

part of eex group



TP\_HUPX\_01b  
Application for  
approval as a trading  
participant in  
hungarian power  
spot contracts (3rd  
party balance area  
agreement)

Required in single copy

01.01.2024

Leipzig

Ref. TP\_HUPX\_01b

Release 011

**- only required as scan -**

# Preliminary remark

With this form you are applying for approval as a Trading Participant in Hungarian Power Spot Contracts (Contracts at the Day-Ahead and Intraday Market) at European Commodity Clearing AG (ECC) in accordance with the Clearing Conditions of ECC.

The physical settlement of Hungarian Power Spot Contracts will be effected by European Commodity Clearing Luxembourg S.a.r.l. (ECC Lux) a subsidiary of ECC. Both ECC and European Commodity Clearing Luxembourg S.a.r.l. will be mentioned in this form as ECC.

Approval as a Trading Participant requires:

- (a) participation in clearing as a Clearing Member, Non-Clearing Member or DCP Clearing Member for the market, where the respective product is being traded,
- (b) admission as an exchange participant at the market or a comparable and by ECC as equivalent acknowledged access to the market, where the respective product is being traded,
- (c) proof of the capability for physical settlement at the Hungarian transmission grid by means of the nomination of a 3rd party with a balance area agreement with MAVIR Hungarian Transmission System Operator Company Ltd. (MAVIR),
- (d) the declaration of consent of the owner of the balance area agreement to use its balance area agreement for physical settlement.

Approval involves the following steps:

1. Please fill in the application form for approval as a Trading Participant. Both you and the nominated 3rd Party shall sign the application form in a legally binding manner.
2. Send the application in scanned version to the following E-Mail address:

MemberReadiness@ecc.de  
Phone: +49 341 24680 261

3. ECC shall decide on the application regarding approval as a Trading Participant and inform the applicant as well as the Hungarian Power Exchange Zrt. (HUPX) thereof.

## Application

We hereby apply for approval as a Trading Participant in the Products according to the Clearing Conditions of ECC:

Hungarian Power Spot Contracts – Day-Ahead Auction Market

Hungarian Power Spot Contracts – Intraday Continuous Market

Hungarian Power Spot Contracts – Pan-European Intraday Auction<sup>1</sup>

The legal bases for approval as a Trading Participant are established in:

- this application,
- the Clearing Conditions of ECC as amended from time to time,
- the Clearing Agreement (Clearing Member), NCM Agreement (Non-Clearing Member), the Settlement Bank Agreement or any other agreement between the DCP Clearing Member and the Settlement Bank regarding keeping of a Settlement Account and
- the price list of ECC amended from time to time.

By signing this application we confirm that we are familiar with the above mentioned rules and regulations and that we acknowledge and observe these. The respective current version of said documents can be downloaded from the ECC website at [www.ecc.de](http://www.ecc.de).

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<sup>1</sup> Contracts for Pan-European Intraday Auctions will be available for members with the Go-Live of Pan-European Intraday Auctions on Single Intraday Coupling (SIDC) level. Expected Go-Live day depends on overall readiness of all market participants and is anticipated in Q2 2024. Please check ECC website/Clearing Circular (<https://www.ecc.de/en/newsroom/circulars>) for more information.

## Applicant

Member-ID: \*

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="E"/>	<input type="text" value="X"/>
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\* Need to get filled only in case you are already Member at ECC. NEW members can leave it blank.

### Name of the Company and Company Register

Name of the Company according to excerpt from company register		Legal status
Tax number		Sales tax identification number

## Emergency Contact / Nominations / 24/7

### Contact person

Contact person
Telephone number
Fax
E-mail

## PROOF of capability for physical Settlement

The balance area agreement of a 3rd party appointed by us should be used for physical settlement of our transactions in Hungarian Power Spot Contracts. The nominated owner of the balance area agreements will declare its consent:

Information regarding to the balance area agreement	
Owner of the balance area agreements nominated by us	Name
	Address
	Contact person
	Telephone number

Information regarding to the balance area agreement	
Market Area	ETSO Identification Code (EIC)
Hungarian Power Spot Day-Ahead	
Hungarian Power Spot Intraday Continuous	
Pan-European Intraday Auction	

The use of the balance area agreement mentioned above for the physical settlement of our transactions in Hungarian Power Spot Contracts shall take effect:

as of the next delivery date possible

as of delivery date \_\_\_\_\_

The applicant may terminate the use of this balance area agreement at the end of a calendar month with a notice period of 5 business days.

## VAT Details

VAT details are only required if a classification for the purpose of VAT treatment hasn't taken place previously or these classifications are not relevant for deliveries of electricity at the respective transmission grid. We have attached the form TP07 "VAT Details" with this application if applicable.

## Declarations by the trading participant

1. We hereby assure that we will acknowledge and observe the rules and regulations of ECC (in particular the Clearing Conditions) and the rules and regulations of HUPX Hungarian Power Exchange Zrt. (HUPX) in their respectively valid versions.
2. We recognise that in the case of mismatches between schedules nominated to MAVIR the schedules nominated by ECC are binding. Any imbalances between the binding schedules nominated by ECC and the amount of electricity actually injected or withdrawn shall be borne by us.
3. If MAVIR rejects the schedules nominated by ECC for the physical settlement of our transactions in Hungarian Power Spot Contracts, because the nominated owner of the balance area agreements failed to provide the capability for physical settlement according to MAVIR's terms and conditions, we will hold ECC harmless from any damages caused by this rejection.
4. We assure that we will inform ECC immediately with regard to the loss of the proof of the capability for physical settlement. This shall apply especially in the case of the loss of a balance area agreement of the nominated 3rd party or the revocation of its consent to use its balance area agreements for physical settlement of our transactions in Hungarian Power Spot Contracts.
5. We hereby declare our consent for the forwarding of information by ECC regarding physical delivery to HUPX and to MAVIR.

### PRIVACY NOTICE

The undersigned assures that he/she has fully informed the contact persons named in connection with the contract, the stock exchange membership relationship or other legal relationships about the transfer of their personal data and that he/she has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

On behalf of the **Trading Participant**:

Place	Date	Company stamp and legally binding signature(s)  Signature(s):  Name(s):
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## Declarations by the NOMINATED 3<sup>rd</sup> party

1. We give our consent, that our balance area agreement will be used for the physical settlement of the Trading Participant's transactions in Hungarian Power Spot Contracts, in accordance with the Clearing Conditions of ECC and the rules and regulations of HUPX Hungarian Power Exchange Zrt. (HUPX). We may revoke this consent at the end of a calendar month with a notice period of 5 business days.
2. We recognise that in the case of mismatches between schedules nominated to MAVIR, the schedules nominated by ECC are binding and we will take all measures required, in particular the correction of our schedules, in order to match the schedules nominated by us with the binding schedules nominated by ECC.
3. If MAVIR rejects the schedules nominated by ECC for the physical settlement of the Trading Participant's transactions in Hungarian Power Spot Contracts, because we failed to provide the capability for physical settlement according to MAVIR's terms and conditions (Commercial Code), we will undertake appropriate actions to solve the cause of the rejection immediately after being informed.
4. We assure that we will inform ECC immediately with regard to the loss of the proof of the capability for physical settlement. This shall apply especially in the case of the loss of a balance area agreement.
5. We hereby declare our consent for the forwarding of information by ECC regarding physical delivery to HUPX and to MAVIR.
6. We hereby authorise MAVIR to inform ECC with regard to our balance area agreement and about the status of our nominated schedules and deliveries.

### PRIVACY NOTICE

The undersigned assures that he/she has fully informed the contact persons named in connection with the contract, the exchange membership relationship or other legal relationships about the transfer of their personal data and that he/she has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

On behalf of the nominated owner of the balance area agreements (**Third Party**):

Place	Date	Company stamp and legally binding signature(s)  Signature(s):  Name(s):
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