



## **DESICION 3<sup>1</sup>**

### **“Participants’ professional competence in the Natural Gas Trading Platform of HEnEx”**

#### **THE HELLENIC ENERGY EXCHANGE S.A.**

Having regard to the provisions of subsection 3.3.4 of par. 3 of the Rulebook for the Natural Gas Trading Platform of the Energy Exchange (hereinafter the “Rulebook”):

#### **HAS DECIDED AS FOLLOWS**

##### **Scope**

1. The purpose of this Decision is to determine the conditions of professional competence that individuals acting on behalf of the Participants of the HEnEx Natural Gas Trading Platform must meet, as well as the procedures required for their certification as Certified Traders, in order for them to access the Trading Platform in accordance with the Rulebook and the corresponding procedures governing the Trading Platform’s operation.
2. This Decision shall apply to Participants and Certified Traders.
3. Where reference is made in this Decision to the “Responsible Department”, it shall be considered the Department for the Certification/Education which HEnEx has or has appointed.

#### **Article 1. Certificates of individuals acting on behalf of Participants**

##### **1.1 Energy Trader Certificate – Gas (ETC<sub>G</sub>)**

1. For the purposes of recognizing the professional competence of the individuals acting on behalf of the Participants, HEnEx shall issue an Energy Trader Certificate - Gas (hereinafter referred to as "ETC<sub>G</sub>").
2. The “ETC<sub>G</sub>” relates to the exercise of Certified Trader duties in a Participant of the HEnEx Natural Gas Trading Platform.

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<sup>1</sup> Unofficial translation from the Greek language (Ref. HEnEX: 327/20.02.2024), as of 20/02/2024 In case of any discrepancy between the Greek and the English version, the Greek version prevails.

## 1.2 Participants' obligations

1. Participants must employ Certified Traders (holdings of ETC<sub>G</sub>) for their participation in the Trading system. Certified Traders may either be employees and executives of the Participants or they may be designated by the Participants by virtue of a relevant contractual relation between them.
2. Participants shall ensure that the employed Certified Traders shall comply, on a continuous basis, with the Rulebook and the procedures governing the operation of HEnEx and its systems in general.
3. Participants shall also ensure the avoidance of any conflict of interests as to their Certified Traders, especially vis à vis other Participants/Members in any market administered by HEnEx. To this effect, each Participant ensures, indicatively and among others, that the Certified Traders are not employed in any other department other than the trading department of the Participant, whenever this could result in breach of legislative provisions on market abuse or other manipulation tactics or legislative provisions regarding competition.

## 1.3 Requirements for issuing ETC<sub>G</sub>

1. The ETC<sub>G</sub> shall be issued by HEnEx provided that the candidate fulfills the following conditions:
  - a) The candidate has completed the 18<sup>th</sup> year of age
  - b) There are no grounds for not granting the ETC<sub>G</sub> pursuant to section 1.3 par. 2 of this Article.
  - c) The candidate has passed the examinations conducted for the issuance of the relevant Certificate in accordance with Article 2 section 2.1 to 2.4 thereof or the candidate meets the conditions for exemption from such examinations pursuant to Article 2 section 2.5.
  - d) Has paid the relevant fees to HEnEx in accordance with Article 2 section 2.6.
2. ETC<sub>G</sub> shall not be granted if:
  - a) the candidate has been finally convicted for offenses that constitute an impediment to the appointment of a civil servant, in accordance with par. 1 of article 8 of Law n. 3528/2007 (Government Gazette A' 26/2007), or has been dismissed by another discipline under the same law, or has been finally convicted of offenses of articles 398 or 406 of the Penal Code or the legislation on the protection against acts of persons possessing privileged information and on market manipulation pursuant to EU Regulation 1227/2011 (EU L 326/8.12.2011), EU Regulation 596/2014 (EU L 173/12.6.2014), Law n. 4443/2016 (Government Gazette A 232/9.12.2016) and EU Directive 2014/57 (EU 173/179, 12.6.2014) and the legislation on prevention and fight against money laundering and terrorist financing (transposition of Directive 2015/849/EU, Law 4557/2018, Government Gazette A' 139/2018).

References to the above provisions also include any pre-existing provisions of them depending on the time the offense was committed.

- b) a fine of at least ten thousand euros (€ 10,000) has been imposed to the candidate for infringements of the provisions of case (a) above, for which the time allowed for filing an appeal has expired or for which a final decision has been issued dismissing the appeal.

#### **1.4 Application & documentation for issuing ETC<sub>G</sub>**

1. The interested person shall submit an application to HEnEx' Responsible Department, which ensures the issuing of the ETC<sub>G</sub> in accordance with the terms of this Decision.
2. The application shall be submitted on a form which is available to interested persons by HEnEx.
3. The application shall be accompanied by the supporting documents required depending on the situation and the proof of deposit of the certification fee that is foreseen, as specified by HEnEx.
4. For their consideration by HEnEx, the application and the supporting documents shall be fully and clearly completed and they shall be submitted within the time limit therein set.

### **Article 2. Terms and Conditions of conducting Seminars and ETC<sub>G</sub> Exams**

#### **2.1 Responsible body for conducting ETC<sub>G</sub> seminars and exams as well as checking the examination exemption requirements**

1. Seminars and ETC<sub>G</sub> exams shall be conducted by the Responsible Department.
2. ETC<sub>G</sub> exams and seminars shall be carried out by the Responsible department at least one (1) time per year in accordance with the schedule published by HEnEx. In addition, depending on the Market requirements, the certification examinations and seminars could be conducted in ad hoc dates upon agreement with HEnEx.
3. For conducting ETC<sub>G</sub> seminars, the Responsible Department shall approve ex ante the training program, the training material which is relevant to the examination material and the lecturers.
4. The Responsible Department shall publish on the relevant website the place and time of conducting the certification seminars and the ETC<sub>G</sub> exams, as well as any other relevant issue.
5. The Responsible Department is also responsible for checking the requirements of the examination exemptions as well as for any other matter regarding the issuance of ETC<sub>G</sub> hereunder.

#### **2.2 Examination material**

1. The examination material for the ETC<sub>G</sub> exams concern issues related to the operation of the Natural Gas Trading Platform in accordance with the existing union provisions and trading

issues, in accordance with the Regulation and the relevant Decisions of HEnEx as well as any other topics regarding the basic principles of clearing and settlement.

2. The examination material shall be specified by decision of the Responsible Department and shall be published on HEnEx website at least ten (10) days prior to the date of the examination.

### **2.3 Conduct of examinations**

1. The ETC<sub>G</sub> exams shall be conducted in written form or in electronic form remotely, using the multiple-choice test system in accordance with the methods specified by HEnEx. The electronic conduct takes place by using appropriate software that ensures the reliability of the process as well as the safety of the examinees.
2. The Responsible Department shall decide, prior to the conduct of the exams within a reasonable time, on any matter relating to the procedures and the conditions of the conduct, the total number of questions, the grade rating procedure, the duration of each examination, as well as the examiners appointed by the Committee to carry out the procedure.
3. The Responsible Department or the examiners appointed by the Committee shall prepare the questions, supervise the proper conduct of the examinations, and prepare the final list of successful candidates. Successful candidate is anyone who answers seventy percent (70%) of the questions correctly.
4. All question series as a result of the above procedure shall be kept in a special file of HEnEx confidentially.
5. Candidates must be present at the place of the examinations, which may be conducted either in person or electronically, at the time scheduled according to the related notifications on the relevant website of HEnEx. If the examinations are conducted electronically, they must have the necessary technical readiness, based on the instructions of HEnEx, for their access to HEnEx's remote examination procedure.
6. After having their ID checked, in case of written exams, applicants receive a special response form which is covered with an opaque cover at the point of the identification data of the examinee. In case of remote examination, an electronic response form is provided, respectively.
7. The time of the examination in person starts counting at the point in time that the questions of the exams have been delivered to all examinees, at which time they are allowed to know the questions. The examination period is strictly complied with, while at the end of the examination, the examinee delivers the answer sheet, questions remaining confidential. Accordingly, the time / duration of the remote examination is predefined.
8. In case of examination in person, the Responsible Department or the examiners appointed by the Committee shall examine, grade and sign the examinees' answer sheet. Then, under the responsibility of the Responsible Department, the cover is removed from the answer sheets and the list of successful candidates is formed. In case of electronic exams, the anonymity of the grading is maintained through an automatic process with the completion of the answers to the questions, in order then the list of successful candidates is formed.

## 2.4 Exemption from the ETC<sub>G</sub> exams

For the issuance of the ETC<sub>G</sub>, the Responsible Department may exclude from the ETC<sub>G</sub> examinations a candidate who cumulatively fulfills the following conditions:

1. The candidate has acquired:
  - a) Certificate equivalent to that its application relates, which must have been issued by authorities or bodies or regulated gas markets (or gas exchanges) of a Member state of EEA or
  - b) two years working experience in a member of a regulated gas market (or gas exchange) in the EEA, Sweden, USA, Canada or Australia, acquired during the last five (5) years from the time of submission of the application for certification, with main duties respective to those of the requested trading certification or
  - c) Energy Trader Certificate - Electricity (ETC<sub>E</sub>) and Energy Trader Certificate - Derivatives (ETC<sub>D</sub>) by HEnEx.
2.
  - a) Has attended a special seminar organized by HEnEx, for operational issues for natural gas market or
  - b) he/she has been trained via HEnEx's electronic platform where HEnEx hosts the training material. To access said electronic platform HEnEx will provide a special login. To complete the training course candidates will need a certain amount of time and that time will be recorded on the platform.
3. Both the candidate and the Participant to which the candidate intends to perform his duties, indicate in a form provided to all interested candidates by HEnEx, that he has been aware of the Rulebook and of the related Decisions governing the operation of trading in the Gas Trading Platform of HEnEx, basic principles of Clearing, Risk Management and Settlement and of the related systems and that he fully understands their contents and is fully aware of the obligations and consequences arising from the exercise of his duties as an Energy Trader Certificate – Gas.

## 2.5 Certification Fees

For the examination of an application and the issuance of an ETC<sub>G</sub>, the applicant must pay in favor of HEnEx the relevant certification fee, as applicable at any time, and posted on HEnEx's website. The certification fee covers only the participation in the exams for the award of an ETC<sub>G</sub> or the exemption from the exams plus access to the training materials of HEnEx but the fee does not apply to the certification seminars.

## 2.6 ETC<sub>G</sub> Revocation and Withdrawal

An ETC<sub>G</sub> that has been issued in accordance with the terms of the present is temporarily revoked or withdrawn by HEnEx:

1. If revoked, withdrawn or expired due to untimely renewal of the certificate that the ETC<sub>G</sub> holder has provided in accordance with the provisions of Article 2 section 2.4 par. 1.
2. If HEnEx considers this appropriate due to breach of the Rulebook control upon which is enacted pursuant to the provisions of section 5.2 of the Rulebook.
3. If the data and the documentation submitted for the issuance of the ETC<sub>G</sub> are found to be false or misleading.
4. If the candidate is convicted or if a fine has been imposed to him pursuant to the provisions of section 1.3 par.1 of Article 2.

### **Article 3. Validity**

This decision takes effect as from 20/02/2024.

This decision shall be uploaded to the website of HEnEx [www.enexgroup.gr](http://www.enexgroup.gr).