

VIA CFTC PORTAL

08 September 2021

Mr. Christopher Kirkpatrick
Commodity Futures Trading Commission
1155 21st Street NW
Three Lafayette Centre
Washington, DC 20581

LCH Limited Self-Certification: Extension of SwapClear Business Hours

Dear Mr. Kirkpatrick,

Pursuant to Commodity Futures Trading Commission (“CFTC”) Regulation §40.6(a), LCH Limited (“LCH”), a derivatives clearing organization registered with the CFTC, is submitting for self-certification revisions to its rules related to extension of the opening hours for the SwapClear Service.

Part I: Explanation and Analysis

LCH is revising its rules in order to extend the opening hours of the SwapClear Service. The extension of the opening hours for the SwapClear Service will occur in phases. These rule changes are the first phase. There are also minor amendments to simplify the wording relating to opening hours and days. These revisions are in Section 2C (SwapClear Clearing Service) of the LCH Procedures (“Procedures”) and Section 2 (SwapClear) of the LCH FCM Procedures (“FCM Procedures”).

Part II: Description of Rule Changes

The following is a summary of the revisions to be made to the Procedures and FCM Procedures.

Procedures

- Update wording to clarify that SwapClear Transactions presented to LCH for clearing via an Approved Trade Source System will (subject to all requirements prescribed by LCH being met) be cleared by the SwapClear clearing system to create two SwapClear Contracts (or one SwapClear Contract and one FCM SwapClear Contract) (Section 1.1.1)

- Specify that the SwapClear Service will be open every day, except weekends, Christmas Day, New Year's Day and Good Friday¹, rather than rely on a published circular (Section 1.2.1)
- Revise the opening hours to provide that the SwapClear Service will be operational on each business day that is (a) a Monday from 02:00 London time to 19:00 New York time; and (b) not a Monday from 06:00 London time to 19:00 New York time. LCH will continue to accept Necessary Consents until one minute after closure of the SwapClear Service. Additionally, the SwapClear Service may, in LCH's absolute discretion, be operational beginning (a) 00:00 London time on a business day that is a Monday (Section 1.2.2); or (b) 04:00 London time on a business day that is not a Monday.
- Clarify rules related to SwapClear Contracts denominated in Israeli Shekel to confirm that LCH will not recognize Sunday as a Business Day for the purposes of the SwapClear Contract Terms (Section 1.2.3)
- Remove Schedule 1 (SwapClear Processing Schedule) as content is redundant with rule text

FCM Procedures

- Update wording to clarify that FCM SwapClear Transactions presented to LCH for clearing via an FCM Approved Trade Source System will (subject to all requirements prescribed by LCH being met) be cleared by the FCM SwapClear clearing system to create two FCM SwapClear Contracts (or one FCM SwapClear Contract and one SwapClear Contract) (Section 2.1.1)
- Specify that the FCM SwapClear service will be open every day, except weekends, Christmas Day, New Year's Day and Good Friday², rather than rely on a published circular (Section 2.1.2(a))
- Revise the opening hours to provide that the FCM SwapClear service will be operational on each Business Day that is (A) a Monday from 02:00 London time to 19:00 New York time; and (B) not a Monday from 06:00 London time to 19:00 New York time. LCH will continue to accept FCM Acceptances until one minute after closure of the FCM SwapClear service. Additionally, the FCM SwapClear service may, in LCH's absolute discretion, be operational beginning (a) 00:00 London time on a Business Day that is a Monday (Section 2.1.2(b)), or (b) 04:00 London time on a Business Day that is not a Monday
- Clarify rules related to FCM SwapClear Contracts denominated in Israeli Shekel to confirm that LCH will not recognize Sunday as a Business Day for the purposes of the FCM SwapClear Contract Terms (Section 2.1.2(c))
- Remove Schedule 2.1A (SwapClear Processing Schedule) as content is redundant with rule text

The changes to the rules are included as **Appendices I and II** in black line form. The changes will be effective not earlier than September 27, 2021.

Part III: Core Principle Compliance

LCH reviewed the proposed rule changes against the requirements of the Core Principles and finds it will continue to comply with all requirements and standards set forth therein. Specifically, this rule change has potential relevance to Core Principle L (Public Information).

¹ While the SwapClear Service is generally closed on Good Friday, LCH may, by prior written notice to SwapClear Clearing Members, open the SwapClear Service on such day, in which case it will be a business day.

² While the FCM SwapClear service is generally closed on Good Friday, LCH may, by prior written notice to FCM Clearing Members within such service, open the FCM SwapClear service on such day, in which case it will be a Business Day.

The changes described in this filing ensure that LCH meets the objectives of Core Principle L, including that, in addition to the specified requirements of §39.21, LCH make available any information that is relevant to participation in the clearing and settlement activities of LCH. LCH considered its public information requirements and believes continuing to include its revised business hours in its Procedures and FCM Procedures maintains its compliance with Core Principle L. The changes provided for in this submission will be included in LCH's publicly available Procedures and FCM Procedures. As a result, LCH believes these changes are consistent with the requirements of Core Principle L on Public Information under CFTC regulation §39.21.

Part IV: Public Information

LCH has posted a notice of pending certification with the CFTC and a copy of the submission on LCH's website at: <https://www.lch.com/resources/rulebooks/proposed-rule-changes>.

Part V: Opposing Views

There were no opposing views expressed to LCH by governing board or committee members, members of LCH or market participants that were not incorporated into this proposal.

Certification

LCH hereby certifies to the CFTC, pursuant to the procedures set forth in CFTC Regulation §40.6, that the attached submission complies with the Commodity Exchange Act, as amended, and the regulations promulgated thereunder.

Should you have any questions please contact me at julian.oliver@lch.com.

Yours sincerely,



Julian Oliver
Chief Compliance Officer
LCH Limited

Appendix I
Procedures Section 2C (SwapClear Clearing Service)
Changed Pages



LCH LIMITED

PROCEDURES SECTION 2C

SWAPCLEAR CLEARING SERVICE

1. SWAPCLEAR CLEARING SERVICE

1.1 The Clearing Process

The SwapClear Service is an interface that processes and stores all SwapClear Transactions received from an Approved Trade Source System.

SCMs are Clearing Members who have applied and have been accepted by the Clearing House to clear in the SwapClear Service. SwapClear Dealers are not Clearing Members but have met the criteria for registration as a SwapClear Dealer and have entered into a SwapClear Dealer Clearing Agreement with an SCM and the Clearing House. Subject to obtaining approval from the Clearing House's Onboarding Department, an SCM may offer certain SwapClear Client Clearing Services to SwapClear Clearing Clients. SwapClear Client Clearing Services are provided to SwapClear Clearing Clients through an Individual Segregated Account, an Indirect Gross Account, a Custodial Segregated Account or an Omnibus Segregated Account. SCMs should contact the Clearing House's Onboarding Department for further details of the SwapClear Client Clearing Service and the Clearing House's approval process (+44 (0)20 7426 7949; onboarding@lch.com).

An SCM Branch must always be the same legal entity as the SCM and, subject to authorisation by the Clearing House, it may present SwapClear Transactions to the Clearing House, for registration as SwapClear Contracts in the name of the SCM, using its own BIC code.

Therefore, where a SwapClear Transaction is presented for clearing by an SCM Branch, it is deemed to have been presented to the Clearing House for registration by, and in the name of, the SCM of which it is part.

1.1.1 *SwapClear Service Functions*

The following functions are performed within the SwapClear Service:

- (a) processing and settlement of coupon payments;
- (b) processing and settlement of consideration (fee) payments;
- (c) calculation of initial and variation margin requirements;
- (d) calculation of the net present value of SwapClear Transactions;
- (e) calculation of the cumulative net present value of certain SwapClear Transactions;
- (f) calculation of SwapClear Tolerance Limits;
- (g) calculation of price alignment interest and price alignment amounts;
- (h) adjustment of cash payments to conform with opening days and the SwapClear calendars;
- (i) allocation and designation of trades to a position-keeping account; and

- (j) reporting of registered trades.

SwapClear Transactions presented to the Clearing House for clearing via an Approved Trade Source System ~~(i.e. new trades presented for intra-day registration or existing trades presented for overnight registration will;~~ (subject to ~~meeting~~ all requirements prescribed by the Clearing House being met); be ~~cleared processed and stored within by~~ the SwapClear clearing system to create two SwapClear Contracts (or one SwapClear Contract and one FCM SwapClear Contract).- Information regarding SwapClear Contracts and margin reporting will be disseminated via the SwapClear Clearing Member reporting system (see Section 1.1.3).

1.1.2 *Clearing House System Requirements*

A SwapClear Clearing Member must, in order to present SwapClear Transactions to the Clearing House, be a user of an Approved Trade Source System.

1.1.3 *SwapClear Clearing Member Reporting System*

The Clearing House has various arrangements for the notification to SCMs of SwapClear Contract registrations and other information. These make use of systems including the following:

- (a) Clearing Member reports;
- (b) Approved Trade Source Systems; and
- (c) the ClearLink API.

An end-user report generation and analytical capability is provided by the Clearing House to SCMs. All SwapClear reports will be disseminated via the Clearing House's secure password access Clearing Member-only website. These reports are the definitive record as to registration by the Clearing House.

The Clearing House is not liable for any corruption or alteration of messages or loss of data which may take place within any Approved Trade Source System.

SCMs will be able to produce reports either to print locally or to download in machine-readable data-file format. Queries about the Clearing Member-only website should be directed to the Clearing House Service Desk on +44 (0)20 7426 7200.

1.1.4 *Clearing House Reporting*

- (a) The Clearing House (acting, where applicable, through the entity to which it has elected to delegate the relevant reporting obligation) shall report to a trade repository or similar body the details of a SwapClear Contract and any modification or termination of such contract without duplication and no later than the working day following the conclusion, modification or termination of such contract, in each case as required by Applicable Law.

- (b) The Clearing House will report to the Japanese Financial Services Authority (the “**JFSA**”) details of all non-Yen SwapClear Transactions of a SwapClear Clearing Member where such SwapClear Clearing Member has a branch operating in Japan, unless such SwapClear Clearing Member provides the Clearing House with one of the following:
- (i) Confirmation that it does not execute any SwapClear Transactions through its Japanese branch (such that no SwapClear Transactions will be reported to the JFSA by the Clearing House); or
 - (ii) Details of the identifier through which the relevant SwapClear Clearing Member executes all of the SwapClear Transactions of its Japanese branch (such that only the SwapClear Transactions associated with that identifier will be reported to the JFSA by the Clearing House).

SwapClear Clearing Members shall notify the Clearing House in the event of any changes to its reporting obligations pursuant to this Section 1.1.4(b).

- (c) For purposes of reporting obligations to the CFTC, SwapClear Clearing Members may only report details of SwapClear Contracts, including terminations and modifications to a SwapClear Contract, to an Approved LCH SDR. A list of Approved LCH SDRs is available on the Clearing House's website. In the event a SwapClear Clearing Member wishes to report details of SwapClear Contracts to a swap data repository that is not an Approved LCH SDR, the SwapClear Clearing Member must provide the Clearing House with reasonable prior notice of the date on which it wishes to report to such swap data repository.

SwapClear Clearing Members must inform their respective SwapClear Clearing Clients of the list of Approved LCH SDRs, and inform such SwapClear Clearing Clients that the Clearing House is only able to report details of a SwapClear Contract to an Approved LCH SDR.

In accordance with CFTC Part 45 requirements (where the SwapClear Clearing Member has a reporting obligation), SwapClear Clearing Members must provide the Clearing House (i) the USI of the original swap that is submitted to the Clearing House for registration and (ii) the LEI of the original swap SDR (i.e. “OriginalSwapRepository” or equivalent field) to enable the Clearing House to accurately report the termination of the original swap to the appropriate SDR.

1.2 Operating Times and Calendars

1.2.1 Opening Days

The ~~Clearing House will publish a circular detailing the days on which~~ SwapClear ~~Service~~ will be open every day, except weekends, Christmas Day, New Year's Day and Good Friday¹.

1.2.2 Opening Hours

Unless notified otherwise, the SwapClear ~~Service~~~~clearing system~~ will be operational on each business day that is:

(a) a Monday from 02:00 London time to 19:00 New York time; and

~~(a) from during the following hours:~~

(b) not a Monday from 06:00 London ~~Time time~~ to 19:00 New York ~~Time~~time.^{2 3}

~~However, SwapClear Clearing Members should note that Necessary Consents in relation to a Notification submitted during a business day shall be accepted by the Clearing House until 19.01 New York time on the following day. The~~ Clearing House will notify SwapClear Clearing Members ~~in the event that if~~ the SwapClear ~~clearing system~~ ~~Service~~ is scheduled for closure for operational or other reasons (including compression runs).

1.2.3 SwapClear Clearing System Calendars

The SwapClear clearing system uses the *SwapsMonitor Financial Calendar* for its processing. ~~This will require all SwapClear Clearing Members to be licensees of the SwapsMonitor Financial Calendar. The calendars, as applicable to the SwapClear clearing system, will be available online for inspection and for file download from the SwapClear Clearing Member reporting system (see Section 1.1.3).~~

With respect to SwapClear Contracts ~~that are denominated in where the~~ ~~Currency is~~ Israeli Shekel (~~ILS~~), the Clearing House will not ~~recognize~~ recognise Sunday as a Business Day for the purposes of the SwapClear Contract Terms.

¹ While the SwapClear Service is generally closed on Good Friday, the Clearing House may, by prior written notice to SCMs, open the SwapClear Service on such day, in which case it will be a business day.

² However, the Clearing House will continue to accept Necessary Consents until one minute after closure of the SwapClear Service.

³ The SwapClear ~~clearing system~~ ~~Service~~ may, in the Clearing House's absolute discretion, be operational beginning (a) 00:00 London time on a business day that is a Monday, or (b) 04:00 London ~~Time~~time on a business day that is not a Monday.

Schedule 1
SWAPCLEAR PROCESSING SCHEDULE

This table outlines the daily processes and timetable of the SwapClear operation. Clearing Members will be informed of changes to this timetable via member circular.

SWAPCLEAR PROCESSING SCHEDULE	
Time	
06:00 (London time)	SwapClear Opens
16:00 (London time)	Deadline for PPS calls in London
16:00 (New York time)	Deadline for PPS calls in New York
19:00 (New York time)	SwapClear Closes

~~Schedule 2~~**SCHEDULE 1**
**CONFIDENTIALITY, NON-DISCLOSURE AND PARTICIPATION IN THE
DEFAULT MANAGEMENT GROUP**

1. Definitions

- 1.1 **"Confidential Material"** means data (including but not limited to portfolio data) and documents, which are not in the public domain and which are disclosed to the SCM, its associated companies and advisers, or to which the SCM, its associated companies and advisers obtains or otherwise has access as a result of participation in the Rates Service DMP, (which, for the avoidance of doubt, does not include any information, data or documents provided to the Clearing House by the SCM).
- 1.2 **"DMG Member"** means an individual appointed by a Nominating SCM.
- 1.3 **"Nominating SCM"** means a SwapClear Member who, through their obligations under the Rates Service DMP, makes available a representative to serve on the DMG.
- 1.4 **"Permitted Purpose"** means proper fulfilment by the SCM of its duties under the Rates Service DMP and includes, after the completion of the Auction, the use by the SCM, its associated companies and advisers (to be determined by it at its discretion) of any data or documents related to portfolios successfully won through the Auction for the purposes of its own ongoing portfolio management and to enable it to comply with ongoing legal or regulatory requirements.
- 1.5 References denoting the masculine (including "his" and "he") shall be construed as the feminine if the DMG Member is female.
- 1.6 All other terms have the meaning ascribed to them in the Default Rules (including the Rates Service DMP Annex).

Confidentiality and Non-Disclosure: General Obligations of the SCM

2. Confidentiality

- 2.1 The SCM agrees that, in consideration of being given Confidential Material, it will keep all such Confidential Material in the strictest confidence, adhere to the provisions of this Agreement in respect thereof and, subject to Section 2.3, will not disclose it to any person without the prior written permission of the Managing Director, Risk of the Clearing House or a Director of Risk Management of the Clearing House, providing always that the SCM shall be relieved of such an obligation of confidentiality in respect of any Confidential Material if:
- 2.1.1 it comes into the public domain other than through a breach by the SCM of this Agreement; or
- 2.1.2 the SCM is expressly obliged to do so by order of a court of competent jurisdiction upon the application of a third party, or as a result of any request to disclose such part or parts of the Confidential Material in connection with any inquiry or other request by a regulatory authority or self-regulatory authority asserting jurisdiction over the SCM.

Appendix II
FCM Procedures Section 2 (SwapClear)
Changed Pages



FCM PROCEDURES OF THE CLEARING HOUSE

LCH LIMITED

2. PRODUCT-SPECIFIC PROCEDURES

Section 2 of these FCM Procedures contains certain requirements and procedures that are specific to individual Products cleared by the Clearing House. The clearing of FCM SwapClear Contracts is discussed in Section 2.1, the clearing of FCM ForexClear Contracts is discussed in Section 2.2 and the clearing of FCM Listed Interest Rates Contracts is discussed in Section 2.3.

The use of words such as “margin”, “margin account”, “margin call” and “margin run”, which are used to reflect terminology commonly used by the Clearing House, shall not be deemed to affect the intent of the Clearing House, any FCM Clearing Member or any FCM Client as to the legal characterization of transfers of Settlement Payments, Variation Settlement, Price Alignment Amount, daily settlement amounts or other similar amounts.

2.1 SWAPCLEAR

2.1.1 *The Clearing Process*

The FCM SwapClear Service is an interface that processes and stores all FCM SwapClear Transactions received from an FCM Approved Trade Source System.

(a) *FCM SwapClear Service Functions*

The following functions are performed within the FCM SwapClear Service:

- (A) processing and settlement of coupon payments;
- (B) processing and settlement of consideration (fee) payments;
- (C) calculation of initial margin and Variation Settlement requirements;
- (D) calculation of SwapClear Tolerance Limits;
- (E) calculation of Price Alignment Amount;
- (F) adjustment of cash payments to conform with opening days and the SwapClear calendars;
- (G) allocation and designation of trades to a position-keeping account; and
- (H) reporting of registered trades.

FCM SwapClear Transactions presented [to the Clearing House for clearing](#) via an FCM Approved Trade Source System ~~(i.e. new trades presented for intra day registration or existing trades presented for overnight registration—see Section 2.1.3(e))~~ will ~~(-subject to meeting~~ all requirements prescribed by the Clearing House ~~being met)~~; be

~~cleared by processed and stored within~~ the FCM SwapClear clearing system ~~to create two FCM SwapClear Contracts (or one FCM SwapClear Contract and one SwapClear Contract)~~. Information regarding FCM SwapClear Contracts and margin reporting will be disseminated via the Clearing House's FCM Clearing Member Reporting (see Section 2.1.1(c)).

(b) *Clearing House System Requirements*

An FCM Clearing Member must, in order to present FCM SwapClear Transactions to the Clearing House, be a user of an FCM Approved Trade Source System.

(c) *SwapClear FCM Clearing Member Reporting*

There are three methods of notification to FCM Clearing Members of FCM SwapClear Contract registrations and other information:

- (A) Report 001;
- (B) via the FCM Approved Trade Source System; and
- (C) via ClearLink API.

An end-user report generation and analytical capability is provided by the Clearing House to FCM Clearing Members. All FCM SwapClear reports will be disseminated via the Clearing House's secure password access FCM Clearing Member-only website. These reports are the definitive record as to registration by the Clearing House.

The Clearing House is not liable for any corruption or alteration of messages or loss of data which may take place within any FCM Approved Trade Source System.

FCM Clearing Members will be able to produce reports either to print locally or to download in machine-readable data-file format. Queries about the FCM Clearing Member-only website should be directed to the Clearing House's Service Desk at +44 (0)20 7426 7200.

The terminology used in a report in respect of Margin, Variation Settlement, daily settlement amounts or Price Alignment Amount may reflect terminology commonly used in the industry. Such terminology shall not affect the interpretation or construction of any provisions or terms of the FCM Regulations or FCM Procedures.

(d) *Clearing House Reporting*

The Clearing House (acting, where applicable, through the entity to which it has elected to delegate the relevant reporting obligations) shall, to the extent required by (and in line with the requirements of) Applicable Law (including Parts 43 and 45 of the CFTC Regulations, and applicable requirements under English law), report to one or more

in relation to Inflation SwapClear Contracts referencing the relevant Index and may only share the Inflation Derived Data with:

- (A) an FCM Client for whom the FCM Clearing Member conducts FCM SwapClear Clearing Services in respect of Inflation FCM SwapClear Contracts referencing the relevant Index and/or their third party service providers, provided that the FCM Clearing Member shall procure that such FCM Client and/or its service providers (as applicable) shall only use the Inflation Derived Data for the purposes of the FCM Client's internal risk management and settlement activities in respect of Inflation FCM SwapClear Contracts which the FCM Clearing Member clears or intends to clear on the FCM Client's behalf in respect of the relevant Index and may not further disclose the Inflation Derived Data to any other person or use the Inflation Derived Data for any other purpose;
- (B) third parties providing the FCM Clearing Member with risk management or settlement services, provided that the FCM Clearing Member shall procure that such third parties shall only use the Inflation Derived Data for the purposes of the FCM Clearing Member's internal risk management and settlement activities in relation to FCM Inflation SwapClear Contracts that reference the relevant Index and that the third party may not further disclose the Inflation Derived Data to any other person or use the Inflation Derived Data for any other purpose; and
- (C) competent regulatory authorities when required to do so by Applicable Law or regulation;

2.1.2 **Operating Times ~~and~~ Calendars**

(a) *Opening Days*

~~The Clearing House will publish a circular detailing the days on which the FCM SwapClear service clearing system will be open every day, except weekends, Christmas Day, New Year's Day and Good Friday¹.~~

(b) *Opening Hours*

Unless notified otherwise, the FCM SwapClear ~~clearing system~~service will be operational on each Business Day that is:

- (A) a Monday from 02:00 London time to 19:00 New York time; and

¹ While the FCM SwapClear service is generally closed on Good Friday, the Clearing House may, by prior written notice to FCM Clearing Members within such service, open the FCM SwapClear service on such day, in which case it will be a Business Day.

~~during the following (B) not a Monday from hours:~~

06:00 London time to 19:00 hours New York time ~~_(a “Business Day”)~~²

The Clearing House will notify FCM Clearing Members ~~in the event that if~~ the FCM SwapClear ~~clearing system~~service is scheduled for closure for operational or other reasons (including compression runs).

(c) *FCM SwapClear Clearing System Calendars*

The FCM SwapClear clearing system uses the SwapsMonitor Financial Calendar for its processing. ~~—~~This will require all FCM Clearing Members to be licensees of the SwapsMonitor Financial Calendar. The calendars, as applicable to the FCM SwapClear clearing system, will be available online for inspection and for file download from FCM Clearing Member Reporting (see Section 2.1.1(c)).

With respect to FCM SwapClear Contracts ~~that are denominated in where the Currency is Israeli Shekel (ILS)~~, the Clearing House will not recognize Sunday as a Business Day ~~for the purposes of the FCM SwapClear Contract Terms~~.

2.1.3 **Registration**

(a) *Submission for Registration*

Prior to and as a precondition to the registration of an eligible FCM SwapClear Transaction, the relevant FCM Clearing Member must provide notice to and receive approval from the Clearing House (or have previously provided such notice and received such approval), in such form as determined by the Clearing House in its sole discretion, with respect to each type of FCM SwapClear Transaction to be presented for registration (be it with respect to tenor, currency or other eligibility criteria). Notwithstanding anything herein to the contrary, if (i) notification pursuant to this paragraph is not received by the Clearing House, (ii) the relevant FCM Clearing Member does not receive approval from the Clearing House pursuant to this paragraph, or (iii) approval granted pursuant to this paragraph has been rescinded by the Clearing House, the Clearing House may, in its sole discretion, reject the registration of any relevant FCM SwapClear Transaction.

The Clearing House receives details of a new eligible FCM SwapClear Transaction using agreed format messages via an FCM Approved Trade

² ~~However, the Clearing House will continue to accept FCM Acceptances until one minute after closure of the FCM SwapClear service. The FCM SwapClear clearing system may, in the Clearing House’s absolute discretion, be operational beginning 04:00 London Time.~~

³ ~~The FCM SwapClear service may, in the Clearing House’s absolute discretion, be operational beginning (a) 00:00 London time on a Business Day that is a Monday, or (b) 04:00 London time on a Business Day that is not a Monday.~~

SCHEDULE 2.1A
SWAPCLEAR PROCESSING SCHEDULE

This table outlines the daily processes and timetable of the FCM SwapClear operation and constitutes a “**Business Day**” for the purpose of the FCM Regulations. FCM Clearing Members will be informed of changes to this timetable via member circular. All times shown are in London time.

SWAPCLEAR PROCESSING SCHEDULE	
Time	
05:00	SwapClear Opens
by 09:30	Registration of Backloaded Trades and confirmation of deleted trades from T-1 (see Section 2.1.3(e))
16:00	Deadline for PPS calls in London
24:00	SwapClear Closes

SCHEDULE 2.1A^B
CONFIDENTIALITY, NON-DISCLOSURE AND PARTICIPATION IN
THE DEFAULT MANAGEMENT GROUP

1. Definitions

- 1.1 “**Confidential Material**” means data (including but not limited to portfolio data) and documents, which are not in the public domain and which are disclosed to the FCM Clearing Member, its associated companies and advisers, or to which the FCM Clearing Member, its associated companies and advisers obtains or otherwise has access as a result of participation in the Rates Service DMP, (which, for the avoidance of doubt, does not include any information, data or documents provided to the Clearing House by the FCM Clearing Member).
- 1.2 “**DMG Member**” means an individual appointed by a Nominating FCM Clearing Member.
- 1.3 “**Nominating FCM Clearing Member**” means a SwapClear Member who, through their obligations under the Rates Service DMP, makes available a representative to serve on the Rates Service DMG.
- 1.4 “**Permitted Purpose**” means proper fulfillment by the FCM Clearing Member of its duties under the Rates Service DMP Annex and includes, after the completion of the Auction, the use by the FCM Clearing Member, its associated companies and advisers (to be determined by it at its discretion) of any data or documents related to portfolios successfully won through the Auction, for the purposes of its own on-going portfolio management and to enable it to comply with on-going legal or regulatory requirements.
- 1.5 References denoting the masculine (including “his” and “he”) shall be construed as the feminine if the DMG Member is female.
- 1.6 All other terms have the meaning ascribed to them in the FCM Rulebook, which includes the Default Rules (including the Rates Service DMP Annex).

General Obligations of the FCM Clearing Member

The obligations of an FCM Clearing Member set forth in this Schedule shall only apply in the event such FCM Clearing Member does not have an affiliated SwapClear Clearing Member that has agreed to participate in the Rates Service DMP on behalf of such FCM Clearing Member.

Confidentiality and Non-Disclosure

2. Confidentiality

- 2.1 The FCM Clearing Member agrees that, in consideration of being given Confidential Material, it will keep all such Confidential Material in the strictest confidence, adhere to the provisions of this Schedule in respect thereof and, subject to paragraph 2.3, will not disclose it to any person without the prior written permission of the Managing Director, Risk of the Clearing House or a Director of Risk Management of the Clearing