

**Supplementary Exhibit NY-SUPP 2 NEW**

**This Supplementary Exhibit to the ISDA 2016 Variation Margin Protocol is applicable if the Agreed Method is New CSA Method and the CSA Type is NY CSA.**



**International Swaps and Derivatives Association, Inc.**

**AMENDMENT**

**to**

**CREDIT SUPPORT ANNEX**

The parties have entered into a New CSA (the “**Annex**”), which forms part of, and is subject to, a Protocol Covered Agreement and is part of its Schedule pursuant to the terms of the ISDA 2016 Variation Margin Protocol, as published on August 16, 2016 by the International Swaps and Derivatives Association, Inc. (the “**ISDA 2016 Variation Margin Protocol**”). The parties have now agreed to amend and supplement the New CSA by the terms of this amendment (this “**Supplemental Amendment**”). Capitalized terms used but not otherwise defined herein shall have the meanings assigned to such terms in the ISDA 2016 Variation Margin Protocol.

Accordingly, in consideration of the mutual agreements contained in this Supplemental Amendment, the parties agree as follows:

**1. Effectiveness of this Amendment.**

If the Supplemental Implementation Date precedes the EMIR Rules Compliance Date (VM), this Supplemental Amendment will become effective on the EMIR Rules Compliance Date (VM), *provided* if both parties have answered “Yes” to both the Question “Import Legacy Transactions?” and the Question “Early Importation under New CSA Method?” in their Matched Questionnaires, the amendments will become effective on the earlier of (i) the EMIR Rules Compliance Date (VM) and (ii) the fifth New York Business Day following the Implementation Date (or such other date as the parties may agree). If the EMIR Rules Compliance Date (VM) precedes the Supplemental Implementation Date, the amendments will become effective on the Supplemental Implementation Date.

**2. Amendment of the Annex.**

The Annex shall be amended by:

(a) replacing the text in quotes in the left-hand column in the table below (if such text appears in the Annex) with the text in quotes in the right-hand column, or if indicated in the table, with the language appearing in Schedule 1 to this Supplemental Amendment:

“[Supplemental Provision NYN-1]”	“EMIR Rules Compliance Date (VM)”
“[Supplemental Provision NYN-3]”	<b>Replace with the text included in Schedule 1</b>
“[Supplemental Provision NYN-5]”	“EMIR Rules”
“[Supplemental Provision NYN-7]”	“With respect to a date of demand, (i) for cash or other property (other than securities), the next Local Business Day; and (ii) for securities, the first Local Business Day after such date on which settlement of a trade in the relevant securities, if effected on such date, would have been settled in accordance with customary practice when settling through the clearance system agreed between the parties for delivery of such securities or, otherwise, on the market in which such securities are principally traded (or, in either case, if there is no such customary practice, on the first Local Business Day after such date on which it is reasonably practicable to deliver such securities)”
“[Supplemental Provision NYN-9]”	“the regulatory technical standards on risk-mitigation techniques for OTC-derivative contracts not cleared by a central counterparty adopted by the European Commission on October 4, 2016 (“ <b>EMIR Rules</b> ”)”
“[Supplemental Provision NYN-11]”	“unless otherwise agreed by the parties, the date that is the latest of March 1, 2017 or one month following the date of entry into force of the EMIR Rules, or such later date as may be established by the European Commission as the date on which compliance with variation margin provisions of the EMIR Rules is required for the trading relationship of Party A and Party B.”
“[Supplemental Provision NYN-13]”	“Any OTC Derivative”
“[Supplemental Provision NYN-14]”	“EMIR Rules Compliance Date (VM)”
“[Supplemental Provision NYN-18]”	“an “OTC derivative” or “OTC derivative contract” as defined in Article 2(7) of Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and

	trade repositories (“ <b>EMIR</b> ”) other than one which constitutes (i) a “foreign exchange forward” as defined in Article 27(a) of the EMIR Rules for so long as such transactions are subject to the transitional exemption from the variation margin requirements under Article 37(2) of the EMIR Rules and (ii) a single stock equity option or index option transaction as referred to in Article 38(1) of the EMIR Rules for so long as such transactions are subject to the transitional exemption from the variation margin requirements under Article 38(1) of the EMIR Rules”
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(b) inserting the following after the table set out in Paragraph 13(c)(viii):

“If the Active Regime Combination includes the EMIR Rules, in relation to a demand for the Transfer of Eligible Credit Support (VM) or Posted Credit Support (VM), and in the case of Paragraph 5, in respect of the undisputed amount only, if such demand is received by the Notification Time, the relevant Transfer will be initiated on the relevant date of demand, and if such demand is received after the Notification Time, the relevant Transfer will be initiated promptly following such demand, and in any event not later than on the Local Business Day following the relevant date of demand.”.

### 3. Existing Supplemental Amendment

If the parties have agreed to amend and supplement the New CSA by the terms of Exhibit NY-SUPP 1 NEW and have subsequently agreed to amend and supplement the New CSA by the terms of this Exhibit NY-SUPP 2 NEW, this Supplemental Amendment will constitute the entire agreement and understanding of the parties with respect to its subject matter and will replace and supersede all oral communication and prior writings (except as otherwise provided herein) with respect thereto and, in particular but without limitation, this Supplemental Amendment supersedes and cancels the Supplemental Amendment that put in place the terms of Exhibit NY-SUPP 1 NEW which will have no further force and effect.

**Schedule 1**

(A)	Cash	100%
(B)	Sovereign Debt with a credit quality step determined in accordance with the EMIR Rules of 1	<u>Residual Maturity in years:</u> Less than 1: 99.5% 1-5: 98% Greater than 5: 96%
(C)	Sovereign Debt with a credit quality step determined in accordance with the EMIR Rules of 2 to 3	<u>Residual Maturity in years:</u> Less than 1: 99% 1-5: 97% Greater than 5: 94%
(D)	Sovereign Debt with a credit quality step determined in accordance with the EMIR Rules of 4	<u>Residual Maturity in years:</u> Less than 1: 85% 1-5: 85% Greater than 5: 85%