

part of eex group



## Eligibility form

Please send the scanned version to  
[membership@eex.com](mailto:membership@eex.com)

31.01.2023  
Leipzig

Release 004B

**- only required as scan -**

# Eligibility form

Declaration of eligibility for participation in auctioning of emission allowances according to Commission Regulation (EU) No. 1031/2010 (Auctioning Regulation)

Company name: \_\_\_\_\_

## (A) Registry account

For participation in emissions auctions, the holding of a Union Registry account is mandatory. Therefore, we hereby appoint the following operator holding account, aircraft operator holding account, national holding account or trading account for the purposes of participating in the auction process.

\_\_\_\_\_

Please enclose a screenshot of the account as respective proof.

## (B) Maximum bid-size

As required under the Auctioning Regulation, an auction platform may impose a maximum bid-size for auction participants. For participation in emission auctions, EU rules require the bidder to have the necessary arrangements in place to give effect to such maximum bid-size, when requested. This maximum bid-size always applies on group level. Therefore, we hereby confirm that, in accordance with Article 19(2)(g) of the Auctioning Regulation, we have in place or are able to put in place when requested, the internal process, procedures and contractual agreements necessary to give effect to a maximum bid-size imposed pursuant to Article 57 of the Auction Regulation.

## (C) Supporting documentation (referred to in Article 20(3) of the Auctioning Regulation)

We enclose the following documents:

- Current commercial register extract as original, certified copy or internet source (URL) if the document is publicly available:

http:// \_\_\_\_\_

- Current annual report (including profit/loss account and balance sheet) as original, certified copy, electronic version (e.g. pdf-file) or internet source (URL) if the document is publicly available:

http:// \_\_\_\_\_

- Auditors report of the current annual report (if not already included in the annual report) as original, certified copy or internet source (URL) if the document is publicly available:

http:// \_\_\_\_\_

Certifications may be issued by every institution which is entitled by the respective applicable national law.

## (D) Categorization (referred to in Article 18(1) of the Auctioning Regulation)

We hereby declare that our company belongs to one or several of following categories according to Article 18 of the Auctioning Regulation:

### 1) Eligibility for bidding on own account as

operator / aircraft operator / parent, subsidiary or affiliate undertaking forming part of the same group of undertakings as the operator / aircraft operator having an operator holding account.

We enclose a screenshot of our (aircraft) operator holding account (account number and name of the company has to be visible), if not already provided under "(A) Registry account". Being an aircraft operator, the provided reference to <https://eur-lex.europa.eu/eli/reg/2020/535/oj> is sufficient.

If the company is part of the same group of undertakings as the operator/aircraft operator, it shall provide a document clearly identifying the structure of the group. The document should be submitted as original, certified copy or electronically signed document.

investment firm authorised under Directive 2014/65/EU (MiFID)

We enclose reference to the official listing as licensed investment firm or an authorization by the competent national authority. Being an investment firm, the provided reference to [https://registers.esma.europa.eu/publication/searchRegister?core=esma\\_registers\\_upreg](https://registers.esma.europa.eu/publication/searchRegister?core=esma_registers_upreg) is sufficient.

credit institution authorised under Directive 2013/36/EU (Banking Directive)

We enclose reference to the official listing as licensed credit institution (either by the respective national Supervisory Authority or another competent authority) or an authorization by the competent national authority. Reference to <https://www.eba.europa.eu/risk-analysis-and-data/credit-institutions-register> is also sufficient.

business grouping of persons listed in Article 18(1) lit.(a) of the Auctioning Regulation bidding on our own account and acting as an agent on behalf of our members.

We enclose a screenshot of all (aircraft) operator holding accounts (account number and name of the company has to be visible) of all members of our business grouping, on which bids are entered on behalf. Being an aircraft operator grouping, a list of the members and the provided reference to <https://eur-lex.europa.eu/eli/reg/2020/535/oj> is sufficient.

public body or state-owned entity of a Member State controlling any of the persons in Article 18(1) lit.(a) of the Auctioning Regulation.

We enclose a screenshot of our (aircraft) operator holding account (account number and name of the company have to be visible). Being an aircraft operator the provided reference to <https://eur-lex.europa.eu/eli/reg/2020/535/oj> is sufficient.

person covered by the exemption in Article 2(1)(j) of Directive 2014/65/EU/2004/39/EC (MiFID)

We declare that we are authorized by our competent national authority for bidding on own account in auctions. We enclose our authorization to bid for emission allowances in an auction (see Art 18(2) of the Auctioning Regulation) by the competent national authority.

(Please note: If you are classified as operator / aircraft operator / parent, subsidiary or affiliate undertaking forming part of the same group of undertakings as the operator / aircraft operator having an operator holding account, a proof of the authorization is *not* required, if only bidding *on own account* is intended.)

## 2) Eligibility for bidding on behalf of clients as

person covered by exemption in Article 2(1)(j) of Directive 2014/65/EU (MiFID)

We declare that we are authorized by our competent national authority for bidding on behalf of clients of our main business and that these clients are also classified according to Article 18(1) or (2) of the Auctioning Regulation.

We enclose our authorization by the competent national authority as well as the respective proof of categorization for our clients to this declaration (e.g. operator holding account, authorisation as investment firm or credit institution, other). For future clients we will hand in the relevant documents as soon as we intend to bid on behalf of them.

investment firm authorised under Directive 2014/65/EC (MiFID)

We declare that we are authorized by our competent national authority for bidding on behalf of our clients for auctioned products and that also our clients are classified according to Article 18(1) or (2) of the Auctioning Regulation.

We enclose our authorization by the competent national authority as well as the respective proof of categorization for our clients to this declaration (e.g. operator holding account, authorization as investment firm or credit institution, other). For future clients we will hand in the relevant documents before we start bidding on behalf of them.

credit institution authorised under Directive 2013/36/EU (Banking Directive)

We declare that we are authorized by our competent national authority for bidding on behalf of our clients for auctioned products and that also our clients are classified according to Article 18(1) or (2) of the Auctioning Regulation.

We enclose our authorization by the competent national authority as well as the respective proof of categorization for our clients to this declaration (e.g. operator holding account, authorization as investment firm or credit institution, other). For future clients we will hand in the relevant documents before we start bidding on behalf of them.

## (E) Contact details for participants admitted to bid on behalf of clients

According to Article 60(3) of the Auctioning Regulation, auction platforms must publish a list of the names and contact details of all participants admitted to bid on behalf of clients in the emissions auctions.

If you are admitted to bid on behalf of clients in emissions auctions, please state the following contact details for publication on EEX's website:

Name:

Address:

Telephone:

E-Mail:

Website:

## (F) Notifications and Acknowledgments

We hereby acknowledge that we will notify to the auction platform any changes that would affect our categorization under section (D) above or eligibility criteria under Article 18 of the Auctioning Regulation.

In cases where bids are submitted on behalf of clients, we acknowledge that the auction platform may rely on reliable checks carried by us as well as the clients of our clients, in line with Art 19(3) of the Auctioning Regulation. We acknowledge that in these cases we are responsible for ensuring that we are able to demonstrate to the auction platform whenever requested to do so by the auction platform pursuant to Article 20(5)(d) that the conditions in points 19(3)(a) and (b) are fulfilled.

## (G) Signature(s)

The undersigned assures that he 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 has brought to their attention the PRIVACY NOTICE which can be found on our company websites.

Place	Dae TT.MM.JJJJ	Name of the applicant  Full name of the Authorized Representative  Company stamp and legally binding signature(s) of the applicant
-------	-------------------	--