



INSTRUCTION 01/2006

**Management Procedures
regarding Trading Accounts**

24.November.2017

Versions Index

30.Jun.2006

Initial Version.

18.Nov.2008

Registration with The Portuguese Securities Market Commission (CMVM) on October 30th, 2008 as a MIBEL Derivatives Market Rule as a EU Regulated Market according to Directive 2004/39/EC of the European Parliament and of the Council of April 21st 2004 on markets in financial instruments (MiFID).

2.Mar.2009

Introduced the Accounts related with the Give-Up Transfers of transactions. Renumbering.

1.Jul.2010

Addition of new numbers 3 and 7, relative renumbering of the following points. Modification of point 6.

14.Dec.2011

Clarification of the rules and procedures regarding physical trading accounts.

24.Nov.2017

Renaming of the terminology for PowerTrading Accounts and introduction of Natural Gas Trading Accounts for, respectively, Power Derivative Contracts and Natural Gas Derivative Contracts.

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Pursuant to **articles 17, no. 3 and 38, no. 4 of the Trading Rulebook**, OMIP approves this Instruction which defines the opening, modification and closing procedures regarding Trading Accounts and for the authorisation to access the information of Trading Accounts.

General Provisions

1. Trading Accounts are allotted for inscription of Transactions followed by the registration of Positions into the Clearing Accounts opened with OMIClear.
2. Following **article 38, numbers 1 and 2 of the Trading Rulebook**, a Trading Member may open Own Accounts or Clients Accounts; these latter are of one of the following modalities:
 - a) Position Accounts;
 - b) Transitory Accounts.
3. Trading Members may open Financial Trading Accounts and Physical Trading Accounts.
4. Pursuant article 12-A of the Trading Rulebook, the Clearing Member may open Client Accounts and own Accounts.
5. Trading Members shall segregate, in separate Trading Accounts, their own Transactions (Own Trading Accounts) and the Clients Transactions (Clients Trading Accounts).
6. Positions resulting from Own Trading Accounts shall not be registered into Clearing Accounts where are also registered Trading Accounts' Positions from Entities which are not in a control or group relationship.
7. Whenever the Positions resulting from Clients Trading Accounts are registered in a Clearing Account where other holders' Positions are also registered, the Trading Member or Clearing Member must inform its Client of this fact.
8. Whenever operations are registered from more than one Client in the same Client Trading Account, as these cannot be identified *vis-a-vis* OMIP, the Trading Member or Clearing Member must inform the respective Clients of this and especially of the procedures and consequences adopted in the case of a Clearing Member defaulting.
9. Trading Member shall ensure that the Clearing Member informs it about the Clearing Accounts where his own Positions or his Clients' Positions are registered, as well as own Positions or intermediated Positions by other Trading Members.
10. In case there is an infringement by a Trading Member *vis-à-vis* its Clearing Member and provided a prior notification of that fact by OMIClear, the Trading Member recognizes to OMIP the right to suspend or restrict its capacity to operate in relation to the Trading Accounts.
11. The qualified Trading Members can open daily Trading Accounts for the inscription of Transactions subject to Give-Up Transfers, according to the OMIP Instruction 02/2007 – Split, Transfer and Give-Up Transfer of Transactions.

Procedures regarding the Opening, Modification and Closing of Trading Accounts

12. The requests for opening, modification or closing Trading Accounts must be submitted by Trading Members, in accordance with **T07 Model**.
13. The requests referred to in the preceding number sent until one hour after the closing of the Trading Phase, are processed until the trading session of the following Trading Day from its receipt; the requests received out of that time period are deemed to be received on the following Trading Day.
14. Notwithstanding the applicable Rules, Trading Accounts are available after those being setup by OMIP and have the following characteristics:

- a) An Power Trading Account - allows to register Transactions on Power Derivatives Contracts, namely those defined in Notice 01-2014_- Contracts Listed in OMIP;
 - b) A Natural Gas Trading Account - allows you to enter Transactions on Natural Gas Derivatives Contracts, namely those defined in Notice 01-2014_- Contracts Listed in OMIP;
15. For opening a Trading Account, the corresponding request shall:
- a) Be submitted together with a Declaration from the Clearing Member with which the Trading Member has entered into a Clearing Agreement, pursuant to which it accepts to clear the Transactions registered into that account, indicating the Clearing Account where the respective Positions are registered, in accordance with **C16 Model**, in case there is an Own Account or a Position Account;
 - b) If the opening of an Own Account has the purpose of acting for the account of Entities with which Trading Members are in a control or group relationship, be submitted together with a declaration confirming the requirements of such relationship;
 - c) In case of opening a Transitory Trading Account, be submitted together with a declaration issued by the Clearing Member pursuant to which it accepts to directly clear the Client's Transactions, indicating the Clearing Account where the respective Positions are registered, in accordance with **C16 Model**;
 - d) In case of opening a Physical Trading Account:
 - a. Concerning Power, the Trading Member shall indicate if it is intended for settlement of positions with physical delivery in the Spanish area, Portuguese area or both, and specify the corresponding Physical Delivery Account(s). In this context, the process for opening a physical trading account shall only be completed after:
 - i. Indicate the respective Physical Liquidation Account of Power owned by him, if the Trading Member is also a Physical Settlement Agent, in the Service on Contracts of Power Derivatives of OMIClear.
 - ii. Indicate the respective Physical Liquidation Account of Electricity held by the Physical Settlement Agent in the Service on Contracts of Power Derivatives of OMIClear, in case the Trading Member celebrates a Physical Settlement Agreement, to physically settle in the respective Account (S) of Physical Settlement the Transactions on Power Derivatives Contracts entered in that Trading Account.
 - iii. Confirmation that the Power Physical Delivery Account(s) connected to the Power Physical Trading Account is compatible with the indicated areas of physical delivery.
 - b. Concerning Natural Gas, involving the notification of the positions with physical delivery to the Technical System Operator (TSO) at the Spanish Virtual Balancing Point ("Punto Virtual de Balance Español" - PVB-ES) for which the Trading Member must indicate the respective Physical Trading Account. In this context, the process of opening the Physical Trading Account will only be completed after:
 - i. Indicate the respective Physical Liquidation Account of Natural Gas owned by him, if the Trading Member is also a Physical Settlement Agent, in the Service on Contracts of Natural Gas of OMIClear;
 - ii. Indicate the respective Physical Liquidation Account of Natural Gas held by the Physical Settlement Agent in the Service on Contracts of Natural Gas Derivatives of OMIClear, in case the Trading Member celebrates a Physical Settlement Agreement, to physically settle in the respective Account (S) of Physical

Settlement the Transactions on Natural Gas Derivatives Contracts entered in that Trading Account.

- iii. Confirmation that the Natural Gas Physical Delivery Account(s) connected to the Natural Gas Physical Trading Account is compatible with the indicated areas of physical delivery.
 - i. The Physical Settlement Agent, with which it has entered into a Physical Settlement Agreement, accepts to physically settle in the respective Physical Delivery Account(s) the Transactions registered in that account.
 - e) In case of opening a Daily Trading Account, the Trading Member will have to indicate a default Trading Account, to which will be transferred all the Transactions that remain in the Daily Trading Account, after the ending of the period defined for executing Give-Up Transfers, as well as for those Transactions that have been subject to a Give-Up Transfer, but have been rejected by the respective receiving Members.
16. Regarding Options Transactions, these should be recorded in Physical Trading Accounts only if the underlying asset of the Options is a Contract with physical delivery.
 17. OMIP may determine by Notice any restrictions to the opening of accounts.
 18. It shall not be considered any request submitted by a different form or without fulfilling the requirements as set in this Instruction.

Authorisation Procedures to Access the Information of Trading Accounts

19. The Trading Member who has permitted to a Clearing Member to access the reports made available on the Trading Platform shall send to OMIP the **T09 Model**.
20. The Clearing Member which is entitled for the access as referred to in the preceding number, shall send to OMIClear the **T11 Model** specifying the authorized users to access the information of Trading Accounts.
21. The cancellation of the access referred to in the preceding numbers is executed by sending on the adequate Models.

Dissemination of the Models

22. All the models as referred to in this Instruction are made available on the Website.

Entry into Effect

23. This Instruction has been registered with CMVM on October 9th, 2017 and enters into effect on November 24th, 2017.

The Board of Directors