INTRODUCTION

• Phase III of the EU Emissions Trading System (ETS) commenced in 2013 and will operate until 2020, during which approximately half of the allowances will be sold by way of a regular series of auctions in accordance with:

  Commission Regulation (EU) No 1031/2010 ("The Auctioning Regulation")

• ICE has published its Rules and Procedures in relation to EUA and EUAA Auction Contracts. See sections:

  MMM » NNN » OOO » PPP »

• On 7th September 2012, ICE issued Circular 12/109 notifying members and market participants intending to bid in auctions of the policy statement issued by the Financial Services Authority (now the Financial Conduct Authority) on 19 July 2012 and FSA Handbook Rules made on 26 July 2012: FSA Policy Statement PS12/12 »

• All participants are required to comply with the Auctioning Regulation, ICE Rules and Procedures and comply with or be exempt from FCA Regulation

• All participants must be added to the: Auction Participant List »

HOW TO PARTICIPATE:
Exchange Members

As an Exchange Member with an Emissions Trading Privilege you will have already satisfied the admission criteria set out in Article 19 of the Auctioning Regulation

If applicable, check with your regulatory authority (e.g. the FCA) whether you require permission or variation to existing permissions to participate in the auctions

Fill in the Auction Participant List and sent to: dl-membership@theice.com

ICE Futures Europe may check with the FCA or other regulatory authorities that you have the necessary permissions and are therefore eligible in accordance with Article 18 of the Auctioning Regulation, or request evidence that you benefit from exemption

Contact ICE User Admin team to request trading privileges. ICE Futures Europe will provide access to the auction via WebICE and FIX API

Request trading limits from your Clearer

HOW TO PARTICIPATE:
Non-Member Customers (ICE Emissions)

Contact an Exchange Member to request access to emissions auctions on ICE

Your Exchange Member will check that you satisfy the eligibility and admission criteria set out in Articles 18 and 19 of the Auctioning Regulation

Your Exchange Member may ask you to check with the relevant regulatory authority (e.g. the FCA) whether you require permission or variation to existing permissions to participate in the auctions

Ask your Exchange Member to add you to the Auction Participant List and send to: dl-membership@theice.com (by adding you to the Auction Participant List, the Exchange Member is providing you with access to the auctions)

Contact ICE User Admin team to request trading privileges

Request trading limits from your Clearer (Your Clearer may also be the Exchange Member who is providing access)
HOW TO PARTICIPATE:
New Participants

Contact an Exchange Member or an Auction-only Access Provider (AAP). An AAP provides access and clearing services for the auctions only

Your Exchange Member or AAP will check that you satisfy the eligibility and admissions criteria set out in Articles 18 and 19 of the Auctioning Regulation in accordance with the procedure set out in Article 20 of the Auctioning Regulation

Your Exchange Member or AAP may ask you to check with your regulatory authority (e.g. the FCA) whether you require permission or variation to existing permissions to participate in the auctions

Ask your Exchange Member or AAP to add you to the Auction Participant List and send to: dl-membership@theice.com (by adding you to the Auction Participant List, the Exchange Member is providing you with access to the auctions)

Contact ICE User Admin team to register trading privileges

Request trading limits from your Clearer or your AAP

ELIGIBILITY REQUIREMENTS

- Eligible persons include:
  - Operators including parent companies, subsidiaries and affiliates bidding on their own account
  - Investment firms authorised under Directive 2004/39/EC (Markets in Financial Instruments Directive MiFID) bidding on their own account or on behalf of clients
  - Credit institutions authorised under Directive 2006/48/EC (Banking Consolidation Directive - BCD) bidding on their own account or on behalf of clients
  - Business groupings of operators bidding on their own account and acting as agent on behalf of their members

- Participants should refer to the Auctioning Regulation for the complete list of requirements

- The eligibility requirements are set out in Article 18 (“Persons eligible to apply for admission to bid”) of the Auctioning Regulation

Financial Services Authority (FSA) Policy Statement (The FSA is now known as the Financial Conduct Authority)

- The FSA Policy Statement is relevant to all firms that intend to bid in emissions auctions, their clients and the auction platforms on which bids will be made
- The Rules as published in the FSA Handbook set out specific requirements relating to authorisation and supervision of firms wishing to participate in EU Emissions auctions
- Members and market participants are reminded that holding all necessary authorisations and licenses to access the ICE Futures Europe Auction Platform is required by the Exchange Rules
- Please see the FSA Policy Statement ‘Regulating bidding for emission allowances under Phase Three of the EU Emissions Trading Scheme: FSA Policy Statement PS12/12 »
- For ICE Futures Europe Auction Participation Requirements, please see: Circular 12/109 »

ADMISSION REQUIREMENTS

- Participants should refer to the Auctioning Regulation for the complete list of criteria, however in summary applicants must:
  - Hold a nominated registry account
  - Hold a nominated bank account
  - Satisfy due diligence in relation to the ownership, integrity and nature of bidders business
  - Satisfy financial standing requirements

- The admission requirements are set out in Article 19 (“Requirements for admission to bid”) of the Auctioning Regulation
- A full list of Know Your Customer (KYC) information for new participants is set out in Annex II of the Auctioning Regulation

BECOMING AN EXCHANGE MEMBER OR AUCTION-ONLY ACCESS PROVIDER

- If you wish to become an Exchange Member or an Auction-only Access Provider, please contact the Exchange: theice.com/futures-europe/membership

ICE EMISSIONS CONTACT

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