

**APPROVED**

by the resolution of the Supervisory Board  
Joint-Stock Company  
National Mercantile Exchange  
(Minutes No. 2 dated 01.08.2023)

**REGULATIONS ON INTERACTION BETWEEN THE EXCHANGE AND AUCTION  
CLIENTS AT COMMODITY AUCTIONS OF THE JOINT-STOCK COMPANY  
NATIONAL MERCANTILE EXCHANGE**

## **1. GENERAL PROVISIONS**

1.1 These Regulations of interaction between the Exchange and Auction Clients at Commodity Auctions of NAMEX (the Regulations) are an integral part of the NAMEX Commodity Auction Trading Rules (the "Trading Rules") and establish the procedure of interaction between the Exchange and Auction Clients when preparing and conducting on-exchange trading at NAMEX commodity auctions.

1.2 The approval and entry into effect of the Rules, amendments and additions thereto, as well as the text of the document shall be announced on the NAMEX website within 3 (three) days prior to their entry into force, unless otherwise decided by NAMEX.

1.3 Forms of documents provided by Trading Members to the Exchange and vice versa in accordance herewith shall be established by the Exchange's internal document Forms of Documents for NAMEX Commodity Auctions ("Forms of Documents for Commodity Auctions") approved by the Exchange and posted on the Exchange website.

1.4 Terms not specifically defined in the Regulations shall be used in the meanings set forth by the laws and other regulations of the Russian Federation, the Exchange Charter, the Trading Rules and the Admission Rules.

## **2. PROCEDURE FOR CALCULATION AND TRANSFER OF CASH FUNDS TO THE EXCHANGE**

2.1. This Article governs the procedure for calculation and transfer of cash funds to the Exchange regarding all auctions, except for Export Auctions where the Auction Client is a Non-Resident Auction Client. The calculation and transfer of cash funds to the Exchange in all auctions which are Export Auctions where the Client is a non-resident Auction Client, is governed by Article 08.01 of the Admission Rules.

On the day of the Sale Contract with the Trading Member, the Exchange shall calculate the Exchange fee according to the effective rates and specify the amount of the variable part of the Exchange fee in the Extract from the Contract Register. The amount of the Exchange fee and the cases in which it is charged are specified in the Trading Rules.

The fixed part of the Exchange fee shall be paid as part of the Subscription fee paid by the Trading Members. It is paid in accordance with the Trading Rules and the Admission Rules.

These Regulations determine how the variable part of the Exchange Fee is calculated and paid to the Exchange under Sale Contracts concluded at the Auctions where the Auction Client was the Client and which were settled with delivery of the commodity, or under the Sale Contracts concluded by the Auction Client at the Joint Auctions organized by the group of Clients, one of which is this Auction Client, and settled with delivery of the commodity.

2.2. On the day of conclusion of Sale Contracts at auctions where the Client (or one of the Client group in case of Joint Auctions) was the Auction Client, the Exchange sends to the Auction Client the register of these Contracts where this Client is a party, using Form 7 set out in the Forms of Documents for Commodity Auctions, indicating parameters of the Contracts and the amount of the variable part of the Exchange fee to be transferred to the Exchange under each Contract, in case of settlement with the delivery of Commodity.

2.3. On the last business day of the month, the Exchange shall send to the Auction Client the Consolidated Register of Sale Contracts, where this Auction Client acts as the Client and for which the completed delivery has not yet been reported by the Auction Client. The Consolidated Register shall be drawn up according to Form 8 in the Forms of Documents for Commodity Auctions, indicating parameters of the Sale Contracts and the amount of the Exchange fee to be transferred to the Exchange for each Contract, in case of their settlement with the delivery of the Commodity.

2.4. The Auction Client and its counterparties shall perform the Sale Contracts made at the Auctions in accordance with the terms of delivery and payment for the Commodity provided therein.

2.5. By the third business day of each calendar month at the latest, the Auction Client submits to the Exchange the Settlement Report on Sale Contracts with the results for the previous calendar month in relation to the Contracts to which this Auction Client is a party. The Sale Contracts Settlement Report shall be prepared according to Form 9 set out in the Forms of Documents for Commodity Auctions, specifying the parameters of the Contracts and results of the delivery or non-delivery ("settlement"/"failed settlement") under them as well as the Exchange fee to be transferred to the Exchange on Contracts settled with the delivery of the Commodity. The details of Contracts shall specify the Exchange fee payable by the Auction Client and the Exchange fee transferred by the Auction Client on behalf of the Trading Member which is its counterparty under the Contract.

If during the previous calendar month there has been no settlements of Sale Contracts to which this Auction Client is a party as the Client, the Auction Client shall provide a nil Settlement Report.

In the event that no Contracts to which this Auction Client is a Client have previously been concluded, the Auction Client shall not provide a Settlement Report.

2.6. The Auction Client shall transfer the funds in the amount of the Exchange fee under the Sale Contracts settled with the delivery of the Commodity in accordance with the information provided under clause 2.5 of these Regulations to the Exchange no later than the fifth working day of each calendar month. The funds are transferred in two payments, individually for the Auction Client and individually for the Trading Members, to the Exchange account specified in the banking details of the Exchange in these Regulations. The Exchange pays the Auction Client a fee for this service in the amount and manner specified in section 5 of these Regulations.

2.7. If the Auction Client's performance of its obligations under clause 2.6 of these Regulations results in the transfer of funds to the Exchange in an amount exceeding the amounts calculated in accordance with the Exchange fees and Trading Rules, the Auction Client shall submit a written request to the Exchange for the refund of the excess funds no later than the last working day of the month in which the Exchange received these funds.

2.8. If, as a result of a check carried out by the Exchange in response to a written request for the return of excess funds, the transfer is confirmed, the Exchange shall transfer the excess funds to the details specified in the Auction Client's written request within ten working days from the date of receipt of the Auction Client's written request.

2.9. In the event that the Exchange identifies errors in the information provided by the Auction Client in accordance with clause 2.5 of these Regulations or the amount transferred in accordance with clause 2.6 does not correspond to the information sent in accordance with clause 2.5, the Exchange shall notify the Auction Client thereof in due course. The Auction Client promptly takes action to correct any errors and/or transfer the missing amount.

2.10. If, at the end of a calendar quarter, the Auction Client has not reported to the Exchange the settlement/failed settlement of a Sales Contract concluded in the previous calendar quarter by it as a Client of such contract in the Settlement Reports as set out in clause 2.5 above, the Exchange sends a request to the Auction Client in due course for information on the status of settlement/failed settlement of the Sales Contract.

The Auction Client shall, within five working days of receiving such a request from the Exchange, provide information on the status of settlement/failed settlement of the Sales Contract to the Exchange. In the event that information on the status of settlement/failed settlement of the Sales Contract was not included in the Settlement Reports sent in accordance with clause 2.5 above by mistake, the Auction Client undertakes to include it in the next month's Settlement Report.

### **3. INTERACTION IN TRANSMITTING INFORMATION ABOUT TRADING MEMBERS AND AUCTIONS**

3.1. The Auction Client provides the Exchange with information about Trading Members who meet / do not meet the criteria for admission to auctions held under the Auction Offers of the Client (the "Client's Auctions"). Termination of a Trading Member's admission to the Client's Auctions does not release the Client from the obligation to pay the Exchange fee for themselves and the Trading Member.

Notification of the Trading Members who meet/do not meet the criteria for admission to Client's Auctions shall be sent by the Auction Client to the Exchange no later than the day following the day when it is proved that the Trading Member meet / do not meet the criteria, and shall be executed in accordance with the Forms of Documents for Commodity Auctions.

No later than five business days from the date of providing documents by the Trading Member to the Auction Client for admission to the Client's Auctions, the Auction Client sends copies of the documents provided by the Trading Members to the Exchange or a Letter of Approval of the Trading Member's admission to the Client's Auctions in accordance with the Admission Conditions for Client Auctions and Delivery of Commodities at NAMEX Commodity Auctions, in Form 12 set out in the Forms of Documents for Commodity Auctions, or with a covering letter (in case the documents do not comply with the requirements), in which the Auction Client notifies the Exchange of the non-compliance of the documents provided by the Trading Member with the requirements for admission to the Client's Auctions, as well as the requirements that the documents provided by the Trading Member do not comply with.

In the event the Trading Member has failed to comply the admission conditions to the Client's Auctions, the Auction Client shall, not later than five working days from the date of such non-compliance, send to the Exchange a respective notification indicating the breached admission conditions and (if applicable) enclosing copies of documents confirming the violation of admission conditions.

3.2. The Exchange shall process notifications on compliance/non-compliance with the conditions for admission to the Client's Auctions and take a decision on admission/non-admission of the Trading Members to the Client's Auctions. If necessary, to take a decision on admission/termination of admission of the Trading Member to the Client's Auctions, the Exchange requests additional explanations from the Client regarding the compliance/non-compliance of the documents submitted by the Trading Member with the requirements for admission to the Client's Auctions. Notification about the admission/termination of admission of the Trading Member to the Client's Auctions shall be made by the Exchange not later than the day following the day of

such admission/termination by placing the respective information on the Exchange's website. In case the Exchange disagrees with the information on compliance/non-compliance of the documents provided by the Trading Member with the requirements for admission to the Client's Auctions, the Exchange shall notify the Client thereof indicating the correct admission status of such Trading Member in the field "Admission Status to the Client's Auctions" of the Notification on the Admission/Termination of Admission.

3.3. The parties inform each other of the known cases of changes in the legal form, name, details of the Trading Members, and other significant facts related to the Trading Members by sending corresponding notifications in any form.

3.4. In accordance with the Trading Rules, the Auction Client sends Auction Offers of the Client. The Exchange creates a Consolidated List of Auctions in accordance with the Trading Rules. The procedure for the exchange of documents in the course of such interaction, the forms and deadlines for the transmission of documents shall be laid down in the Trading Rules and these Regulations.

3.5. The Exchange has the right to reject the Auction Offer if it is technically impossible to hold the required number of auctions during the Trading Session if the Auction Offer provides for the opening of the market on a non-working day or if it contains obvious errors and/or inconsistencies. In this case, the Exchange sends a written notification to the Auction Client no later than the day following the receipt of the Auction Offer. The notification is sent by one of the communication options provided for by these Regulations.

3.6. In accordance with the Trading Rules, the Auction Client sends to the Exchange proposals on admission/termination of admission of the Exchange Commodity to trading. The Exchange considers the received Proposals on the admission/terminations of admission of the Exchange Commodity to trading and notifies the Auction Client of the decision not later than 10 (ten) days from the receipt of the proposal. Proposals and subsequent notifications shall be made in writing and sent by one of the communication options set out in these Regulations.

3.7. The Auction Client sends to the Exchange proposals to amend the Terms and Conditions of Admission to Client's Auctions and Delivery of commodities. The Exchange shall examine proposals and notifies the Auction Client on the results of such examination within 10 (ten) days from the receipt of the proposal. Proposals and subsequent notifications shall be made in writing and sent by one of the communication options set out in these Regulations. If the Terms and Conditions of Admission to Client's Auctions and the Delivery of Commodities provide for the use of additional parameters disclosed on the Exchange website when executing Sales Contracts (for example, parameters for recalculating the price of the Commodity and delivery terms in case of a change of the Delivery Basis), the Auction Client ensures the timely provision of current values of such parameters to the Exchange for their disclosure on the Exchange website. The parameters shall be provided to the Exchange at least 4 (four) days before they come into force and shall be disclosed on the Exchange website at least 3 (three) days before they come into force.

3.8. By the 20th day of the third month of the quarter, the Exchange shall reconcile contracts concluded in the previous quarter, in which the Auction Client was the Client, as well as contracts included by the Auction Client in the Settlement Report. The Exchange requests the Auction Client to clarify the status of contracts concluded in the previous quarter, but not included in the Settlement Report. The Auction Client shall provide the Exchange with the information requested.

#### **4. METHODS OF TRANSMITTING INFORMATION**

4.1. The document flow between the Auction Client and the Exchange shall be carried out using:

- a) Member Portal;

- b) documents in writing in hard copy;
- c) electronic documents in accordance with the Moscow Exchange Rules of Electronic Data Interchange (the "electronic documents");
- d) by means of information disclosure on the Exchange website.

4.2. The list and details of the electronic documents and electronic messages exchanged by the Parties in the course of interaction according to the Regulations shall be established by the Trading Rules and/or the Regulations. The procedure and terms for exchange of documents and information between the Parties shall be set by the Trading Rules and/or the Regulations.

## 5. AUCTION CLIENT FEE

5.1. The Auctioneer's quarterly fee shall be 0.0001% of the number of Contracts (with Delivery Completed status) executed in the reporting quarter, expressed in roubles. The amount shall include the value added tax at the rate established by the tax legislation. For the purposes of the Regulations, a reporting quarter shall mean a calendar quarter.

5.2. The Auction Client fee shall be paid by the Exchange by the 20th business day of the month following the reporting quarter.

5.3. By the 5th (fifth) working day of the month following the reporting quarter, the Auction Client shall issue an invoice, an statement of services rendered and a tax invoice (a Integrated Delivery Note may be provided instead of the statement of services rendered and a tax invoice) to the Exchange (the "Settlement Documents").

5.4. The Settlement Documents issued by the Auction Client shall be sent to the Exchange in the form of electronic documents to the e-mail address ([namex@namex.org](mailto:namex@namex.org)) indicated for this purpose. Settlement documents in hard copy shall be sent to the Exchange by post.

5.5. When calculating the Auction Client fee to be paid in January 2023, in addition to the Contracts executed in Q4 2022, the Contracts executed in September 2022 shall be taken into account.

## 6. EXCHANGE'S DETAILS

**The Exchange:** 125009 Moscow Russian Federation Office 516, 1/13 building 4 Sredniy Kislovsky pereulok  
National Mercantile Exchange

INN/KPP 7703351333/770301001

Bank account 40701810200000000009

C.a. 30103810345250000646 with Main Branch of Russia's Central Bank for the Central Federal District

BIC: 044525646

Bank CCP NCC