APPROVED
By the Resolution of the Exchange Committee of the Ukrainian Energy Exchange Limited Liability Company
Minutes of the meeting of the Exchange Committee
No. 1588 dated December 04, 2023
Chairman of the Exchange Committee
_____/O. Dubovskyi

Regulation
on providing access to the electronic trading system in the observation mode on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company

Kyiv – 2023

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1. General provisions

1.1. Access to the electronic trading system on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company (hereinafter referred to as the Exchange) in observation mode is considered to be the Exchange's service of providing access to the electronic trading system with limited user functionality, namely - with the right to view the process of exchange trading (auctions) and their results, but without the right to submit applications, conclude exchange transactions and make settlements.

1.2. The Regulation on providing access to the electronic trading system in observation mode on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company (hereinafter referred to as the Regulation) are an internal document of the Exchange and do not regulate legal relations related to accreditation on the Exchange and obtaining access to exchange trading (auctions).

1.3. The following main terms are used in the Regulation:

1.3.1. electronic trading system (ETS) – the software product “Energy Trading Platform” (PP ETP), the software product “Exchange Electronic Trading System” (PP BETS) and the software product “Exchange Electronic Trading System” in the “Electric Power” version (PP BETS-EP) and other electronic trading systems used by the Exchange to organize and conduct exchange trades;

1.3.2. observer - an authorized person of the NEURC, the NSSMC, another public authority or information and analytical publication, intergovernmental and non-governmental organizations;

1.4. Terms not defined in this Regulation shall have the meanings established by the current regulatory legal acts of Ukraine.

2. Access conditions

2.1. The basis for obtaining observer status (access in observation mode) for persons specified in clause 1.3.2. of this Regulation is the conclusion with the Exchange of an Agreement on access to the electronic trading system in observation mode (hereinafter referred to as the Agreement) in the form established by Annex No. 2 to this Regulation.

2.2. List of documents for concluding the Agreement:

- An extract or excerpt from the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations issued (condition for the Extract) not later than 1 month prior to its submission to the Exchange;
- Passport and certificate of assignment of an identification number (a card on assignment of the registration number of the taxpayer's registration card) (not provided if information about the Registration number of the taxpayer's account card is entered into the passport

of a citizen of Ukraine in the form of a card) of the person who will exercise the powers of an observer.

- Application for concluding the Agreement and granting access in the form established by Annex No. 1 to this Regulation.

2.3. The documents specified in clause 2.2. of the Regulation shall be submitted in the form of scanned, archived copies by sending them to the Exchange's electronic mailbox.

2.4. The subject of the Agreement may be access in observation mode to one or more electronic trading systems of the Exchange.

2.5. The submitted Application and documents of the applicant are considered within 10 (ten) business days from the date of receipt of the Application and documents in electronic form.

2.6. After concluding the Agreement, the ETS administrator provides the observer with a login and password for access to the ETS.

2.7. Access to the ETS in observation mode is provided for the period established by the Agreement.

2.8. Within 5 (five) business days from the date of conclusion of the Agreement, the applicant is obliged to send to the Exchange the originals (certified copies) of the documents stipulated in clause 2.2. of the Regulation and the original of the Agreement. If the requirements stipulated in clause 2.3. of the Regulation were fulfilled using an electronic digital signature, the client is exempted from the obligation to provide paper originals (certified copies) of the relevant documents.

3. Technical conditions for using ETS

3.1. For correct and stable access to the ETS for observation, it is necessary to meet the minimum requirements for hardware, software and the Internet channel specified on the Exchange website (www.ueex.com.ua).

3.2. Observers are prohibited from:

3.2.1. Disclose, and/or reproduce, and/or distribute any information related to the operation of the ETS.

3.2.3. Take actions aimed at:

- use of any third-party software and hardware tools to penetrate the operating system environment of ETS servers;
- unauthorized change in the standard operating procedure of the Exchange's technological equipment (hacking, attack, etc.) or discrediting the Exchange;
- performing other actions that create prerequisites for failures in the operation of the ETS.

3.3. The observer is obliged to: - take all measures to prevent circumstances that may interfere with the functioning of the ETS, such as: ensuring reliable antivirus protection of the workplace and non-interference in the operation of the system by third parties from the observer's workplace that may interfere with the functioning of the ETS.

3.4. The Exchange has the right to terminate the observer's technical access to the ETS in case of violation of the terms of the Agreement, in case of detection of attempts of unauthorized access by the observer to the ETS, as well as in case of other circumstances that impede the functioning of the ETS and/or the Exchange.

4. Sanctions warning

1.5. The status of observer cannot be acquired by a representative of a person who is a resident of a state carrying out armed aggression against Ukraine within the meaning of Article 1 of the Law of Ukraine "On the Defense of Ukraine", as well as a person to whom sanctions have been applied in accordance with the Law of Ukraine "On Sanctions", sanctions in accordance with resolutions of the United Nations Security Council, other international organizations, decisions of the Council of the European Union, other intergovernmental associations of which Ukraine is a member (participant), which provide for restrictions or prohibitions on trade and/or financial transactions.

Annex No. 1

to the Regulation on providing access in observation mode on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company

Ref. No._____

dated _____

To the Chairman of the Exchange Committee
Ukrainian Energy Exchange Limited Liability Company

01001, Kyiv, 44 Khreshchatyk St.

Application

Please conclude an Agreement on access to the electronic trading system in observation mode and provide access to the person who will perform the powers of an observer:

Full name of the person	
Passport details of the person:	
series	
No.	
by whom issued	
date of issue	
Personal ID card details:	
Document No.	
Date of issue	
Issuing authority	
Personal identification number:	
Please provide access in observation mode to:	*the name of the ETS is indicated*

We have read the Regulation on providing access to the electronic trading system in observation mode on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company. We undertake to comply.

_____	_____	_____
(leadership position)	(signature)	(Full name)

Annex No. 2

to the Access Provisions
to the electronic trading system in observation mode on the commodity exchange - Ukrainian Energy Exchange Limited Liability Company

AGREEMENT No.

about access to the electronic trading system in observation mode

Kyiv "_____" _____20___

Ukrainian Energy Exchange Limited Liability Company (hereinafter referred to as the Exchange), represented by _____, acting on the basis of _____, on the one hand, and

_____ "_____"(hereinafter referred to as the Customer), represented by _____, acting on the basis of _____, on the other hand, hereinafter referred to as the Parties, have concluded this Agreement on the following:

1. Subject of the Agreement

1.1. According to the terms of this Agreement, the Exchange undertakes to provide the authorized representative of the Customer with access to the electronic trading system in observation mode for the term of this Agreement, and the Customer undertakes to comply with the terms of the Regulation on providing access to the electronic trading system in observation mode at the commodity exchange - Ukrainian Energy Exchange Limited Liability Company (hereinafter referred to as the Regulation).

1.2. Name of the electronic trading system to which the Customer's representative receives access under the terms of this Agreement _____.

1.3. The Customer shall specify the authorized representative in the application for concluding an agreement on access to the electronic trading system in the observation mode and shall accredit at the commodity exchange - Ukrainian Energy Exchange Limited Liability Company the person (persons) who will (will) perform the powers of the observer. If it is necessary to change the authorized representative, the Customer shall submit an application in the form of Annex 1 to the Regulation.

1.4. The services specified in clause 1.1. of this Agreement do not provide for the provision of technical capabilities for the performance of any legally significant actions by an authorized representative in the electronic trading system (hereinafter also referred to as the ETS) and are limited exclusively to the monitoring function.

2. Rights and obligations of the Parties

2.1. The Exchange has the right:

2.1.1. To terminate this Agreement in the cases provided for in clauses 3.2., 4.2. of this Agreement.

2.1.2. Require the Customer to comply with the requirements of the Regulation.

2.2. Responsibilities of the Exchange:

2.2.1. Provide the Customer with a login and password for access to the ETS for the period and in the manner and on the terms provided for in this Agreement.

2.2.2. Provide access to the Customer's authorized representative to the monitoring function in the electronic trading system.

2.3. The Customer has the right:

2.3.1. To designate authorized persons to use the Exchange's ETS in observation mode (observers).

2.3.2. Use the ETS in observation mode.

2.4. Customer's obligations:

2.4.1. Comply with the requirements of the Regulation and the terms of the Agreement.

3. Term of access to ETS

3.1. Access to the electronic trading system in observation mode is provided to the Customer from _____2023 to _____2024 (inclusive).

3.2. This Agreement may be terminated for the following reasons:

- by agreement of the parties;
- in case of violation by the Customer of the requirements of the Regulation;
- in other cases provided for by the current legislation of Ukraine;
- unilaterally by the Exchange, of which Exchange shall notify the Customer in writing 5 (five) calendar days in advance. In this case, this Agreement shall be deemed terminated after 5 (five) calendar days from the date of sending the Customer a notice of early termination of this Agreement.

3.3. If, within one month before the expiration date of the Agreement, neither Party has submitted an application for termination or amendment of the terms of the Agreement, this Agreement shall be deemed to have been extended for one calendar year and on the same terms as were provided for in the Agreement. This clause means the possibility of automatic

multiple extension of the Agreement.

4. Responsibility of the Parties

4.1. The Parties shall be liable for failure to fulfill or improper fulfillment of the terms of this Agreement in accordance with the current legislation of Ukraine.

4.2. In the event of a violation by the Customer of the requirements of the Regulation, the Exchange has the right to terminate the Customer's access to the electronic trading system and terminate the Agreement unilaterally without notice.

5. Other conditions

5.1. All disputes arising from or related to this Agreement shall be resolved through negotiations between the Parties. If the relevant dispute cannot be resolved through negotiations, it shall be resolved in court in accordance with the current legislation of Ukraine.

5.2. Any changes and additions to this Agreement shall be made in writing, by signing by both Parties the relevant Additional Agreement, which is an integral part of this Agreement.

5.3. In cases not provided for by this Agreement, the Parties shall be guided by the current legislation of Ukraine.

5.4. An Agreement duly signed and transmitted by electronic means shall have the force of an original until the original copies of this Agreement are exchanged between the Parties.

5.5. This Agreement is concluded in two original copies in the Ukrainian language, one for the Exchange and one for the Customer. All copies have equal legal force.

5.6. This Agreement shall enter into force upon its signing by the Parties.

6. Legal details and signatures of the Parties

Exchange	**Customer**
_____	_____
Address: _____	Address: _____
Details:	Details:
_____	_____
_____	_____
identification code _____	identification code _____
TIN _____	TIN _____
Telephones:	Telephones:
_____	_____
E-mail: _____	E-mail: _____

_____ _____ _____	_____ _____ _____
(position of manager) signature (full name)	(position of manager) signature (full name)
seal (if available)	seal (if available)