

ALBANIAN POWER EXCHANGE - ALPEX J.S.C

TECHNICAL DECISION No. 2-C

On

“Professional competence of Certified Clearer”

Having regard to the provisions of the;

- I. Section C.2.5, Chapter C of the Electricity Market Rules - Clearing and Settlement Procedures for Transactions on the ALPEX Markets.

ALPEX J.S.C Approved:

1. The procedure for certification of Certified Clearer, participating in Clearing of Transactions in ALPEX Markets.
2. Technical Decision No. 2-C is submitted for notification to the Energy Regulatory Authority – ERE / Energy Regulatory Office - ERO.

This decision takes effect immediately.

CEO OF ALPEX J.S.C

Sokol Dishnica

TECHNICAL DECISION No. 2-C

ARTICLE 1

1. PURPOSE AND SCOPE

- (a) The purpose of this Technical Decision is to determine the professional competence and requirements of the employees and executives of Clearing Members of ALPEX and the procedures for their certification as Certified Clearers, for their access to the Energy Market Clearing System of ALPEX (hereinafter the "EMCS") in accordance with the Electricity Market Rules - Clearing and Settlement Procedures and the respective Clearing Technical Decisions.
- (b) This Technical Decision applies to Clearing Members and to those persons holding the position of Certified Clearer at a Clearing Member.
- (c) The terms and definitions used in this Technical Decision shall have the same meaning as the one assigned to them by Electricity Market Rules - Glossary, Electricity Market Rules - Clearing and Settlement Procedures as well as any Technical Decisions issued in their implementation, unless otherwise expressly stipulated.

In every case, the provisions of this Technical Decision are interpreted in accordance with the rules and principles provisioned in the Scope of Application of the Electricity Market Rules - Clearing and Settlement Procedures.

ARTICLE 2

2. CERTIFICATION PROCESS OF CLEARING MEMBER EMPLOYEES

2.1. The Certified Clearer Certification

- (a) For the purpose of recognising the professional competence of employees of the Clearing Member must be issued the Certificate for the Certified Clearer (hereinafter "CCC").
- (b) The CCC relates to the performance of duties of a Certified Clearer at a Clearing Member of ALPEX for the Clearing of Transactions in the ALPEX Markets.

2.2. Obligations of Clearing Members

- (a) Clearing Members must ensure that the Certified Clearer employed by them, have a CCC.
- (b) Clearing Members must also ensure that the Certified Clearer employed by Clearing Members have, on an ongoing basis, adequate knowledge of the Electricity Market

Rules - Clearing and Settlement Procedures and the procedures in general which govern the operation of ALPEX and its systems.

2.3. Prerequisites for issuing of the CCC

- (a) The CCC is issued by ALPEX provided all the following requirements are met:
 - (i) the candidate must be appointed by the Clearing Member, through a written request to ALPEX.
 - (ii) the candidate is at least 18 years old;
 - (iii) the candidate has participated in relevant training and passed the exam held for issuing of the relevant Certificate in accordance with the provisions of paragraphs 3.1 to 3.4 of Article 3 of this Technical Decision.
 - (iv) the candidate has paid the relevant fees to ALPEX in accordance with the provisions of paragraph 3.5, Article 3 of this Technical Decision and ALPEX Fee Schedule.
 - (v) Has not been convicted pursuant to paragraph 2.3 (b).
- (b) The CCC is not issued if:
 - (i) the candidate has been convicted by final judgment of an offence that constitutes an impediment to his or her appointment to a civil servant position, or has been dismissed from another position for disciplinary reasons pursuant to the same law, or has been convicted by final judgment of any offence of the Penal Code as they were in force (default and fraudulent misleading to financial transactions) and applicable law on the prevention and suppression of money laundering and terrorist financing;
 - (ii) a fine for breaching of the provisions of instance (i) above, for which the time allowed for filing a court appeal has expired or in regard to which a final judgment has been entered dismissing the appeal.
 - (iii) references to the above provisions include also their former versions depending on the time the offense was committed.

2.4. Application for the issuance of the Certified Clearer Certificate and Documentation

- (a) The applications for issuing of the CCC is submitted to ALPEX, which ensures for the issuance of the CCC in accordance with the terms of this Technical Decision.
- (b) The application must be submitted, fulfilled and signed the standard form that is available in ALPEX Official Website.

- (c) The application must be accompanied by the supporting documents required;
 - (i) A valid identification document of the candidate,
 - (ii) Proof from the Court and the Prosecution regarding the candidate criminal record status, issued not later than 30 days,
 - (iii) Proof of payment of the applicable fees, as are specified in section 3.5, Article 3 of this Technical Decision,
- (a) In order to be reviewed by ALPEX, the application and relevant documentation must be completed fully and clearly before being submitted within 5 (five) Days after the entrance into force of the Clearing Framework Agreement.

ARTICLE 3

3. TERMS AND CONDITIONS OF SEMINARS AND EXAMINATIONS

3.1. Responsibility body for seminars and examinations

- (a) Seminars and examinations for the issuance of a **CCC** shall be conducted by ALPEX under the supervision of the Examination Committee, according to section 3.2.
- (b) To conduct certification seminars and exams for issuing the **CCC**, the Examination Committee must first approve, the training programme including the curriculum and exam material, in accordance with section 3.3, as well as the lecturers.
- (c) The venue and time for certification seminars and examinations for issuing the **CCC**, as well as all other related matters, shall be posted on ALPEX Official website.

3.2. Examination Committee

- (a) The Examination Committee shall supervise the certification examinations, in accordance with the terms herein.
- (b) The Examination Committee shall also be responsible for checking the conditions for Certificate withdrawal or revocation in accordance with section 3.6 as well as for any other matter related to the issuance of a **CCC** hereunder.
- (c) The members of the Examination Committee shall be part of ALPEX's staff.

3.3. Studying material

- (a) The studying material for the examinations for issuing the **CCC** covers subjects pertaining to Clearing and Settlement Procedure, in accordance with the regulatory provisions governing Clearing and Settlement, as specified in the Electricity Market

Rules - Clearing and Settlement Procedures, as well as the EMCS and procedures applied.

- (b) The language of the studying material and the exam will be in Albanian and/or English, as requested.

3.4. Exam

- (a) The Exam Fee must be provided before entering the exam for Certification.
- (b) Certification Exam shall be conducted according to the methodology provided by ALPEX.
- (c) The Examination Committee shall decide the details of the exam prior to the start of the exam.
- (d) The Examination Committee shall prepare the questions, supervise the examination process, score and sign each examinee test and prepare the final list of successful examinees. To pass the examination, candidates must correctly answer at least sixty percent (60%) of the questions.
- (e) The exam may be performed physically or online, as the case might be. The date and the time of the exam will be published on ALPEX's official website.

3.5. Fees payable to ALPEX

In order to consider the application for CCC, candidates must pay to ALPEX the applicable fees, according to ALPEX Fee Schedule posted on the ALPEX official website.

3.6. Suspension of a CCC

A CCC has been issued in accordance with the terms hereof and will be temporarily revoked or suspended by ALPEX:

- (a) If the Certified Clearers' actions are in breach of the Electricity Market Rules - Clearing and Settlement Procedures, by the holder of the CCC.
- (b) If the information and documentation submitted for the issuance of the CCC are proven to be false or misleading.
- (c) If the Certified Clearer is convicted or fined in accordance with the provisions of subsection 2.3(b).

ARTICLE 4

4. ENTRY INTO FORCE

This Technical Decision enters into force on 07/09/2023.

This Technical Decision will be posted on official website www.alpex.al