

**APPROVED**

by the Board of Directors

The Saint-Petersburg

International

Mercantile Exchange

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**President of “SPIMEX”**

\_\_\_\_\_ **A.E.Rybnikov**

**RULES**

**for Admission to Trading in the Formal Market of  
The Saint-Petersburg International Mercantile Exchange**

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## 1.

**TERMS AND DEFINITIONS**

For the purpose of these Rules for Admission to Trading in the Formal Market of The Saint-Petersburg International Mercantile Exchange the following terms shall apply:

<b>The Exchange, “SPIMEX”</b>	shall mean The Saint-Petersburg International Mercantile Exchange.
<b>Non-Resident Temporary Section Member</b>	shall mean a foreign legal entity admitted to trading in the formal market and categorized as a Non-Resident Temporary Section Member which shall have the right to take part in trading in the formal market within one of the Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>Temporary Section Member</b>	shall mean a legal entity or an individual entrepreneur registered in accordance with the laws of the Russian Federation each of them being admitted to trading in the formal market within the Exchange, categorized as a Temporary Section Member and having the right to take part in trading in the formal market within one of Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>The Exchange’s internal regulations</b>	shall mean the Rules of Trading in the Formal Market and other internal regulations of the Exchange, including specifications, provisions, procedures and other documents approved by the Exchange’s authorized bodies and communicated to the Trading Member within the established procedure.
<b>Disciplinary Commission</b>	shall mean a standing body of “SPIMEX”, which activity is generally aimed at observance by Trading Members of “SPIMEX” of the Exchange’s internal regulations governing preparation and holding of trading in the course of their operation within the commodity and (or) financial markets, as well as protection of rights and lawful interests of Trading Members of “SPIMEX”.
<b>Contract for Holding of Trading in the Formal Market</b>	shall mean a Contract between the Exchange and the Trading Member establishing mutual rights and obligations of the parties in relation to the services rendered by the Exchange consisting in holding of trading in the formal market within the Exchange Sections according to the Admission Rules and other Exchange’s internal regulations.
<b>Contract for Provision of Software and (or) Hardware to the Trading Member of “SPIMEX” for Remote Access to the Exchange’s Services</b>	shall mean a Contract between the Exchange and the Trading Member establishing mutual rights and obligations of the parties in relation to remote access of the Trading Member to the Exchange’s software and hardware complex in order to provide it with the technical ability to receive trading, information and other services, including to provide it with the technical ability to conclude contracts within trading in the formal market held by the Exchange.

<b>Additional code</b>	shall mean a letter and digit identifier assigned by the Exchange to the Trading Member, its Client and the Level 2 Client which helps to clearly identify any of them within the Exchange's SHC and is used for conclusion of contracts within trading in the formal market.
<b>Applicant</b>	shall mean a legal entity or an individual person (individual entrepreneur) having addressed the Exchange with the Request for admission to trading in the formal market.
<b>Admission to trading in the formal market</b>	shall mean a complex of organization and legal procedures aimed at ensuring of compliance of the Applicant with the requirements set by the Admission Rules which shall be the essential condition for the Exchange to hold trading in the formal market.
<b>Request</b>	shall mean a written declaration of the person's intent expressing a request to provide it with access to trading in the formal market.
<b>Categories of Trading Members</b>	shall mean the groups set by the Admission Rules consisting of Trading Members to which equal requirements are set for the purpose of admission to trading in the formal market and which have concluded contracts with the Exchange providing for equal conditions when holding of trading in the formal market for each of such groups.
<b>The Trading Member's Client (the Client)</b>	shall mean a legal entity or an individual having concluded the contract of delegation/agency/commission/trust management with the Trading Member registered within the Exchange according to the Admission Rules.
<b>The Level 2 Client</b>	shall mean the Client of the Trading Member's Client being the trust manager or the Trading Member's Client having a license of the professional securities market participant for broker activities or another license/permission documents according to the requirements of federal laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation.
<b>Clearing Organization</b>	shall mean a legal entity having a license for clearing activity and determined as a clearing organization in the Rules of Trading in the Formal Market within Sections.
<b>The Exchange Official</b>	shall mean the Exchange's employee authorized to administer and hold the exchange trading, as well as monitor compliance with the Rules Trading in the Formal Market in the part of Order submission and conclusion of contracts within the trading in the formal market held by the Exchange.
<b>The Exchange's official website</b>	shall mean the website located at <a href="http://www.spimex.com">www.spimex.com</a> .
<b>Non-Resident Trade Visitor</b>	shall mean a foreign legal entity admitted to trading in the formal market of the Exchange and categorized as a Non-Resident Trade Visitor which shall have the right to take part in trading in the formal market within one of the Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>Trade Visitor</b>	shall mean a legal entity or an individual entrepreneur registered in accordance with the laws of the Russian Federation each of them being admitted to trading in the formal market within the

	Exchange, categorized as a Trade Visitor and having the right to take part in trading in the formal market within one of Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>The Admission Rules</b>	shall mean these rules for admission to trading in the formal market of The Saint-Petersburg International Mercantile Exchange forming an essential part of the Rules of Trading in the Formal Market.
<b>The Rules of Trading in the Formal Market within Sections</b>	shall mean the Exchange's internal regulations governing holding of trading in each of the Sections forming an essential part of the Rules of Trading in the Formal Market.
<b>The Rules of Trading in the Formal Market</b>	shall mean the Admission Rules, the Rules of Trading in the Formal Market within Sections and other Exchange's internal regulations adopted according to the requirements of the laws of the Russian Federation, the Exchange's Charter, approved by the Exchange's authorized bodies and registered by the Bank of Russia within the set procedure.
<b>Electronic Document Flow Rules (EDF Rules)</b>	shall mean the electronic document flow rules setting the general principles of electronic document flow between the Exchange, the clearing organization, Trading Members and other exchange infrastructure entities.
<b>Software and Hardware Complex of «SPIMEX» (SHC of the Exchange)</b>	shall mean a complex of software and hardware facilities of the Exchange used for trading, information and other servicing of Trading Members.
<b>Register of Trading Members and their Clients</b>	shall mean a continuously updated list of Trading Members having concluded the Contract for Holding of Trading in the Formal Market with «SPIMEX», such list shall contain the data on their clients.
<b>Section</b>	shall mean a section of the Exchange representing the non-corporate group of Trading Members of different Categories within which trading in the one-type Exchange-traded commodities/futures contracts shall be prepared.
<b>Board of the Section</b>	shall mean a collective advisory body of the respective Exchange Section.
<b>The Exchange's Tariff Book</b>	shall mean a document containing data on the cost of services and other remunerations and fees related to trading in the formal market set by the Exchange's Board of Directors, as well as on the cost of information and other services of the Exchange not related with the Exchange's trading in the formal market set by the Exchange's Management Board.
<b>Unique code</b>	shall mean a unique sequence of letters and digits assigned by the Exchange to the Trading Member, its Client and the Level 2 Client, containing the data on them provided in Regulation No. 437-P of the Bank of Russia On Holding of Trading in the Formal Market of 17 October 2014 and making it possible to identify them.

<b>Remote access</b>	shall mean obtaining of the opportunity to use the Exchange's services rendered under the Contract for Provision of Software and (or) Hardware to the Trading Member of «SPIMEX» for Remote Access to the Exchange's Services by conclusion of such a contract and compliance with the requirements set in the Admission Rules.
<b>Trading Member</b>	shall mean a legal entity or an individual entrepreneur registered in accordance with the laws of the Russian Federation or a foreign legal entity, each of them being provided with the right to take part in trading in the formal market within the Exchange and being assigned one of the Categories according to the requirements of the laws of the Russian Federation and the Rules of Trading in the Formal Market on the basis of the Contract for Holding of Trading in the Formal Market concluded with the Exchange.
<b>Exchange Member</b>	shall mean a legal entity or an individual entrepreneur registered in accordance with the laws of the Russian Federation, each of them being admitted to trading in the formal market within the Exchange, categorized as an Exchange Member and having the right to take part in trading in the formal market within all Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>Non-Resident Exchange Member</b>	shall mean a foreign legal entity admitted to trading in the formal market of the Exchange and categorized as a Non-Resident Exchange Member which shall have the right to take part in trading in the formal market within all Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>Section Member</b>	shall mean a legal entity or an individual entrepreneur registered in accordance with the laws of the Russian Federation, each of them being admitted to trading in the formal market within the Exchange, categorized as a Section Member and having the right to take part in trading in the formal market within one of the Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.
<b>Non-Resident Section Member</b>	shall mean a foreign legal entity admitted to trading in the formal market of the Exchange and categorized as a Non-Resident Section Member which shall have the right to take part in trading in the formal market within one of the Exchange Sections according to the procedure established by the Rules of Trading in the Formal Market with regard to the requirements of the laws of the Russian Federation.

have the meanings set by the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation.

## **2. GENERAL PROVISIONS**

2.1. The Admission Rules have been adopted on the basis of and in accordance with the legislation of the Russian Federation, the Exchange's Charter and shall form a part of the Rules of Trading in the Formal Market. The Admission Rules shall be universal for all the Exchange Sections.

2.2. The Admission Rules shall set the procedure for admission of Trading Members and their Clients to trading in the formal market, requirements to Trading Members, rights and obligations of different categories of Trading Members arising in relation to their participation in trading in the formal market, the procedure for assigning of codes to Trading Members, their Clients and Level 2 Clients, liability of Trading Members for violation of laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation, the Rules of Trading in the Formal Market and other Exchange's internal regulations, for non-fulfillment (improper fulfillment) by Trading Members of obligations under the contracts concluded within Sections according to the Rules of Trading in the Formal Market, as well as the procedure for suspension and termination of rights and obligations of Trading Members and other relations between the Exchange and the Trading Member which may arise in relation to application hereof.

2.3. The Admission Rules along with the amendments and additions introduced thereto shall be approved by the Board of Directors and registered in the Bank of Russia according to the laws of the Russian Federation.

2.4. The Admission Rules along with the amendments and additions introduced thereto shall be disclosed by publishing on the Exchange's official website upon their registration in the Bank of Russia within five working days from the moment of receipt by the Exchange of the official decision from the Bank of Russia (or its copy) on registration of the Admission Rules but not later than within three working days before their effective date.

2.5. The Admission Rules along with the amendments and additions introduced thereto shall become effective only upon their registration by the Bank of Russia in compliance with the laws of the Russian Federation on the date set by the Board of Directors, or by the Exchange's sole executive body acting on its behalf not earlier than in five days upon the data disclosure day according to clause 2.4. hereof unless another effective term is set by the Board of Directors or the Exchange's sole executive body acting on its behalf in view of the requirements set by the laws of the Russian Federation.

2.6. To manage the reputation risk, the Admission Rules shall be based on the "know your client" principle.

2.7. The Exchange may introduce amendments and additions into the Admission Rules on a unilateral basis.

2.8. All appendixes and amendments to the Admission Rules shall form an integral part thereof.

## **3. REQUIREMENTS TO TRADING MEMBERS**

3.1. Admission to commodity trading in the formal market within "SPIMEX" shall be provided to the legal entities and individual entrepreneurs registered in accordance with the laws of the Russian Federation. In this regard duration of the entity from the moment of state registration of its legal entity status or duration of the predecessor entity of the legal entity established by way of reorganization from "SPIMEX"



the moment of state registration of its legal entity status, as well as duration of the individual entrepreneur's activity from the moment of its state registration shall not be less than one year before the date of submission of the request for admission to trading in the formal market of Joint The Saint-Petersburg International Mercantile Exchange (under form of Appendix No. 1 to the Admission Rules, hereinafter referred to as the "request"). If admission to trading is necessary to the Trading Member to act in the interests and at the expense of another person (entity), admission may be provided to the Trading Member being a broker with a license of a professional securities market participant, a central counterparty or a person included by "SPIMEX" into the List of Commodity Trading Members acting in the interests and at the expense of other persons according to Part 8 of the Admission Rules.

3.2. In respect to trading in the formal derivatives market of "SPIMEX" within which the contracts concluded are derivative financial instruments, admission may be provided to the Bank of Russia, the central counterparty, management companies of investment funds, unit investment funds and non-governmental pension funds, as well as dealers, managers, brokers having licenses of professional securities market participants, including the brokers having licenses for broker activity only in relation to conclusion of contracts being derivative financial instruments for which commodities are the underlying asset.

In respect to trading in the formal market within which the contracts concluded are derivative financial instruments for which commodities are the underlying asset, admission may also be provided to legal entities registered according to the laws of the Russian Federation if such contracts are concluded at their expense. In this regard duration of the entity from the moment of state registration of its legal entity status or duration of the individual entrepreneur's activity from the moment of its state registration shall not be less than one year before the date of submission of the request for admission to trading in the formal market of The Saint-Petersburg International Mercantile Exchange (under form of Appendix No. 1 to the Admission Rules, hereinafter referred to as the "request").

3.3. In respect to commodity trading in the formal market within "SPIMEX" and to trading in the formal derivatives market of "SPIMEX" within which the contracts concluded are derivative financial instruments with commodities as the underlying asset, apart for persons (entities) stated in clauses 3.1 and 3.2, Part 3 of the Admission Rules, admission may be provided to foreign legal entities acting on its own behalf and at its own expense or at the expense of the client being a foreign entity.

3.4. Trading Members may not be:

3.4.1. the Exchange's employees or employees of other trading providers;

3.4.2. enterprises, institutions and entities if their management staff (deputy heads, heads of their branches and separate subdivisions) are the Exchange's employees;

3.4.3. state government bodies of the Russian Federation and constituent entities of the Russian Federation, local authorities;

3.4.4. individuals who may not carry out entrepreneurial activity subject to the law.

3.5. Trading Members shall comply with laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation, the Rules of Trading in the Formal Market and other Exchange's Internal Regulations.

3.6. Trading Members shall maintain confidentiality in respect of the data constituting commercial secret or any other secret protected by the law, as well as the data related to performance of the contracts, the respective confidentiality conditions shall be established according to the Rules of Trading in the Formal Market and other Exchange's Internal Regulations.

3.7. For the purpose of internal control to be carried out by the Exchange so that the laws of the

Russian Federation are complied with, not less than once a year each Trading Member shall submit documents needed for the identification procedure held by the Exchange to confirm reliability of the data concerning such Trading Member owned by the Exchange

The procedure and terms of measures taken for identification of the Trading Member shall be set in Part 13 hereof and shall depend on the Trading Member's category.

#### **4. TRADING MEMBER CATEGORIES**

4.1. The Admission to Trading Rules shall provide for Categories of Trading Members being legal entities and individual entrepreneurs registered according to the laws of the Russian Federation (hereinafter referred to as the "residents of the Russian Federation") and Categories of Trading Members being foreign legal entities (hereinafter referred to as the "non-residents of the Russian Federation"). The Trading Members being residents of the Russian Federation may take part in trading in the formal market of "SPIMEX" within the following categories: Exchange Member, Section Member, Temporary Section Member, Trade Visitor. The Trading Members being non-residents of the Russian Federation may take part in trading in the formal market of "SPIMEX" within the following categories: Non-Resident Exchange Member, Non-Resident Section Member, Non-Resident Temporary Section Member, Non-Resident Trade Visitor.

4.2. The Trading Member may take part in trading in the formal market of the Exchange Section/Sections within the scope of one of the Categories provided for the respective Section by the Rules of Trading in the Formal Market and other Exchange's Internal Regulations. The Trading Member shall select the Category on its own in view of requirements of clause 4.1, Part 4 of the Admission Rules.

4.3. Rights and obligations of the Trading Member within the Category selected by it shall be provided by the Rules of Trading in the Formal Market and the Contract for Holding of Trading in the Formal Market concluded by the Exchange with the Trading Member of the respective Category.

4.4. Trading Member Category: Exchange Member. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Exchange Member shall have the following rights:

4.4.1. to take part in trading in the formal market within all the Exchange Sections on its own behalf and at its own expense;

4.4.2. to take part in trading in the formal market within all the Exchange Sections in the interests and at the expense of other entities (persons) provided that:

4.4.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the procedure set by the Admission Rules, or

4.4.2.2. that there is a license of a professional securities market participant for broker activity or other licenses/permission documents according to the laws of the Russian Federation;

4.4.3. to take part in operation of Boards of Sections, working groups within the procedure and under the conditions set by the Exchange's Internal Regulations.

The Contract for Holding of Trading in the Formal Market shall be concluded for an indefinite term.

4.5. Trading Member Category: Non-Resident Exchange Member. On the basis of these Admission

Rules and the Contract for Holding of Trading in the Formal Market, the Non-Resident Exchange Member shall have the following rights:

- 4.5.1. to take part in trading in the formal market within all the Exchange Sections on its own behalf and at its own expense;
- 4.5.2. to take part in trading in the formal market within all the Exchange Sections on its own behalf and at the expense of other entities (persons) provided that:
  - 4.5.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the procedure set by the Admission Rules, or
  - 4.5.2.2. that there is a license or other permission documents for carrying out of the respective activity if it is required by the laws of such foreign legal entity's country of origin;
- 4.5.3. to take part in operation of Boards of Sections, working groups within the procedure and under the conditions set by the Exchange's Internal Regulations.

The Contract for Holding of Trading in the Formal Market shall be concluded for an indefinite term.

4.6. Trading Member Category: Section Member. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Section Member shall have the following rights:

- 4.6.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense;
- 4.6.2. to take part in trading in the formal market within one Exchange Section in the interests and at the expense of other entities (persons) provided that:
  - 4.6.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the procedure set by the Admission Rules, or
  - 4.6.2.2. that there is a license of a professional securities market participant for broker activity or other licenses/permission documents according to the laws of the Russian Federation;
- 4.6.3. to take part in operation of Boards of Sections, working groups within the procedure and under the conditions set by the Exchange's Internal Regulations;
- 4.6.4. to acquire rights of the Exchange Member by conclusion of the Contract for Holding of Trading in the Formal Market for such Category and payment of additional fee according to the Exchange's Tariff Book.

The Contract for Holding of Trading in the Formal Market shall be concluded for an indefinite term.

4.7. Trading Member Category: Non-Resident Section Member. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Non-Resident Section Member shall have the following rights:

- 4.7.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense;
- 4.7.2. to take part in trading in the formal market within one Exchange Section on its own behalf and at the expense of other entities (persons) provided that:
  - 4.7.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the

procedure set by the Admission Rules, or

4.7.2.2. that there is a license or other permission documents for carrying out of the respective activity if it is required by the laws of such foreign legal entity's country of origin;

4.7.3. to take part in operation of Boards of Sections, working groups within the procedure and under the conditions set by the Exchange's Internal Regulations;

4.7.4. to acquire rights of the Non-Resident Exchange Member by conclusion of the Contract for Holding of Trading in the Formal Market for such Category and payment of additional fee according to the Exchange's Tariff Book

The Contract for Holding of Trading in the Formal Market shall be concluded for an indefinite term.

4.8. Trading Member Category: Temporary Section Member. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Temporary Section Member shall have the following rights:

4.8.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense;

4.8.2. to take part in trading in the formal market within one Exchange Section in the interests and at the expense of other entities (persons) provided that:

4.8.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the procedure set by the Admission Rules, or

4.8.2.2. that there is a license of a professional securities market participant for broker activity or other licenses/permission documents according to the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation.

The Contract for Holding of Trading in the Formal Market shall be concluded for one year with the right of extension unless otherwise stated in the decision of the Board of Directors.

4.9. Trading Member Category: Non-Resident Temporary Section Member. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Non-Resident Temporary Section Member shall have the following rights:

4.9.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense;

4.9.2. to take part in trading in the formal market within one Exchange Section on its own behalf and at the expense of other entities (persons) provided that:

4.9.2.1. the Commodity Trading Members acting in the interests and at the expense of other entities (persons) are added to the List prepared by the Exchange according to the procedure set by the Admission Rules, or

4.9.2.2. that there is a license or other permission documents for carrying out of the respective activity if it is required by the laws of such foreign legal entity's country of origin.

The Contract for Holding of Trading in the Formal Market shall be concluded for one year with the right of extension unless otherwise stated in the decision of the Board of Directors.

4.10. Trading Member Category: Trade Visitor. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Trade Visitor shall have the following rights:

4.10.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense.

The Contract for Holding of Trading in the Formal Market shall be concluded for one year with the right of extension unless otherwise stated in the decision of the Board of Directors.

4.11. Trading Member Category: Non-Resident Trade Visitor. On the basis of these Admission Rules and the Contract for Holding of Trading in the Formal Market, the Non-Resident Trade Visitor shall have the following rights:

4.11.1. to take part in trading in the formal market within one Exchange Section on its own behalf and at its own expense.

The Contract for Holding of Trading in the Formal Market shall be concluded for one year with the right of extension unless otherwise stated in the decision of the Board of Directors

4.12. Participation in trading in the formal market within the respective Exchange Section shall be available for all and for separate Trading Member Categories. In this regard the maximum total amount of Trading Members within the Exchange Member and Non-Resident Exchange Member Categories shall be fifty (50), the maximum total amount of Trading Members within each Section and of Non-Resident Trading Members within the same Section shall be one hundred (100). The maximum amount shall not be limited for Temporary Trading Members of the Section/Sections, Non-Resident Temporary Trading Members of the Section/Sections, Trade Visitors and Non-Resident Trade Visitors.

## **5. CONDITIONS OF CONTRACTS FOR HOLDING OF TRADING IN THE FORMAL MARKET AND CONTRACTS FOR PROVISION OF SOFTWARE AND (OR) HARDWARE TO THE TRADING MEMBER OF “SPIMEX” FOR REMOTE ACCESS TO THE EXCHANGE’S SERVICES**

5.1. According to the Contract for Holding of Trading in the Formal Market, the Exchange shall provide the Member with the right to take part in trading in the formal market according to the Rules of Trading in the Formal Market and shall render services on a regular basis (continuously) consisting in holding of trading in the formal market, registration of contracts concluded according to the Rules of Trading in the Formal Market, registration of the contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market, as well as other services provided by such contract.

The Trading Members shall pay for the services rendered. Payment shall not be effected in cases set by the legislation of the Russian Federation.

On the basis of the Contract for Holding of Trading in the Formal Market the person having stated the intention to become a Member of trading in the formal market shall pay the following amounts depending on the Category selected:

- fee for the Exchange Member’s participation in trading in the formal market;
- fee for the Non-Resident Exchange Member’s participation in trading in the formal market;
- fee for the Section Member’s participation in trading in the formal market;
- fee for the Non-Resident Section Member’s participation in trading in the formal market;
- fee for the Temporary Exchange Member’s participation in trading in the formal market;
- fee for the Non-Resident Temporary Exchange Member’s participation in trading in the formal market;
- fee for the Trade Visitor’s participation in trading in the formal market;

- fee for the Non-Resident Trade Visitor's participation in trading in the formal market;
- additional fee for transition from the Section (Sections) Member to the Exchange Member Category;
- additional fee for transition from the Non-Resident Section (Sections) Member to the Non-Resident Exchange Member Category;
- Fee for registration of the contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market.

5.2. The fees stated in clause 5.1 hereof shall be paid by potential Trading Members by way of a one-time non-cash transfer to the Exchange's operating account and shall not be subject to return. The terms and procedure for fee payment shall be set by the Contract for Holding of Trading in the Formal Market.

5.3. On the basis of the Contract for Holding of Trading in the Formal Market, the Trading Member shall pay the Exchange fee which is a fee for registration of contracts concluded in the course of trading in the formal market according to the Rules of Trading in the Formal Market. The amount (tariff) of the Exchange fee shall be the same for all the Member categories within the Section according to the Exchange's Tariff Book. The Exchange fee tariffs may be set for each Section in view of the type of the contracts/agreements concluded. The Exchange fee shall be paid by the Trading Members monthly subject to the size/number of contracts concluded by the Trading Member during the previous calendar month.

5.4. Remote access to SHC subsystems shall be provided on the basis of the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services. The Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services shall be concluded only with the Trading Member.

On the basis of the stated Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services, direct connection to the Exchange's SHC subsystems shall be carried out and remote access to the Exchange's SHC subsystems shall be provided to the Trading Member so that the Member obtains a technical ability to conclude contracts when trading in the formal market within the Exchange Sections and to receive the information needed.

If the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services is concluded with the Trading Members categorized as Temporary Section Members, Non-Resident Temporary Section Members, Trade Visitor and Non-Resident Trade Visitor, such contract shall contain a condition for payment of a security deposit by such Trading Member to secure fulfillment of obligations for payment for the Exchange's services.

5.5. The procedure for settlements between the Exchange and the Trading Members under the Contract for Holding of Trading in the Formal Market and the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services shall be set in these contracts.

5.6. All tariffs for the services payable to the Exchange under the Contract for Holding of Trading in the Formal Market, the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services shall be contained in the Exchange's Tariff Book. The Exchange's Tariff Book shall contain the data on the cost of services and amount of other remunerations and charges approved by the Board of Directors and/or the Exchange's Management

Board.

5.7. Information on amendments and additions introduced into the Exchange's Tariff Book shall be disclosed not later than three working days before such amendments and additions become effective by publishing of the stated information on the Exchange's official website.

5.8. Before the Exchange's Board of Directors takes a decision on changes in tariffs for Contracts for Holding of Trading in the Formal Market and Contracts for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services and on procedure and terms of implementation of such changes, the issue on tariff changes shall be taken for approval of the Board of the respective Section. If the Board of the respective Section has not recommended (has not approved) such decision on tariff changes to be taken, such decision shall become effective not earlier than after three months from the date of publishing of the information on such change on the Exchange's official website.

5.9. On the basis of the Contract for Holding of Trading in the Formal Market, the Exchange may render to the Trading Member additional services which are directly related to participation in trading in the formal market. The scope, nature of the Exchange's additional services and cost of such services shall be approved by the Board of Directors. Tariffs for the Exchange's additional services shall be included into the Exchange's Tariff Book and shall become effective as per procedure set in sub-clauses 5.6—5.8 hereof.

5.10. The Exchange may refuse to perform the Contract for Holding of Trading in the Formal Market concluded with the Trading Member if the Trading Member violates the requirements to Trading Members set by the Rules of Trading in the Formal Market. In this regard the Trading Member shall receive no reimbursement for losses related to such refusal from the Exchange.

5.11. The Trading Member may transfer all rights and obligations under the Contract for Holding of Trading in the Formal Market at a time to another party according to the laws of the Russian Federation and in view of these Admission Rules.

5.12. The Contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market shall be executed in three counterparts (one for each of the parties to the contract and one counterpart for the Exchange) which shall be provided to the Exchange. Along with the counterparts of the contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market, the Exchange shall be provided with the documents needed for identification of the party assuming the rights and obligations of the Trading Member. Completeness and procedure for execution of the documents enclosed shall comply with clauses 6.3—6.5 of the Admission Rules.

Within ten working days from the date of receipt of the documents stated herein, the Exchange shall check the documents for proper execution and reliability of the data contained therein.

If the party obtaining all rights and obligations under the Contract for Holding of Trading in the Formal Market meets the requirements set to a Trading Member by Part 3 hereof and if the submitted documents comply with the requirements to completeness and execution procedure, reliability of documents and data, the contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market shall be registered by the Exchange.

5.13. The Trading Member obtaining the rights and obligations shall pay the fee for registration of the concluded contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market, such fee shall be set by tariffs contained in the Tariff Book. The contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market shall be registered upon receipt of the stated fee amount to the Exchange's operating account.

5.14. The Contract for complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market shall become effective from the date of its registration by the Exchange.

## **6. GRANTING OF ADMISSION TO TRADING IN THE FORMAL MARKET TO TRADING MEMBERS**

6.1. To be admitted to trading in the formal market of the Exchange, the Applicant shall conclude the Contract for Holding of Trading in the Formal Market with the Exchange, according to which it shall be provided with the right to take part in trading in the formal market within one of the categories provided in Part 4 of the Admission Rules, and shall meet the conditions for admission to trading in the formal market according to clause 6.25 hereof.

6.2. To conclude the Contract for Holding of Trading in the Formal Market, the Applicant shall pass through identification so as to check compliance with the requirements set to the Trading Member according to Part 3 of the Admission Rules.

6.3. To pass through identification, the Applicant, being a legal entity registered according to the laws of the Russian Federation, shall provide the Exchange with the following documents:

- 1) a request (under the form set in Appendix No. 1 to the Admission Rules) stating the Trading Member Category selected;
- 2) copies of constituent documents, amendments and additions thereto (if any) certified by the notary or the registering authority;
- 3) a copy of the certificate of registration of the legal entity with the Unified State Register of Legal Entities certified by the notary or the registering authority;
- 4) an extract from the Unified State Register of Legal Entities issued by the body carrying out state registration of legal entities and dated not earlier than 30 calendar days before the date of its submission to the Exchange;
- 5) a copy of the certificate of tax registration and assignment of a taxpayer identification number certified by the notary;
- 6) a statement of fulfillment by the taxpayer (duty payer, tax agent) of the obligation to pay taxes, charges, penalties, fines, interests as at the date not earlier than 30 calendar days before the date of its submission to the Exchange certified within the set procedure;
- 7) a completed registration card in hard copy (under the form set in Appendix No. 2A to the Admission Rules);
- 8) certified copies of the accounting balance sheet (form No. 1) and income statement (form No. 2) for the last reporting year (with marks of the tax authority on acceptance);
- 9) certified copies of the accounting balance sheet (form No. 1) and income statement (form No. 2) as at the last reporting date (interim accounting statements);
- 10) a certified copy of the tax return for the tax paid in relation to use of the simplified taxation system for the expired year (with marks of the tax authority on acceptance);
- 11) a consent to personal data processing (under the form set in Appendix No. 4 to the Admission Rules) from the head and authorized persons of the entity acting on the basis of the power of attorney.

6.4. To pass through the identification, the Applicant, being an individual entrepreneur registered according to the laws of the Russian Federation, shall provide the Exchange with the following documents:

- 1) a request (under the form set in Appendix No. 1 to the Admission Rules) stating the Trading Member Category selected;



- 2) a copy of the main identity document of the citizen of the Russian Federation. The foreign citizen or the person without citizenship shall provide a copy of the document designated by the federal law or considered as identity document for a foreign citizen or a person without citizenship according to the international treaty of the Russian Federation;
- 3) a completed registration card in hard copy (under the form set in Appendix No. 2B to the Admission Rules);
- 4) a copy of the certificate confirming state registration of the individual as an individual entrepreneur certified by the notary or the body carrying out state registration of individuals as individual entrepreneurs;
- 5) a copy of the certificate of registration of the individual with the tax authority and assignment of a taxpayer identification number certified by the notary;
- 6) an extract from the Unified State Register of Individual Entrepreneurs issued by the body carrying out state registration of individuals as individual entrepreneurs and dated not earlier than 30 calendar days before the date of its submission to the Exchange;
- 7) a statement of fulfillment by the taxpayer (duty payer, tax agent) of the obligation to pay taxes, charges, penalties, fines, interests as at the date not earlier than 30 calendar days before the date of its submission to the Exchange certified within the set procedure;
- 8) certified copies of the accounting balance sheet (form No. 1) and income statement (form No. 2) for the last reporting year (with marks of the tax authority on acceptance);
- 9) certified copies of the accounting balance sheet (form No. 1) and income statement (form No. 2) as at the last reporting date (interim accounting statements);
- 10) a certified copy of the tax return for the tax paid in relation to use of the simplified taxation system for the expired year (with marks of the tax authority on acceptance);
- 11) if the individual entrepreneur carries out accounting of income or accounting of income and expenses and (or) other taxable items according to the laws of the Russian Federation on taxes and charges then instead of the documents stated in sub-clauses 8) and 9), clause 6.4 hereof, he shall provide extracts from the ledger of income and expenses and business operation of the individual entrepreneur or extracts from the ledger of income and expenses of individual entrepreneurs using the simplified taxation system, which documents shall contain data on performance for the last reporting year and the last reporting date and shall be certified by the individual entrepreneur;
- 12) a consent to personal data processing (under the form set in Appendix No. 4 to the Admission Rules).

6.5. To pass through the identification, the Applicant, being a foreign legal entity, shall provide the Exchange with the following documents:

- 1) a request (under the form set in Appendix No. 1 to the Admission Rules) stating the Trading Member Category selected;
- 2) copies of constituent documents;
- 3) a completed registration card in hard copy (under the form set in Appendix No. 2B to the Admission Rules);
- 4) an extract from trade or bank register or another state register of legal entities in the country of origin of the foreign legal entity;
- 5) a document confirming tax registration of the foreign legal entity in its country of origin (confirmation of the non-resident status of the legal entity, a certificate of legal capacity (legal status) of the company, etc.) and with the tax authority of the Russian Federation if tax registration of the legal entity has been carried out in the Russian Federation;

- 6) a document confirming the person's authorities to carry out legal actions on behalf of the foreign legal entity; an original power of attorney (or its copy certified by the notary) issued to the person authorized to act on behalf of the legal entity;
- 7) a copy of the document confirming election (appointment) to the position of a person entitled to act on behalf of the legal entity without the power of attorney (decree, decision of the founders, decision of the general shareholders'/members' meeting, decision of another management body, etc.) certified by the notary;
- 8) a notarized sample signature of the person authorized to sign the required documents on behalf of the legal entity and, if available, seal of the legal entity (for instance, sample seal and signature card, authorized signature book, power of attorney containing the signature of the authorized person);
- 9) an audit opinion concerning the results of inspection of the entity's operation for the last year along with the balance sheet and the income statement executed according to the International Audit Standards for entities; or other financial reporting documents in the absence of those mentioned above;
- 10) a consent to personal data processing (under the form set in Appendix No. 4 to the Admission Rules) from the head and authorized persons of the entity acting on the basis of the power of attorney.

The documents issued, drawn up or certified in accordance with the foreign law under the form established by competent bodies of foreign countries outside the Russian Federation in respect of the foreign entities shall be accepted by the Exchange in the presence of legalization unless otherwise provided by the international convention, international treaty of the Russian Federation or the federal law. The documents drawn up in the foreign language shall be provided to the Exchange along with their duly certified translation into the Russian language.

The Exchange shall check the documents provided to it for identification by foreign legal entities not registered within the Russian Federation for completeness and correctness of execution in view of special aspects of registration of foreign legal entities in the country of origin.

6.6. To conclude the Contract for Holding of Trading in the Formal Market providing for rights and obligations of the Trading Member categorized as the Exchange Member/Non-Resident Exchange Member, the Applicant being the Section Member/Non-Resident Section Member shall submit a Request to the Exchange (under the form set in Appendix No. 1 to the Admission Rules) stating the Exchange Member/Non-Resident Exchange Member Category and shall enclose the documents stated in clauses 6.3—6.5 hereof. The Exchange shall check the documents for completeness and upon the Applicant's demand shall issue a copy of the Request with the Exchange's mark on receipt of the stated documents.

6.7. Within ten working days from receipt of the documents stated in clauses 6.3—6.5 hereof, the Exchange shall check the documents for correctness of execution and reliability of the data contained therein.

6.8. The day of submission of the documents by the Applicant shall be the day of submission by the Applicant to the Exchange of the complete package of duly executed documents needed for conclusion of the Contract for Holding of Trading in the Formal Market.

6.9. Unless otherwise provided in the Admission Rules, the documents shall be executed and submitted to the Exchange according to the following procedure:

- 6.9.1. the documents submitted by the Applicant to the Exchange shall be executed in hard copy in the state language of the Russian Federation, shall be signed by the authorized person and shall be certified within the established procedure unless another form of submission is stated in the Admission Rules. No blots or corrections shall be permitted in the documents. The documents received by the legal entity or the

individual (individual entrepreneur) from the state body of the Russian Federation in electronic form according to the laws of the Russian Federation (an extract from the Unified State Register of Legal Entities issued by the body carrying out state registration of legal entities, a statement of fulfillment by the taxpayer (duty payer, tax agent) of the obligation to pay taxes, charges, penalties, fines, interests, other documents) may be provided to the Exchange in the same form.

6.9.2. For the purpose of submission of the document (hereinafter referred to as the “document to be submitted”) by the Applicant to the Exchange, it shall be necessary that the following documents be provided to the Exchange in advance or simultaneously:

- a) a document confirming presence of the respective authorities owned by the person having signed the document to be submitted as at the moment of its submission to the Exchange;
- b) a document containing a sample signature of the person having signed the document to be submitted. In respect of the head of the Applicant being a legal entity and in respect of the individual entrepreneur such document shall be a notarized banking sample signature card (or its copy) provided to the bank for opening of a bank account and certified by the respective bank.

6.10. The Exchange shall refuse to accept for consideration the Applicant’s documents to be submitted in the following cases:

- a) non-submission to the Exchange of at least one of the documents stated in clauses 6.3—6.5 hereof;
- b) non-compliance of the document to be submitted and/or the documents enclosed thereto with the requirements to document execution set by the Admission Rules.

6.11. In cases stated in clause 6.10 hereof the Applicant shall have the right to:

- a) eliminate non-compliance with the requirements to execution and submission of the documents. In this case the date of the document submission shall be the date of their submission upon elimination of non-compliance, such documents shall be considered again according to the Admission Rules.
- b) call for the documents submitted to the Exchange at location of their submission.

6.12. If within ten (10) working days upon submission by the Applicant of the documents to the Exchange non-complying with the requirements to their execution and submission the non-compliance is not eliminated or the documents **are not**<sup>К.И.1</sup> by the Applicant, upon expiration of the stated term the Exchange shall inform such person on refusal to consider the documents within the procedure set by the Admission Rules.

6.13. Authorities of the Applicant’s representative acting on the basis of the power of attorney shall be confirmed by submission of the original power of attorney or its copy certified within the set procedure. If the power of attorney issued is signed by the person not being the head of the entity and not authorized to issue such power of attorney by the constituent documents and in his turn acting on the basis of the power of attorney, the power of attorney issued by way of substitution shall be certified according to the laws of the Russian Federation. In this case the original power of attorney (or its notarized copy) issued to the person having signed the power of attorney issued by way of substitution shall also be subject to submission. The power of attorney, on the basis of which the person having issued the power of attorney acts, must contain the “with the right of substitution” statement, and it

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shall be signed by the person authorized thereto by the constituent documents of the entity or in another due manner. Besides, the effective term of the power of attorney issued to the authorized person by way of substitution may not exceed the effective term of the power of attorney on the basis of which it is issued.

6.14. In case of termination of the authorities to carry out certain actions under the power of attorney submitted to the Exchange, the person having issued the power of attorney shall immediately inform the Exchange in writing on cancellation of the power of attorney due to termination of the authorities provided by the power of attorney.

6.15. The sample signature of the person acting on the basis of the entity under the power of attorney shall be stated in the power of attorney. In other cases the sample signature shall be provided in writing in any form certified by the entity's seal (if any) and the signature of the entity's head unless such person is the head of the entity.

6.16. The documents submitted to the Exchange shall be sent by mail or by courier to the address: 69—71 ul. Marata, letter A, Saint Petersburg, 191119, Russian Federation, or to the address: 24 ul. Timura Frunze, Moscow, 119021, Russian Federation. In cases provided by the Admission Rules, the document exchange may be carried out via electronic mail or in any other way stated in the Admission Rules.

6.17. The Exchange may deny the Applicant's admission to trading in the formal market, which includes refusal to conclude the Contract for Holding of Trading in the Formal Market on the grounds provided by the Admission Rules, having sent a written notification stating the reason for such denial within the terms set by clause 6.19 hereof.

6.18. If the Applicant meets the requirements set to the Trading Member according to Part 3 hereof, in the absence of the grounds for denial of the Applicant's admission to trading in the formal market provided hereby, including the grounds for refusal to conclude the Contract for Holding of Trading in the Formal Market, and in case of compliance of the documents submitted by the Applicant with the requirements to completeness and execution procedure, reliability of the documents and data, the Exchange's President shall take a favourable decision concerning admission to trading in the formal market, including conclusion of the Contract for Holding of Trading in the Formal Market. The decision on admission to trading in the formal market including conclusion of the Contract for Holding of Trading in the Formal Market with the Applicant (on denial of the admission to trading in the formal market, including refusal to conclude the Contract for Holding of Trading in the Formal Market) shall be taken by the Exchange's President not later than within thirty (30) calendar days from the date of submission of the documents by the Applicant.

6.19. The decision of the Exchange concerning admission to trading in the formal market, including conclusion of the Contract for Holding of Trading in the Formal Market, shall be communicated to the Applicant within seven working days from the date of its taking.

6.20. If a favourable decision is taken by the Exchange in respect of the Request, two counterparts of the Contract for Holding of Trading in the Formal Market and two counterparts of the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services (hereinafter referred to as the "Contracts") shall be sent to the Applicant for signing along with the notification on the decision taken. To ensure most prompt document exchange between the parties, the Contracts may be sent to the Applicant's address via electronic mail in the form of a text document.

6.21. Not later than within three working days from the date of receipt from the Exchange of the notification on admission to trading in the formal market, including conclusion of the Contract for

Holding of Trading in the Formal Market, and receipt of the Contract counterparts stated in clause 6.20 hereof, the Applicant shall send the Contracts in two counterparts signed on its part to the Exchange's address. The signed Contracts may be sent in any way ensuring receipt of the original signed documents by the Exchange.

6.22. Not later than within three working days from the date of receipt of the Contract counterparts signed on the Applicant's part, unless the texts of the Contracts contain any amendments (additions) not agreed by the parties as compared to the Contracts sent by the Exchange to the Applicant's address, the Exchange shall return the Applicant's Contract counterparts signed on its part to the Applicant.

6.23. Upon signing of the Contract for Holding of Trading in the Formal Market, the Trading Member shall pay the fee for participation in trading in the formal market according to clause 5.1, Part 5 of the Admission Rules. The fee for participation in trading in the formal market shall be paid by the Applicant within the term set by the Contract for Holding of Trading in the Formal Market the Trading. If the stated fee is not credited to the Exchange's operating account within the term set in the concluded Contract for Holding of Trading in the Formal Market the Trading, such Contract shall be deemed to have been terminated from the day following the last day of the term set for payment of the respective fee.

6.24. Within the working day following the day of crediting of the fee provided in clause 6.23 hereof to the Exchange's operating account, the Applicant shall be assigned the Unique Code/Codes of the Trading Member and the Additional Code/Codes allowing to identify the Trading Member. The rules for generation of codes and conditions of communication of the codes assigned to the Trading Member are provided in Appendix No. 5 hereto entitled "Procedure for Code Assignment to Trading Members, their Clients and Level 2 Clients". Upon assignment of the code to the Trading Member, the data thereon shall be entered into the SHC and the Register of Trading Members and their Clients.

6.25. The Member shall meet the following conditions for admission to trading in the formal market:

- accreditation of its authorized representatives within the Exchange;
- receipt of remote access to trading in the formal market by conclusion of the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services with the Exchange (unless it has been concluded before); agreement to comply with the EDF Rules and complying with these rules;
- acceptance of the Trading Member for clearing according to the internal regulations of the Clearing Organization if contract conclusion is to be carried out by the Trading Member on its own behalf;
- ensuring of compliance by the Trading Member's Clients with requirements of clause 6.40 of the Admission Rules if participation in trading in the formal market includes actions to be carried out by the Trading Member in the interests and at the expense of the Clients;
- for the Trading Members being residents of the Russian Federation: ownership of the licenses needed for the respective type of activity in cases provided by the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation; for the Trading Members not being residents of the Russian Federation: licenses or other permission documents for the respective type of activity if required by the legislation of the country of origin of the foreign legal entity.

6.26. The Trading Member may gain accreditation of its representatives within the Section with the following authorities provided:

6.26.1. as a trader: an individual authorized by the Trading Member for participation in Trading and for other actions according to the Rules of Trading in the Formal Market and the power of attorney issued by the Trading Member;

6.26.2. as an analyst: an individual authorized by the Trading Member to monitor the course of trading and its results.

6.27. Accreditation process within the Derivatives Market Section shall be available only to the traders of the Trading Member having the necessary permission documents for carrying out of the respective activity in cases provided by the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation (for the resident of the Russian Federation), the laws and other legal regulations of the country of origin of the Trading Member and the Exchange's Internal Regulations (for the non-resident of the Russian Federation).

6.28. The Trading Member may gain accreditation within the Section for its representatives to be traders with the authorities to act:

- on behalf of the Trading Member and all its Clients or on behalf of one or several Clients (for residents of the Russian Federation);
- on behalf and at the expense of the Trading Member or on behalf of the Trading Member and at the expense of the Client being a foreign entity (person) (for non-residents of the Russian Federation).

6.29. The Trader authorized by the Trading Member to carry out operations on behalf of one or several Clients may not submit and receive the documents on behalf of the Trading Member.

6.30. The Trader authorized to carry out operations by one Trading Member may not be the trader at the same time authorized to carry out operations by another Trading Member.

6.31. The Trading Member may not gain accreditation for the trader's position for an individual whose remote access to the SHC has been terminated due to violation of the Rules of Trading in the Formal Market and/or the conditions of the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services.

6.32. To gain accreditation for the authorized representative the Trading Member shall provide the Exchange with the following documents:

6.32.1. one of the following powers of attorney if the authorities of the Trading Member's representatives are not established by the Trading Member's constituent documents:

- a power of attorney for the trader with authorities to carry out operations on behalf of the Trading Member and all its Clients (to be executed according to Appendix No. 8A to the Admission Rules);
- a power of attorney for the trader with the authorities to carry out operations on behalf of one or several Clients (to be executed according to Appendix No. 8B to the Admission Rules);
- the power of attorney for the trader with the authorities to carry out operations on behalf of the Trading Member or at the expense of one or several Clients being foreign entities (persons) (for non-residents of the Russian Federation) shall be executed in view of the requirements stated in paragraph 12, clause 6.5 of these Admission Rules, and shall contain the date of issue of the power of attorney, name of the foreign legal entity being the Trading Member and name, patronymic (if any), surname of its head or another person authorized to issue powers of attorney on behalf of the Trading Member, shall specify the document confirming authorities of the person signing the power of attorney, name, patronymic (if any), surname, sample signature and contact telephone number of the person to which the authorities are provided, a statement that the power of attorney is issued without the right of substitution, effective term of the power of attorney and the authorities for carrying out of the following actions according to the laws of the Russian Federation:

- take part in trading within a certain Section of “SPIMEX”, conclude contracts on behalf and at the expense of the Trading Member or at the expense of one or several Clients within the procedure set by the Rules of Trading in the Formal Market within the certain Section of “SPIMEX”;
- receive Codes of users and passwords to work in the ETS;
- receive information and reporting statements according to the trading results within the Section;
- submit applications for changes to be introduced into the Electronic Trading System and/or Specifications of the exchange-traded commodities of the list of the exchange-traded commodities admitted to trading, instruments, delivery bases;
- send the data on Trading Member’s Clients to the Exchange, including notifications of the Client registration/cancellation of the Client registration/changes in the data on the Client.

The Trading Member may execute a power of attorney using the recommended form provided in Appendix No. 8C to the Admission Rules.

- - a power of attorney for the analyst (to be executed according to Appendix No. 8D to the Admission Rules).

6.32.2. The application for accreditation of the authorized representative of the Trading Member executed according to Appendix No. 9 to the Admission Rules if the Trading Member’s representative acts on behalf of the Trading Member on the basis of constituent documents.

6.33. The powers of attorney shall be executed according to the requirements set in clause 6.13 hereof to execution of powers of attorney certifying authorities of persons for signing of documents provided to the Exchange on behalf of the entity. The Trading Member shall on its own monitor the effective terms of the powers of attorney issued, cancel the powers of attorney in due time if its representatives have been deprived of the authorities stated in powers of attorney. Upon expiration of the effective term of the power of attorney the trader’s access to operations within the SHC and access of the analyst to the SHC for monitoring of trading shall be terminated.

6.34. The Trading Member shall be responsible for all the actions carried out by its authorized representatives in the course of trading in the formal market of the Exchange.

6.35. Entering of the data on traders into the SHC database stating the name, patronymic, surname shall be carried out only after the Exchange receives powers of attorney/applications for accreditation of the Trading Member’s authorized representative and the Consent to Personal Data Processing from the Trading Member according to Appendix No. 4 to the Admission Rules. When entering the data on traders into the SHC database the Exchange shall set the user codes for them which shall be generated within the procedure set by the Exchange’s Internal regulations and the initial standard passwords. Then the traders shall on their own set new passwords and determine the procedure for password change. The Trading Member shall exercise control over application of user codes and passwords.

6.36. To cancel accreditation of its authorized representative within the Section the Trading Member shall cancel the power of attorney on the basis of which such authorized representative has been accredited according to requirements of the laws of the Russian Federation (for Trading Members being residents of the Russian Federation) or similar requirements of the legislation of the country of origin (for Trading Members not being residents of the Russian Federation); the Exchange shall receive a respective written notification.

6.37. To cancel accreditation within the Section for the Trading Member’s authorized representative

which has been accredited according to sub-clause 6.32.2 hereof the Trading Member shall provide the Exchange with the application in any form on cancellation of accreditation for the authorized representative stating the name, patronymic, surname of such representative.

6.38. If the Trading Member's representative is admitted to trading in the formal market within the derivatives market as a trader its accreditation shall also be suspended/terminated in case of suspension/termination of the permission documents on the basis of which this activity is carried out according to requirements of the laws of the Russian Federation (for Trading Members being residents of the Russian Federation) or similar requirements of the legislation of the country of origin (for Trading Members not being residents of the Russian Federation); the

6.39. Remote access of the Trading Member to operations within the Section may be exercised in the following ways:

- 6.39.1. remote access to the SHC through the workplace;
- 6.39.2. within the derivatives market — remote access through the Exchange's gateway and certified external software and hardware facilities (ESHF).

If it the Trading Member is not able to exercise remote access to operations within the Section in the ways provided in sub-clauses 6.39.1 and 6.39.2 hereof access to the SHC may be exercised by the Trading Member through the workplace installed within the Exchange provided that the Exchange has such a technical ability when the respective justified written request is received from the Trading Member.

6.40. The Trading Member having the right to act in the interests and at the expense of other persons according to Part 8 hereof shall ensure:

- 6.40.1. acceptance of the Client for clearing within the Clearing Organization so that the Trading Member could conclude contracts in the interests and at the expense of such Client according to the internal regulations of the Clearing Organization;
- 6.40.2. registration of the Client within the Exchange according to the rules set by Appendix No. 5 to the Admission Rules entitled "Procedure for code assignment to Trading Members, their Clients and Level 2 Clients" by way of sending of the data on the Client to the Exchange;
- 6.40.3. sending to the Exchange of the notification on cancellation of the Client registration within the Exchange in case of termination of contractual relations between the Client and the Trading Member;
- 6.40.4. notification of the Exchange on changes in the data on the Client to ensure updating of the Clients' codes by the Exchange.

6.41. Sending of the data provided in clause 6.40 hereof to the Exchange shall be carried out according to the Exchange's Internal Regulations setting the procedure for information submission within the commodity sections of "SPIMEX".

6.42. Registration (cancellation of registration) of the Client within the Exchange, its adding to (deletion from) the Register of Trading Members and their Clients, updating of the Clients' codes shall be performed not later than on the working day following the day of receipt by the Exchange of the data provided in sub-clauses 6.40.2.—6.40.4, clause 6.40 hereof.

6.43. Within the derivatives market section registration, registration cancellation, updating of the codes of the Trading Members' Clients and Level 2 Clients shall be performed on the basis of the data provided by the Clearing Organization.

6.44. In the course of commodity trading in the formal market the Exchange shall not register Level 2 Clients of Trading Members (clients being the clients of the broker who in its turn is the Trading



Member's Client).

6.45. Trading Member shall not be allowed to carry out actions misleading their Clients, in particular to provide inaccurate reports and other unreliable information.

6.46. The Trading Member shall ensure that the Client reads the Exchange's Internal Regulations, and shall inform the Client in due time of changes in the Exchange's Internal Regulations and decisions of the Exchange's authorized bodies. Submission by the Trading Member of unreliable information to its Clients or submission of information aimed at fraud or misleading of the Clients, refusal to submit or untimely submission by the Trading Member of information on the contracts concluded on behalf of the Clients to the Clients may serve as the ground for suspension of admission of the Trading Member to trading in the formal market and/or termination of admission to trading in the formal market according to the decision of the Exchange's authorized body.

6.47. The Rules of Trading in the Formal Market within Sections may establish additional conditions for admission of Trading Members to trading in the formal market within the respective Section.

6.48. The data on trading members within each Section stating the full name and INN (Taxpayer Identification Number) (for foreign legal entities without INN — a taxpayer code or a similar code assigned to the foreign legal entity in the country of origin) of the Trading Member, dates of admission of the Trading Member to trading within the exchange, dates and grounds for suspension (termination) and resumption of admission to trading in the formal market shall be disclosed on the Exchange's official website.

6.49. The data on the Trading Member whose admission is terminated shall be deleted from the data placed on the Exchange's official website not earlier than in 3 months upon the date of termination of such Trading Member's admission to trading in the formal market within the respective Section (Sections) of the Exchange.

## **7. GROUNDS FOR DENIAL OF THE APPLICANT'S ADMISSION TO TRADING IN THE FORMAL MARKET**

7.1. The Exchange may deny the Applicant's admission to trading in the formal market, in particular refuse to conclude the Contract for Holding of Trading in the Formal Market:

7.1.1. if the Exchange's authorized body has previously taken a decision on termination of admission to trading in the formal market in respect of such Applicant on the grounds stated in sub-clauses 12.1.6—12.1.16 hereof;

7.1.2. if the Applicant's sole executive body has been the sole executive body of the legal entity in respect of which a decision has been taken previously on termination of admission to trading in the formal market on the grounds stated in sub-clauses 12.1.6—12.1.16 hereof;

7.1.3. if the Applicant has a debt to the Exchange related to non-fulfillment of the obligations under the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;

7.1.4. if the persons being members of the Applicant's management bodies are or have been members of management bodies of the legal entities having the debt to the Exchange related to non-fulfillment of the obligations under the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;

- 7.1.5. if among the Applicant's members or founders there is a legal entity having a debt to the Exchange related to non-fulfillment of the obligations under the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;
- 7.1.6. if there is a negative financial result according to the statements submitted by the Applicant when passing through identification in compliance with clauses 6.2—6.5, Part 6 hereof, which result disputes performance of the contracts concluded in the course of trading in the formal market;
- 7.1.7. if the Applicant has not fulfilled any obligation to pay taxes, charges, penalties, fines, interests payable according to the laws of the Russian Federation on taxes and charges in compliance with the statement of fulfillment by the taxpayer (duty payer, tax agent) of the obligation to pay taxes, charges, penalties, fines, interests submitted by the Applicant for the purpose of identification;
- 7.1.8. if administrative penalty has been imposed in the form of disqualification in respect of the Applicant's sole executive body;
- 7.1.9. if the Applicant is added to the List of Entities and Individuals Known to be Involved into Extremist Activity or Terrorism which list is published on the official website of the Federal Financial Monitoring Service at the address: [www.fedsfm.ru](http://www.fedsfm.ru);
- 7.1.10. if the documents provided by the Applicant contain unreliable data;
- 7.1.11. if the Applicant does not meet the requirements set in Part 3 of the Admission Rules.

## **8. TRADING MEMBERS ENTITLED TO ACT IN THE INTERESTS AND AT THE EXPENSE OF OTHER PERSONS. PROCEDURE FOR MAINTENANCE BY THE EXCHANGE OF THE LIST OF TRADING MEMBERS ACTING IN THE INTERESTS AND AT THE EXPENSE OF OTHER PERSONS.**

8.1. Admission to commodity trading in the formal market within the Exchange Sections (hereinafter referred to as the "commodity sections") in the interests and at the expense of other persons shall be provided to the Trading Members categorized as Exchange Members, Non-Resident Exchange Members, Section Members, Non-Resident Section Members, Temporary Section Members, Non-Resident Temporary Section Members included into the List of Commodity Trading Members acting in the interests and at the expense of other persons according to these Admission Rules or brokers having a license of the professional securities market participant (permission documents for carrying out of the respective activity for foreign legal entities according to the legislation of the country of origin of the foreign legal entity) and being Trading Members within the Categories mentioned herein.

8.2. Trading Members shall be added by the Exchange to the List of Commodity Trading Members acting in the interests and at the expense of other persons if the Trading Member meets the following requirements:

- the Trading Member has a website containing information on contact data of Trading Members, material conditions of contracts concluded by the Trading Member with the Clients, on cost of the services rendered by the Trading Member to its Clients;
- the Trading Member being the resident of the Russian Federation has fulfilled all the obligations to pay taxes, charges, penalties, fines, interests payable according to the laws of the

Russian Federation on taxes and charges and subject to the data of the respective statement issued by IFNS (Inspectorate of Federal Tax Service) of Russia as of the date occurring not earlier than 30 calendar days before the date of the Request submission under the form set in Appendix No. 6 to the Admission Rules.

8.3. The list of commodity trading members acting in the interests and at the expense of other persons shall be formed by the Exchange in respect of each commodity section out of Exchange Members, Non-Resident Exchange Members, Section Members, Non-Resident Section Members, Temporary Section Members, Non-Resident Temporary Section Members and shall be placed on the Exchange's official website (unless the Trading Member has rejected placing of such information on the website).

8.4. The Trading Member having concluded the Contract for Holding of Trading in the Formal Market providing for rights and obligations of the Trading Member within one of the Categories stated in clause 8.1 hereof shall be added to the List of Commodity Trading Members Acting in the Interests and at the Expense of Other Persons not earlier than on the day following the day of receipt of the payment according to clause 6.24 hereof to the Exchange's operating account and upon submission to the Exchange of the Request under the form set Appendix No. 6 to the Admission Rules and upon the check held by the Exchange in respect of compliance by the Trading Member with the requirements stated in clause 8.2 hereof.

8.5. The member of trading in the formal market may be excluded from the List of Commodity Trading Members Acting in the Interests and at the Expense of Other Persons in the presence of one or several of the following circumstances:

- 8.5.1. suspension/termination of admission to trading in the formal market on the grounds provided by the Rules of Trading in the Formal Market;
- 8.5.2. submission by the Trading Member of unreliable information to its Clients or information aimed at fraud or misleading of the Clients, refusal to submit or untimely submission by the Trading Member of information to the Clients on contracts concluded within trading in the formal market on behalf of the Clients;
- 8.5.3. multiple breaches of terms for fee payment provided by the Contracts and the Rules of Trading in the Formal Market;
- 8.5.4. if disciplinary measures have been applied to the Trading Member on the initiative of the Exchange's authorized bodies.

8.6. Information on the Trading Members having a license of the professional securities market participant for broker activity (permission documents for carrying out of the respective activity for non-residents of the Russian Federation according to the legislation of the country of origin of the foreign legal entity) within the following Categories: Exchange Member, Non-Resident Exchange Member, Section Member, Non-Resident Section Member, Temporary Section Member, Non-Resident Temporary Section Member in commodity sections of the Exchange and/or the Derivatives Market Section shall be placed on the Exchange's official website. The information shall be placed not earlier than on the day following the day of payment receipt to the Exchange's operating account according to clause 6.24 hereof and upon submission of the Request under the form set in Appendix No. 7 hereto.

8.7. In case of cancellation and suspension of its license (permission documents) the Trading Member owning a license of the professional securities market participant (permission documents for carrying out of the respective activity for non-residents of the Russian Federation if required by the legislation of the country of origin of the foreign legal entity) shall notify thereof the Exchange in writing within the following terms:

- 8.7.1. in case of the license cancellation (cancellation of permission documents) according to the licensee's application not later than within one working day following the day of sending of the application for license cancellation (cancellation of permission documents) by the Trading Member to the authorized body;
- 8.7.2. in case of the license cancellation or suspension (cancellation or suspension of permission documents) on the initiative of the licensing authority not later than within one working day following the day of taking of the respective decision by the authorized body.
- 8.8. In case of cancellation, suspension of the license of a professional securities market participant for broker activity, other activity according to the laws of the Russian Federation in relation to the Trading Members being residents of the Russian Federation or permission documents for carrying out of the respective activity if required by the legislation of the country of origin of the foreign legal entity in relation to the Trading Members not being residents of the Russian Federation information on the Trading Member shall be deleted from the Exchange's official website on the following working day upon receipt of the notification according to clause 8.7 hereof from the Trading Member and/or in case of placing of information on cancellation or suspension of the license of a professional securities market participant for broker activity, other activity according to the laws of the Russian Federation on the official website of the Bank of Russia. Placing of information on the Exchange's official website shall be resumed if the license is renewed (permission documents are renewed) and upon submission of the Application under the form set in Appendix No. 7 to the Admission Rules.
- 8.9. Within the derivatives market the Trading Member's right to act in the interests and at the expense of other persons shall be determined by availability of the license owned by it for this activity according to requirements of the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation in respect of the Trading Member being residents of the Russian Federation or by availability of the license or other permission documents for carrying out of the respective activity if required by the legislation of the country of origin of the foreign legal entity in respect of the Trading Member not being residents of the Russian Federation. Notification of the Exchange on cancellation, as well as on suspension of the stated license (permission documents) shall be performed within the procedure and terms set in clause 8.7 hereof.

## **9. REGISTER OF TRADING MEMBERS AND THEIR CLIENTS**

- 9.1. The Exchange shall maintain a Register of Trading Members and their Clients. The data on trading members shall be entered into the Register of Trading Members and their Clients within the terms set according to clauses 6.24 and 6.42, Part 6 of the Admission Rules.
- 9.2. The Register of Trading Members and their Clients shall be maintained on a regular basis and shall contain the following data:
- full name of the Trading Member;
  - code/codes of the Trading Member assigned by the Exchange;
  - code/codes of each Trading Member's Client and each Level 2 Client;
  - location (address), telephone and fax numbers, electronic mail address of the Trading Member;
  - INN of the Trading Member (for foreign legal entities without INN code of the taxpayer or a similar code assigned to the foreign legal entity in the country of origin) or the data provided in Appendix No. 5 to the Admission Rules entitled "Procedure for Code Assignment to Trading Members, their Clients and Level 2 Clients";
  - date of adding of the Trading Member (the Trading Member's Client, Level 2 Client) to the

Register of Trading Members and their Clients;

- other data if required by the Exchange's Internal Regulations.

9.3. The Exchange shall maintain the Register of Trading Members and their Clients in electronic form.

9.4. The Register of Trading Members and their Clients shall be maintained separately for each Exchange Section, the data on Trading Members and Trading Members' Clients (Level 2 Clients) shall be separated.

9.5. The Register of Trading Members and their Clients shall be updated not later than on the working day following the receipt by the Exchange of changes in the data contained in the Register.

9.6. The Exchange may receive information (documents) needed for maintenance of the Register of Trading Members and their Clients and for other purposes set hereby from Trading Members, the Clearing Organization. The Exchange may transfer the data (documents) received from Trading Members to the Clearing Organization.

## **10. LIABILITY OF TRADING MEMBERS**

10.1. The Rules of Trading in the Formal Market and other Exchange's Internal Regulations, decisions of the Exchange's authorized bodies taken in respect of activity within Sections according to their competence shall be binding for the Trading Members.

10.2. The Exchange's President shall exert control over compliance with the Rules of Trading in the Formal Market and other Exchange's Internal Regulations, decisions of the Exchange's authorized bodies.

10.3. For violation of requirements of the laws, regulations of the Bank of Russia and other legal regulations of Russian Federation, the Rules of Trading in the Formal Market and other Exchange's Internal Regulations, non-fulfillment (improper fulfillment) of its obligations under the contracts concluded within the Sections according to the Rules of Trading in the Formal Market and in cases when actions of the Trading Member hinder or may hinder proper operation of the SHC the Trading Member shall bear liability provided by the Rules of Trading in the Formal Market and the laws of the Russian Federation.

10.4. Ignorance or misunderstanding in respect of provisions of the Rules of Trading in the Formal Market and other Exchange's Internal Regulations binding for the Trading Members shall not release them from obligations to comply with them.

10.5. If the Trading Member violates the requirements stated in clause 10.3 hereof any of the following measures may be applied to such Trading Member:

- issuing of an official warning, including a warning with the term for elimination of the violation detected;
- charging of a fine in the amount of up to ten (10) fine rates set by the Admission Rules;
- suspension of admission to trading in the formal market;
- termination of admission to trading in the formal market;
- limitation of the list of Delivery Bases under which the Trading Member acting as Delivery Controller;
- cancellation of the contract/agreement on interaction with the Trading Member acting as Delivery Controller;
- other measures established by the Rules of Trading in the Formal Market within the Exchange Sections.

10.6. In case of unlawful use of insider information and (or) market manipulation, as well as undue

influence exerted by the Trading Member on pricing within the Exchange one of the following measures may be taken:

- official warning with a written notice to the Bank of Russia on actions of the Trading Member;
- charging of a fine in the amount of up to twenty (20) fine rates set by the Admission Rules;
- suspension of admission to trading in the formal market;
- termination of admission to trading in the formal market.

10.7. Submission by the Trading Member of unreliable information to its Clients or submission of information aimed at fraud or misleading of the Clients, refusal to submit or untimely submission by the Trading Member of information on the contracts concluded on behalf of the Clients to the Clients shall entail applying of the following measures to such Trading Member:

- excluding of the Member from the List of Commodity Trading Members Acting in the Interests and at the Expense of Other Persons drawn up by the Exchange according to Part 8 of the Admission Rules;
- charging of a fine in the amount of up to ten (10) fine rates set by the Admission Rules;
- suspension of admission to trading in the formal market;
- termination of admission to trading in the formal market.

10.8. If the Trading Member and/or its Client spread information on the course and results of trading in the formal market within the Exchange without conclusion of the respective contract with the Exchange the following measures shall be applied to such Trading Member:

- charging of a fine in the amount of up to ten (10) fine rates set by the Admission Rules;
- charging of a fine in the amount of up to ten (10) fine rates set by the Admission Rules along with claiming for reimbursement for the Exchange's losses arising due to unlawful distribution of information;
- suspension of admission to trading in the formal market;
- termination of admission to trading in the formal market.

10.9. If the Customer has refused to carry out One-Sided Auction or has taken a decision to shift the date of its holding or has provided information on the Reserve Price in breach of the established terms the Customer shall pay a fine in the amount of ten (10) fine rates on the basis of the decision of the Exchange's President and according to clause 10.13 hereof.

10.10. The Exchange shall disclose the information on violations of the requirements of clause 10.3 hereof committed by the Trading Member on the Exchange's official website within the procedure set by regulations of the Bank of Russia.

10.11. The decision on applying of measures established hereby to the Trading Member shall be taken by the Exchange's President. While taking the decision the President may take into account the recommendations of the Disciplinary Commission of "SPIMEX", as well as severity of the violation determined on the basis of the following criteria:

- the violation is repeated;
- the violation is of long-term nature, i. e. it is a long-term continuous non-compliance or improper compliance with the requirements set in clause 10.3 hereof;
- the violation has entailed substantial losses incurred by the Exchange and/or Trading Members;
- the violation is committed by a group of Trading Members (group of persons) in the form of collusion. In this regard the fact of violation shall be determined by the authorized

state or law enforcement body.

10.12. According hereto the penalty amount in the form of a fine may be set in the amount of one or several fine rates.

10.13. The fine rate used according to the Admission Rules for calculation of the fine amount shall be five thousand (5,000) rubles.

10.14. When imposing the fine on the Trading Member for non-fulfillment or improper fulfillment of its obligations set by the Rules of Trading in the Formal Market the Exchange shall send a demand on fine payment to such Member. The fine shall be paid to the Exchange's account according to the details stated in the demand on fine payment.

10.15. The fine shall be paid by the Trading Member within ten (10) working days from the date of receipt of the demand on fine payment.

10.16. The date of fine payment by the Trading Member shall be the date of crediting of the fine amount to the correspondent account of the bank with which the Exchange has opened accounts.

## **11. GROUNDS AND PROCEDURE FOR SUSPENSION OF ADMISSION TO TRADING IN THE FORMAL MARKET**

11.1. Suspension of admission to trading in the formal market shall mean suspension of service rendering by the Exchange consisting in holding of trading in the formal market in terms of granting of admission to trading within the procedure set hereby.

11.2. The Exchange's President or his deputy may take a decision on suspension of the Trading Member's admission to trading in the formal market within any Category in each of the following cases:

11.2.1. non-compliance by the Trading Member with the Rules of Trading in the Formal Market and other Exchange's Internal Regulations, as well as internal regulations of the Clearing Organization, the Contract for Holding of Trading in the Formal Market and the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;

11.2.2. receipt by the Exchange of the writ of execution concerning arrest of the Trading Member's property to be complied with;

11.2.3. obtaining of the data from the Clearing Organization concerning receipt by the Clearing Organization of the writ of execution for arrest of the Trading Member's property to be complied with;

11.2.4. measures taken in respect of the Trading Member aimed at prevention of bankruptcy, and/or filing of a bankruptcy case in respect of the Trading Member by the arbitration court, and/or announcement of insolvency (bankruptcy) of the Trading Member in cases and within the procedure provided by the legislation of the Russian Federation or the country of origin of the foreign legal entity;

11.2.5. any form of reorganization of the Trading Member in cases and within the procedure provided by the legislation of the Russian Federation or the country of origin of the foreign legal entity

11.2.6. non-payment of the exchange fees and other fees within the terms set by the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services concluded with the Trading Members;

11.2.7. non-payment of fines set in Part 10 hereof and in the Rules of Trading in the Formal Market within the Exchange Sections within the term stated in the demand on

fine payment according to provisions of Part 10 hereof;

11.2.8. a negative financial result determined according to the reports submitted by the Trading Member in compliance with clause 14.2 hereof which result disputes performance of the contracts concluded in the course of trading in the formal market;

11.2.9. non-compliance of the Trading Member with the requirements of the laws , regulations of the Bank of Russia and other legal regulations of the Russian Federation and/or the Rules of Trading in the Formal Market and other Exchange's Internal Regulations;

11.2.10. non-submission of the documents, information and reports within the set term as provided by Parts 13 and 14 of the Admission Rules;

11.2.11. Impossibility of communication with the Trading Member via the address stated in the Unified State Register of Legal Entities or in the registration card.

11.3. Upon termination of circumstances having caused taking of the decision to suspend admission to trading in the formal market by the Exchange's President or his deputy a decision shall be taken on resumption of the Trading Member's admission to trading in the formal market.

## **12. GROUNDS AND PROCEDURE FOR TERMINATION OF ADMISSION TO TRADING IN THE FORMAL MARKET**

12.1. Termination of admission to trading in the formal market shall mean termination of service rendering by the Exchange by cancellation of the Contract for Holding of Trading in the Formal Market, including refusal to perform this contract.

Admission to trading in the formal market may be terminated on the following grounds:

12.1.1. if the Trading Member has submitted an Application on contract cancellation according to the form set in Appendix No. 3 to the Admission Rules);

12.1.2. if the Trading Member's Category is changed;

12.1.3. in case of liquidation of the legal entity, i.e. its exclusion from the Unified State Register of Legal Entities (except for transformation of the legal entity for the purpose of change in form of incorporation) and in respect of foreign legal entities on the basis of requirements of the legislation valid in the country of origin;

12.1.4. in case of termination of the individual's activity in the individual entrepreneur status from the moment of state registration of activity termination;

12.1.5. in case of complete transfer of rights and obligations under the Contract for Holding of Trading in the Formal Market according to requirements of laws valid in the Russian Federation and in view of these Admission Rules;

12.1.6. in case of non-submission of documents, information and reports within the set term as provided by Parts 13 and 14 of the Admission Rules;

12.1.7. in case of non-payment of the exchange fees and other fees set by the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services concluded with the Trading Members;

12.1.8. in case of non-payment of fines set in Part 10 hereof and in the Rules of Trading in the Formal Market within the Exchange Sections;

12.1.9. in case of repeated use of disciplinary measures (more than once) in respect of the Trading Member;

12.1.10. in case of non-compliance or improper compliance by the Trading Member



with the laws, regulations of the Bank of Russia and other legal regulations of the Russian Federation, the Rules of Trading in the Formal Market, the Exchange's Internal Regulations and the internal regulations of the Clearing Organization, violation by the Trading Member of obligations assumed according to the Request and contracts concluded with the Exchange and the Clearing Organization, as well as non-compliance with the decisions of the Exchange's authorized bodies;

- 12.1.11. if it is found out that the individual elected or appointed member of the Trading Member's management bodies is a person included into the management bodies of the legal entity having a debt to the Exchange due to non-fulfillment of the obligations under the Contract for Holding of Trading in the Formal Market and/or the Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;
- 12.1.12. if a legal entity is detected among members or founders of the Trading Member having a debt to the Exchange under the Contract for Holding of Trading in the Formal Market and/or Contract for Provision of Software and (or) Hardware to the Trading Member of "SPIMEX" for Remote Access to the Exchange's Services;
- 12.1.13. if a legal entity is detected among members or founders of the Trading Member in respect of which a decision has been taken previously on termination of admission to trading in the formal market on the grounds stated in sub-clauses 12.1.6—12.1.16 hereof;
- 12.1.14. if it is found out that an administrative penalty has been imposed in the form of disqualification of the sole executive body of the Member;
- 12.1.15. if it is impossible to communicate with the Trading Member using the address stated in the Unified State Register of Legal Entities or in the registration card;
- 12.1.16. if the Trading Member is added to the List of Entities and Individuals Known to be Involved into Extremist Activity or Terrorism which list is published on the official website of the Federal Financial Monitoring Service at the address: [www.fedsfm.ru](http://www.fedsfm.ru).

12.2. The decision concerning termination of admission to trading in the formal market for the Trading Member (Exchange Member, Non-Resident Exchange Member, Section Member, Non-Resident Section Member, Temporary Section Member, Non-Resident Temporary Section Member, Trade Visitor, Non-Resident Trade Visitor) on the grounds provided by sub-clauses 12.1.6—12.1.16 hereof shall be taken by the Exchange's President or his deputy.

12.3. The Trading Member in respect of which the decision has been taken on termination of admission to trading in the formal market shall fulfill all the obligations accrued by it in the course of participation in trading in the formal market within the Exchange. In this regard the fee for participation in trading in the formal market within the categories: Exchange Member, Non-Resident Exchange Member, Section Member, Non-Resident Section Member, Temporary Section Member, Non-Resident Temporary Section Member, Trade Visitor, Non-Resident Trade Visitor, as well as other fees paid to the Exchange by the Trading Member shall not be subject to return.

12.4. Cancellation of the Contract for Holding of Trading in the Formal Market concluded with the Trading Member in respect of which the right to take part (admission) in trading in the formal market is terminated shall be carried out within the procedure set hereby.

### **13. MANDATORY REGULAR IDENTIFICATION OF TRADING MEMBERS**

13.1. To confirm reliability of the data on Trading Members owned by the Exchange and to check compliance by the Members with requirements of clause 15.7 hereof and observance of the "know your "SPIMEX"

client” principle the Exchange shall carry out identification of Trading Members not less than once a year.

13.2. Each year the members of trading in the formal market shall provide the Exchange with the registration card under the form set in Appendix No. 2A, Appendix No. 2B or Appendix No. 2C to the Admission Rules.

13.3. The Trading Members categorized as Exchange Members, Non-Resident Exchange Members, Section Members, Non-Resident Section Members shall provide the registration card before June 1 of the current year.

The Trading Members categorized as Temporary Section Members, Non-Resident Temporary Section Members, Trade Visitors, Non-Resident Trade Visitors shall provide the registration card within the term set by the respective Contracts for Holding of Trading in the Formal Market for submission of documents needed to extend such Contracts.

13.4. The registration card shall be provided as a scanned copy sent via the electronic mail to the address stated in the Contract for Holding of Trading in the Formal Market. The Exchange’s employee authorized to carry out regular identification may additionally request the Trading Member to submit the documents mentioned in Part 14 of the Admission Rules. Non-submission by the Trading Member of the documents stated herein within the set term, including the additional documents requested by the Exchange, may serve as the ground for termination of admission to trading in the formal market.

#### **14. MONITORING OF FINANCIAL STANDING OF TRADING MEMBERS, PRESENCE OF THE PERMISSION DOCUMENTS NEEDED AND COMPLIANCE WITH REQUIREMENTS OF LAWS AND OTHER LEGAL REGULATIONS OF THE RUSSIAN FEDERATION**

14.1. To monitor the financial standing of Trading Members the Exchange may demand additional information and reports to be submitted by them.

14.2. The Exchange may send a request to the Trading Member concerning submission of the following documents:

14.2.1. a scanned copy of the accounting balance sheet (form No. 1) and the income statement (form No. 2) as of the last reporting year (with marks of the tax authority on acceptance);

14.2.2. a scanned copy of the audit opinion concerning the results of inspection of the entity’s operation as of the last year along with the balance sheet and the income statement executed according to the International Audit Standards for entities; or other financial reporting documents in the absence of those mentioned above (for foreign legal entities);

14.2.3. a scanned copy of the ledger of income and expenses and business operation of the individual entrepreneur;

14.2.4. A scanned copy of the extract from the ledger of income and expenses of entities and individual entrepreneurs using the simplified taxation system.

The Exchange may additionally demand from the Trading Member the information on the Trading Member’ financial standing provided that such information is not a commercial secret or another secret protected by the law according to the legislation of the Russian Federation.

14.3. Non-submission of the information and reports by the Exchange Member, Non-Resident Exchange Member, Section Member, Non-Resident Section Member, Temporary Section Member, Non-Resident Temporary Section Member within the set term may serve as the ground for deletion of the Member from the List of Commodity Trading Members Acting in the Interests and at the Expense of other Persons.

The documents demanded by the Exchange from the Trading Member according to clause 14.2.2 hereof, their contents and periods as of which they have been drawn up shall be demanded by the Exchange from the Trading Member in view of the special aspects of execution of reporting documents by foreign legal entities in their country of origin.

14.4. If the Exchange finds out that the Trading Member has violated a capital adequacy standard the Exchange shall submit information on such violation to the Bank of Russia within the procedure and terms set by the regulations of the Bank of Russia.

## **15. REQUIREMENTS TO INFORMATION COMPREHENSIVENESS AND RELIABILITY**

15.1. The Applicant shall ensure comprehensiveness and reliability of the information and documents submitted to the Exchange according hereto, as well as due execution of such documents.

15.2. The Exchange may check reliability of the information and documents provided by the Applicant according hereto. Duration of the stated check shall not last for more than ten (10) working days from the date of document submission by the Applicant. If necessary this term may be extended by the Exchange but not more than for ten (10) working days.

15.3. The Applicant shall render assistance to the Exchange's employee (hereinafter referred to as the "responsible officer") in reviewing and checking of the documents and data submitted to the Exchange. In the course of and according to the results of review the responsible officer may demand submission of additional data and explanations from the Applicant which the latter shall provide.

15.4. The Exchange may request the Applicant to submit additional information on its activity, including on its bodies, licenses, qualification certificates of employees, as well as the information on financial standing of the Applicant. In this regard the requested information shall be provided within the term stated in the request, and if the term is not stated information shall be provided within five (5) working days from the date of receipt of the Exchange's request by the Applicant.

15.5. The Exchange may request the Applicant to provide any information needed which according to the laws of the Russian Federation is not considered a commercial secret or any other secret protected by the law by the Applicant and by other persons.

15.6. Non-submission by the Applicant of the information within the set term according hereto may serve as the ground for refusal to grant admission to trading in the formal market.

15.7. Exchange Members, Non-Resident Exchange Members, Section Members, Non-Resident Section Members, Temporary Section Members, Non-Resident Temporary Section Members, Trade Visitors, Non-Resident Trade Visitors shall inform the Exchange on changes in their names, form of incorporation, charters, other constituent documents, location addresses, actual and/or postal addresses, telephone, fax numbers, electronic mail addresses, change of the sole executive body, persons owning the right to sign documents. This information shall be provided in writing against the signature of the entity's head within ten working days after such changes become effective along with copies of documents confirming introduction of the respective changes.

## **16. CONCERNING CONFLICT SITUATIONS AND APPLICATION OF MEASURES**

16.1. Conflict situations among Trading Members and among the Trading Member (Members) and "SPIMEX" which may arise on the basis of violation of the Exchange's Internal Regulations or in relation therewith, as well as in relation to conclusion of contracts within the Exchange or in case of misconduct of the Trading Member shall be considered by the Disciplinary Commission of "SPIMEX".

16.2. The procedure for creation of the Disciplinary Commission of "SPIMEX", the main goals and tasks of its activity and its main functions shall be determined in the Regulation on the Disciplinary "SPIMEX"

Commission of “SPIMEX” approved by the authorized body of “SPIMEX” which shall be disclosed on the Exchange’s official website.

## 17. ANTICORRUPTION CONDITIONS

17.1. When fulfilling the conditions of the Rules of Trading in the Formal Market, including these Admission Rules, the Exchange, Trading Members, their affiliated persons, employees or agents shall not pay, shall not offer or permit payment of any monetary amounts or provision of valuables directly or indirectly to any persons to influence actions or decisions of such persons aimed at gaining of any unlawful benefits or for achieving of any unlawful goals.

17.2. When fulfilling its obligations the Exchange and Trading Members, their affiliated persons, employees or agents may not carry out actions qualified by the law as bribe giving/taking, commercial bribery, as well as actions violating requirements of legislation and international acts on fight against legalization (laundering) of proceeds of crime.

17.3. Trading Members, the Exchange shall refuse to stimulate in any way each other’s employees, including by provision of monetary amounts, gifts, work performance (service rendering) for them free of charge and other ways not stated herein, which stimulation makes the employee in a way dependent and aims at ensuring of certain actions to be carried out by such employee for the benefit of the stimulating party.

The actions of the employee carried out for the benefit of the stimulating party shall mean:

- provision of unreasonable benefits as compared to other counterparties;
- provision of any guarantees;
- acceleration of the current procedures;
- other actions carried out by the employee within scope of his employment duties but contradicting the principles of transparent and open relations between the Exchange and Trading Members.

17.4. If the Trading Member or the Exchange suspects that violation of any anticorruption conditions has occurred or may occur the respective party shall notify the other party thereof in writing.

17.5. In its written notice the Exchange or the Trading Member shall refer to facts or provide materials confirming on a reliable basis or giving grounds to believe that violation of any provisions of the Rules of Trading in the Formal Market, including these Admission Rules, has been committed or may be committed by the counterparty, its affiliated persons, employees or agents which manifests itself in actions qualified by the applicable legislation as provision or receipt of bribes, commercial bribery and actions violating requirements of the applicable legislation and international acts on fight against legalization (laundering) of proceeds of crime.

17.6. The Exchange and Trading Members agree to carrying out of procedures for corruption prevention and shall control compliance with such procedures. In this regard the Exchange, Trading Members shall take all reasonable efforts to minimize the risk of business relations with the counterparties which may be involved into corrupt practices and shall render assistance to each other to prevent corruption. In this regard the Exchange and Trading Members shall ensure implementation of procedures for inspection aimed at prevention of risk of the Exchange’s and Trading Members’ involvement into corrupt practices.

17.7. The Exchange and Trading Members guarantee to carry out proper investigation concerning the facts provided within the scope of performance of the Rules of Trading in the Formal Market complying with confidentiality principles and guarantee application of efficient measures to eliminate practical

difficulties and prevention of possible conflict situations.

17.8. The Exchange and Trading Members guarantee complete confidentiality in respect of performance of these anticorruption conditions and absence of negative consequences for the applying party upon the whole and for certain employees of the applying party having informed of violations.

## **18. APPLICABLE LAW AND PROCEDURE FOR DISPUTE RESOLUTION**

18.1. The law of the Russian Federation shall be the law applicable in the course of dispute and disagreement consideration.

18.2. All disputes and disagreement which may arise in connection with the use, violation, interpretation of these Admission Rules shall be considered within the procedure set by the legislation of the Russian Federation.

18.3. The dispute arising out of legal relations between the Trading Member (Members) and “SPIMEX”, including under the Contract for Holding of Trading in the Formal Market, Contract for Provision of Software and (or) Hardware to the Trading Member of “SPIMEX” for Remote Access to the Exchange’s Services, may be transferred for consideration of the court after the parties take measures aimed out-of-court resolution upon expiration of thirty calendar days from the date of claim submission.

## **19. FINAL PROVISIONS**

19.1. In cases provided hereby communication/notification shall be provided to the Applicant/Trading Member by sending by the Exchange of an information message. Unless otherwise provided hereby, the information message may be sent by mail, fax, courier, via electronic mail, by publishing of the information on the Exchange’s official website or in any other way established by the Exchange’s Internal Regulations.

19.2. When fulfilling the obligations under the Contract for Holding of Trading in the Formal Market, the Contract for Provision of Software and (or) Hardware to the Trading Member of “SPIMEX” for Remote Access to the Exchange’s Services, the Exchange and the Trading Member may exchange messages via electronic mail (correspondence or document exchange, including submission of the certificate of transfer and acceptance of the services rendered, the bill for payment for services and other documents signed on the part of the Exchange and provided by the Contract for Holding of Trading in the Formal Market, the Contract for Provision of Software and (or) Hardware to the Trading Member of “SPIMEX” for Remote Access to the Exchange’s Services).

Electronic mail addresses for correspondence or document exchange shall be determined for the Trading Member on the basis of the data stated in the Registration Card (under the form set in Appendixes 2A, 2B or 2C to the Admission Rules) and shall be determined for the Exchange as the electronic mail address stated in the Contractor for Holding of Trading in the Formal Market, the Contract for Provision of Software and (or) Hardware to the Trading Member of “SPIMEX” for Remote Access to the Exchange’s Services or the electronic mail address stating the name of the mail box of the Exchange’s employee and “\_@s-pimex.ru” or “... @spimex.com” as the domain name.

The date of communication shall be the date of sending by the Exchange of the information message to the Applicant/Trading Member according hereto. If the message is sent via mail, the date of communication shall be the date of letter serving to the addressee stated in the notification (or another document of the postal organization) on letter serving to the addressee.

**Appendix No. 1**

to Rules for Admission to Trading in the Formal Market of The  
Saint-Petersburg International Mercantile Exchange

[ON THE LETTERHEAD OF THE COMPANY]

To President of “SPIMEX”

**REQUEST  
for admission to trading in the formal market**

I kindly ask you to provide me with admission to trading in the formal market of “SPIMEX”

---

(hereinafter referred to as the “Applicant”)

*(name of the applicant)*

---

within the Category:

Category	specify section name
Exchange Member	
Section Member	
Temporary Section Member	
Section Trade Visitor	
Non-Resident Exchange Member	
Non-Resident Section Member	
Non-Resident Temporary Section Member	
Non-Resident Section Trade Visitor	

The Applicant shall be obliged to:

- 1) comply with requirements of the Rules for Admission to Trading in the Formal Market of The Saint-Petersburg International Mercantile Exchange, rules of trading in the formal market within each of sections of “SPIMEX” (including the procedure for conclusion of contracts and their main conditions), as well as requirements of other Exchange’s Internal Regulations;

- 2) pay (transfer) fees, remunerations and other payments in due time and in full within the procedure and in amounts set in the Exchange's Internal Regulations and contracts concluded with "SPIMEX";
- 3) within three days from the moment of change in the documents and data provided for acceptance inform the Exchange thereof;
- 4) Render assistance to the responsible officer of the Exchange in checking reliability of the data and documents provided by the Applicant.

The Applicant confirms agreement to use the basic digital signature and the enhanced non-certified digital signature when submitting the orders and concluding contracts within trading in the formal market of "SPIMEX" in compliance with requirements of the laws of the Russian Federation and the Exchange's Internal Regulations.

The Applicant confirms that the documents enclosed hereto meet the requirements of the laws and other legal regulations of the Russian Federation, the country of origin of the foreign legal entity and of the Exchange's Internal Regulations.

The Applicant has read the Rules of Trading in the Formal Market and other Exchange's Internal Regulations and agrees to comply with them.

Appendixes:

\_\_\_\_\_ 20 \_\_\_\_

Position \_\_\_\_\_ signature / \_\_\_\_\_ /  
(head of the entity (full name) or  
another authorized person\*)

**Note.** If the person having signed the Request acts on the basis of the power of attorney, a certified copy of such power of attorney shall be enclosed hereto to confirm such person's authorities to sign the Request.

**Appendix No. 2A**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

**REGISTRATION CARD**

(for legal entities established according to the laws of the Russian Federation)

1.	Full name of the entity (according to the Charter)	
2.	Abbreviated name of the entity (according to the Charter)	
3.	Full name of the entity in English (according to the Charter; if it is not stated in the Charter, specify the name actually used)	
4.	Abbreviated name of the entity in English (according to the Charter; if it is not stated in the Charter, specify the name actually used)	
5.	OKPO (All-Russian Business and Organization Classifier) code	
6.	OKVED (All-Russian Classifier of Types of Economic Activity) code	
7.	INN/KPP (Tax Registration Reason Code)	
8.	BIK (Bank Identification Code) (for a credit institution)	
9.	Location (according to the Charter)	
10.	Actual address	
11.	Address for correspondence (postal)	
12.	Telephone number	
13.	Fax number	
14.	Electronic mail address	



15.	Address of the entity's website	
16.	Date of state registration of the legal entity	
17.	Primary State Registration Number (OGRN)	
18.	Employees coordinating operations within commodity sections: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	
19.	Employees coordinating operations within the Derivatives Market Section: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	
20.	Membership in associations, entities of professional financial and commodity market participants, exchanges, trading systems, trading facilities	
21.	Bank details	

\_\_\_\_\_ 20\_\_  
Position \_\_\_\_\_  
(head of entity or another authorized person)  
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(signature) (initials, surname)

**Appendix No. 2B**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

**REGISTRATION CARD**

(for individual entrepreneurs registered according to the laws of the Russian Federation)

1.	Name, patronymic, surname	
2	Type of the identity document	
2.1	Series, number of the document	
2.2	Issuing authority and date of issue	
3.	Date of birth (to be specified according to the identity document)	
4.	Registration address (to be specified according to the identity document)	
5.	INN	
6.	OKVED code	
7.	OKPO code	
8.	Primary State Registration Number (OGRN)	
9.	Date of state registration of the individual entrepreneur status of the individual person	
10.	Actual address	
11.	Address for correspondence (postal)	
12.	Telephone number	
13.	Fax number	
14.	Electronic mail address	
15.	Address of the individual entrepreneur's website	
16.	Employees coordinating operations within commodity sections: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	

17.	Employees coordinating operations within the Derivatives Market Section: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	
18.	Membership in associations, entities of professional financial and commodity market participants, exchanges, trading systems, trading facilities	
19.	Bank details	

\_\_\_\_\_ 20\_\_

Individual entrepreneur \_\_\_\_\_ / \_\_\_\_\_  
 (signature) (full name)

## Appendix No. 2C

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

### REGISTRATION CARD (for foreign legal entities)

1.	Full name of the entity (according to the constituent documents)	
2.	Abbreviated name of the entity (according to the constituent documents)	
3.	Full name of the entity in Russian	
4.	Full name of the entity, transliteration in Roman script	
5.	Country of registration	
6.	INN/KIO (foreign company code) or the taxpayer code in the country of registration, or a similar code	
7.	Name and number of the document on registration of the legal entity	
8.	Date of the document issue	
9.	Location	
10.	Actual address	
11.	Address for correspondence (postal)	
12.	Telephone number	
13.	Fax number	
14.	Electronic mail address	
15.	Address of the entity's website	

16.	Employees coordinating operations within commodity sections: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	
17.	Employees coordinating operations within the Derivatives Market Section: - full name (in full); - position; - contact telephone numbers; - electronic mail address.	
18.	Name of the body regulating activity of the entity within financial and commodity markets, exchanges, trading systems, trading facilities and address of such body's website	
19.	Membership in associations, entities of professional financial and commodity market participants, exchanges, trading systems, trading facilities	
20.	Bank details	

\_\_\_\_\_ 20\_\_

Position \_\_\_\_\_  
(head of entity or another authorized person)

\_\_\_\_\_ / \_\_\_\_\_ /  
(signature) (initials, surname)

**Appendix No. 3**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

To President of "SPIMEX"

**APPLICATION  
for cancellation of the Contract for Holding of Trading in the Formal Market**

I hereby ask you to consider Contract No. \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_  
for holding of trading in the formal market concluded between The Saint-Petersburg International  
Mercantile Exchange and

\_\_\_\_\_  
*(name of the trading member)*

to be cancelled

**since** \_\_\_\_\_ **20**\_\_\_\_  
*(date of contract cancellation)*

Position \_\_\_\_\_  
*(head of entity or another authorized person)*

\_\_\_\_\_/\_\_\_\_\_  
*(signature) (initials, surname)*  
\_\_\_\_\_ 20 \_\_\_\_

**Appendix No. 4**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

To President of "SPIMEX"

**STATEMENT  
OF CONSENT TO PERSONAL DATA PROCESSING**

I,  
the undersigned,

*(name, patronymic, surname)*

passport (or an identity document for an individual not being the citizen of the Russian Federation)

*(series and number, date of issue name of the issuing authority)*

according to requirements of article 9 of Federal Law No. 152-FZ On Personal Data of 27 July 2006 hereby confirm my consent to processing of my personal data for the purpose of participation in trading in the formal market held by "SPIMEX" (hereinafter referred to as the "Exchange"). The personal data to processing of which I agree include:

- name, patronymic (if any), surname;
- data on the identity document;
- data on the contact telephone number and electronic mail address.

I hereby entitle the Exchange to carry out all actions (operations) in respect of my personal data, including collection, categorization, accumulation, storage, updating, change, use, anonymization, blocking, destruction. The Exchange may process my personal data by entering them into the electronic data base, into lists (registries) and reporting forms provided by the documents regulating submission of reporting data (documents) and may transfer them to the Clearing Organization and authorized bodies. Methods of processing: documentary and automated.

The personal data shall be kept for seventy five years.

This consent has been given by me \_\_\_\_\_ (date) and shall be valid within five years.

I confirm that I have been informed of the right to withdraw my consent by drawing up of a respective written document which may be sent by me to the Exchange via registered mail with advice of delivery or may be served in person to the Exchange's representative against receipt.

I have been warned of liability for submission of incorrect data.

I confirm that I have read the provisions of Federal Law No. 152-FZ On Personal Data of 27 July 2006 and that rights and obligations in the sphere of personal data protection have been duly explained to me.

Signature: \_\_\_\_\_ Date of filling in: \_\_\_\_\_, 20\_\_

Full name\_\_\_\_\_



to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

**Procedure for code assignment to Trading Members, their Clients and Level 2 Clients**

1. For the purpose of admission of Trading Members, their Clients and Level 2 Clients to trading in the formal market held by the Exchange and to provide an opportunity to conclude contracts within trading in the formal market in the interests of the Trading Members' Clients and Level 2 Clients, the Exchange shall carry out their registration.
2. When registering the Trading Members and their Clients within commodity sections, the Exchange shall assign codes to them which let it identify them on the basis of the data submitted by the Trading Members.
3. When registering Trading Members within the Derivatives Market Section, the Exchange shall assign codes to them allowing to identify them on the basis of the data provided by the Trading Members and the Clearing Organization. Code assignment to Trading Members' Clients within the Derivatives Market Section and to Level 2 Clients shall be based on the data provided by the Clearing Organization.
4. In the course of registration within the Exchange the Trading Member, its Client and Level 2 Client shall be assigned a Unique Code/Codes (Tables K2 and K3), as well as an Additional Code/Codes (Table K1). The Trading Member, its Client and Level 2 Client may be assigned more than Additional code. In such case it is still ensured that the Trading Member (Trading Member's Client, Level 2 Client) may be identified in the Register of Trading Members and their Clients using the Additional code.
5. Structure of the Additional Code is described in Table K1.

Table K1. Additional code

Type of the registered entity (person)	Code positions x1x2...x12
Trading Member within commodity sections	Position x1x2 shall be a code of the region where the Trading Member is registered, for instance: Moscow — 77, Saint Petersburg — 78, Saratov — 64, etc.
	Position x3 shall be a type of the Trading Member, for instance: C — a Trading Member engaged in trading, I — information agency, S — a settlement organization, O — trade provider, W — a warehouse entity, etc.
	Position x4x5x6x7x8 shall be a sequence number of the Trading Member (consecutive numbering) from "00001" to "99999"
	Position x9x10x11x12 shall always be "0000"
Trading Member with the Derivatives Market Section	Position x1x2 shall always be "TP"
	Position x3x4x5x6x7 shall be a sequence number of the Trading Member (consecutive numbering) from "00001" to "99999"

	Position x8x9x10x11x12 shall always be “00000”.
Trading Member’s Client within commodity sections	Position x1x2 shall be a code of the region where the Trading Member is registered, for instance: Moscow — 77, Saint Petersburg — 78, Saratov — 64, etc.
	Position x3 shall always be “C”.
	Position x4x5x6x7x8 shall be a sequence number of the Trading Member registering the Client
	Position x9x10x11x12 shall be a unique code indicating the sequence number of the registered Trading Member’s Client or a unique letter combination consisting of capital letters of the English computer keyboard layout.

Note to Table K1.

The additional code/codes K1 of the Trading Member’s Client (Level 2 Client) within the Derivatives Market Section shall be a unique letter and digit identifier of the Clearing Member or the Clearing Member’s Client received from the Clearing Organization according to the contract on interaction in the course of trading in the formal market and clearing under the contracts concluded within the derivatives market of “SPIMEX” and generated by the Clearing Organization in view of requirements of the Clearing Organization’s internal regulations.

- Structure of the Unique code of the Trading Member, its Client or Level 2 Client is described in Table K2. Besides, if the Trading Member, its Client or Level 2 Client are trust managers, the Unique code shall also include positions containing a letter and digit sequence provided in Table K3. For Trading Members, Clients and Level 2 Clients not being trust managers K3 sequence shall always be “0”.

Table K2. Unique code.

Type of registered entity (person)	Position y1y2	Position y3y4...yN	Position z1	Position z2.z10	Position w1w2w3
Legal entity with a taxpayer identification number (hereinafter referred to as "INN")	OR	INN	"B", if the legal entity is a credit institution, otherwise 0.	BIK for the credit institution, otherwise 000000000	"S" A three-digit code of the foreign country where the legal entity is registered or of which this person is a citizen, the code shall correspond to All-Russian Classifier of Countries
Foreign legal entity without INN but with foreign company code assigned (hereinafter referred to as "KIO")	KI	KIO			
Foreign legal entity without INN or KIO assigned	IO	A unique sequence of characters used by the trade provider and (or) the clearing organization including the taxpayer code (or a similar code) assigned to the foreign legal entity in the country of origin of such entity.			
Individual entrepreneur with a regular passport	IP	Series and number of the main identity document proving the identity of a citizen of the respective country within its territory.	0	000000000	
Individual entrepreneur without citizenship	IB	Details of the document proving the identity of a person without citizenship in the Russian Federation	0	000000000	"S". 000
An individual who has reached the age of a regular	PD	Series and number of the passport of an individual having reached the age of receipt of a regular passport.	0	000000000	"S". A three-digit code of the foreign

passport issue					
An individual who has not reached the age of a regular passport issue	SR	Series and number of the document confirming state registration of birth (certificate of birth) of the individual who has not reached the age of receipt of a regular passport. "O". Additional data to be provided shall include the series and number of the regular passport of the person being a lawful representative of such a registered person.	0	00000000	country where the entity is registered, the code shall correspond to All-Russian Classifier of Countries, 643 is for those registered within the Russian Federation
An individual without citizenship	BG	Details of the document proving identity of the person without citizenship within the Russian Federation	0	00000000	"S". 000

An individual legally incapable or with limited legal capacity	ND	<ul style="list-style-type: none"> <li>Series and number of the passport of an individual having reached the age of a regular passport receipt.</li> <li>Series and number of the document confirming state registration of birth (certificate of birth) of the individual who has not reached the age of a regular passport receipt.</li> <li>Details of the document proving identity of the person without citizenship within the Russian Federation.</li> </ul> <p>”O”. Additional data to be provided shall include the series and number of the regular passport of the person being a lawful representative of such a registered person.</p>	0	00000000	<p>“S”. A three-digit code of the foreign country where the entity is registered, the code shall correspond to All-Russian Classifier of Countries, 643 is for those registered within the Russian Federation, 000 for persons without citizenship.</p>
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Table K3. Unique code. (to be assigned if the Trading Member, its Client or Level 2 Client are trust managers)

Type of trust manager	Position s1	Position s2	Position t1...tN	Position u1
Management company carrying out trust management of securities*	d	b	Code of the Client	0
Management company carrying out trust management of UIF	d	p	State registration number of UIF (unit investment fund)	0
Management company carrying out trust management of the Pension Fund of the Russian Federation	d	g	Code of the investment portfolio	0

Management company of a non-governmental pension fund carrying out trust management of pension savings**	d	n	INN of the non-governmental pension fund	“k” in case of trust management of pension savings
				“g”(«Г») in case of trust management of pension reserves
				“u” in case of trust management of property intended for statutory activity of the non-governmental pension fund
Management company carrying out trust management of savings for housing provision for the military personnel	d	v	0	0

Notes to Table K3.

\*For Trading Members or their Clients being trust managers of securities, the Unique code assigned shall also contain the data on the client of the manager. The number of Unique codes of such manager shall depend on the number of its clients (founders of trust management) in the interests of which it will conclude contracts when trading in the formal market. In this regard code assignment to the manager's clients shall be carried out within the procedure provided by this Appendix to the Admission Rules.

\*\*For Trading Member or their Clients being managers of pension savings accumulated in the non-governmental pension fund, the Unique code assigned shall also contain the data on INN of the non-governmental pension fund.

7. Information on the codes assigned by the Exchange shall be provided to the Trading Member by sending of the minutes to the authorized representative (trader or analyst) of such Trading Member to the electronic mail address stated in the course of the certificate registration in the Exchange's information systems.

**Appendix No. 6**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

To President of "SPIMEX"

**Application**

**for adding to the List of Commodity Trading Members acting in the interests and at the expense of  
other persons of The Saint-Petersburg International Mercantile Exchange**

I hereby kindly ask you to add

\_\_\_\_\_ *(name of the applicant)*

to the List of Commodity Trading Members acting in the interests and at the expense of other persons  
of The Saint-Petersburg International Mercantile Exchange within the following Sections of  
"SPIMEX":

I agree that "SPIMEX" may disclose the information on

\_\_\_\_\_ *(name of the applicant)*

on the Exchange's official website due to its status of a Commodity Trading Member acting in the  
interests and at the expense of other persons. I ask to publish the following website address as contact  
data of the Commodity Trading Member \_\_\_\_\_ .

Position \_\_\_\_\_  
(head of entity or another authorized person)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_ 20\_\_



**Appendix No. 7**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

To President of "SPIMEX"

**Application**

**for publishing of information on the website of The Saint-Petersburg International Mercantile  
Exchange due to its status of a trading member acting in the interests and at the expense of other  
persons**

I hereby kindly ask you to publish information on

\_\_\_\_\_ *(name of the applicant)*

on the website of The Saint-Petersburg International Mercantile Exchange due to its status of a  
Trading Member acting in the interests and at the expense of other persons within the following  
Sections of "SPIMEX":

I ask to publish the following website address as contact data of the Commodity Trading Member:

\_\_\_\_\_  
Position \_\_\_\_\_  
(head of entity or another authorized person)

\_\_\_\_\_/\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_  
20\_\_\_\_

**Appendix No. 8A**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

Power of Attorney No.

\_\_\_\_\_  
(date of issue of the power of attorney in words)

By this power of attorney \_\_\_\_\_  
(name of the Trading Member)

represented by \_\_\_\_\_  
(position, name, patronymic, surname of the superior of the Trading Member)

acting on the basis of \_\_\_\_\_  
(name of the document and its details)

authorizes \_\_\_\_\_  
(position held by the employee, name, patronymic, surname of the authorized person)

passport series \_\_\_\_\_ number \_\_\_\_\_, issued \_\_\_\_\_

on behalf of \_\_\_\_\_  
(name of the Trading Member)

to carry out the following actions:

- take part in trading within the Section: “ \_\_\_\_\_ ” of “SPIMEX”;
- conclude contracts on behalf of the Trading Member and all its Clients within the procedure set by the Rules of Trading in the Formal Market within the Section “ \_\_\_\_\_ ” of “SPIMEX”;
- receive user codes and passwords for operation within the ETS;
- receive information and reporting documents concerning results of trading within the Section;
- submit applications for changes in the Electronic Trading System and/or Specifications for exchange-traded commodities of the list of exchange-traded commodities, instruments delivery bases admitted for trading;
- send the data on Trading Member’s Clients to the Exchange, including the notification on registration of the Client/cancellation of the Client’s registration/changes in the data on the Client.

This power of attorney is issued without the right of substitution. The power of attorney shall be valid till

\_\_\_\_\_  
(effective term of the power of attorney in words)

Contact telephone number of the authorized person \_\_\_\_\_

Signature sample \_\_\_\_\_ approved by me.  
(name, patronymic, surname and signature of the authorized person)

\_\_\_\_\_  
(position)

\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_  
20

**Appendix No. 8B**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

Power of Attorney No.

\_\_\_\_\_ (date of issue of the power of attorney in words)

By this power of attorney \_\_\_\_\_ (name of the Trading Member)

represented by \_\_\_\_\_ (position, name, patronymic, surname of the superior of the Trading Member)

acting on the basis of \_\_\_\_\_ (name of the document and its details)

authorizes \_\_\_\_\_ (position held by the employee, name, patronymic, surname of the authorized person)

passport series \_\_\_\_\_ number \_\_\_\_\_, issued \_\_\_\_\_

\_\_\_\_\_ (issuing authority and date of issue)

on behalf of \_\_\_\_\_ (name of the Trading Member)

to carry out the following actions:

- take part in trading within the Section: " \_\_\_\_\_ " of "SPIMEX";
- conclude contracts within the procedure set by the Rules of Trading in the Formal Market within the Section

" \_\_\_\_\_ " of "SPIMEX" on behalf of the following Clients:

\_\_\_\_\_ ; (name and code of the Trading Member's Client)

- receive its own user code and password for operation within the ETS.

This power of attorney is issued without the right of substitution. The power of attorney shall be valid till

\_\_\_\_\_ (effective term of the power of attorney in words)

Contact telephone number of the authorized person \_\_\_\_\_

Signature sample \_\_\_\_\_ approved by me. (name, patronymic, surname and signature of the authorized person)

\_\_\_\_\_ (position)

\_\_\_\_\_/\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_ 20\_\_\_\_

**Appendix No. 8C**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

Power of Attorney No.

\_\_\_\_\_  
(date of issue of the power of attorney in words)

By this power of attorney \_\_\_\_\_  
(name of the Trading Member)

represented by \_\_\_\_\_  
(position, name, patronymic, surname of the superior of the Trading Member)

acting on the basis of \_\_\_\_\_  
(name of the document and its details)

authorizes \_\_\_\_\_  
(position held by the employee, name, patronymic, surname of the authorized person)

\_\_\_\_\_ on behalf \_\_\_\_\_  
(data on the document proving identity of the authorized person)  
(name of Trading Member)

carry out the following actions according to the laws of the Russian Federation:

- take part in trading within the Section: “ \_\_\_\_\_ ” of “SPIMEX”;
- conclude contracts on behalf and at the expense of the Trading Member or at the expense of one or several Clients within the procedure set by the Rules of Trading in the Formal Market within the Section “ \_\_\_\_\_ ” of “SPIMEX”;
- receive user codes and passwords for operation within the ETS;
- receive information and reporting documents concerning results of trading within the Section;
- submit applications for changes in the Electronic Trading System and/or Specifications for exchange-traded commodities of the list of exchange-traded commodities, instruments, delivery bases admitted for trading;
- send the data on Trading Member’s Clients to the Exchange, including the notification on registration of the Client/cancellation of the Client’s registration/changes in the data on the Client.

This power of attorney is issued without the right of substitution. The power of attorney shall be valid till

\_\_\_\_\_  
(effective term of the power of attorney in words)

Contact telephone number of the authorized person \_\_\_\_\_

Signature sample \_\_\_\_\_ approved by me.  
(name, patronymic, surname and signature of the authorized person)

\_\_\_\_\_  
(position)

\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_  
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**Appendix No. 8D**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

Power of Attorney No.

\_\_\_\_\_  
(date of issue of the power of attorney in words)

By this power of attorney \_\_\_\_\_  
(name of the entity)

represented by \_\_\_\_\_  
(position, name, patronymic, surname of the superior of the entity)

acting on the basis of \_\_\_\_\_  
(name of the document and its details)

authorizes \_\_\_\_\_  
(position held by the employee, name, patronymic, surname of the authorized person)

\_\_\_\_\_  
(passport data of the authorized person/ data on the document proving identity of the authorized person, for a foreign entity)

on behalf of \_\_\_\_\_  
(name of the entity)

to carry out the following actions:

- exercise monitoring over the course of trading within the Section “ \_\_\_\_\_ ” of “SPIMEX” using the ETS workplace determined according to the internal regulations of “SPIMEX” setting requirements to operation of the Section ” \_\_\_\_\_ “ “SPIMEX” without the right to file orders to the ETS;
- receive user codes and passwords for operation within the ETS.

This power of attorney is issued without the right of substitution. The power of attorney shall be valid till

\_\_\_\_\_  
(effective term of the power of attorney in words)

Contact telephone number of the authorized person \_\_\_\_\_

Signature sample \_\_\_\_\_ approved by me.  
(name, patronymic, surname and signature of the authorized person)

\_\_\_\_\_  
(position)

\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_ 20\_\_\_\_

**Appendix No. 9**

to Rules for Admission to Trading in the Formal Market  
of The Saint-Petersburg International Mercantile  
Exchange

[ON THE LETTERHEAD OF THE COMPANY]

To President of "SPIMEX"

APPLICATION

for accreditation of the authorized representative of the Trading Member within the Section  
" \_\_\_\_\_ " of "SPIMEX"

I hereby ask you to provide accreditation to \_\_\_\_\_  
(name, patronymic, surname)

\_\_\_\_\_  
(passport data of the Authorized Person/data on the document proving identity of the Authorized Person, for a  
foreign entity)

along with the status of authorized representative of the Trading Member within the Section  
" \_\_\_\_\_ " of "SPIMEX"

\_\_\_\_\_  
(full name of the Trading Member)

and authorities \_\_\_\_\_  
(of the Trading Member's trader, the Trading Member's analyst)

determined by internal regulations "SPIMEX" setting requirements to operation of the Section  
" \_\_\_\_\_ " of "SPIMEX" and to procedure for conclusion of contracts within the Section  
" \_\_\_\_\_ " of "SPIMEX".

\_\_\_\_\_  
(position)

\_\_\_\_\_  
(signature) (initials, surname)

\_\_\_\_\_  
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