CRÉDIT AGRICOLE
CORPORATE & INVESTMENT BANK

DFA Security Based Swap - Disclaimer

Crédit Agricole Corporate and Investment Bank ("Crédit Agricole CIB") is currently not registered with the U.S. Securities Exchange Commission ("SEC") as a security-based swap ("SBS") dealer ("SBSD") pursuant to the Securities Exchange Act ("SEA"), as amended by the Dodd-Frank Act. This could prevent Crédit Agricole CIB from transacting in certain products classified as SBS* and with certain counterparties** that would result in reaching the SEC de minimis thresholds***.

*Security-based swaps are defined in general as any agreement, contract, or transaction that –

- is a swap, as that term is defined section 1a of the Commodity Exchange Act [7 U.S.C. 1a] (without regard to paragraph (47)(B)(x) of such section); and
- is based on –
  - an index that is a narrow-based security index, including any interest therein or on the value thereof;
  - a single security or loan, including any interest therein or on the value thereof; or
  - the occurrence, nonoccurrence, or extent of the occurrence of an event relating to a single issuer of a security or the issuers of securities in a narrow-based security index, provided that such event directly affects the financial statements, financial condition, or financial obligations of the issuer.
- Please refer to 15 USC § 78c(a)(68) for the full definition.

**Applicable counterparties include but not limited to certain counterparties that meet the definitions of conduit affiliate, foreign branch of a U.S. bank, U.S. person, and non-US person other than a conduit affiliate that has rights of recourse against a U.S. person. Please refer to § 240.3a71-3 for the full definitions.

***The de minimis thresholds adopted by the SEC stated that a person will not be deemed to be a SBSD if the SBS positions connected with the dealing activity in which the person engages over the course of the immediately preceding 12 months (or following the effective date of final rules implementing section 3(a)(68) of the Act (15 U.S.C. 78c(a)(68)) if that period is less than 12 months) have:

- An aggregate gross notional amount of no more than $3 billion with regard to credit default swaps that constitute security-based swaps;
- An aggregate gross notional amount of no more than $150 million with regard to security-based swaps other than credit default swaps; and
- An aggregate gross notional amount of no more than $25 million with regard to all security-based swaps in which the counterparty is a special entity.
- Please refer to § 240.3a71-2 for the full requirements