

Election of the Exchange Council of the European Energy Exchange 2024

Exchange Council – Overview

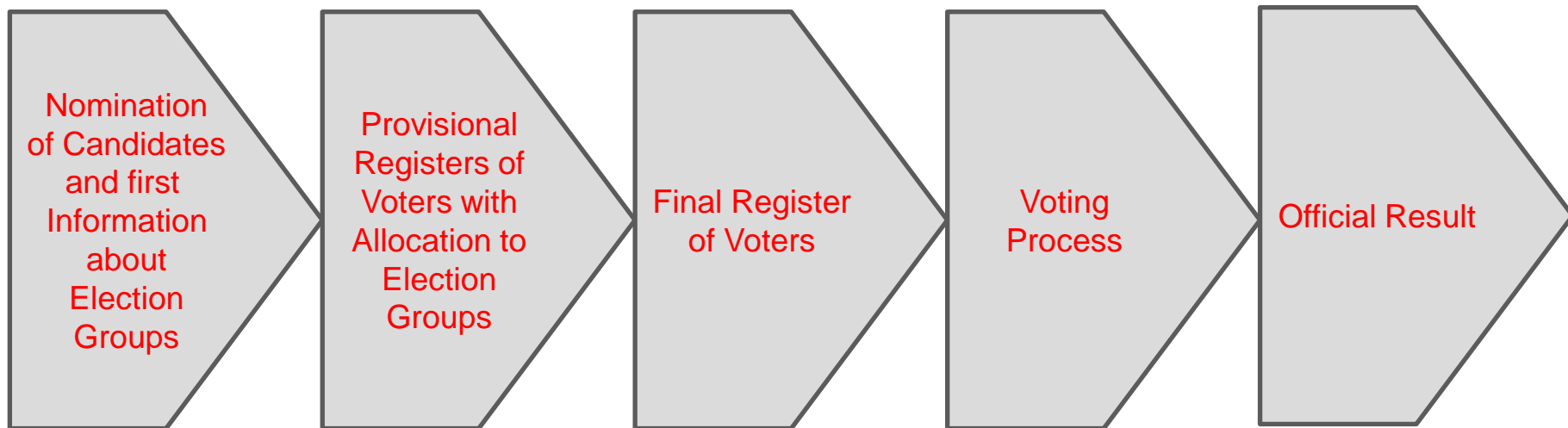
The Exchange Council is a body of the Exchange (Articles 3 and 12 German Exchange Act, Article 4 Exchange Rules).

The Exchange Council has the following duties and powers:

- issuing and amending the Rules and Regulations of the Exchange (e.g.: Exchange Rules, the Admission Rules, Trading Conditions, EEX-OTF Trading Rules) as statutes,
- appointment, (if applicable) reappointment and dismissal of the Managing Directors of the Exchange in agreement with the Exchange Supervisory Authority,
- the supervision of the Management Board of the Exchange,
- issuing the Rules of Procedure for the Management Board of the Exchange, and
- appointment, (if applicable) reappointment and dismissal of the Head of the Market Surveillance Office and the members of the Sanctions Committee upon proposal of the Management Board of the Exchange and in agreement with the Exchange Supervisory Authority.

The Exchange Council is elected every three years. The current term of office ends this year, so the election process for a new Exchange Council has been started.

Election Process



Timetable (preliminary)

Dates	Event
6 December 2023	<ul style="list-style-type: none"> • Appointment of the Election Committee ✓
23 January 2024	<ul style="list-style-type: none"> • First information about the election ✓
13 February 2024	<ul style="list-style-type: none"> • Information on preliminary allocation of the exchange participants to the election groups • Invitation to nominate candidates • Final determination of the election date
5 March 2024	<ul style="list-style-type: none"> • Expiry of period to nominate candidates
11 March 2024	<ul style="list-style-type: none"> • Publication of the allocation of the exchange participants to the election groups (provisional register of voters) • Final determination of the election method (electronic or postal voting)
26 March 2024	<ul style="list-style-type: none"> • Expiry of period for objections against preliminary allocation and final decision about groups
5 April 2024	<ul style="list-style-type: none"> • Publication of final register of voters
10 April 2024	<ul style="list-style-type: none"> • Distribution of the election documents / log-in information
6 May 2024, 12 p.m. (noon)	<ul style="list-style-type: none"> • Election date / publication of results after counting of votes
12 June 2024	<ul style="list-style-type: none"> • Constitutive meeting of the newly elected Exchange Council

Election Groups

Who can vote?

All companies admitted to trading on the exchange are entitled to vote their representatives in the Exchange Council.

In order to ensure a balanced distribution of trading interests in the Exchange Council, the admitted exchange participants* will be divided into the following electoral groups:

1. Producers, suppliers, processors and distributors,
2. Members of the central clearing house, European Commodity Clearing AG, of EEX Group authorised to settle both their own transactions and the transactions of their customers and transactions of trading participants without a clearing licence via the European Commodity Clearing AG,
3. Trading companies, financial service providers and banking institutes unless these are covered by figure 2 and
4. Commercial consumers, their service providers that are not covered by figure 3 and other non-financial asset-based trading companies.

** without suspended exchange participants*

Election Groups and Allocation of Seats

- The number of seats a group gets results from the share the respective election group has in the total number of admitted exchange participants. Each election group gets at least one seat and at maximum 12 seats.
- The Election Committee will draft the provisional registers of voters allocating all admitted exchange participants* to the election groups.
- These provisional registers of voters will be published on the EEX website. Furthermore, all exchange participants will be informed about their allocation and will be granted the right to object to the allocation or to propose the allocation to another election group.
- Subsequently, the Election Committee will decide on the final allocation of the admitted exchange participants* to the election groups (final registers of voters).
- The final registers of voters are announced on the EEX website and the exchange participants* are informed about the final allocation.

** without suspended exchange participants*

Eligibility and Candidates I

Who can be nominated for election?

- All admitted exchange participants* are entitled to nominate candidates.
- In the case of companies operated under the legal structure of a sole trader, the proprietors are eligible; in the case of other companies those persons who are entrusted with the management of the company's business according to law, the statutes or the articles of association and who are authorised to represent such company are eligible to stand for election. Moreover, senior executive and expert employees of companies are also eligible to stand for election.
- The person to be elected as the representative of a company must fulfil the requirements for members of the Exchange Council according to Article 13 paragraph 3 of the German Exchange Act (BörsG) in conjunction with Article 4b paragraph 1 and 2 sentence 2 BörsG:
 - they must be reliable and have the necessary expertise to perform the control function as well as to assess and monitor the transactions conducted by EEX and devote sufficient time to the performance of their duties (Article 13 paragraph 1 in conjunction with Article 4b paragraph 1 BörsG).
 - as elected members of the exchange council they shall act honestly and impartially in order to be able to assess and, if necessary, question the decisions of the management of the exchange and to be able to effectively monitor the decision-making process (Article 13 paragraph 1 in conjunction with Article 4b paragraph 2 sentence 2 BörsG).

* without suspended exchange participants

Eligibility and Candidates II

- You can nominate yourself or another person of your or another company (precondition: the company must be listed in the provisional register of voters).
- If several persons of a company or a group of companies are nominated for election, the company or the group of companies shall declare which person is running for election after being requested to do so by the Election Committee. If the declarations are not made in due time or are not in agreement, the Election Committee shall decide by drawing lots.

Eligibility and Candidates III

A valid election proposal shall comprise the following:

- the name of the person applying,
- the name of the company for which said person applies and
- the declaration of consent by the person applying and by the company concerned,
- documents to evaluate the requirements established for members of the Exchange Council
 - Suitability assessment form (available from the Election Committee)
 - Curriculum Vitae
 - Criminal record or similar document as applicable in the respective country (not older than 6 months)
- a declaration by which the person applying agrees to the processing of personal data by the Election Committee in the framework of the Exchange Council election procedure (available from the Election Committee)

Voting Process

When is the voting?

The voting will start in mid April and will be open until the announced election date.

Who will receive voting documents?

- The right to vote can be exercised by the Authorised Representative of the exchange participant on behalf of his company unless another person will be named by 2 February 2024.
- If you haven't confirmed your Authorised Representative yet, you will be asked to name the person in your company who is authorised to make legally binding declarations on behalf of your company

How many votes does each participant have?

- The maximum number of votes that may be cast in an election group equals the number of seats in the Exchange Council allocated to that election group. Only one vote can be given to each candidate.

Who is elected?

- The candidates who receive the most votes in each election group. In the event of a tie, the election shall be decided by lot.

Contact

In case of further questions, please do not hesitate to contact us.

Election Committee

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Diana Klauke
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