

part of eex group



# Application for approval as a Trading Participant in EEX Natural Gas Futures (closing procedure)

Required in single copy

22.08.2023

Leipzig

Ref. TP\_EEX\_05c

Release 018

**- only required as scan -**

# Preliminary remark

With this form you are applying for approval as a Trading Participant in EEX Natural Gas Futures at European Commodity Clearing AG (ECC) in accordance with the Clearing Conditions of ECC.

The recognition as Trading Participant is provided under the condition that physical deliveries of natural gas will not take place. However, the Trading Participant shall be able to trade EEX Natural Gas Futures on European Energy Exchange according to European Energy Exchange rules as regards the question of trading on their own account as well as on their clients' accounts.

Approval as a Trading Participant requires:

- (a) participation in clearing as a Clearing Member or Non-Clearing Member for the market, where the respective product is being traded,
- (b) admission as an exchange participant at the market or a comparable status and by ECC as equivalent acknowledged access to the market, where the respective product is being traded,
- (c) declarations and guarantees by the Trading Participant to avoid any deliveries at virtual trading points and physical trading points via nomination,
- (d) the declaration of consent of the Clearing Member for transactions without capability of physical settlement

Approval involves of the following steps:

1. Please fill in the application form for approval as a Trading Participant. Both you and your Clearing Member shall sign it in a legally binding manner.
2. Send this application in scanned version to the following E-Mail address:

MemberReadiness@ecc.de  
Phone: +49 341 24680 261

3. ECC shall decide on the application regarding approval as a Trading Participant and inform the applicant and its Clearing Member if applicable and European Energy Exchange thereof.

# Application

We hereby apply for approval as a Trading Participant in the following products according to the Clearing Conditions of ECC:

(Please only select the new/additional products you are applying for)

<u>FUTURES:</u>	Regulated Market	OTF <sup>1</sup>
	EEX CEGH Natural Gas Futures	EEX CZ VTP Natural Gas Futures
	EEX ETF Natural Gas Futures	EEX ZTP Natural Gas Futures
	EEX PEG Natural Gas Futures	EEX PSV Natural Gas Futures
	EEX THE (Global) Natural Gas Futures	EEX NBP Natural Gas Futures
	EEX PVB Natural Gas Futures	EEX TTF Natural Gas Futures

The legal basis for approval as a Trading Participant are established in:

- this application,
- the Clearing Conditions of ECC,
- the Clearing Agreement (Clearing Member) or NCM Agreement (Non-Clearing Member) and
- the price list of ECC.

By signing this application we, the Trading Participant, confirm that we are familiar with the above mentioned rules and regulations and that we acknowledge and observe these. The respective current version of said documents can be downloaded from the ECC website at [www.ecc.de](http://www.ecc.de).

<sup>1</sup> OTF admission only available with equivalent Regulated Market admission in Futures

# Applicant

Member-ID: \*

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="E"/>	<input type="text" value="X"/>
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\* Need to get filled only in case you are already Member at ECC. NEW members can leave it blank.

## Name of the Company and Company Register

Name of the Company according to excerpt from company register		Legal status
Tax number	Sales tax identification number	

## Emergency Contact / 24/7

<b>Contact person</b>
Contact person (LSO* for NBP)
Telephone number
Fax
E-mail

\*Local Security Officer

# Declarations by the trading participant

1. We hereby assure that we will acknowledge and observe the rules and regulations of ECC (in particular the Clearing Conditions) and the rules and regulations of European Energy Exchange in their respectively valid versions.
2. We intend to trade EEX Natural Gas Futures at European Energy Exchange on our own account as well as on our clients' accounts without physical fulfilment.
3. In order to ensure proper settlement of the EEX Natural Gas Futures and minimize risks due to a missing proof of the capability of physical fulfilment, we guarantee:
  - that we or our clients will in no case deliver natural gas as a result of our participation in trading in EEX Natural Gas Futures we will rather ensure that all of our own positions or the positions of our clients will have been closed at the latest on the fifth business day before the first delivery day of any EEX Natural Gas Futures by means of contractual or other internal measures and
  - that we will not open any positions in these contracts after the fifth business day before the first delivery day of EEX Natural Gas Futures.
4. We undertake to inform the ECC forthwith or at the latest before the commencement of the next business day in case we cannot fulfil our obligations according section 3.

In case we have infringed our obligation stipulated in section 3, we will tolerate all the measures carried out by the ECC in order to avoid any default to deliver at our expense or at the expense of our clients:

- For this purpose, we authorise the ECC to close all positions on the market which, contrary to the above mentioned guarantee, were not closed. This would occur without prior notification, on our behalf and at our expense or at the expense of our clients with involvement of European Energy Exchange
  - In the case that the closing of the positions on the market is not possible, we authorise the ECC, on our behalf and at our expense or at the expense of our clients, to close all positions which, contrary to the above mentioned guarantee, were not closed, as well as take all suitable measures for avoiding or reducing risks of a default to deliver.
5. Should we infringe our obligations under section 3 and should this infringement or the implementation of measures according to section 4 result in damage on the side of ECC, we are obliged to compensate all damages and costs incurred at ECC to its full extent.
  6. These declarations comprises all our positions in EEX Natural Gas Futures in the ECC's clearing system regardless of whether such are executed for our own account or on third-party account.
  7. These declarations shall expire as soon as we have furnished evidence to ECC regarding our capability for physical settlement at the virtual/physical trading point of the respective transmission system operator in a suitable form and ECC has confirmed this accordingly.
  8. We are aware that due to the missing capability for physical settlement, ECC is entitled to either reject or subsequently restrict an approval as Trading Participant or revoke said approval at its own discretion or on account of a changed general or individual risk assessment.

## PRIVACY NOTICE

The undersigned assures that he has fully informed the contact persons named in connection with the contract, the exchange membership relationship or other legal relationships about the transfer of their personal data and that he has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

On behalf of the Trading Participant:

Place	Date	Company stamp and legally binding signature(s) of the company
		Signature(s):
		Name(s):

## Declaration of consent of the Clearing Member

We as the applicant's Clearing Member agree to cover the additional close out risk for transactions in EEX Natural Gas Futures caused by exclusion of the physical settlement at the virtual/physical trading point of the respective transmission system operator.

## PRIVACY NOTICE

The undersigned assures that he has fully informed the contact persons named in connection with the contract, the exchange membership relationship or other legal relationships about the transfer of their personal data and that he has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

On behalf of the Clearing Member:

Place	Date	Company stamp and legally binding signature(s) of the company
		Signature(s):
		Name(s):