



DECISION 2¹

"Professional competence of Participants' Certified Energy Traders participating in the Day-Ahead & Intra-Day Market of HEnEx"

HELLENIC ENERGY EXCHANGE S.A.

Having taken into consideration the provisions of sections 3.5 and 3.7 Day-Ahead and Intra-Day Market Trading Rulebook (hereinafter referred to as the "Rulebook")² of the Hellenic Energy Exchange S.A. (hereinafter referred to as "HEnEx") as in force:

DECIDES AS FOLLOWS

Article 1. Objective - Scope – Definitions

1. The objective of this Decision is to determine the conditions of professional competence that the employees and executives of HEnEx Energy Market Participants and of the certification procedures of the same as Certified Traders, for their access to the Energy Trading Spot System (ETSS) for trading on HEnEx markets in accordance with the Rulebook and the corresponding procedures governing the operation of the Markets.
2. This Decision shall apply to the Participants and those who are holding a position as Certified Traders, in the Participant's company.
3. Where this Decision makes reference to the 'Competent Service', that means the certification / training service provided by HEnEx.
4. The terms of this Decision have the same meaning as those given in L. 4425/2016, L. 4001/2011 or other relevant national or union legislation, the Rulebook, the Clearing Rulebook for Transactions on Day-Ahead & Intraday Markets (hereinafter referred to as the "Clearing Rulebook") including any other decisions adopted for its implementation.

Article 2. Certificates of employees and executives of the Participant

¹ Unofficial translation from the Greek language (Ref. HenEx: 865/13.04.2020), as of 07/05/2020. In case of any discrepancy between the Greek and the English version, the Greek version prevails.

² Regulatory Energy Authority (REA), Decision 1116/13.11.2018 (GG 5914/31.12.2018), "Approval of the Day-Ahead and Intra-Day Market Trading Rulebook, according to the articles 9, 10 and 18 of L.4425/2016 (GG A' 185), as applying".

2.1 The Energy Trader Certificate (ETC)

1. For the purposes of recognizing the professional competence of the employees and executives of the Participants, HEnEx issues an Energy Trader Certificate (hereinafter referred to as the "ETC").
2. ETC relates to the exercise of Certified Energy Trader duties on behalf of a HEnEx Market Participant.

2.2 Participants' obligations

1. Every employee or executive acting as a Certified Energy Trader on behalf of a Participant must have an ETC.
2. Participants must ensure that their Certified Energy Traders have an ETC.
3. Participants must also ensure that their Certified Energy Traders meet on a continuous basis the guarantees of cognitive competence as regards the Rulebook and the general procedures governing its operation and its systems.

2.3 Conditions for Issuing the ETC

1. The ETC shall be issued by HEnEx, provided that the applicant cumulatively fulfills the following conditions:
 - a) The applicant is at least 18 years of age.
 - b) There are no grounds for not issuing the ETC in accordance with par. 2.3(2).
 - c) He/She has succeeded in the examinations for the issuance of the relevant Certificate as specified in Article 3 par.0 up to **Error! Reference source not found.** hereof or meets the conditions for exemption from these examinations in accordance with Article 3 par. 1.3.5.
 - d) He/She has paid the relevant fees in favour of HEnEx in accordance with Article 3 par. 1.3.6.
2. An ETC shall not be issued if:
 - a) the candidate has been finally convicted of offences that constitute an impediment to the appointment of a civil servant, in accordance with the provisions of Article 8 (1) of Law 3528/2007 (GG A' 26/2007), or has been dismissed from another position for disciplinary reasons under the same law, or has been finally convicted of offences under Articles 398 or 406 of the Criminal Code as applying (bankruptcy and fraudulent misrepresentation in stock trading) or under the legislation on protection against acts of persons disposing of privileged information and against market manipulation as provided for in the Regulation 1227/2011 EU (EU L 326/8.12.2011), Regulation 596/2014 EE (EE L 173/ 12.6.2014), L. 4443/2016 (GG A 232/9.12.2016) and Directive 2014/57 EU (EU 173/179, 12.6.2014) as well as legislation on the prevention and suppression of money laundering and terrorist financing (integration of Directive 2015/849/EU, L. 4557/2018, GG A' 139/2018).
 - b) The applicant has been fined with a total of at least ten thousand euros (€ 10,000) for breaching the provisions of case (a) here-above, for which the time-limit for appeal has expired before the courts or for which a final judgement has been rendered, dismissing the action.

- c) References to the above provisions also include any pre-requisites depending on the time the offence was committed.

2.4 Application and supporting documents for issuing an ETC

1. Applications for issuing the ETC according to the current Decision, are submitted to the responsible Department.
2. The application shall be submitted on a form that HEnEx has made available to all interested parties.
3. The application shall be accompanied by the required supporting documents and proof of the required certification fee, as specified by the responsible Department.
4. For their consideration by HEnEx, the application and supporting documents shall be fully and clearly completed and shall be submitted within the time limit set for each occasion.

Article 3. Terms and Conditions of Seminars and Examinations for issuing the ETC

3.1 Responsible body for ETC seminars and examinations

1. Seminars and examinations for the issuance of an ETC shall be conducted by the responsible Department under the supervision of the Examination Committee, of Article 3, par. 3.2.
2. Certification examinations are conducted by the responsible Department at least once (1) a year.
3. In order to conduct certification seminars for the award of an ETC, the Examination Committee shall approve a priori the training program, including the syllabus and exam, in accordance with Article 3 par. **Error! Reference source not found.** as well as their lecturers.
4. The responsible Department makes sure to post on HEnEx's website, the venue and time of certification seminars and exams for issuing an ETC, as well as any other related matter.

3.2 Examination Committee

1. The Examination Committee shall supervise the certification examinations relating to professional competence in accordance with the terms herein.
2. The Examination Committee shall also be responsible for checking the conditions for exemption from certification examinations in accordance with Article 3 par. 3.5 as well as for any other matter related to the issuance of an Energy Trader Certificate hereunder.
3. The members of the Examination Committee shall be appointed by decision of HEnEx.

3.3 Examination material

1. The examination content of the ETC covers operational issues of HEnEx markets in accordance with the regulations governing their operation, including clearing and/or settlement arrangements, as well as the systems and procedures applicable to the Markets concerned.
2. The examination material or any amendments thereto are specified by a decision of the Examination Committee announced on HEnEx website at least fifteen (15) days prior to the date of the examination.

3.4 Conduct of examinations

1. Certification exams shall be conducted in written form using the multiple choice test system.
2. The Examination Committee shall decide, prior to the conduction of the examinations, on any matters relating to their conduction, such as the total number of questions, the grading procedure, the duration of the examinations and the examiners appointed by it to carry out the examination process.
3. The Examination Committee or the examiners appointed by it shall prepare the questions, supervise the examination process, grade and sign each examinee's test and prepare the final list of successful candidates. This list shall be published on HEnEx's website. The candidates who answer correctly sixty percent (60%) of the questions are the ones considered successful.
4. All series of questions, as a result of the above procedure, shall be kept in a special file confidentially.
5. Candidates must be present at the venue of the examinations at the time according to the relevant announcements on HEnEx's website.
6. After having their identity checked, applicants receive a special response form, which is covered with an opaque cover at the area of the identification data of the examinee.
7. The examination time begins with the handing over of all questions to the candidates, who are then allowed to see the questions. The duration of the examination is strictly adhered to and the candidate hands over the answer sheet along with the questions.
8. The Examination Committee or the examiners appointed by it shall examine, grade and sign the examinee's answer sheet. Subsequently, under the responsibility of the responsible Department, the cover is removed from the answer sheet and the list of successful candidates is drawn up in alphabetical order.

3.5 Exemption from the Exams for granting an ETC

An ETC may be issued without the candidate's participation in an ETC exam, provided that the applicant cumulatively meets criteria 1, 2 and 3 here-below:

1. The candidate:
 - a) is holder of a certificate equivalent to the ETC issued by authorities or entities or energy exchanges of a Member State of the EEA, or of a state incorporated in the market-coupling system of the target model, or
 - b) has a two-year experience, acquired in the last five (5) years from submitting the application for certification, to a member of a state energy market that is part of the “market coupling” system of the “target model”, having as main occupation the performance of duties as a trader on wholesale energy products relevant to the ETC requested, as evidenced by a corresponding attestation issued by the company where the applicant was employed as a trader.
2. The candidate has attended the certification seminar organized by HEnEx on the operation of its markets. These seminars are organized at least two (2) times a year.
3. Both the candidate and the Participant to which he intends to perform his duties, indicate in a form provided by HEnEx that the candidate is fully aware of the Rulebooks and relevant Decisions of HEnEx’s Markets and their associated systems, and fully understands their content, having full knowledge of the obligations and consequences arising from the exercise of the duties of a Certified Energy Trader under the terms of this Decision.

3.6 Fees in favor of HEnEx

In order to consider the application for an ETC, 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 or the exemption from the exams and does not apply to the certification seminars.

3.7 Annulment of an ETC

An ETC having been granted in accordance with the terms hereof, is annulled by HEnEx:

1. If the validity of the certificate of 3.5 par. 1(a) of this Decision presented by the holder of the ETC has been cancelled, revoked, or for any reason has been ceased.
2. If HEnEx considers this appropriate due to breach of the provisions of its Rulebook, in accordance with Section 3.6 of the Rulebook by the holder of the Energy Trader Certificate.
3. If the information and supporting documents submitted for the issuance of the ETC are proven to be false or misleading.
4. If the candidate is convicted or fined in accordance with the provisions of par. 2 of article 2.3.

Article 4. Enforcement

This Decision shall apply from 13/04/2020.

This decision is to be posted on HEnEx website.