

September 08, 2025

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

Re: ICE Clear Europe Self-Certification Pursuant to Commission Rule Rule 40.6 –
Investment Management Procedures Amendments

Dear Mr. Kirkpatrick:

ICE Clear Europe Limited (“ICE Clear Europe” or the “Clearing House”), a registered derivatives clearing organization under the Commodity Exchange Act, as amended (the “Act”), hereby submits to the Commodity Futures Trading Commission (the “Commission”), pursuant to Commission Rule 40.6 for self-certification, amendments to its Investment Management Procedures (the “Procedures”).¹ The amendments will become effective on the first business day following the tenth business day after submission, or such later date as ICE Clear Europe may determine.

Concise Explanation and Analysis

The Clearing House is amending its Investment Management Procedures to make certain updates based on its annual review. Among other changes, the amendments revise certain criteria for investment of customer funds provided by Clearing Members that are futures commission merchants (“FCMs”), in order to align the Procedures with amendments to Commission Regulation 1.25, including provisions relating to investment in qualifying UK and EU sovereign debt as “permitted foreign sovereign debt”.

The amendments also add FX Swaps to the list of eligible investments and establish counterparty eligibility, maximum duration and related criteria for such transactions. However, FX Swaps are not permitted as investments for FCM Customer segregated funds.

In addition, the amendments remove credit rating requirements for EU sovereign debt, to be consistent with the treatment of US and UK sovereign debt. As securities are restricted to select issuing countries, the Clearing House does not require additional rating criterion for EU Sovereign Debt.

Various other clarifications and updates are also made to the Procedures. Self-directed investment limits have been removed from the document, as such limitations are set

¹ Capitalized terms used but not defined herein have the meanings specified in the Procedures or, if not defined therein, the ICE Clear Europe Clearing Rules.

forth in the Clearing House's Liquidity and Investment Risk Parameters. In addition, the governance section has been updated to be consistent with other ICE Clear Europe Procedures, including as to document review and exception handling. The amendments also remove a requirement that the limitation on investible funds held as unsecured cash apply separately to ICE Clear Europe's capital and default resources, which the Clearing House views as unnecessary.

Compliance with the Act and CFTC Regulations

The amendments to the Procedures are potentially relevant to the following core principles: (D) Risk Management, (F) Treatment of Funds and (O) Governance, and the applicable regulations of the Commission thereunder.

- *Risk Management.* As discussed above, the amendments to the Procedures are intended to clarify and update criteria for investment of cash by the Clearing House, including procedures for monitoring compliance with eligibility criteria and concentration and investment limits. The amendments will thus facilitate the Clearing House's ability to manage the market risks from its investments, consistent with the requirements of Core Principle D and Commission Rule 39.13.
- *Treatment of Funds.* As discussed above, the amendments to the Procedures are intended to align with amendments to CFTC regulations relating to investment of customer funds in foreign sovereign debt and U.S. agency obligations. The amendments also permit use of FX swaps and clarify requirements with respect to other types of investment in sovereign debt. As such, the revised Procedures will help enable the Clearing House to ensure that assets of Clearing Members and their customers are invested in instruments with minimal credit, market and liquidity risks. The amendments will also facilitate monitoring of compliance with concentration limits and criteria. As such, ICE Clear Europe believes the amendments are consistent with the requirements of Core Principle F and Commission Rule 39.15.
- *Governance.* As set forth above, the amendments to the Procedures reflect certain changes to ICE Clear Europe's governance processes and update the oversight responsibilities regarding review of changes to the Procedures and exception handling. The amendments will thus facilitate the maintenance by the Clearing House of governance arrangements that are clear and transparent, consistent with the requirements of Core Principle O and Commission Rule 39.24.

As set forth herein, the amendments consist of the amendments to the Investment Management Procedures. ICE Clear Europe has requested confidential treatment with respect to the Procedures, which have been submitted concurrently with this self-certification submission.

ICE Clear Europe hereby certifies that the amendments comply with the Act and the Commission's regulations thereunder.

ICE Clear Europe received no substantive opposing views in relation to the amendments.

ICE Clear Europe has posted a notice of pending certification and a copy of this submission on its website concurrent with the filing of this submission.

If you or your staff should have any questions or comments or require further information regarding this submission, please do not hesitate to contact the undersigned at George.milton@ice.com or +44 20 7429 4564.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'G. Milton', with a stylized flourish at the end.

George Milton
Head of Regulation & Compliance