

ALBANIAN POWER EXCHANGE - ALPEX J.S.C

TECHNICAL DECISION No. 2-T

“Professional competence of Certified Traders participating in ALPEX Markets.”

Based on the provisions stipulated in the Electricity Market Rules - General Terms and more specifically, defined in section F.4.3, as in force:

ALPEX approved:

1. Technical Decision – “Professional competence of Certified Traders participating in ALPEX Markets”
2. Technical Decision No. 2-T is submitted for notification to the Energy Regulatory Entity - ERE and to the Energy Regulatory Office - ERO.

This decision takes effect immediately.

CEO OF ALPEX J.S.C

Sokol Dishnica

Article 1

Objective - Scope – Definitions

- (a) The objective of this Technical Decision is to determine the conditions of eligibility of the appointed person and the certification procedure as Certified Trader and the procedure for accessing of the Energy Trading Spot System (ETSS) for trading on ALPEX Markets, in accordance with the Electricity Market Rules - General Terms and Procedures.
- (b) This Technical Decision shall apply to the Exchange Member and their Certified Traders.
- (c) Any reference to the competent service, means the certification/training service provided by ALPEX.
- (d) The definitions of this Technical Decision have the same meaning as those stipulated in the Electricity Market Rules - Glossary or Electricity Market Rules - General Terms and Procedures and in the relevant legislation regarding the electricity markets.

Article 2

Certification Process of the appointed person from the Exchange Member

2.1. The Trader Certificate (TC)

- (a) For the purposes of trading in ALPEX Markets, the appointed person from the Exchange Member must be issued a Trader Certificate (hereinafter referred to as the "TC") by ALPEX.
- (b) The TC relates to the exercise of Certified Trader duties on behalf of the Exchange Member in ALPEX Markets.

2.2. Exchange Members' obligations

- (a) Every appointed person acting as a trader on behalf of an Exchange Member must have a TC.
- (b) Exchange Members must also ensure that their Certified Traders apply continuously the provisions of Electricity Market Rules - General Terms and Procedures.

2.3. Application to receive a TC.

In order to be eligible to apply for a TC, the Applicant shall cumulatively fulfill the following conditions:

- (i) The applicant is at least 18 years of age.

- (ii) The applicant must be appointed by an Exchange Member, through a written request to ALPEX.
- (iii) There are no restrictions for receiving of the TC in accordance with this Technical Decision.
- (iv) The Applicant has paid the relevant fees in favor of ALPEX in accordance with Article 3, subsection 3.5, of this Technical Decision.
- (v) Has not been convicted of the following criminal offenses:
 - participation in a structured criminal group, criminal organization, armed gang, terrorist organization, according to the provisions of the legislation in force;
 - corruption according to the provisions of the legislation in force;
 - fraud according to the provisions of the legislation in force;
 - money laundering or financing of terrorism according to the provisions of the legislation in force;
 - offenses with terrorist intent or criminal offenses related to terrorist activity, according to the provisions of the legislation in force;
 - forgery;
 - child labor and other forms of human trafficking according to the provisions of the legislation in force.
- (i) The Applicant has regularly attended the training sessions and has passed the exams in order to be Certified as a Trader, as specified in Article 3, subsection 3.1 up to 3.4 hereof.

2.3.1. Supporting application documents.

- (a) The Applicant must submit the fulfilled and signed standard form, part of this Technical Decision.
- (b) The Applicant's ID.
- (c) The written request (hard copy) issued by the Exchange Member, that appoints its Trader/s.
- (d) Proof from the Court and the Prosecution regarding the applicant's criminal record status, issued not later than 30 days. For the Kosovo bidding zone, the Proof from Court is required, in accordance with the requirements of the Legislation in force.
- (e) Criminal Record issued by the Respective Authority for the Applicant.
- (f) Valid Trader Certificate from Power Exchanges of a Member State of the EU, if applicable.
- (g) Foreign Applicants who already have a Trader Certificate from Power

Exchanges of a Member States of the EU are exempt from submitting the (d) and (e) documents above. The Certified Trader and/or the Exchange Member must notify ALPEX of the status validity of the certificate in case of changes. If the Certified Trader and/or the Exchange Member fail to do so, the provisions of C.2 of Electricity Market Rules - General Terms – General Conditions will apply.

ALPEX will evaluate the abovementioned documentation and will ask the applicant to pay the Annual Training Fee if it is satisfied with the fulfillment of provisions of 2.3, which are preconditions in order to attend the training sessions.

If ALPEX is not satisfied with the fulfillment of the eligibility conditions, ALPEX will provide a reasoned answer.

Article 3

Terms and Conditions of Seminars and Examinations for issuing the TC

3.1. Responsible body for ETC seminars and examinations

- (a) Seminars and examinations for the issuance of a TC shall be conducted by ALPEX under the supervision of the Examination Committee, according to Article 3, subsection 3.2.
- (b) To conduct certification seminars for the award of a TC, the Examination Committee shall approve a priori the training program, including the syllabus and exam, in accordance with Article 3, subsection 3.3 as well as their lecturers.
- (c) ALPEX makes sure to post on ALPEX's website, the venue and time of certification seminars and exams for issuing a TC, as well as any other related matter.

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 exemption from certification examinations in accordance with Article 3, subsection 3.5 as well as for any other matter related to the issuance of a Trader Certificate hereunder.
- (c) The members of the Examination Committee shall be part of ALPEX's staff.

3.3. Studying material

- (a) The studying material will be provided by ALPEX.
- (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. The Exam Fee must be repaid if the Appointed Trader fails the exam. If the Appointed Trader wishes to re-enter the training sessions, he must pay the Annual Training Fee.
- (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, certification, and sign each examinee's test and prepare the final list of successful examinees. The examinees who correctly answer sixty percent (60%) of the points are the ones considered successful and will be notified by ALPEX.
- (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 website. The online examination only applies to the foreign appointed Traders.
- (f) The Applicant must submit the fulfilled and signed standard form (TR-2-F1) for the issuance of the Trader Certificate, in order to receive the Training Certificate and Trading Certificate.

3.5. Fees in favor of ALPEX

The Exam Fees are published as per ALPEX Fee Schedule on ALPEX's website.

3.6. Suspension of a TC

A TC having been issued in accordance with the terms hereof, is suspended by ALPEX:

- (a) If the validity of the certificate according to Article 2, subsection 2.3.1, paragraph (g) of this Technical Decision presented by the holder of the TC has been cancelled, revoked, or for any reason has been ceased.
- (b) If the Certified Trader's actions on ALPEX Markets are in breach of the provisions of the Electricity Market Rules - General Terms and Procedures, the respective provisions will be applied to the Exchange Member.
- (c) If the information and supporting documents submitted for the issuance of the TC are proven to be false or misleading.
- (d) If the Certified Trader is convicted of the offences stipulated in Article 2, subsection 2.3, (v) of this Technical Decision.

Article 4

Enforcement

This Technical Decision will enter into force on 07.09.2023.

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