

part of eex group



Information Sheet Recognition as Non Trading Broker to the Markets of the European Energy Exchange

29.09.2017

Leipzig

Ref. Checklist A08

Release 003

Checklist

This is a checklist to assist with completing the application for recognition as a Non Trading Broker at EEX. Please enclose the following documents and certificates which is required for recognition as a Non Trading Broker according to para 33a Exchange Rules.

	Forms	Explanations
<input type="checkbox"/>	Application for Recognition as Non Trading Broker (A08)	<p>This is the form to apply for recognition as a Non Trading Broker at the EEX markets.</p> <p><u>Item 3.1.:</u> Application for recognition is possible for all products on the derivatives market. The selection of the market and/or products will be defined here.</p> <p><u>Item 4.1.:</u> Please enter all company-relevant information. Mail and/or front office address is only necessary when it differs from the company address provided. Only members of the management board or the management may be specified as persons holding management authority.</p> <p><u>Item 4.2.:</u> In addition to official powers to sign, further powers to sign (also individual powers to sign) as regards EEX can be specified here. If signatures are to be effective on the basis of a list of signatures enclosed with the application, this table does not have to be completed.</p> <p><u>Item 4.3.:</u> At least one contact point has to be designated for the fields of admission (Central Coordinator), technology and invoices.</p> <p><u>Item 4.4.:</u> To be setup as an exchange trader (trade registration only), the individual must have passed the EEX Trade Registration Exam or EEX Trader Exam (Spot and Derivatives Markets). For admission at EEX Derivatives Markets only, a passed Eurex exam is also valid.</p> <p><u>Item 4.9.:</u> The application has to be signed in a legally binding manner. This can be ensured by representatives of the applicant holding management authority or entitled to sign in accordance with the powers granted to them. We need suitable proof of such authority (e.g. an excerpt from the commercial register or other appropriate documents). Upon signing of the application the powers to sign as specified in 4.2 are activated and are then valid for all further forms (with the exception of the Declarations of Reliability by persons holding management authority and by the trade registration user).</p>

	Forms	Explanations
<input type="checkbox"/>	Declaration of Personal Reliability - Member of Management Board (E01)	<p>The declaration of personal reliability of the members of the management board of the applicant company (Non Trading Broker) can either be provided by submitting a certificate of good conduct or the E01 form.</p> <p>E01 or certificate of good conducts must be provided for all board members listed in the A08 form (item 4.1). A copy of their ID card or passport is also required.</p>
<input type="checkbox"/>	Declaration of Personal Reliability – Trade Registration User (E04)	<p>Declaration of personal reliability of trade registration user has to be submitted by every trade registration user.</p> <p>Such a declaration is made with the E04 form and has to be signed personally by the trade registration user to whom it applies. A copy of the ID card or Passport has to be enclosed.</p>
<input type="checkbox"/>	Mail Authority (E07)	<p>The appointment of an Authorised Recipient is <u>only</u> required for applicants domiciled outside the Federal Republic of Germany.</p>
<input type="checkbox"/>	<p><u>German applicants:</u> Certificate of Company Register</p> <p><u>Applicants (not domiciled in the Federal Republic of Germany):</u> Similar documents</p>	<p>Most recent excerpt from the Register of Companies for the evidence of:</p> <ul style="list-style-type: none"> a) the applicant's registered address; and b) the persons authorised with its legal representation. <p>The excerpt from the Commercial Registry should not be older than 3 months. If an excerpt of the Commercial Register is not available, respective certificates need to be provided, thereby providing legal or statutory provisions, as well as legally binding declarations of the company regarding the authorized representatives.</p> <p>For applicants not domiciled in The Federal Republic of Germany, equivalent documents may be submitted.</p>
<input type="checkbox"/>	Proof of Signatures	<p>Copies of the ID cards are required for all persons referred to in section 4.1. This applies to persons who signed:</p> <ul style="list-style-type: none"> a) the A08 application form; b) E04 forms signed by trade registration user;
<input type="checkbox"/>	Declaration of Professional Reliability of the Persons mentioned in form A08 item 4.1	<p>For at least one of the mentioned persons under 4.1 a CV as a proof of the professional reliability has to be provided.</p>
<input type="checkbox"/>	Proof of Authorisation to operate financial commission businesses or provision of financial services	<p>Proof of your national regulatory authority that your company is a credit institution, a financial services institution within the meaning of the German Banking Act ("KWG") which is authorised to carry out principal broking business or to provide financial services.</p>

	Documents	Explanations
<input type="checkbox"/>	Proof concerning sufficient equity capital in a form suitable for EEX (at least fiftythousand Euros)	<p>Confirmation from an auditor or other acceptable verification for EEX group, for example a business report or an excerpt from a company register.</p> <p>Equity capital means the total capital and reserves after: deduction of withdrawals by the owner; or personally liable shareholder(s); or current loans; as well as the amount of debt exceeding receivables of the owner.</p> <p>If proof of equity capital is not possible a presentation of a bank guarantee or the deposit of money at the EEX is possible instead.</p>
<input type="checkbox"/>	STP Broker Setup (T09)	Using this form brokers can apply to use the Straight Through process through one or both supported STP Solutions.