contract in accordance with the Procedures.

ASX Clear (Futures) shall not be liable to any party as a result of any amendment or cancellation so made.

Explanatory Note – Para (a) amended to clarify that an off-market trade or BRC transaction shall be deemed to be registered with ASX Clear (Futures) when it is recorded in the clearing system. This clarification means that the explanatory note is now redundant. Para (b) amended to reflect that ASXCLF is moving a number of existing workflows from manual processes to system processes. This includes cancellations. ASXCLF will now notify a Clearing Participant which has clearing obligations for a cancelled trade through the new system.

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- 31.3 ~~(a)~~—Upon and by virtue of registration with ASX Clear (Futures), a Market Contract shall be extinguished and two new contracts which shall be binding on ASX Clear (Futures) and Clearing Participants, shall come into existence:

- (a) an Open Contract between ASX Clear (Futures) and the Buyer in terms identical to the Market Contract except that ASX Clear (Futures) shall have the rights and obligations as seller; and
- (b) an Open Contract between ASX Clear (Futures) and the Seller in terms identical to the Market Contract except that ASX Clear (Futures) shall have the rights and obligations of buyer.

—The terms of each Open Contract shall be subject to these Rules.

Introduced 04/12/02 Amended 16/02/26

Explanatory Note - Amended to fix formatting.

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32 Allocation and Designation of Open Contracts

Action by Clearing Participant on Open Contracts recorded in the Exchange System

32.1 Where an Open Contract is recorded in the Exchange System in the name of a Clearing Participant, the Clearing Participant shall, by the time prescribed in the Procedures:

- (a) Designate the Open Contract in the Exchange System to its House Clearing Account or Client Clearing Account; or
- (b) Allocate the Open Contract to another Clearing Participant entitled to receive Allocations (the Allocated Clearing Participant).

Where a Non-Clearing Trading Participant executes a Market Contract under the Exchange Rules, the registration of which gives rise to an Open Contract, such Open Contract shall be recorded in the Exchange System in the name of the Guarantor Clearing Participant of that Non-Clearing Trading Participant.

An Open Contract that is not Designated or Allocated and accepted by the Allocated Clearing Participant by the time prescribed in the Procedures shall, subject to any provision of the Rules, be deemed to have been Designated to the House Clearing Account of the Clearing Participant in whose name the Open Contract is recorded or deemed to have been recorded in the Exchange System.

Amended 16/02/26

32.1AA A Guarantor Clearing Participant may grant access to the Exchange System to a Non-Clearing Trading Participant for the purposes of Allocating Open Contracts where the conditions prescribed in the Procedures are satisfied.

Introduced 16/02/26

32.1A Notwithstanding Rule 32.1, where a Non-Clearing Trading Participant has been granted access to the Exchange System by their Guarantor Clearing Participant for the purpose of Allocating Open Contracts in accordance with Rule 32.1AA, and an Open Contract resulting from the registration of a Market Contract executed by the Non-Clearing Trading Participant is recorded in the Exchange System in the name of their Guarantor Clearing Participant, the Guarantor Clearing Participant shall not be obliged to Designate or Allocate the Open Contract in accordance with Rule 32.1. However, the Non-Clearing Trading Participant must Allocate the Open Contract in accordance with the Exchange Rules and the consequence of an

Allocated Clearing Participant accepting the Allocation of the Open Contract will be as set out in Rule 32.1C. Should the Non-Clearing Trading Participant fail to Allocate the Open Contract in accordance with the Exchange Rules or the Allocated Clearing Participant not accept the Allocation by the time prescribed in the Procedures, the Open Contract will be deemed to be Designated to the House Clearing Account of the Non-Clearing Trading Participant's Guarantor Clearing Participant.

Introduced 16/02/26

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33 Transfer of Open Contracts to another Clearing Participant

33.1 Subject to Rule 117, ASX Clear (Futures) may:

- (a) upon the request of a Clearing Participant and the consent of the Relevant Exchange; or
- (b) where provided in the operating rules of a Relevant Exchange, at the direction of the Relevant Exchange; or
- (c) pursuant to Part 7 or Part 8 of the Rules,

transfer an Open Contract held in the name of a Clearing Participant (the Transferor Clearing Participant) to another Clearing Participant (the Transferee Clearing Participant).

Amended 16/02/26

33.2 ASX Clear (Futures) may in its absolute discretion decline to effect a transfer without giving any reason.

Amended 16/02/26

33.3 A Transfer may be made subject to the Transferor Clearing Participant and Transferee Clearing Participant complying with the requirements prescribed in the Procedures and any conditions imposed by ASX Clear (Futures) including the deposit of Margin, cash, securities, collateral or property by either or both of the Transferor and Transferee Clearing Participant or any other party.

33.4 The Transfer shall be effected in such manner and at such time as ASX Clear (Futures) determines and shall be subject to the acceptance of the Transferee Clearing Participant. For the purposes of determining the terms of the Open Contract to be transferred the determining time shall be the time of acceptance. A transfer will be effected at the Daily Settlement Price unless ASX Clear (Futures) determines otherwise.

33.5 Upon the Transferee Clearing Participant accepting the Transfer in the manner prescribed in the Procedures the Open Contract between the Transferor Clearing Participant and ASX Clear (Futures) shall be extinguished and a new Open Contract will come into existence between ASX Clear (Futures) and the Transferee Clearing Participant to which the Open Contract has been transferred on the same terms as the extinguished Open Contract.

Amended 16/02/26

Explanatory Note – For FR 33.3, the new System will require Clearing Participants to note in an explanatory field that there is no change in the beneficial owner. This is a hook for the Procedures to require that. For FR 33.4, the price at which transfers will be effected is being clarified.

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PART 9 MISCELLANEOUS PROVISIONS

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97 ASX Clear (Futures) Reports

- 97.1 ASX Clear (Futures) shall ~~provide~~issue to Clearing Participants ~~a daily registration statement and shall provide~~ such reports and other statements as to Open Positions of the Clearing Participant and/or financial dealings between the Clearing Participant and ASX Clear (Futures) as is prescribed in the Procedures.

Amended 16/02/26

- 97.2 To the extent that the Client Protection Model Provisions apply to a Client, ASX Clear (Futures) shall provide the relevant Clearing Participant and:
- (a) each Client for whom ASX Clear (Futures) maintains an Individual Sub Account within a Clearing Participant's Client Clearing Account; or
 - (b) if a Nominated Person has been notified to ASX Clear (Futures) in relation to that Individual Sub-Account, such Nominated Person,

with such statements as to Open Positions of the Client or other reports as is prescribed in the Procedures.

Introduced 11/02/14 Amended 16/02/26

<i>Explanatory Note – ASXCLF will be changing the reports that it provides to Participants and requires more flexibility to add to these reports over time.</i>

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PART 10 CLIENT PROTECTION MODEL PROVISIONS

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117 Transfer

- 117.1 If a Person is a Client of two Clearing Participants and that Client and those two Clearing Participants have agreed that Open Positions recorded in a Client Sub-Account (which may be an Individual Sub-Account or an Omnibus Sub-Account, as agreed between the parties) for that Client with one of those Clearing Participants will be transferred by ASX Clear (Futures) to another Client Sub-Account for that Client with the other Clearing Participant then the transfer may be initiated receiving Clearing Participant will notify ASX Clear (Futures) of the Open Positions to be transferred in accordance with the Procedures.

This applies regardless of whether a Nominated Person has been notified to ASX Clear (Futures) with respect to any Client Sub-Account.

Amended 16/02/26

- 117.2 Each Clearing Participant is required to implement and follow internal processes designed to assist the Clearing Participant with considering a Client's request to

transfer Open Positions held with that Clearing Participant to another Clearing Participant. Each Clearing Participant agrees to follow those processes where its Client requests a transfer of Open Positions held with that Clearing Participant.

Amended 16/02/26

117.3 If:

- (a) ASX Clear (Futures) has been notified of Open Positions which are to be transferred;
- (b) ASX Clear (Futures) has not been notified by either Clearing Participant that the Client has defaulted or is insolvent or bankrupt;
- (c) neither Clearing Participant is in Default;
- (d) ASX Clear (Futures) is satisfied that it has received sufficient margin from the receiving Clearing Participant in order to enable the transfer; and
- (e) ASX Clear (Futures) has not determined (in its sole discretion) that the transfer should not be effected,

then the transfer is to be effected between the Client Sub-Accounts of the Clearing Participants in respect of such Client in accordance with, and subject to, these Rules and the Procedures. Each of the Clearing Participants agree to take such actions and provide such information as is needed to effect the transfer under these Rules.

Explanatory Note

Provided that sufficient Margin has been provided and ASX Clear (Futures) agrees to such transfer, absent a default of either the Client or the relevant Clearing Participants, the transfer of such Open Positions will be effected by ASX Clear (Futures) in accordance with this Rule 117, Rule 33.5, OTC Rule 4.13 and the Procedures and the OTC Handbook, as applicable. Each of the Clearing Participants is required to take such action or provide such information as may be required by ASX Clear (Futures) in order to effect such transfer of Open Positions.

Amended 16/02/26

117.4 If a Client and its Clearing Participant have agreed that Open Positions recorded in a Client Sub-Account (which may be an Individual Sub-Account or an Omnibus Sub-Account as agreed between the parties) for that Client with that Clearing Participant will be transferred by ASX Clear (Futures) to another Client Sub-Account for that Client with that Clearing Participant then the Clearing Participant will notify ASX Clear (Futures) of the Open Positions to be transferred in accordance with the Procedures.

If:

- (a) ASX Clear (Futures) has been notified of Open Positions which are to be transferred;
- (b) ASX Clear (Futures) has not been notified by the Clearing Participant that the Client has defaulted or is insolvent or bankrupt;
- (c) the Clearing Participant is not in Default; and
- (d) ASX Clear (Futures) has not determined (in its sole discretion) that the transfer should not be effected,

then the transfer is to be effected between the Client Sub-Accounts of the Clearing Participant in respect of such Client in accordance with, and subject to, these Rules and the Procedures. The Clearing Participant agrees to take such actions and provide such information as is needed to effect the transfer under these Rules.

Amended 16/02/26

Explanatory Note – The workflow for transfers is changing from paper to system based. This is reflected in the amended rule and corresponding procedure.

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ASX CLEAR (FUTURES) OPERATING RULES PROCEDURES DETERMINATIONS AND PRACTICE NOTES

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PART 2 – GENERAL

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Rule 4.14(ea) Authorised representatives~~List of Authorised Signatories~~

~~A Clearing Participant must submit to ASX Clear (Futures) a list of persons authorised by the Clearing Participant to sign documentation and to deal with clearing issues in connection with the operation of its business as a Clearing Participant in such form and manner as may be prescribed by ASX Clear (Futures) from time to time.~~ (a) A notification under Rule 4.14(ea)(i) and (ii) may be made:

- (i) using a form approved by ASX Clear (Futures);
- (ii) by electronic communication in a manner approved by ASX Clear (Futures);
- (iii) through the Exchange System; or
- (iv) in any other manner approved by ASX Clear (Futures).

(b) A Clearing Participant must ensure that any information provided under this Procedure is complete, accurate and current.

(c) ASX Clear (Futures) may act on any notification received under this Procedure until it receives notice of a change to that notification.

(d) For the avoidance of doubt, a person who has been granted access rights, permissions or roles through the Exchange System in accordance with this Procedure is taken to have been authorised by the Clearing Participant to perform the actions permitted by those access rights, permissions or roles.

Introduced 15/06/15

Rule 4.14(eb) Availability of authorised representatives

An authorised representative of the Clearing Participant (referred to in Rule 4.14(ea)) must be available to receive communications from other Clearing Participants or from ASX Clear (Futures) from 6.30am until 6.30pm (Sydney time) on each Business Day.

Explanatory Note – ASXCLF is moving a number of existing workflows from paper forms to entries in the system. To reflect this the Authorised Signatory provisions have been updated. To align with

other ASX rulebooks ASXCLF is proposing to introduce a requirement that an authorised representative is available as a contact during business hours.

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PART 2 – GENERAL

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Rule 16 Use of Exchange Systems

Rule 16 applies to all Clearing Participants in relation to all systems of ASX Clear (Futures) provided those systems have been approved by ASX Clear (Futures) pursuant to the Rule.

~~The approvals given to date are in respect of:~~

- ~~• GENIUM INET Eclipse Clearing software and supporting equipment provided for use by or on behalf of ASX Clear (Futures).~~
- ~~• Calypso software provided for use by Calypso Technology Inc.~~

Where, in future, new systems are developed necessitating the granting of software licences and supply of equipment to Clearing Participants, this software and equipment will be approved by ASX Clear (Futures) pursuant to this Rule for application to all Clearing Participants. Details will be set out here and by means of a notice.

Amended 01/07/13, 19/05/14

Explanatory Note – Updated to remove the names of the clearing systems.

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PART 3 – REGISTRATION OF MARKET CONTRACTS & OBLIGATIONS OF ASX CLEAR (FUTURES)

Rule 31 Registration of a Market Contract with ASX Clear (Futures)

For the purposes of Rule 31.1(b), ASX Clear (Futures) will notify a Clearing Participant of the cancellation and correction (if applicable) of a Market Contract for which it had clearing obligations through the Exchange System.

For the purposes of Rule 31.1(d) the manner of presentation shall be the lodgement with the Relevant Exchange for presentation to ASX Clear (Futures) of a form (signed by the relevant parties) as determined by the Relevant Exchange and ASX Clear (Futures) from time to time.

Introduced 16/02/26

Explanatory Note – ASXCLF is moving a number of existing workflows from manual processes to system processes. This includes cancellations. ASXCLF will now notify a Clearing Participant which has clearing obligations for a cancelled trade through the new system.

Rule 32 Allocation and Designation of Contracts

For the purposes of Rule 32 the following are the times to Designate and Allocate:

Session	Designation and Allocation out	Allocations In and final Designations
Overnight – Overnight Options	9.00 am	9.30 am
End of Day	6.00 pm	6.30 pm
NZ	4.00 pm (Sydney time)	4.30 pm (Sydney time)

Outside of the prescribed times, Clearing Participants should promptly Designate or Allocate upon receipt of a valid client instruction (where the Exchange Systems are available).

For the purpose of Rule 32.1AA, the conditions are that ASX Clear (Futures) provides written consent to the arrangement (such consent may be withdrawn at any time) and the Non-Clearing Trading Participant must execute an agreement with ASX Clear (Futures) in the prescribed form.

Explanatory Note

If an Open Contract has been Allocated to a Clearing Participant in accordance with Rule 32.1 (the Initial Allocation), the Clearing Participant may Allocate (rather than Transfer) the Open Contract to another Clearing Participant (the Allocated Clearing Participant) under Rule 32.1B, provided that the acceptance of such further Allocation by the Allocated Clearing Participant occurs on or before the earlier of three Business Days after the Initial Allocation or the last trading day of the Contract.

Introduced 16/02/26

Explanatory Note – It is considered more appropriate to apply a three Business Day requirement for further Allocation after an Initial Allocation given the importance of Allocating in a timely manner.

Rule 33 Transfer of Open Contracts to another Clearing Participant

Requirements for Transfers

For the purposes of Rule 33.3, the Transferor Clearing Participant and Transferee Clearing Participant must confirm in the Exchange System that the transfer will not result in a change in the beneficial owner of the Open Contract.

Acceptance of Transfers

For the purposes of Rule 33.5, a transfer ~~iss shall be~~ accepted by confirmation in the Exchange System by written advice to ASX Clear (Futures) to that effect signed by the Transferee Clearing Participant or by such other means as ASX Clear (Futures) may allow.

Introduced 16/02/26

Explanatory Note – These changes to the Procedures reflect changes to the System and workflows. For FR 33.3, the new System will require Clearing Participants to note in an explanatory field that there is no change in the beneficial owner. For FR 33.5, acceptance of a transfer will occur in the System rather than via a paper form.

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PART 4 – ACCOUNTS, MARGINS, POSITION REPORTING, CLOSE OUT AND DAILY SETTLEMENT

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Rule 46A Position Reporting

For the purposes of Rule 46A, a Clearing Participant must supply the following Daily Beneficial Ownership Reports (DBOR) to ASX Clear (Futures) in relation to all Open Positions.

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2. Exceptions to Beneficial Owner reporting

Clearing Participants are obligated to provide information regarding the identity of the Beneficial Owners, and if required the DBOR Controllers, of DBOR Open Positions in the time (8:00am on every Business Day) and manner set out in this Procedure unless one of the following exceptions is applicable:

(a) Undisclosed Accounts

In the event an exceptional circumstance arises whereby a Clearing Participant is prevented from providing the identities of the Beneficial Owner(s) of and/or DBOR Controllers of DBOR Open Positions in an account to ASX Clear (Futures) the Clearing Participant may include the account in the DBORs as an undisclosed account for the purpose of compliance with Rule 46A subject to the following conditions being satisfied:

- (i) the Clearing Participant has received a written request from the client seeking an exemption from having to provide the identity of the Beneficial Owner(s) of the DBOR Open Positions to the Clearing Participant together with an explanation as to why the exemption is necessary;
- (ii) the Clearing Participant has received a written acknowledgement from the client acknowledging that notwithstanding this exemption they are required to provide the identity of the Beneficial Owner(s) of the DBOR Open Positions to ASX Clear (Futures) upon request in the manner and time prescribed;
- (iii) the Clearing Participant has recorded the undisclosed~~confidential~~ account in reporting to ASX Clear (Futures) under the 'omnibus field'; and
- (iv) the Clearing Participant has ensured that it has established a basis to obtain information relating to the identity of Beneficial Owner(s) of DBOR Open Positions in an undisclosed account upon request by ASX Clear (Futures). This may include requiring the client to provide the information directly to ASX Clear (Futures) in order to preserve confidentiality.

In relying on this exception, the Clearing Participant acknowledges that ASX Clear (Futures) may impose additional terms and conditions on the use of this provision or otherwise direct the Clearing Participant to cease relying on this provision for one or more DBOR Open Positions in an

account. Any failure of the Clearing Participant to comply with any terms, conditions or directions imposed by ASX Clear (Futures) will constitute a breach of the Rules.

Explanatory Note - Amended to correct typographical error.

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PART 5 – OPTIONS

Rule 52 Exercise and Abandonment of Options

For the purposes of Rule 52.2(b) the prescribed circumstances are those circumstances specified in the Exchange Operating Rules.

For the purposes of Rule 52.3 Exercise Requests and/or Deny Automatic Exercise Requests must be submitted in [EclipseGenium](#).

Introduced 16/02/26

Explanatory Note – Updated to reflect new clearing system name.

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PART 9 – MISCELLANEOUS PROVISIONS

Rule 97 ASX Clear (Futures) Reports

Rule 97.1

In accordance with Rule 97.1 ASX Clear (Futures) will provide Clearing Participants in relation to Open Positions held in relation to the Exchange with [a Financial Status Advice, a Daily Position and Trades Report, and such other reports and information as determined by ASX Clear \(Futures\) from time to time.](#)

~~the following Reports:~~

~~(A) AUD Denominated Contracts~~

~~DAILY~~ ~~_____~~ ~~Daily Registration Statement~~
~~_____~~ ~~Position Summary~~
~~_____~~ ~~Daily Margin Summary~~
~~_____~~ ~~Financial Status Advice~~
~~_____~~ ~~Exchange Fees Daily Statement~~
~~_____~~ ~~Allocations sent and received~~
~~MONTHLY~~ ~~_____~~ ~~Fees Interest and Commissions Statements~~

~~All these documents will be issued separately in respect of a Participants House Clearing Account and Client Clearing Account.~~

~~(B) Bond and Repurchase Clearing~~

~~DAILY~~ ~~_____~~ ~~Daily Net Settlement Report~~
~~_____~~ ~~Interest Earned Statement~~

	Financial Status Advice
	Open Positions Report
	Daily Novated Trades Report
	Daily Fees Statement
	Coupon Report
	Same Day Novated Trades Report
	Same Day Net Settlement Report
	Margin Detail Report
	BRC Variation Margin Reconciliation Report
	Repo Volume Reconciliation Report
MONTHLY	Fees Interest and Commissions Statements
(C)	NZD Denominated Contracts
DAILY	Daily Registration Statement
	Position Summary
	Daily Margin Summary
	Financial Status Advice
	Exchange Fees Daily Statement
	Allocations sent and received
MONTHLY	Fees Interest and Commissions Statements

Reports ~~All these documents~~ will be issued separately in respect of a Participant's House Clearing Account and Client Clearing Account.

Introduced 16/02/26

Explanatory Note – ASXCLF will be changing the reports that it provides to Participants and requires more flexibility to add to these reports over time.

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PART 10 – CLIENT PROTECTION MODEL PROVISIONS

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Rule 117 Transfer

The transfer of eligible Open Positions of a Client recorded in a Client Sub-Account of a Clearing Participant (**Transferring Clearing Participant**) to another Client Sub-Account for that Client with another Clearing Participant (**Receiving Clearing Participant**) in accordance with Rule 117 (each a **Transferring Open Position**) will be effected by ASX Clear (Futures) in accordance with the following procedures:

- (a) the Transferring Clearing Participant must submit, through the Exchange System, the details of each Transferring Open Position proposed to be transferred and confirm in the Exchange System that the transfer will not result in a change in the beneficial owner of each Transferring Open Position;
- (b) the Receiving Clearing Participant must confirm, through the Exchange System, its acceptance of the transfer of each Transferring Open Position and that the

transfer will not result in a change in the beneficial owner of each Transferring Open Position;

(c) by submitting or confirming a transfer in the Exchange System, each of the Transferring Clearing Participant and Receiving Clearing Participant represents and warrants to ASX Clear (Futures) that the Client has consented to the transfer;

(d) ASX Clear (Futures) may rely on the representation in paragraph (c) and is not required to verify that the Client has consented to the transfer;

(e) following confirmation by the Receiving Clearing Participant, the transfer details will be submitted to ASX Clear (Futures);

~~(a) — the Client, Transferring Clearing Participant and Receiving Clearing Participant must consent to the transfer of the relevant eligible Open Positions from the Transferring Clearing Participant to the Receiving Clearing Participant. ASX Clear (Futures) will treat the consent of the Transferring Clearing Participant as also constituting consent provided on behalf of the Client;~~

~~(b) — the Receiving Clearing Participant must submit the details of each Transferring Open Position to ASX Clear (Futures);~~

~~(f) ASX Clear (Futures) will run a series of eligibility and other checks in connection with the Transferring Open Positions in accordance with its internal processes;~~

~~(g) following the successful completion of the eligibility and other checks, ASX Clear (Futures) will effect the transfer of the Transferring Open Positions:~~

~~(i) in respect of Transferring Open Positions which are OTC Open Positions, during its usual end-of-day process prior to the calculation of any Variation Margin; or~~

~~(ii) in respect of Transferring Open Positions which are held in relation to Futures Contracts, immediately following the successful completion of the eligibility and other checks; and~~

~~(h) provided that ASX Clear (Futures) has received any additional margin (if required) from the Receiving Clearing Participant, each Transferring Open Position will be recorded in the relevant Client Sub-Account for the Client with the Receiving Clearing Participant.~~

Following completion of the transfer process the details of each Transferring Open Position which has been transferred from the Transferring Clearing Participant to the Receiving Clearing Participant will be available to view in the Exchange System.

~~ASX Clear (Futures) will provide the details of each Transferring Open Position which has been transferred to the Receiving Clearing Participant to the Transferring Clearing Participant and the Receiving Clearing Participant.~~

If a Client and its Clearing Participant have agreed that Open Positions recorded in a Client Sub-Account (which may be an Individual Sub-Account or an Omnibus Sub-Account as agreed between the parties) for that Client with that Clearing Participant will be transferred by ASX Clear (Futures) to another Client Sub-Account for that Client with that Clearing Participant then transfer will be effected in accordance with the procedures set out above as if the Clearing Participant was both Transferring Clearing Participant and Receiving Clearing Participant.

Introduced 11/02/14 Amended 16/02/26

Explanatory Note – The workflow for transfers is changing from paper to system based. This is reflected in the amended rule and corresponding procedure.

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ASX 24 OPERATING RULES

SECTION 1 ACCESS TO THE MARKET

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TRADING

- [1100] Trading Messages may only be submitted into a Trading Platform by a Trading Participant in accordance with an appropriate Trading Permission.

Products

- [1110] A Trading Participant may apply for, and the Market Operator may give to a Trading Participant, a Trading Permission in respect of one or more Products if the Market Operator considers it appropriate and is satisfied that the applicant will have in place and maintain adequate clearing and settlement arrangements in accordance with Rule [1000](q) for those products and have the technical capacity and knowledge required to exercise the Trading Permission for those Products and will meet any other requirement set out in the Procedures.

Amended 20/03/17

Trading Platform

- [1120] A Trading Participant may apply for, and the Market Operator may give to a Trading Participant, Trading Permission in respect of one or more parts of the Trading Platform if the Market Operator considers it appropriate and is satisfied that the applicant will have in place and maintain the technical capacity and knowledge required to exercise the Trading Permission and will meet any other requirements set out in the Procedures.

Amended 20/03/17

Capacity

- [1130] Subject to the Market Operator's powers under Rule [3130], a Trading Participant may apply for a Trading Permission for a level of Throughput Capacity as set out in the Procedures.

Amended 20/03/17

Client Access

- [1140] A Trading Participant may apply for, and the Market Operator may give to a Trading Participant, Trading Permission to provide client access if the Market Operator considers it appropriate to give the Trading Permission and is satisfied that the applicant will have in place and maintain the required standards to exercise the Trading Permission and will meet any other requirements set out in the Procedures. Any Trading Messages submitted pursuant to this Trading Permission are considered to be submitted by the Trading Participant.

Amended 20/03/17

Explanatory Note - Amended to fix typographical error.

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USE OF MARKET OPERATOR SYSTEMS

[1700] A Trading Participant that uses Market Operator Software and Market Operator Equipment is governed by the terms of usage set out in the Procedures.

Amended 20/03/17

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1700.3 Terms Relating to Both Licensed Software and Market Operator Equipment

...

(d) Suspension of Licence

The Market Operator may suspend a Participant's access to the Market Operator System in the event that:

- (i) the Trading Participant's Participant status or trading rights have been suspended under these Rules; ~~or~~
- (ii) in the opinion of the Market Operator, a physical emergency (as described in these Rules) occurs and the Market Operator determines that such suspension is necessary to deal with the emergency;
- (iii) except where such amount is disputed in good faith, and without prejudice to any other rule relating to rights for late payment of fees in these Rules, the Trading Participant fails to pay the Trading Infrastructure Fee or the Support Fee within 30 days of the due date where the Market Operator has issued a notice in writing to that effect to the Trading Participant requiring payment, the Trading Participant has failed to pay the amount set out in that notice within thirty days, the Market Operator has issued a second notice, the Trading Participant has failed to pay the amount set out in the Market Operator's second notice within a further seven days and the total amounts referred to in the second notice exceed 25% of the total amount due under that invoice; ~~or-~~
- (iv) ~~T~~the Market Operator reasonably believes that such suspension is necessary to:
 - (a) comply with any applicable law or direction by a regulatory authority;
or
 - (b) protect the security, integrity or availability of the Market Operator System.

Explanatory Note - Amended to fix punctuation for clarity.

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SECTION 3 TRADING RULES

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REGISTRATION WITH THE APPROVED CLEARING FACILITY, ALLOCATION AND DESIGNATION

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Procedure 3713—Time to designate and allocate

The times to designate and allocate are set out in the Clearing Rules.

Amended 15/06/15, 20/03/17, 16/02/26

Explanatory Note - Amended to remove a Procedure that cross refers to a rule that was deleted as part of the DBOR package.

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SECTION 7 DEFINITIONS AND INTERPRETATION

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DEFINITIONS

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“Allocation or Allocated”- has the meaning set out in the Clearing Rules means the signification through the Relevant Clearing System that the bought or sold side of a Futures Contract or Option Contract is to be held in the name of another Trading Participant.

Explanatory Note - The definition of “Allocation” has been amended to reflect that Allocation now occurs under FR 32 and therefore the primary definition should reside in the Futures Rules.

...

“Confirmation or Confirmed” means the confirmation that the bought or sold side of a Futures Contract or Options Contract has been:

(a) entered, acquired or disposed of by a Trading Participant;~~or~~

(b) accepted by Allocation from a Trading Participant.

Explanatory Note - The amendment to “Confirmation or Confirmed” reflects that Allocation is a Clearing Participant activity that now occurs under FR 32 and para (b) is therefore not relevant. The term is only used in ASX 24 Rules [3706] and [3707] and FR 31.1(ab).

...

“Designate”- has the meaning set out in the Clearing Rules~~means the indication or designation by any means within the Clearing System that the trade is either a House Trade or a Client Trade.~~

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Explanatory Note - The definition of “Designate” has been amended to reflect that Designation now occurs under FR 32 and therefore the primary definition should reside in the Futures Rules. It is only used in [3709].

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