



Detailed Terms of Access to the IT Systems of the Exchange

Consolidated text

approved by the Resolution of the Management Board No 63/20/10 of 8 April 2019

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NOTE: Only the Polish version of this document is legally binding. This translation is provided for information only. Every effort has been made to ensure the accuracy of this publication. However, the TGE does not assume any responsibility for any errors or omissions.

Warsaw, 24 April 2019

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1 General provisions

- 1.1 The IT system of the Exchange shall mean a combination of hardware and software, and specifically the computer application which is used for effecting the exchange trading. The system may operate either in production or test environment.
- 1.1.1 The access to the IT systems of the Exchange may be granted by Towarowa Giełda Energii ("Exchange", "TGE") in accordance with the Trading Rules for the Commodity Market of Towarowa Giełda Energii S.A. ("CM Rules"), exclusively to the authorized:
- a) Employees of the Exchange;
 - b) representatives of Exchange Members,
 - c) employees of the Polish Financial Supervision Authority;
 - d) employees of the Warsaw Commodity Clearing House.
- 1.1.2 The Exchange Management Board may approve the access to the IT systems of the Exchange by persons other than those specified in clause 1.1.1 above.
- 1.1.3 The access to IT systems of the Exchange shall be provided through granting an individual access code and password to the authorized persons.
- 1.1.4 This document shall set out the principles of access to the IT systems of the Exchange for the entities specified in clause 1.1.1 b) and clause 1.1.2.
- 1.1.5 Violation of any provisions contained herein may constitute grounds for TGE to block the user's account or to withdraw the right(s) of access to the IT systems of the Exchange. TGE shall retain the right to take other measures available in case of a breach of the regulations prevailing on the market, or a breach of market order, in accordance with exchange regulations.
- 1.1.6 Any actions taken with the use of the access to the production environment, which cause the system to be overloaded and undermine the security of quotations may constitute the basis for blocking of the user's account by TGE. Any unrealized Orders placed with the use of access that has been blocked shall be automatically removed from the system and the entity authorised to such access shall be notified of the actions taken.

2 The principles of granting access to the production environment of the Exchange's IT systems

- 2.1 Access to the production environment of the IT systems of the Exchange shall be granted pursuant to an appropriate application submitted according to the form enclosed as Appendix No. 2 or Appendix No. 4 hereto. Access shall be granted taking with due regard to the markets to which the Applicant is admitted.
- 2.1.1 There are the following categories of access within the production environment:
- a) for natural persons (Users): "Exchange Trader" type access and "Viewer" type access,
 - b) technical access.

2.1.2 The following types of access rights are possible for the trading system:

- a) "Trade Manager" access, which allows the User to place, modify and delete their own orders, and to view, modify and delete orders by other traders of the Exchange Member, and to review all reports,
- b) "Trader" access, which allows the user to place, modify and delete their own orders only, and to review reports concerning their own transactions.
- c) "Viewer" access – view of the market screen.

2.2 The "Exchange Trader" access shall be granted according to Appendix No. 2 hereto exclusively to the following persons:

- a) persons authorised by the Exchange Member according to the *"List of individuals authorised to represent the Applicant in market transactions on the Commodities Market of Towarowa Giełda Energii S.A."*, appended to the *"Application for admission to operation on the Commodities Market of Towarowa Giełda Energii S.A."*, and
- b) persons who have undergone training according to the rules set out in the Detailed principles concerning the training conducted by Towarowa Giełda Energii S.A.

2.2.1 According to the CM (Commodity Market) Rules, each Exchange Member, as part of the annual fee paid for the participation in at least one market, may receive up to three "Exchange Trader" accesses, one for each of the Users. Each additional access shall be subject to a fee pursuant to Appendix No. 1. Each person referred to in clause 2.2 above shall have a "Exchange Trader" type access to the trading system.

2.2.2 In exceptional justified cases, the Exchange may agree to provide an additional access to the IT systems of the Exchange for a Exchange Trader. Each additional access for such Exchange Trader shall be subject to a fee pursuant to Appendix No. 1.

2.2.3 Upon the request of an Exchange Member holding at least one " Exchange Trader " type access, a User may obtain an "Viewer " type access, pursuant to an application submitted according to the form enclosed as Appendix No. 2 hereto.

2.2.4 Users who obtain access to the IT systems of the Exchange at the request of the Exchange Member, may use the application provided by the Exchange as the interface with the trading system of TGE, or use the proprietary software of the Exchange Member. The use of the proprietary software of the Applicant must be reported to TGE in the form of the application referred to in clause 2.2 and clause 2.2.3 above.

2.2.5 Technical access shall be granted upon the request of an interested party, for the purposes of connecting the software, according to the application enclosed as Appendix No. 4 hereto. The Applicant may request to obtain no more than three technical accesses.

2.2.6 Technical access and access for Users using their proprietary software shall be granted subject to a prior completion and positive result of systems compliance tests, and to the acceptance by TGE of the software referred to in clauses 2.2.4 and 2.2.5 above, in terms of the security of trading.

- 2.3 Following the consideration of the application for access to the IT systems of the Exchange, a login and password shall be provided by the Exchange to the User, and in the case of technical access, to the entity applying for the access.
- 2.4 In order to use IT systems of the Exchange, it is necessary to provide the Exchange with IP addresses/address classes of computers to be connected to the exchange IT system according to the application submitted in the form of Appendix No. 5 hereto. The application form should be sent in electronic form by a person authorized to contact TGE.
- 2.5 The Exchange may refuse access to the IT systems of the Exchange to a person indicated in the application mentioned in clause 2.2. above, if in the opinion of the Exchange, granting access to such person could compromise the security of trading or legitimate interests of the participants.
- 2.6 If the Exchange Member acts both on its own account and on the account of other entities, the access to the IT systems of the Exchange for a person indicated by the Exchange Member in the applications in the form of Attachment No 2 or Attachment No 4 may be granted either with respect to the representation of that Member in the activity on its own account or on the account of other entities, as determined by the Exchange Member. This rule applies to all categories of access to the IT systems of the Exchange, as specified in clause 2.1.1.

3 The rules of using access to the production environment of the IT systems of the Exchange

- 3.1 The User and the entity granted technical access should log in to the system by using login and password provided by the Exchange.
 - 3.1.1 Upon the first logging, a password change is required, subject to clause 3.1.4. The password for the system must conform to the following requirements:
 - a) contain at least 8 and no more than 10 characters;
 - b) must not be identical with the login;
 - c) must contain at least three of the four elements:
 - at least one uppercase letter;
 - at least one lowercase letter;
 - at least one digit;
 - at least one symbol,
 - d) cannot be identical with the previous ten passwords created by the User

- 3.1.2 No guessable elements should be used in the password (e.g. birthdays, names of family members, etc.).
- 3.1.3 The password change is required every 90 days, subject to clause 3.1.3.
- 3.1.4 The password for technical access shall not require a change upon the first logging and shall not require update.
- 3.1.5 If a wrong password is entered three times, the access to the system shall be blocked.
- 3.1.6 The access to the IT systems of the Exchange is granted subject to confidentiality and the access details (login and password) belong exclusively to the user for whom they were generated and cannot be recorded and/or shared with third parties. Neither system administrators, nor any other person may require the user to disclose their password.
- 3.1.7 TGE never sends any emails asking for login data or redirecting to a website that requires such data. In case of receiving such an email, it should not be responded to, nor any login details should be provided. Information about receiving such an email should be immediately delivered to TGE (phone: 22 341 98 56, email itsec@tge.pl).
- 3.1.8 When logging in to the account, the user should each time make sure that their login details are not disclosed to another person.
- 3.1.9 In case of suspicion, or the loss or disclosure of login data to another person, the access password should be changed immediately or TGE should be contacted (phone: 22 341 99 66, email bcg@tge.pl in order to block the account).
- 3.1.10 It is forbidden to take actions aimed at obtaining unauthorized access to the IT systems, or any unauthorized interference with these systems, or violation of their integrity.
- 3.1.11 Users should follow the safety announcements published on the TGE's website on an ongoing basis, and comply with the recommendations. Their aim is to provide users of IT systems of the Exchange with knowledge about cyber threats and effective ways to protect themselves against them.
- 3.2 As part of access to the production environment of the exchange IT systems, the Exchange Member or the entity mentioned in item 1.1.2, have access to exchange data and information which may constitute confidential information.
- 3.2.1 The Exchange Members cannot disclose any market data obtained within the framework of access to the production environment of the IT systems of the Exchange to other persons than the persons authorized in accordance with clause 2.1.
- 3.2.2 The market data made available through the production environment of the Exchange's IT systems may be used by the Exchange Members to the extent required for their participation in trading on the market operated by TGE.
- 3.2.3 The Exchange Members, or the entity referred to in clause 1.1.2, shall not use the market data made available by the Exchange for purposes different than own authorised use, and specifically they shall not use the market data to develop commodity or financial products, including indices or derivatives.
- 3.2.4 In order to obtain the right to disseminate market data for the benefit of persons other than those authorised in accordance with clause 2.1, or use such data for a purpose other than that specified in clauses 3.2.2 and 3.2.3 above, the Exchange Member or the entity referred to in clause 1.1.2 shall be obliged to enter into a relevant agreement with the Exchange or an entity authorized by it.

4 The principles of granting access to the test environment of the Exchange's IT systems

- 4.1 With the exclusion of tests organized by the Exchange, access to the test environment of the IT systems of the Exchange shall be granted upon the submission of an application by the interested party (Applicant), in the form specified in Appendix No. 3 hereto.
- 4.2 After consideration of the application referred to in clause 4.1, the Exchange shall provide the Applicant with access to the test environment of the IT systems of the Exchange.
- 4.3 The Exchange may refuse access to the test environment of the IT systems of the Exchange, if in the opinion of the Exchange granting such access could affect the security of trading or to justified interests of the participants.
- 4.4 The access to the system is enabled by the login and password received from the Exchange. With respect to login data, the guidelines set out in clauses 3.1.5 – 3.1.8 (inclusive) shall apply.
- 4.5 The version and configuration of the test environment provided by the Exchange may differ from the production environment of the IT systems of the Exchange.
- 4.6 The Exchange shall not be liable for any damage suffered by an Exchange Member in connection with the access to the test environment.

5 Consideration of applications

- 5.1 In order to be considered, the applications in the form of Appendices Nos. 2, 3 and 4 shall be correctly filled out and duly signed by authorised representatives. The list of IP addresses/address classes in the form of Appendix No. 5 shall be delivered in accordance with clause 2.4.
- 5.2 The applications shall be considered immediately (within up to 7 business days). Within the above time limit, the Exchange shall provide the Applicant, at the email address indicated in the application, with information concerning the submitted application.
- 5.3 In case when the consideration of the application within the time limit specified in clause 5.2 above is impossible, the Exchange shall inform the Applicant about this situation and specify the date by which the capability to generate access according to the application will be restored, provided that the indication of such date is possible at such point of time.

6 List of Appendices

- 1. Appendix No. 1 – Fees.
- 2. Appendix No. 2 - APPLICATION for setting up access to the production system of the IT systems of Towarowa Giełda Energii S.A.
- 3. Appendix No. 3 - APPLICATION for setting up access to the testing system of the IT systems of Towarowa Giełda Energii S.A.
- 4. Appendix No. 4 - APPLICATION for setting up technical access to the production system of the IT systems of Towarowa Giełda Energii S.A.
- 5. Appendix No. 5 - IP addresses tracking form - access to the IT system of Towarowa Giełda Energii S.A.

Appendix No. 1. Fees

1. Access to the production IT systems of the Exchange shall be subject to the following fees:

	Access to production systems	Fee (excl. VAT) per access
1.	Annual fee for a "Exchange Trader" type access to the Sapri Trade module according to clause 2.2.1 of the Detailed Terms of Access to the IT Systems of the Exchange.	Not applicable
2.	Annual fee for a "Exchange Trader" type access to the X-Stream Trading module according to clause 2.2.1 of the Detailed Terms of Access to the IT Systems of the Exchange.	Not applicable
3.	Annual fee for an additional "Exchange Trader" type access for a specified trader to the Sapri Trade module according to clause 2.2.2 of the Detailed Terms of Access to the IT Systems of the Exchange.	PLN 1,500.00
4.	Annual fee for an additional "Exchange Trader" type access for a specified trader to the X-Stream Trading module according to clause 2.2.2 of the Detailed Terms of Access to the IT Systems of the Exchange.	PLN 1,500.00
5.	Annual fee for an "Viewer" type access to the X-Stream Trading module	PLN 500
6.	Annual fee for the "Viewer" type access to the Sapri Trade quoting module	PLN 500 / Not applicable*
7.	Annual fee for technical access to the Sapri Trade / X-Stream Trading module for application connection purposes	Not applicable

* in case when the User has an "Viewer" type access to the X-Stream Trading module

2. Access to the test IT systems of the Exchange shall be subject to the following fees:

	Access to test systems	Fee (excl. VAT) per one hour of access to the system
1.	Access to test systems on business days from 8 am to 5 pm	Not applicable
2.	Access to test systems outside of the hours specified in item 1 of the table	PLN 2,500

3. The fees shall be paid based on the invoice issued by the Exchange, specifying the method and date of payment.
4. The Exchange shall charge an annual fee for access to the production environment and an hourly fee for access to the test environment of the IT systems of the Exchange.
5. The amount of the first annual fee for the entities applying for access to the production environment during a given calendar year shall be calculated proportionally to the remaining part of a given calendar year, including the month when the access to the production environment of the IT systems of the Exchange was granted.

Appendix No. 2. APPLICATION FOR CREATING ACCESS TO THE PRODUCTION ENVIRONMENT OF THE IT SYSTEMS OF TOWAROWA GIEŁDA ENERGII S.A. (THE POLISH POWER EXCHANGE)

Company submitting the application		
Company (name): Address: Telephone (business): e-mail (business):		
User's contact details (business)		
Full Name	Job Title	Telephone: Mobile phone ¹ : e-mail:
Type of access (User's permissions)		
SAPRI Trade	X-Stream Trading	Use of the proprietary software ²
☐ Exchange Trader (permission type: Trade Manager ³) ☐ Viewer ⁵	☐ Exchange Trader (permission type: Trade Manager ³) ☐ Exchange Trader (permission type: Trader ⁴) ☐ Viewer ⁵	☐ NO ☐ YES please indicate the purpose: ☐ the application uses an automatic order generation mechanism; ☐ other uses:
I hereby represent that I shall observe the Trading Rules of the Commodities Market of the Polish Power Exchange and other regulations applicable at the Polish Power Exchange. In particular, I certify that I reviewed the regulations of the Polish Power Exchange regarding use of the IT system and hardware requirements specified by the Polish Power Exchange, which enable proper functioning of the production environment, and that I shall observe them. I shall not disclose in any form the information and knowledge about the IT system of the Polish Power Exchange to any entities or third parties and shall not make the access to that system available to any unauthorized persons. /Signature of the User/		

¹ Providing a mobile phone number and a personal e-mail address (for business use) is essential for effective delivery of the login and password to the TGE trading systems.

² **Proprietary software** - TGE-approved Exchange Member's own software, used by Users to connect to the exchange IT system (via API).

³ **Trade Manager** - allows the User to place, modify and delete their own orders, and to view, modify and delete orders by other traders of the Exchange Member, and to review all reports. Authorised to accept OTC deals.

⁴ **Trader** - allows the User to place, modify and delete their own orders only, and to review reports concerning their own transactions.

⁵ **Viewer** - view of the market screen.

/date and signature of the Company's Authorised Signatory/

Appendix No. 3. **APPLICATION FOR GRANTING ACCESS TO THE TEST ENVIRONMENT OF THE IT SYSTEMS OF TOWAROWA GIEŁDA ENERGII S.A. (THE POLISH POWER EXCHANGE) – SAPRI TRADE* / X-STREAM TRADING***

1. Company submitting the application

Company name	
Abbreviation of the Company name (in case of Exchange Members – EM code)	
Address of the registered office	
Postal code/ place	
Country	
Telephone number (business)	
E-mail address (business)	

2. Contact person

Full name	
Job Title	
Telephone, e-mail (business)	

3. Suggested schedule of tests and information about the purpose of using the test system (e.g. instruments, types of access etc.)

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.....
/date and signature of the Company's authorized Signatory/

* delete where inapplicable

Appendix No. 3a to the Application for granting access to the test environment of the IT systems of Towarowa Giełda Energii S.A.

Non-disclosure clause

.....
/full name of the Company/

Acting on behalf of the Applicant, I hereby confirm that I reviewed the regulations of Towarowa Giełda Energii S.A., the Polish Power Exchange, regarding use of the IT system and the hardware requirements specified by the Exchange, which enable proper functioning of the Test System and I shall comply with them.

The Applicant shall not use the test environment of the IT systems of the Exchange for other purposes than specified in the Application for granting access to the test system of the IT systems of the Exchange and shall not disclose in any form information and knowledge about the system to any entities or third parties.

.....
/date and signature of the Company's authorized Signatory /

Appendix No. 4

APPLICATION FOR CREATING **TECHNICAL ACCESS*** TO THE PRODUCTION IT ENVIRONMENT OF TOWAROWA GIEŁDA ENERGII S.A. (THE POLISH POWER EXCHANGE)

Company submitting the application		
Company (name): Address: Telephone (business): e-mail (business):	☐ Exchange Member (EM) ☐ Activity on own account ☐ Activity on behalf of a client (for brokerage houses) ☐ Activity for the account of entities which are members of the same group the Applicant belongs to ☐ Data Vendor (DV)	
Contact details (business) of the persons regarding the technical access:		
Full name	Job Title	Telephone: Mobile phone ⁶ : e-mail:
Full name	Job Title	Telephone: Mobile phone ¹ : e-mail:
Access to the system (max. 3 accesses)		
Technical access 1	☐ X-Stream API (EM only) ☐ SAPRI API ☐ ITCH data feed (DV only)	Please state the purpose of using the access:
Technical access 2	☐ X-Stream API (EM only) ☐ SAPRI API ☐ ITCH data feed (DV only)	Please state the purpose of using the access:
Technical access 3	☐ X-Stream API (EM only) ☐ SAPRI API ☐ ITCH data feed (DV only)	Please state the purpose of using the access:
We hereby confirm that we have reviewed the regulations of Towarowa Giełda Energii S.A. (the "Exchange") regarding use of the IT system and the hardware requirements specified by the Exchange, which enable proper functioning of the production environment and we shall comply with them. We shall not disclose in any form information and knowledge about the IT system of the Exchange to any entities or third parties and shall not grant access to that system to any entities or third parties. /date and signature of the Company's authorized Signatory/		

***Technical access** – access to the **SAPRI Trade / X-Stream Trading** systems through API (application programming interface) or through **ITCH protocol** (access for Data Vendors) in order to connect the Applicant's software.

⁶ Providing a **mobile phone number and a personal e-mail address (for business use)** is essential for effective delivery of the login and password to the TGE trading systems.

Appendix No. 5

IP ADDRESSES REGISTER FORM – ACCESS TO THE IT SYSTEMS OF TOWAROWA GIEŁDA ENERGII S.A.

	EM code	Company Name	IP Addresses / IP Address classes
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			