



## Eligibility form

– Please send the scanned version to [MemberReadiness@ecc.de](mailto:MemberReadiness@ecc.de) –

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## Eligibility form

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

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 registry account (please enclose a screenshot of the account as respective proof):

\_\_\_\_\_

### **(B) Maximum bid-size**

As required under the AR, 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) AR, 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 AR.

### **(C) Supporting documentation (referred to in Article 20(3) AR)**

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) AR)

We hereby declare that our company belongs to one or several of following categories according to Article 18 Commission Regulation (EU) No. 1031/2010 (EU Auctioning Regulation):

(multiple choices possible)

### 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 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 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:039:0001:0132:EN:PDF> is sufficient.

- investment firm authorised under Directive 2004/39/EC (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 <http://www.esma.europa.eu/page/Investment-Firms> is sufficient.

- credit institution authorised under Directive 2006/48/EC (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 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:293:0001:0256:EN:PDF> 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 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 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:039:0001:0132:EN:PDF> 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 operator holding account (account number and name of the company has to be visible). Being an aircraft operator the provided reference to <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:039:0001:0132:EN:PDF> is sufficient.

- person covered by the exemption in Article 2 (1) (i) of Directive 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) (i) of Directive 2004/39/EC (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 2004/39/EC (MiFID) and/or credit institution authorised under Directive 2006/48/EC (Banking Directive).

We declare that we are authorized by our competent national authority for bidding on behalf of our clients for auctioned products that are not financial instruments and that also our clients are/will be 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.

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

According to Article 60 (3) AR, 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: \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Website: \_\_\_\_\_

Place	Dae TT.MM.JJJJ	Company stamp and legally binding signature(s) of applicant
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