Appendix No.1

to the Rules of Executing Derivatives Trades   
on the Derivatives Market of the Moscow Exchange

REGULATIONS ON ADMISSION TO TRADING ON THE DERIVATIVES MARKET

OF THE MOSCOW EXCHANGE

These Regulations on Admission to Trading on the Derivatives Market of the Moscow Exchange (hereinafter – Regulations) shall govern relations arising in connection with services on organization of trading on the Derivatives Market of the Moscow Exchange (hereinafter Derivatives Market) rendered by the Exchange, specify the scope of such services and the payment terms, as well as procedure for Trading participants enrollment, the rules for admission to trading, and the procedure for registration of Clearing Members and Trading Participant’s clients by the Exchange, procedures for suspending, renewal and canceling admission to trading.

Terms not defined herein shall be construed in accordance with the Derivatives Rules, the Clearing Rules and other documents of the Exchange and the Clearing Center.

1. GENERAL PROVISIONS

* 1. In accordance with this Regulation services of the stock exchange and commodities exchange (hereinafter referred to as the Exchange’s services) shall be rendered by the Exchange to legal entities that are Trading Participants.
  2. A Trading Participant shall be entitled to use the Exchange’s services.
  3. Candidate for the admission to trading on the Derivatives Market with the registration as a Clearing Member (hereinafter referred to as the Candidate) shall be a legal entity which has submitted a membership application for admission to the trading on the Derivatives Market in accordance herewith,
  4. List of Trading Participants shall be published by the Exchange at its website on the Internet.
  5. The Exchange may make modifications and amendments hereto, through the procedure regulated in the Russian Federal Law and applicable regulations for financial markets.
  6. Information that is subject to provision to the Candidates/Trading Participants in accordance with the terms hereof shall be sent to them in a form of the information letter in any of the following ways:
     1. in electronic form via the trading system;
     2. as an electronic document via e-mail or the Moscow Exchange Electronic Document Circulation System;
     3. in written form by courier;
     4. by publishing the information on the Exchange’s website;
     5. in other way permitting to identify uniquely the date of sending of the information letter.
  7. The day when the Candidate/Trading Participant in terms of information disclosure is notified using the methods described in subpar. а) - с) of par. 1.6 of this Article, is the day when the Candidate/ Trading participant is receipt of the information message. If information is communicated by the method described in subpar. d) par. 1.6 of this Article, the day when the Candidate/Trading Participant is notified is the day when information is published on the Exchange’s Website.
  8. If a Candidate/Trading Participant was notified otherwise than in written form, the relevant information letter shall be given in written form to it at its written request.
  9. The information letters shall be sent in written form to addresses indicated by the Candidates/Trading Participant in the registration card submitted by the Trading Participants to the Exchange in accordance with the Procedure for submitting information and reports.
  10. Procedure for Execution and Submission of Documents to the Exchange.

Unless these Regulations stipulate otherwise, documents shall be executed and submitted to the Exchange as follows:

1.10.1. Documents to be submitted by the Candidate/Trading participant to the Exchange in accordance herewith shall be executed in the official language of the Russian Federation, signed by the authorized person, hardcopies shall be certified by the seal of the Candidate/Trading Participant. No erasures and corrections are allowed in such documents

1.10.2. The Candidate/Trading participant shall prior to or concurrently with providing the documents (hereinafter the provided documents) submit to the Exchange documents confirming the relevant powers of the person who signed the provided documents valid as of the date of documents submission;

* + 1. Formats of documents to be presented by the Candidate/Trading Participant to the Exchange hereunder are provided herein or in the Forms of documents to be presented by the Candidates/Trading Participants under the Rules of Organized Trading at the Moscow Exchange (“Formats of documents to be presented). The formats of documents to be presented shall be approved by the Exchange and published on the Exchange’s Website.

Documents of formats other than regulated herein or of Formats of documents to be presented, can be presented to the Exchange on paper or as an electrically signed digital document.

1.10.4. The Exchange refuses to accept the Documents from the Candidate/Trading Participant in the following cases:

1. The documents do not conform with the form provided hereby and/or document templates;
2. incompleteness and/or non-conformity of the documents to be submitted with the requirements established hereby for execution of documents.

1.10.5. The Candidate/Trading participant having submitted the documents is entitled:

1. to remove violations of the requirements established for execution and filing of documents;
2. to revoke the documents submitted to the Stock Exchange.
   * 1. Should the Candidate/Trading Participant present to the Exchange any documents that fail to meet the requirements of format or procedure or complete list, such non-compliance must be set right and all missing documents made available within fifteen (15) Business Days after the notice from the Exchange to the Candidate/Trading Participant with reference to non-compliance of submitted documents with the Exchange’s regulations. Failing to eliminate non-compliance or submit all necessary documents within such time limit, the Exchange shall notify the Candidate/Trading Participant about refusal to process such documents, using the procedure herein regulated.
     2. Documents to the Exchange shall be collected and submitted by an employee / courier authorized by a letter of authorization, using the Formats of documents to be presented.
     3. Individuals acting in the interest of the Candidate/Trading Participant by a letter of authorization or on other legal grounds shall present to the Exchange their personally signed consent to have their personal data processed, using the form published on the Exchange’s Website, unless otherwise required by the Russian Federal Law.

1.10.9. The Candidate/Trading participant shall notify the Exchange on termination of powers granted for representing their interest before the Exchange within one (1) business day as from termination of the powers of attorney.

In case of failure to submit to the Exchange the above notice the Candidate/Trading participant shall be liable for the actions performed by its Representative.

1.10.7. Documents to be submitted to the Exchange shall be sent by post or by courier to the address of the Exchange or its affiliate

1.11. Requirements to Completeness and Accuracy of the information:

1.11.1. The Candidates/Trading participants shall ensure completeness and accuracy of the information and documents to be submitted to the Exchange in accordance herewith.

1.11.2. The Candidates/Trading participants shall inform the Exchange on the sanctions applied to them due to violation of the laws and other the regulatory acts of the Russian Federation. Furthermore:

1. such information shall be submitted by the Candidate/Trading participants in writing
2. the Candidates shall submit information on any sanctions applied to them over the period of 1 (one) year preceding the day of submitting the membership application when submitting the application to the Exchange for inclusion into the Trading participants List.

1.11.3. The Exchange is entitled to request from the Candidates/Trading participants to provide additional information, including information on their financial condition. Such information shall be submitted in writing within the period specified in the request; if no such period is specified — within ten (10) business days from the date of receipt of the Exchange’s request.

1.11.4. Failure of the Candidate to submit information in accordance with this article within the established period shall constitute a reason for the refusal to admit the Candidate to Trading.

1.11.5. Failure of the Trading participant to submit information in accordance with this article within the established period may be a reason for suspension of the Trading participant’s admission to trading pursuant to these Regulations.

1.11.6. For the Exchange to be able to control the Trading participants and to evaluate their financial condition the Trading participants shall provide the Exchange with all the information and statements in accordance with the Procedure for Provision of Information and Statements.

1.11.7. The Trading participant shall ensure timeliness, accuracy and completeness of the package of the documents specified herein and other internal documents of the Exchange, as well as timely submission of amendments to these documents and to the data contained in the registration card to be submitted pursuant to the Procedure for Provision of Information and Statements. Documents proving introduction of the said amendments shall be submitted to the Exchange within five (5) business days from their effective date.

If the Trading participant fails to submit the data on its actual address change within the period established hereby, the Exchange shall not be liable to the Trading participant for untimely submission to such Trading participant of the information required for the latter to perform operations on the Exchange.

1.11.8. If the Bank of Russia decides to suspend or to revoke/ cancel a license and/or qualification certificate, the Candidate/Trading participant should immediately notify the exchange thereof and send a copy of such decision not later than one business day following the day when such decision has been received. Therewith the Exchange shall be entitled to send a copy of such decision of the Bank of Russia to the Clearing Centre.

1.11.9. If the Trading participant provides misleading data or repeatedly violates the requirements of clauses 1.11.6. and 1.11.7. hereof, then such situation may serve the ground for cancellation of its admission to the Trading.

2. EXCHANGE’S SERVICES

* 1. The Exchange shall provide the following services:
     1. organization of trading and registration of derivatives trades executed on the Derivatives Market in accordance with the Derivatives Rules and Specifications;
     2. monitoring of Clearing Members’ compliance with the Derivatives Rules, Specifications and other documents of the exchange;
     3. admission of the Derivatives instruments (contracts) to trading on the Exchange pursuant to requirements of the RF laws and internal documents of the Exchange.
     4. exchanging information and interacting with the Clearing Center with the purpose of organizing trading on the Derivatives Market and settlement of the executed derivatives trades;
     5. other services provided for in Derivatives Rules and these Regulations that facilitate execution of derivatives trades on the Derivatives Market.
  2. On the Derivatives Market the Exchange provides its services in the Securities section, Commodities section and Money section.

3. PROCEDURE FOR ADMISSION TO TRADING

* 1. **Requirements imposed on the Trading participants:**
     1. The Trading participants may be only legal entities satisfying the requirements of the laws of the RF, requirements imposed on the Trading participants in accordance with these Regulations, other internal regulatory documents of the Exchange governing the procedure for trading on the Derivatives Market, as well as the Clearing Center.
     2. The following categories shall be established for the Trading Participant:

1. Central Counterparty;
2. General Clearing Member;
3. Special Clearing Member of the Securities section;
4. Special Clearing Member of the Money section;
5. Special Cleaning Member of the Commodities section of the first type;
6. Special Cleaning Member of the Commodities section of the second type;

The Clearing Center shall obtain the access to the Trading as a Central Counterpart after execution of all procedures prescribed by a separate agreement made between the Exchange and Clearing Center.

* + 1. The admission to the Trading on the Derivatives Market and registration as a Clearing Member shall be granted to the Candidate who meets simultaneously the following requirements:

1. The Candidate has filed an application for admission to trading;
2. The Candidate has a valid license of the professional securities market participant to act as a broker and/or a dealer and/or to manage securities (for admission to the Trading at the Securities section and /or Money section of the Derivatives Market);
3. The Candidate holds a valid license to act as a broker for trades in derivatives with commodities as underlying asset, and/or a professional securities market license to engage in brokerage and/or securities management (for admission of trading on Commodities Section of the Derivatives Market with the registration as a Special Clearing Member of the first type type);
4. The equity capital of the Candidate amounts to not less than five million (5,000,000) rubles (for admission to the trading at the Commodities section of the Derivatives Market as a registered Special Clearing Member of the second type);
5. The Candidate – a credit institution has a valid banking license;
6. There is no ban or limit established on the Trading participant’s operations related to participation in trading with regard to the Candidate;
7. The Candidate’s equity capital calculated under the procedure prescribed by regulatory acts of the Russian Federation for financial markets corresponds to the capital adequacy standards imposed by the Bank of Russia to the professional securities market participants, which may be Trading Participants (for admission to trading at the Securities section and/or Money section of the Derivatives Market and/or for admission to trading at the Commodities section of the Derivatives Market as a Special Clearing Member of the first type) in accordance with the Russian Federal Law and other regulatory acts of Russian Federation for financial markets;
8. The Clearing Center has admitted the Candidate to the clearing services in accordance with the Clearing Rules;
9. Technical Center has provided the Candidate the right to use the software required to participate in the Trading and the Candidate has a technical possibility to participate in the Trading on the Derivatives Market;
10. The Candidate is a participant for the EDI System of the Moscow Exchange under the EDI Rules, approved by the Exchange (“the EDI Rules”);
11. The Candidate has presented an Organized Trading Service Contract signed by the Candidate’s representative (“the Contract), two original copies of the format required in Appendix 03 hereto (unless a signed service contract for organized trading exists between the Candidate and the Exchange).
    * 1. The Candidate shall be admitted to trading through the procedure regulated in Article 3.3 hereof.
    1. **Application for admission to the Trading.**
       1. To be admitted to the Trading as a registered Clearing member the Candidate shall file an application for admission to the Trading (hereinafter referred to as the application for admission) and submit it to the Exchange.
       2. Application for admission shall be executed in accordance with the form provided for in Appendix 01 hereto.
       3. Documents stipulated in the list given in Appendix 02 hereto shall be enclosed to the Application for admission unless otherwise prescribed by the Exchange.
       4. The Exchange is entitled to check accuracy of the documents and information submitted by the Candidate.
       5. Application for admission shall be considered within the period not exceeding one (1) month from the date of receipt by the Exchange of such Application with the documents enclosed therewith as specified in the Appendix 02 hereto.
       6. The Exchange shall be entitled to relieve the Applicant from the obligation to submit the documents specified in the Appendix 02 hereto if such documents have been provided to the Exchange earlier and available for the Exchange.
       7. If the package of the documents required is incomplete and the Candidate removes such violation of the completeness by submitting the missing documents in accordance with subclause a) of clause 1.10.5 and 1.10.6 hereof and/or the Exchange requests any additional documents in accordance with clause 1.11.3. hereof, the period stipulated in clause 3.2.5 hereof shall be calculated from the date of receipt by the Exchange of all the documents necessary to consider the Application for admission.
       8. The documents shall be executed and submitted by a Candidate to the Exchange according to the procedure set forth in 1.10 herein.
       9. While considering an admission of the Candidate to the Trading the Exchange at its own discretion is entitled to hold meetings and consultations with the Candidate’s Representatives.
       10. If the documents submitted by the Candidate in accordance with Appendix 02 hereto have been amended after being submitted, the Candidate shall not later than in five (five) business days since commencement of such amendments inform the Exchange thereof in writing and submit the documents proving such amendments.

**3.3. Procedure for providing an admission to the Trading**

3.3.1. If the Candidate meets the requirements of subpar. 1)-7) and subpar. 11) of par. 3.1.3 hereof, the Exchange shall ensure that the Derivative Market Committee considers the issue of the Candidate’s admission to trading and its registration as a Clearing Member, within one (1) week after the Exchange establishes that the Candidate qualifies as such.

3.3.2. The Exchange shall base its provisional resolution to grant the Candidate access to Trading and registration as a Clearing Member, or to refuse the Candidate admission to trading and registration as a Clearing Member, on recommendations issued by the Derivatives Market Committee after the Candidate meets all requirements of par. 3.1.3 hereof.

3.3.3. Within five (5) Business day from the date when the preliminary resolution on the Candidate’s admission to trading and its registration as a Clearing Member or the resolution on the refusal to admit it to Trading or to register it as a Clearing Member the Exchange shall inform the Candidate on the adopted resolution according to the procedure prescribed herein.

Therewith if the preliminary resolution on admitting the Candidate to the Trading and its registration as a Clearing Member has been adopted the Exchange shall produce an invoice for payment of the fee for registration the Candidate as a Clearing member (if applicable) and communicates it to the Candidate.

The Candidate shall pay the fee for the registering as a Clearing Member within one (1) month from the date when the Exchange sends the invoice for the payment of the fee for registration as a Clearing Member.

3.3.4. Within three (3) Business days after the fee for registration as a Clearing member was paid the Exchange shall adopt a final resolution on the Candidate’s admission to Trading and its registration as a Clearing Member.

If the fee for registration as a Clearing Member has not been paid within one (1) month from the date when the Exchanges sends the invoice for the payment of the fee for registration as a Clearing Member, the Exchange shall be entitled to adopt a resolution on the refusal to admit the Candidate to Trading and to register it as a Clearing Member. Therewith the Exchange shall send to the Candidate a relevant resolution and return the Candidate’s documents provided in accordance herewith.

Where the fee for registration as a Clearing member is not applicable the Exchange shall adopt a final resolution on the Candidate’s admission to Trading and its registration as a Clearing member within three (3) Business days after the adoption of the preliminary resolution on the Candidate’s admission to Trading and its registration as a Clearing Member by the Exchange.

3.3.5. The Exchange may refuse to admit the Candidate to trading on the following grounds:

1. the Candidate not qualifying hereunder;
2. known facts of the Candidate’s failure to perform its obligations that arose under contracts signed at organized trading or elsewhere, including debt;
3. reported facts of foul play;
4. failure to pay registration fee by a Clearing Member within the time limit of par. 3.3.3. hereof (if payable).

3.3.6. After the final resolution on the Candidate’s admission to Trading and its registration as a Clearing Member has been adopted, the Exchange shall sign on its part two copies of the Agreement submitted by the Candidate in the set of the documents pursuant to Appendix 02 thereto, and return the counterpart signed on its part.

3.3.7. The Exchange and the Candidate do not require to conclude a new agreement under these Regulations if at the moment of taking a resolution on admission to Trading and registration as a Clearing Member there is an agreement in force.

Therewith the provision of the agreement on provision for the services for organizing the on-exchange trades made by the Candidate before 21 October 2013, prescribing the termination of the term of validity of such agreement from the exclusion from the List of the Trading Participant at all markets (sections) shall be considered as a provision on termination of the term of validity of such agreement from the cancellation of the admission to trading at all markets (sections), service for organizing the on-exchange trades rendered by the Exchange

3.3.8. Date of the Candidate’s admission to Trading shall be the date of the Exchange’s final resolution thereof.

3.3.9. The Trading participant registered as a Clearing member may be admitted to trading on the Securities section and/or Commodities section and/or Money section subject to procedures prescribed herein, whereby:

1. the Trading participant registered as a General Clearing Member may be admitted to trading (provided that necessary requirements are met) on the Securities section, Commodities section and Money section;
2. the Trading participant registered as a Special Clearing member on the Money section may be admitted to trading (provided that necessary requirements are met) on the Money section only;
3. the Trading participant registered as a Special Clearing member on the Securities section may be admitted to trading (provided that all admission requirements are met) on the Securities Market only;
4. Trading Participant registered as a Special Clearing Member of the Commodities section of the first type shall be admitted (upon compliance with the necessary requirements) to Trading only at the Commodities section to conduct operations in its own name and at the Clients’ expenses;
5. Trading Participant registered as a Special Clearing Member of the Commodities section of the second type shall be admitted (upon compliance with the necessary requirements) to Trading only at the Commodities section to conduct operations in its own name and at its own expenses.

3.3.10. Information of granted/refused admission to trading, and about its participation in trading shall be communicated to the Candidate with written notice served within five (5) business days from the date of such decision.

**4. REGISTRATION OF A TRADING PARTICIPANT**

4.1. While being registered as a Clearing Member, a trading participant shall be assigned with an individual code. The individual code is assigned by the Exchange and is common in all sections of the Derivatives Market.

4.2. If a trading participant is a trustee, such Trading Participant rregistered as a Clearing Member shall be assigned codes to such trading participant in the amount equal to the number of the trading participant’s clients that are the trustors on behalf and at the account of which the Derivatives trades are executed.

4.3. Trading Participant registered as a General Clearing Member may apply for re-registration as a Special Clearing Member of the Securities section and (or) a Special Clearing member of the Money section and (or) a Special Clearing member of the Commodities section without paying the fee for registration as a Clearing Member.

Such re-registration is allowed provided that the General Clearing Member has no debts under derivatives trades. To apply for re-registration, a trading participant shall submit to the Exchange an application in paper or in the form of an electronic document executed in accordance with templates of documents.

For the purposes hereof and other internal documents of the Exchange Special Clearing Member of the Commodities section shall be understood as a Special Clearing Member of the Commodities section of the first type as well as a Special Clearing Member of the second type.

4.4. Technological particularities of the assignment of the codes to the Clients shall be determined in the description to the program for creation and verification of the documents containing the information required for the registration of the Clients through which the Trading Participant provide the Exchange with the information on its Clients placed at the Exchange’s website.

Clients of trading participants shall be registered within 3 (three) business days after the receipt of such information (documents) from the Clearing Center.

**5. LIMITATION, SUSPENSION AND CANCELLATION OF ADMISSION TO TRADING ON THE DERIVATIVES MARKET**

**5.1. Limitation of admission of Trading Participant to Trading**

5.1.1. If the Exchange has the information certifying according to the Exchange’s opinion the probability of the violation of the requirements hereof, internal documents of the Exchange, Clearing Rules, Russian Federal Law and other regulatory acts of the Russian Federation by the Trading Participant, the Exchange shall be entitled at any time to adopt the decision on establishing of the limited admission mode with regard to such Trading Participant.

Therewith the Limited admission mode shall be understood as a temporary mode upon which the Trading Participant shall be entitled to conduct through Trading system only operations including to sell, to change and to revoke at the relevant market of the Derivatives Market which lead to closing the relevant position recorded in sections of the trading participant’s positions register.

If a limited admission mode has been established with regard to the Trading Participant the Trading Participant shall not be entitled to conduct operations in the Trading system including to sell, to change and to revoke at the relevant market of the Derivatives Market which lead to closing the relevant position recorded in sections of the trading participant’s positions register.

5.1.2. The limited admission mode may be established for one, several or all sections of the Derivatives Market.

The limited admission mode may be established using one, several or all section of the Trading Participant’s positions register.

5.1.3. The limited admission mode may be cancelled by the Exchange’s resolution after removal of the grounds being the reasons for establishing the limited admission mode.

**5.2. Reasons for Suspension of Admission to Trading of the Trading participant**

5.2.1. Suspension of admission to trading is understood as temporary status when the Trading Participant may not transact in the Trading System, including filing, changing and recalling Orders on the respective Derivatives Market Section.

5.2.2. The Exchange shall suspend admission to trading for a trading participant of the Derivatives Market provided that at least one of the following conditions is met:

1. the Exchange has received information from the Clearing Center sent in accordance with the Clearing Rules and indicating (according to a conclusion made by the Exchange) the necessity to suspend the admission to Trading for a trading participant;
2. the Exchange has received information from the Technical Center indicating (according to a conclusion made by the Exchange) the necessity to suspend the admission to Trading for a trading participant;
3. all licenses of the professional securities market participant (to act as a broker or dealer, or asset manager) of a trading participant has been suspended/cancelled. In this case the admission to Trading shall be suspended as regards all types of professional activity of a trading participant admitted to trading in the Securities section and (or) Money section;

one of the licenses of the professional securities market participant (to act as a broker or dealer, or asset manager) of a trading participant has been suspended/cancelled. In this case the admission to Trading shall be suspended as regards that type of professional activity for which the license of a trading participant admitted to trading in the Securities section and (or) Money section was suspended;

1. all licenses of the professional securities market participant (to act as a broker and/or asset manager and/or for trades in derivatives with commodities as underlying asset) of a trading participant have been suspended/cancelled. In this case the admission to Trading shall be suspended for such trading participant admitted to trading in the Commodities section of the Derivatives Market as a registered Special Clearing Member of the Commodities section of the first type;
2. the Bank of Russia has decided to prohibit performing transactions as a professional securities market participant for a trading participant.

5.2.3. The Exchange shall be entitled to suspend the admission to trading for a trading participant provided that at least one of the following conditions is met:

1. the Exchange has received an application of the Trading Participant for suspending the admission to Trading on the Derivatives Market (in one or more sectors thereof) from a trading participant in accordance with the form prescribed in the Templates of documents. In this case the admission to Trading shall be suspended as regards the sector indicated in the application;
2. a trading participant has failed to comply with these Regulations provided in Trading Rules and/or other internal documents of the Exchange governing trading on the Derivatives Market; a trading participant has failed to execute instructions in resolutions of the Exchange made as per above-mentioned documents;
3. the trading participant using Market Data in violation of the provisions of the Rules and Market Data Policy;
4. a trading participant has failed to execute the obligation to provide information to the Exchange as well as documents in accordance with the requirements set forth herein;
5. the Exchange has received writs of execution issued in respect of a trading participant;
6. a trading participant has been undergoing bankruptcy procedures applied in cases and in the order provided for in the effective law of the Russian Federation;
7. a trading participant has experienced a deterioration in its financial condition that may affect its ability to perform obligations under trades executed in the Exchange;
8. a trading participant filed to perform its obligations on payment of Exchange’s fees.
9. a trading participant has violated Russian Federal Law and other regulatory acts of the Russian Federation for financial markets;
10. other circumstances have taken place that require the suspension of admission to Trading for a trading participant in accordance with the internal documents of the Exchange and regulatory acts of the Russian Federation for financial markets.

5.2.4. A trading participant is entitled to require suspending of its admission to Trading on the Derivatives Market at any time (in one or more sectors) by sending to the Exchange a relevant application according to established Templates of documents. This application shall indicate the date as of which the Trading Participant’s admission to Trading is to be suspended and may also specify the period of such suspension.

5.2.5. The Exchange shall have the right to deny the trading participant’s application for suspension of its admission to Trading if such trading participant has outstanding obligations under derivatives contracts by sending a notification thereof following the procedures prescribed herein.

If the trading participant’s application for suspension of its admission to indicates the suspension period the Exchange shall resume the trading participant’s admission to Trading upon the expiration of this period. Otherwise the Exchange shall resume the trading participant’s admission to Trading on the Derivatives Market upon the receipt of the trading participant’s request for resumption of its admission to trading according to established Templates of documents. The trading participant’s admission to Trading shall be resumed provided that the requirements set forth in Clause 3.1. herein are met.

5.2.6. The admission to trading for a trading participant can be suspended for one, several or all sections of the Derivatives Market.

The admission to trading on the Derivatives Market for a trading participant can be suspended or canceled in respect of one, several or all sections of the trading participant’s positions register.

The admission to trading for a trading participant may be suspended using one, several or all sections of the Trading Participant’s positions registry.

5.2.7. If the admission to trading on the Derivatives Market for a trading participant has been suspended on the ground provided for in Clause 5.2.1. and 5.2.2.-5.2.3. herein it shall be resumed provided that all the circumstances having entailed suspension of admission to trading have been removed.

If the admission to trading for a trading participant has been suspended on the ground provided for in subclauses c) and d) of Clause 5.2.2. herein it shall be resumed if the relevant resolution of the Bank of Russia has been canceled in accordance with the relevant legal procedures and/or if the Bank of Russia has resolved to renew the relevant license.

5.2.8. Suspension of admission to trading shall mean a temporary (for the period of suspension of admission to trading) prohibition for the trading participant to execute trades in the trading system, including prohibition to place, alter or cancel the orders at the relevant section of the Derivatives Market without withdrawal of registration as of Clearing Member.

5.2.9. The admission to trading for the Trading participant is suspended:

* + 1. no later than on the trading day following the day of receiving by the Exchange of information that constituents the reason to suspend the admission to trading in accordance with clause 5.2.2. hereof;
    2. no later than on the trading day following the day stated in the application of the Trading participant for suspension of trading, but not earlier than the date the application is delivered to the Exchange;
    3. starting from the day of a decision taken by the Exchange on the basis of grounds to suspend trading in accordance with subclauses a) - j) of clause 5.2.3 hereof.

5.2.10. Suspension of admission to trading does not involve changes in the fee charged by the Exchange for its services.

5.2.11.The trading participant can be suspended from Trading for as long as the cause persists underlying the suspension, unless otherwise regulated by the Russian Federal Law, the internal documents or specific resolution of the Exchange.

**5.3. Reasons for Termination of Admission to Trading**

5.3.1. The Exchange shall be entitled to cancel admission to trading for a trading provided that at least one of the following conditions is met:

* + 1. the Exchange has received information from the Clearing Center indicating (according to a conclusion made by the Exchange) the necessity to cancel the admission to Trading for a trading participant of the Derivatives Market. Such information shall be sent in accordance with the Clearing Rules;
    2. the Exchange has received information from the Technical Center indicating (according to a conclusion made by the Exchange) the necessity to cancel the admission to Trading for a trading participant;
    3. suspension of admission to trading for a Trading Participant with regard to all types of professional activity due to the fact that all licenses of the professional securities market participant (to act as a broker or dealer, or asset manage and/or to act as a broker for trades in derivatives with commodities as underlying asset) of a trading participant have been revoked. In this case the admission to Trading shall be cancelled as regards all types of professional activity of a trading participant of the Derivatives Market admitted to trading in the Securities section and (or) Money section and (or) Commodities section of the Derivatives Market;

suspension of admission to trading for a Trading Participant with regard to all types of professional activity due to the fact that one of the licenses of the professional securities market participant (to act as a broker or dealer, or asset manager and/or to act as a broker for trades in derivatives with commodities as underlying asset) of a trading participant has been revoked. In this case the admission to Trading shall be cancelled as regards that type of professional activity for which the license of a trading participant of the Derivatives Market admitted to trading in the Securities section and (or) Money section and (or) Commodities section of the Derivatives Market was suspended;

* + 1. the banking license of a trading participant has been withdrawn/revoked (for credit institutions);
    2. the Exchange has received an application for cancelling the membership in the Derivatives Market filed by a trading participant in the form according to the established Templates;
    3. liquidation of a trading participant of the Derivatives Market or cessation of its activity as a result of its reorganization (except for corporate restructuring) in the events and in accordance with procedures prescribed by the Russian Federation laws.

5.3.2. The Exchange shall be entitled to cancel admission to trading for a trading provided that at least one of the following conditions is met:

* + 1. the provisional administration has been appointed, or an arbitration court has made a judgment to initiate one of the bankruptcy proceedings with regard to a trading participant according to the procedure prescribed by the legislation of the Russian Federation;
    2. the Exchange has received writs of execution issued in respect of a trading participant;
    3. a trading participant has failed to fulfill its obligations on fee payment for Exchange’s services;
    4. suspension of admission to trading lasts more than six (6) months;
    5. violation, non-execution or improper execution of the requirements of Russian Federal Law and other regulatory acts of the Russian Federation for financial markets, these Regulations and other internal documents of the Exchange governing the procedure for the execution of trades in the Derivatives Market by a Trading Participant, a Trading Participant’s violation of the obligations assumed by it upon receipt of the admission to trading in accordance with its application for admission and upon conclusion of the agreements with the Exchange, Clearing Center, non-execution of the resolution adopted by the Exchange, Clearing Center in accordance with the stipulated documents;
    6. the trading participant using Market Data in violation of the provisions set forth in the Rules and the Market Data Policy;
    7. other circumstances have taken place that require the termination of admission to Trading for a trading participant in accordance with the internal documents of the Exchange and regulatory acts of the Russian Federation for financial markets.

5.3.3. The admission to trading of a Trading Participant shall be deemed to be terminated from the date of the adoption of the relevant resolution by the Exchange, therewith the Trading Participant’s non-executed obligations before the Exchange shall remain in force until their full execution.

5.3.4. The admission to trading on the Derivatives Market for a trading participant can be cancelled for one or several sections of the Derivatives Market.

The admission to trading on the Derivatives Market for a trading participant can be cancelled in respect of one or several, or all of the trading participant’s positions register.

The fee that was paid for the registration as a Clearing Member is not returned upon termination of the admission to trading for a Trading Participant.

The termination of the trading participant’s admission to trading in a specific section of the Derivatives Market:

* leads to a ban for this trading participant to make operations in the trading system, including a ban on entering, altering and deleting orders in the relevant section of the Derivatives Market;
* results in cancellation of the registration as a Special Clearing Member in the relevant section, therewith the registration as a General Clearing Member is not cancelled.

5.3.5. The admission to trading for the Trading participant is cancelled:

* + 1. on the 16 (sixteenth) day since the Bank of Russia has made a decision to cancel a license of the professional securities market participant to act as a broker and/or a dealer and/or to manage securities (including that one issued for one type of the stipulated types of the professional activity on the Securities Market) of the Trading participant whereof the admission has been previously suspended in accordance with subclauses c), e) of clause 5.2.2. hereof;
    2. no later than on the trading day following the day of receiving by the Exchange of information that constitutes the reason to terminate the admission to trading in accordance with subclauses a), b), ,d) and f) of clause 5.3.1. hereof;
    3. the latest on the Trading Day following the day named by the trading participant in the application for termination of admission to trading, under subclause e) of clause 5.3.1 hereof, but never earlier than the date on which the order is served on the Exchange;
    4. starting from the day of a decision taken by the Exchange on the basis of grounds to suspend trading in accordance with subclauses a) – g) of clause 5.3.2 hereof.

5.3.6. In case a court ruling on declaring the Bank of Russia’s resolution on cancelation of a trading participant’s license of a professional securities market participant license null comes into force, the Exchange shall adopt a resolution on the resumption of the admission to trading as a registered Clearing Member after submission of all the documents required for by the Exchange to adopt the resolution for admission to trading in the relevant sections of the Derivatives Market.

The resolution on resumption of the admission to the trading as a registered Clearing Member in the case provided in this clause shall be adopted by the Exchange without holding a Derivatives Market Committee meeting within 5 (five) business days upon the receipt of all the required documents.

Upon registration of a trading participant as a Clearing Member the Exchange shall assign to this trading participant an individual code that was in use before the cancelation of the Trading Participant’s admission to trading.

**5.4. Procedure for Notifying the Trading participants on Limitation, Suspension, Termination of Admission to Trading of the Trading participant, on Resumption of Admission to Trading of the Trading participant**

The Exchange shall inform the trading participant on establishing of the limited admission mode, suspension, refusal to suspend or termination, as well as on renewal of admission to trading on or before the business day following the date of establishing of the limited admission mode, suspension or termination, as well as of renewal of admission to trading on the Exchange specifying the reasons serving as a ground for the establishing of the limited admission mode, suspension, termination of the Trading participant’s admission to trading and the resumption of the admission respectively subject to procedures prescribed herein.

**6. AMOUNT AND PAYMENT FOR SERVICES RENDERED BY THE ORGANIZER OF TRADING**

* 1. The trading participant undertakes to pay for the Exchange’s services in the manner and in the amount determined by the Exchange. Payment for the Exchange’s services shall be effected in the form of one-off and regular payments, inclusive of Exchange fee, fee for registration as a Clearing Member and service fee in accordance with the Exchange’s fee rates determined on the recommendation of the Derivatives Market Committee.
  2. The Exchange shall be entitled to unilaterally alter fee rates for provisions of services as of organizer of trading on the Derivatives Market.
  3. The obligation to pay the exchange fee shall be deemed performed as soon as the Clearing Center has debited the relevant cash register section by the exchange fee amount in accordance with the procedure set forth in the Clearing Rules. This payment procedure may be applied to other payments for the Exchange’s services if provided for in the Exchange’s documents and Exchange’s resolutions. In that case the exchange fee shall be deemed paid as soon as the Clearing Center has debited the relevant amount in accordance with the procedure set forth in the Clearing Rules.
  4. The time period for the Exchange’s services (the accounting period for calculation of the exchange fee and other scheduled payments except for service fee) shall be 1 (one) calendar month.

The Service fee shall be collected from the Trading participant by results of three (3) calendar months.

The services for the relevant period shall be deemed provided by the Exchange in a proper way unless the trading participant states otherwise in writing within five (5) business days after expiration of the said period.

* 1. The fee paid by a Trading Participant for registration as a Clearing Member may be used to offset the outstanding registration fee payment of the Candidate provided that the following conditions are met:
* the Trading Participant who has paid the registration fee submitted to the Exchange application on its withdrawal from the list of Clearing Members and an application requesting the Exchange to use its registration fee to offset an outstanding registration fee payment of another Candidate and a reference letter supporting the application of this Candidate for registration as a Clearing Member using the established Templates of documents;
* the Candidate which intends to become a Clearing Member meets the requirements set forth in сlause 3.1. herein, and has provided to the Exchange the set of documents that are necessary for the resolution on registration or rejection of the application to be adopted by the Exchange.

The resolution on performing or not performing the above-mentioned offset shall be made by the Exchange taking into account the recommendations of the Derivatives Market Committee. When registering Clearing Members the Exchange shall be able to consider the amounts previously paid as a Clearing Member registration fee without regard to the current amount of the registration fee.

* 1. If the Clearing Member fails to pay for the Exchange’s services or performs its payment obligations improperly the Exchange shall have the right to invoke disciplinary in accordance with the Exchange’s documents, and (or) suspend or cancel the Trading Participant’s admission to trading on the Derivatives Market.

1. **MARKET MAKERS**

7.1. Trading Participant shall be granted the status of a Market Maker on the basis of the agreement made between the Exchange and Trading Participant determining the procedure and terms for the maintenance of prices, demands, offers or volume of the trade in Derivatives Contracts (hereinafter referred to as a Market Maker Agreement)

7.2. Trading Participant may exercise functions to maintain prices, demands, offers or volume of trades in Derivatives Contracts (hereinafter Market Maker’s functions) with regard to one or several Derivatives Contracts in accordance with the Market Maker Agreement.

7.3. The total number of the Trading Participant executing Market Maker’s functions may be limited by the Exchange’s resolution.

7.4. Trading Participants shall be notified of establishing or changing a limit prescribed in clause 7.3 hereof within three (3) Business days from the date of adoption of the relevant resolution by the Exchange (unless other period is established by the Exchange) by means prescribed herein.

7.5. Market Maker’s functions and obligations as well as the control for their execution by a Trading Participant shall be carried out according to the procedure prescribed by the Market Maker Agreement and the Exchange’s internal documents.

7.6. The possibility to remake the Market Maker Agreement with the Trading Participant with whom the previously made Market Maker Agreement is cancelled shall be determined by the Exchange’s resolution.

7.7. The Exchange shall be entitled to pay a fee to a Trading Participant for the execution of the Market Maker’s functions by it. The Fee for the execution of the Market Maker’s functions shall be paid to a Trading Participant if it prescribed in the Market Maker Agreement. The amount, procedure for calculation and payment of the Market Maker’s fee for its execution of the obligations under the Market Maker Agreement shall be determined by the Market Maker Agreement and internal documents of the Exchange.

7.8. With regard to the data related to the Trading Participant’s execution of the Market Maker’s obligations, the Exchange shall disclosure the information on the Exchange’s website as well as notify the Bank of Russia within the period, according to the procedure and in the volume prescribed by the requirements of the laws of the Russian Federation.

**8. DISCIPLINARY MEASURES**

8.1. The Exchange, an organizer of trading performing control in accordance with the requirements of the regulatory acts of the Russian Federation, may apply the following disciplinary measures to the Trading participants having violated the laws of the Russian Federation and other regulatory acts of the Russian Federation for financial markets, as well as the Exchange’s internal documents:

a) warning;

b) suspension of admission to trading;

c) termination of admission to trading.

The warning means the disciplinary measure to be applied to the Trading participant for the violations provided for in the Exchange’s internal documents which entailed no damages to other Trading participants and the Stock Exchange.

The warning shall be announced in writing by the Exchange’s decision fixing the period for removal of the discovered violations, as well as specifying the consequences which may occur for the violator, the Trading participant, in case of the Trading participant’s failure to remove or to remove in due time the said violations.

Suspension of admission to trading means the disciplinary measure to be applied to the Trading participants in the cases provided for in the Exchange’s internal documents by the Exchange’s decision for the violations provided for in the Exchange’s internal documents.

Termination of admission to trading means the disciplinary measure to be applied to the Trading participants in the cases provided for in the Exchange’s internal documents for the violations provided for in the internal documents of the Exchange.

The said measure may be applied in the cases entailing the impossibility for the admission of the company to trading (gross violation of its obligations by the Trading participant, revocation (withdrawal) of licenses, declaration of bankruptcy, winding-up of the company as a legal entity and other cases provided for in the Exchange’s internal documents).

8.2. Disciplinary measures provided for herein shall be applied in accordance with the Exchange’s internal documents with regard to all the Trading participants. Resolution, whether to apply disciplinary measures considering the powers provided for in the Exchange’s internal documents, may be passed by the following bodies:

* Supervisory Board of the Exchange;
* Executive Board of the Exchange;
* CEO of the Exchange or the person authorized by the CEO;

8.3. Information on application of the respective disciplinary measures with regard to the Trading participants for the violations committed by them and provided for in the Exchange’s internal documents shall be disclosed on the Exchange’s website within three (3) days from the date of the resolution.

8.4. The Trading participant shall be given a written notice of any disciplinary measure to be applied to it. The notice shall be send no later than one (1) business day after the date when the Exchange took the respective decision.

8.5. If the Trading participant violates the requirements of the laws of the Russian Federation and other of the Russian Federation, these Regulations, other internal documents of the Exchange, as well as the established dispute resolution procedure, violation of the obligations assumed by the Trading participant when included in the Trading participants list in accordance with its application and when concluding agreements with the Exchange, non-execution of the decisions taken in compliance with the said documents, sanctions provided for herein may be applied to this Trading participant.

9. FINAL AND TRANSITION PROVISIONS

9.1. The procedure of entry into force as well as the procedure for making amendments and introducing supplements to this Regulation which forms an integral part of the Derivatives Rules, shall be established by the internal documents of the Exchange.

**Appendix No. 01**

to the Regulations on Admission to Trading

on the Derivatives Market of the Moscow Exchange

# on the organization’s letterhead

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_

**Application**

**for Admission to Trading on the Derivatives Market**

We hereby request you to admit following the established procedure

*full name of the organization indicating its legal form of business*

and to register

*full name of the organization indicating its legal form of business*

as:

* a General Clearing Member
* a Special Clearing Member of the Securities section
* a Special Clearing Member of the Money section
* a Special Clearing Member of the Commodities section of the first type
* a Special Clearing Member of the Commodities section of the second type

We undertake to observe the requirements of the Exchange’s Derivatives Rules and other internal documents of the Moscow Exchange governing rendering services on the Derivatives Market, as well as the procedure for clearing of trades executed on the Derivatives Market.

**We hereby confirm that all the documents and information submitted for admission to Trading on the Derivatives Market of the Moscow Exchange are complete and true.**

Full name of the chief executive officer

Position

Signature, seal

Note:

If the person having signed this application acts on the basis of a power of attorney, the applicant shall additionally submit the following:

1. notarially certified copy of the power of attorney proving the powers of this person to sign the application;
2. document proving the powers of the person having issued the power of attorney, or its notarially certified copy, or an extract from such document certified by the authorized person’s signature and bound by the applicant’s seal.

Appendix No. 02

to the Regulations on Admission to Trading

on the Derivatives Market of the Moscow Exchange

The List of Documents to be submitted by an Applicant for the Admission to Trading on

the Derivatives Market and registration as a Clearing Member

1. Application for admission to trading produced in accordance with the form set forth in the Appendix 01 to the Regulations;
2. The service agreement on organized trading on the Derivatives Market executed in accordance with the form set forth in the Appendix 03 to the Regulations. The Agreement shall be executed in two original copies and signed by the person authorized in accordance with clause 1.10 of these Regulations;
3. Duly notarized copies of constitutive documents (with all amendments and supplements thereto);
4. Duly notarized copy of the document certifying registration with the tax authority;
5. Duly notarized copy of the information letter on assigning statistical codes or copy certified by the signature of the authorized person and the stamp of the legal entity;
6. Duly notarized copies of all licenses issued by the Central Bank of the Russian Federation (for credit institutions);
7. Duly notarized copies of licenses of professional market participants authorizing the license holder act as a broker, dealer and/or asset manager and or to act as a broker for derivatives trades with commodities as underlying asset (in order to be admitted to trading in the Securities section and/or Money section of the Derivatives Market and/or Commodities Section of the Derivatives Market (as a Specialized Clearing Member of the first type);
8. Duly notarized copies of valid qualification certificates proving awarding qualification upon results of the qualification examination. The copies of the qualification certificates shall indicate the qualifications of the sole executive body of the organization and the controller of the professional securities market participant if a respective requirement on availability of such qualification certificates issued in the name of the above-mentioned persons is provided for in the regulatory acts of the Russian Federation for financial markets and details of such qualification certificates were introduced in the register of certified persons in accordance with requirements set forth in the regulatory acts of the Russian Federation for financial markets.

In case the above-mentioned document(s) is(are) not available due to execution thereof according to the procedure set forth in the regulatory acts of the Russian Federation for financial markets, a trading participant shall submit a copy of a document proving the resolution of the certification committee of the Bank of Russia to award the qualification and issue qualification certificate(s). This copy shall be certified by a signature of the authorized person and the stamp of the Applicant. In addition, a written commitment to submit duly notarized copy (copies) of the qualification certificate(s) upon receipt thereof shall be submitted;

1. Reports as of the last reporting date preceding the date of submission of the reports to the Exchange (the reports shall be submitted in accordance with the Procedure for submitting information and reports in hard copy or electronic format);
2. Registration card according to a form set forth in the Appendix 1 to the Procedure for submitting information and reports in hard copy or electronic format;
3. Extract from minutes (of duly notarized copy of such minutes) of an Applicant’s authorized body meeting containing a resolution of such authorized body to elect/appoint the sole executive body or to transfer authority of the sole executive body to management company or an administrator. The extract shall be certified by authorized signature and stamp of the Candidate or duly notarized;
4. Copies of documents (orders) on appointing a person to the position of the sole executive body of the Applicant, other persons entitled to act on behalf of the Candidate without a power of attorney, as well as controller of the professional securities market participant. The copies of documents (orders) shall be certified by authorized signature and stamp of the Applicant;
5. Duly notarized copies of the Bank of Russia’s letters on approving candidates to the position of the sole executive body of the Candidate and other positions which require approval in accordance with the law of the Russian Federation (if documents certified by signatures of such persons are going to be submitted to the Exchange) (for credit institutions);
6. Original card with samples of signatures and stamp sample of the Candidate. The card shall be executed in accordance with the requirements set forth in the regulatory acts of the Bank of Russia (duly notarized copy of the card may also be submitted);
7. Original or duly authorized copy of an extract from the Unified State Register of Legal Entities that has been issued not earlier than 1 month prior to its submission;
8. Copy of a power of attorney in the name of the Representative authorized to sign agreements and other documents required to participate in trading in the Exchange. The copy shall be certified by authorized signature and stamp of the Applicant (to be submitted if the agreement or other documents have been signed by the authorized representative);
9. Organizations shall enclosure:

* copy of the document of identification of the sole executive body (a person authorized to act on behalf of the organization in accordance with the constituent documents), notarized by the signature of the authorized person and the seal of the organization or a letter of the organization containing the data on the details of the document of identification as well as on date and place of birth, residential (registration) address or place of temporary residence; as well as a copy of the certificate of the registration with tax authorities (INN (Taxpayer Identification Number)) notarized by the signature of the authorized person and seal of the organization or a letter in a free form indicating INN (if any);
* copy of the document of identification of the representative of the organization, authorized to act on behalf of the organization in relations with Moscow Exchange notarized by the signature of the authorized person and the seal of the organization or a letter of the organization containing the data on the details of the document of identification as well as on date and place of birth, residential (registration) address or place of temporary residence; as well as a copy of the certificate of the registration with tax authorities (INN (Taxpayer Identification Number)) notarized by the signature of the authorized person and seal of the organization or a letter in a free form indicating INN (if any).

If the natural person with regard to which it is required to provide the copy of the document of identification notarized by the signature of the authorized person and the seal of the Candidate, is a foreign citizen (stateless person) being in the Russian Federation, it shall be required to submit:

* copy of the document confirming the right of the foreign citizen (stateless person) for temporary residence (residence) in the Russian Federation (residence permit, authorization for a temporary residence, visa or other document confirming the right of the foreign citizen or stateless person for a temporary residence (residence) in the Russian Federation notarized with the signature of the authorized person and seal of the organization;
* copy of the migration card notarized by the signature of the authorized person and seal of the organization.

1. Statements of consent to process personal information (according to a form published on the Exchange’s website) of the persons indicated in the documents specified herein (unless otherwise provided for in the Russian Federation laws).

Appendix No. 03

to the Regulations on Admission to Trading

on the Derivatives Market of the Moscow Exchange

*Please find below the sample of the Service Agreement on Organized Trading*

**Service Agreement on Organized Trading No\_\_\_\_\_\_\_\_\_\_\_\_**

Moscow \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date)

|  |  |
| --- | --- |
| **Trading participant (full registered company name)** |  |
| **Organizer of Trading** | Open Joint Stock Company «Moscow Exchange MICEX-RTS» |

1. The Organizer of Trading undertakes to provide regular services on organized trading and other services in this respect to the trading participant in accordance with the Rules of organized trading (hereinafter the Rules) and the trading participant undertakes to meet all the obligations under the Rules and pay for the services.
2. The type and scope of services, as well as the general terms and conditions for service rendering and other rights and liabilities of the Parties referring to the organized trading thereto shall be provided for in the Trading rules and other internal documents of the Organizer of Trading. The Organizer of Trading is entitled to set forth certain rules for each market (or section) which is considered to be the venue for rendering the services on organized trading (i.e. the securities market, the FX market, the derivatives market and other markets).
3. The Organizer of Trading shall be entitled to introduce amendments to the Trading rules or its other internal documents unilaterally as applicable.
4. The Agreement comes into force on its effective date being signed by the Organizer of Trading and the trading participant.
5. The present Agreement shall be terminated on the date when the trading participant’s admission to trading is terminated for all the markets (sections) being the venue for organized trading services rendered by the Organizer of Trading herein.

|  |  |  |
| --- | --- | --- |
|  | **On behalf of the trading participant** | **On behalf of the Organizer of Trading** |
| **Full name** |  |  |
| **Position** |  |  |
| **Authorizing Document** |  |  |
| **Signature of the duly authorized person; seal** |  |  |