



## Business Continuity Policy

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## Versions Index

Date	Version	Changes descriptions
2015/04/22	1.0	Initial version
2020/08/05	2.0	Scope review of the Business Continuity Plan (BCMS)
2023/03/28	3.0	Scope review of the Business Continuity Plan (BCMS) and for articulation with OMIP's role as Benchmark Indices Administrator.
2024/11/26	4.0	Review and coordination with Commission Delegated Regulation (EU) 2024/1774, of 13 March 2024, supplementing Regulation (EU) 2022/2554 of the European Parliament and of the Council regarding regulatory technical standards specifying ICT risk management tools, methods, processes and policies and the simplified ICT risk management framework (DORA).  Addition of "annual" frequency in section 4

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## 1 Objectives, scope and recipients

The objective of this policy is to define the structure, scope and procedures that are part of OMIP's Business Continuity Management System (BCMS).

This policy applies to all assets identified in the OMIP business continuity management system.

The users of this document are all OMIP employees, corporate bodies, suppliers and service providers participating in BCMS.

## 2 References

- ISO Standard 22301:2012;
- ISO Standard /IEC 27001:2013 clause A.17.1.
- Commission Delegated Regulation (EU) 2017/584 of 14 July 2016, which complements Directive 2014/65 / EU of the European Parliament and of the Council (MIFID II) regarding regulatory technical standards that specify the requirements on the organization of trading platforms (Regulatory Technical Standard (RTS) 7), art. 15th, 16th and 17<sup>th</sup>.
- Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016, on indices used as reference indices within the framework of financial instruments and contracts or to measure the performance of investment funds (RIR), art. 6th 3.b).
- Information Security Policy.
- Commission Delegated Regulation (EU) 2024/1774, of March 13, 2024, which complements Regulation (EU) 2022/2554 of the European Parliament and of the Council regarding regulatory technical standards that specify the tools, methods, ICT risk management processes and policies and the simplified ICT risk management framework (DORA).

## 3 Business Continuity Management

### 3.1 Business Continuity Management Objective

OMIP's strategic objective is to have the ability to respond appropriately to a disruptive incident that affects people, material assets, information or business processes, on which the normal functioning of the organization depends. In order to achieve this objective, OMIP invests in the implementation of a business continuity management system (Business Continuity Management System - BCMS), based on the **ISO 22301: 2012** standard, which is inserted in a broader information security system and follows the guidelines of the European legislation applicable within the scope of MIFID II, namely the **Delegated Regulation (RTS7)**, which refers to organizational requirements applicable to any Regulated Market, as well as **Regulation (EU) 2016/1011**. In this way, the intention is to guarantee the recovery of critical or important OMIP functions (RTO - Recovery Time Objective) within a maximum time of 2 hours and that the maximum amount of data that can be lost by the trading system is as close to zero as possible, in accordance with its business model, thus ensuring compliance with regulatory requirements, particularly European ones, to which OMIP is subject.

The operationalization of the business continuity management system involves identifying the organization's critical tasks, defining criteria to activate the Plan, defining the procedures to be implemented to recover critical or important functions in a disruptive scenario that may affect OMIP's physical and technological infrastructure, definition of decision-making functions and responsibilities, ensuring adequate technical and human requirements, definition of internal interdependence as well as interaction with external entities and respective communication. Finally, outline documentation and information recording processes resulting from the existence of an incident.

OMIP is committed to a quick and effective response to a disaster or serious incident, thus minimizing the potentially negative impact of these incidents, both for the organization itself and its internal functioning, as well as for its members and other participants in the various markets operated by OMIP.

### 3.2 Connection with other objectives

The implementation of a business continuity management system allows OMIP to comply with its strategic, legal, regulatory and business objectives.

Business continuity management is carried out to meet the following regulatory and legal requirements:

- Regulation (EU) No. 1227/2011 of the European Parliament and of the Council, of 25 October 2011, on integrity and transparency in wholesale energy markets (REMIT);
- Commission Implementing Regulation (EU) No. 1348/2014 of 17 December 2014 on data communication implementing Article 8 (2) and (6) of Regulation (EU) No. 1227/2011 of the European Parliament and of the Council on integrity and transparency in wholesale energy markets;
- Directive 2014/65 / EU (MIFID II) of the European Parliament and of the Council, of 15 May 2014 on markets in financial instruments amending Directive 2002/92 / EC and Directive 2011/61 / EU;
- Regulation (EU) No. 600/2014 (MIFIR), of the European Parliament and of the Council, approved on 15 May 2014 on markets and financial instruments amending Regulation (EU) No. 645/2012;
- Commission Delegated Regulation (EU) 2017/584 of 14 July 2016 that complements Directive 2014/65 / EU of the European Parliament and of the Council with regard to technical regulatory standards that specify the requirements for the organization of trading platforms;
- Commission Delegated Regulation (EU) 2017/590 of 28 July 2016 that complements Regulation (EU) No. 600/2014 of the European Parliament and of the Council regarding regulatory technical standards for the communication of information about transactions to the competent authorities.
- Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016, on indices used as reference indices within the framework of financial instruments and contracts or to measure the performance of investment funds (RIR).
- Review and coordination with Commission Delegated Regulation (EU) 2024/1774, of 13 March 2024, supplementing Regulation (EU) 2022/2554 of the European Parliament and of the Council regarding regulatory technical standards specifying ICT risk management tools, methods, processes and policies and the simplified ICT risk management framework (DORA).

### 3.3 Scope

Within the scope of the OMIP business continuity management system, all the physical infrastructures of the organization are included, all the operational tasks carried out by the various areas of activity of OMIP, namely, all the functions identified as critical or important during the Business Impact Analysis (BIA).

#### A) Infrastructure

The following OMIP infrastructures are included in the scope of BCMS:

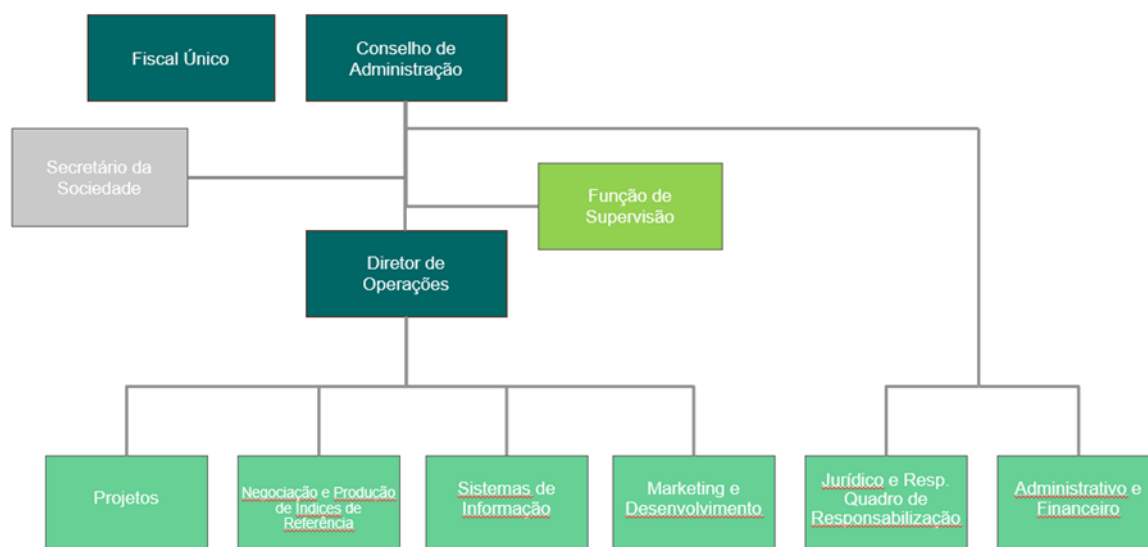
- Office where the organization's headquarters is located;
- Alternative office for disruptive incident situations in the office where the headquarters are located;
- Main data center where OMIP information systems and platforms are housed;
- Alternative data center where OMIP information systems and platforms are recovered in the event of a disruptive incident in the main data center.

#### B) Organizational Units

The following organizational units that are included in the scope of BCMS:

- Top Management;
- Trading and production of Reference Indices;
- Information Systems;
- Supervisory function;
- Legal and Accountability Framework Manager;
- Administrative and Financial;
- Projects;
- Marketing and Development;

These organizational units are part of the OMIP organizational structure that assumes the following configuration:



## C) Services

The scope of the business continuity management system includes the continuity of the provision of the following services:

- Electricity Derivatives Market Operations;
- Natural Gas Derivatives Market Operations;
- Auctions on Electricity Derivatives contracts and others;
- DUC Natural Gas auctions for the various maturities;
- Secondary market DUC of Natural Gas;
- Provision of information related to the Derivatives Market;
- RRM Services - Registered Reporting Mechanism;
- Benchmark Index Administrator;

### 3.4 Roles and Responsibilities in Business Continuity Management

#### 3.4.1 Board of Directors

Ultimately, OMIP Board of Directors has overall responsibility for the business continuity management system (BCMS), for defining and approving this business continuity policy, business continuity plans, business impact analysis methodology and Incident Management procedure, as well as their review to ensure their continued suitability for OMIP's business. The powers to approve the remaining BCMS documentation are delegated to the Business Continuity Management Team (which includes the OMIP Operations Director), which must keep the members of the Board of Directors regularly informed of developments and reviews of the BCMS, including the results of tests and audits carried out on the system (internal or independent).

#### 3.4.2 Top Management

Top Management of OMIP, made up of the Chairman and Vice-Chairman of the Board of Directors and the Chief Operating Officer, has the responsibility to ensure that the business continuity management system is established and implemented in accordance with this Policy and make available all the necessary resources to reach the objectives defined here.

Top Management, represented by the Chief Operating Officer (COO), is responsible for defining the BCMS objectives/strategy, assessing compliance with these objectives, the adequacy of technical/human/financial resources and keeping the Board of Directors informed about any relevant situation within the scope of business continuity management.

Reviews and test results of the Business Continuity Plans will be reported on an annual basis to Top Management.

#### 3.4.3 Crisis Manager

The OMIP Crisis Manager (OMIP Operations Director) acts in the event of a disruptive incident, namely by activating and deactivating OMIP's Business Continuity Plans and respective manuals to restore critical or important functions, providing access to financial resources necessary and also the management of internal and external communications in an incident situation.

#### 3.4.4 Business Continuity Manager

The Business Continuity Manager is responsible for coordinating the operationalization of OMIP's business continuity management system, ensuring that it is, at all times, adequate to fulfill the objectives

defined by the Board of Directors and Top Management. It is up to the Business Continuity Manager to define and update the requirements and objectives of the individual BCMS processes, so that they can be analyzed by the Business Continuity Management Team.

#### **3.4.5 Business Continuity Management Team**

Within the scope of the OMIP BCMS implementation, an internal technical committee was created, composed at least by the Director of Operations at OMIP, Head for Information Systems and OMIP Business Continuity Manager.

The Business Continuity Management Team is responsible for:

- Propose to the Board of Directors for approval the documents of the Business Continuity Policy, Continuity Plans and Impact Analysis Methodology and their respective amendments;
- Approve in meetings the remaining BCMS documentation (Replacement Manuals, Test Reports and other documents);
- Operationalize the implementation and maintenance of the business continuity management system;
- Adopt and implement a training plan for all people who have an active role in the business continuity management system;
- Adopt and implement a BCMS review and maintenance plan so that all BCMS procedures remain functional and up to date;
- Monitor non-conformities, false alarms, real incidents, etc., and identify the necessary preventive and corrective actions;
- Prepare the BCMS Test Reports;
- Review the BCMS, at least once a year, or whenever a significant change occurs and prepare the respective review report;
- Review the effectiveness of the business continuity management system each time its procedures are activated.

#### **3.4.6 OMIP employees**

All OMIP employees are responsible for complying with all requirements, policies and procedures defined within the scope of BCMS.

#### **3.4.7 Suppliers and service Providers**

Suppliers and service providers must carry out their activities in accordance with this Policy. In particular, contracts between OMIP and suppliers and service providers relevant to the critical or important functions of OMIP should include clauses that guarantee the availability of services provided to OMIP, establishing minimum service levels and ensuring that employees of these companies comply with the requirements of this Policy or other procedures in force.

Suppliers and service providers are also responsible for reporting to OMIP the occurrence of incidents related to the availability of OMIP services and information systems.



### 3.5 Policy Communication

The Business Continuity Manager must ensure that all OMIP corporate bodies and employees, as well as the main suppliers and outsourcing service providers who participate in BCMS, are aware of the content of this Policy.

This Policy is available for consultation at OMIP corporate website.

### 3.6 BCMS support and implementation

Top Management ensures that OMIP will have at its disposal all the appropriate resources to achieve the purposes and objectives described in this Policy, as well as the satisfaction of all requirements identified therein.

## 4 BCMS review and improvement

Top Management is committed to bringing together the necessary efforts to ensure that the BCMS is duly updated and improved annually in accordance with the development of OMIP's activities and business, as well as ensuring compliance with applicable legislation, regulations and standards.

During the review and improvement processes, the following should be assessed:

1. Whether the objectives established under this Policy have been achieved;
2. The effectiveness and adequacy of the Business Continuity Plans and respective replacement plans for functions considered critical or important.
3. Non-compliance with legislation and regulations, contractual obligations and other internal documents of the organization.

## 5 Validity

This document is valid until a new version is formally approved.

*Approved by the Board of Directors on November 26th, 2024*