



Detailed Clearing and Settlement Rules of the Exchange Clearing House

These rules come into force on 30 September 2026.

Table of Contents

DEFINITIONS	4
GENERAL PROVISIONS.....	11
CLEARING HOUSE MEMBERSHIP	11
TRANSACTION CLEARING LIQUIDITY GUARANTEE SYSTEM	14
CLEARING OF BENEFITS RESULTING FROM A POSITIVE INTEREST RATE AND COSTS RESULTING FROM A NEGATIVE INTEREST RATE ON THE CASH ACCUMULATED IN THE TRANSACTION CLEARING LIQUIDITY GUARANTEE SYSTEM	15
TRANSACTION MARGIN.....	16
DELIVERY MARGIN	20
HISTORIC MARGIN	21
SURPLUS OF COLLATERAL CONTRIBUTED TO TRANSACTION MARGIN	23
FORWARD MARGIN FOR FIM/RTP	25
CROSS-PRODUCT NETTING OF INITIAL MARGIN FOR FORWARD CONTRACTS IN ELECTRICITY.....	26
CROSS-PERIOD NETTING OF INITIAL MARGIN FOR FORWARD CONTRACTS.....	30
NON-CASH COLLATERAL REGISTER	46
NON-CASH COLLATERAL CONCENTRATION LIMIT	64
DEFAULT FUND.....	68
RULES OF CONDUCT IN CASE OF THREATS TO CLEARING SAFETY	71
RULES OF CONDUCT IN CASE OF AN EVENT OF INFRINGEMENT	71
RULES OF CONDUCT IN CASE OF A NEED FOR LIQUID FUNDS	71
REGISTRATION OF OPERATIONS RELATED TO TRADING IN COMMODITIES	72
RECORDING OF OPERATIONS CONNECTED WITH TRADING IN AGRICULTURAL COMMODITIES.....	75
BREAKDOWN OF FORWARD CONTRACT POSITIONS FROM FIM/RTP FOR TRADING IN GAS	76
METHOD AND PROCEDURE FOR THE CLEARING OF TRANSACTIONS	77
GENERAL PROVISIONS	77
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS EXECUTED ON DAM	79
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS EXECUTED ON IDM	80
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS ENTERED INTO ON FIM/RTP.....	80
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS ENTERED INTO ON PRM.	81
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS ENTERED INTO ON DAMg.....	82
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS EXECUTED ON THE ACM.....	82
RULES FOR DETERMINING THE AMOUNT OF RECEIVABLES AND LIABILITIES UNDER TRANSACTIONS ENTERED INTO ON IDMG.....	83
METHOD AND PROCEDURE OF THE SETTLEMENT OF TRANSACTIONS	83
RULES FOR EXCHANGE OF INFORMATION BETWEEN THE CLEARING HOUSE, THE SETTLEMENT BANK AND THE CLEARING BANK	84
SERVICES FOR CLEARING MEMBERS AS PART OF CASH SETTLEMENT	88
ELECTRICITY SETTLEMENT.....	90
SETTLEMENT OF PROPERTY RIGHTS TO CERTIFICATES OF ORIGIN IN THE PROPERTY RIGHTS MARKET	91
SUSPENSION OF TRANSACTION CLEARINGS. A STANDARD PROCEDURE IN THE EVENT OF LACK OF SUFFICIENT QUANTITY OF PROPERTY RIGHTS TO CERTIFICATES OF ORIGIN ON THE ACCOUNT OF THE CERTIFICATE OF ORIGIN REGISTER MEMBER. A BUY TRANSACTION OF THE MISSING QUANTITY OF PROPERTY RIGHTS TO CERTIFICATES OF ORIGIN ON TGE AS AN OTC OR PRM SESSION TRANSACTION ...	92
THE BUY TRANSACTION OF THE MISSING PROPERTY RIGHTS TO CERTIFICATES OF ORIGIN ON PRM AS AN OTC.....	93
PROCEDURE AFTER BUYING ADDITIONAL PROPERTY RIGHTS TO CERTIFICATES OF ORIGIN	93
GAS SETTLEMENT	94

SETTLEMENT AND CLEARING OF ELECTRICITY TRADING TRANSACTIONS ENTERED INTO ON EXCHANGES AND EXECUTED OUTSIDE THE DOMESTIC SYSTEM.....	94
SETTLEMENT WITH AGRICULTURAL COMMODITIES ON THE ACM	95
OTHER OPERATIONS	96
POSITION TRANSFER	96
THE CLEARING HOUSE’S ACTIONS IN THE EVENT OF CONGESTIONS OF ELECTRICITY OR GAS CONSUMPTION OR DELIVERIES	98
THE CLEARING HOUSE’S ACTIONS IN THE CASE OF SUSPENDED PROVISION OF TRANSMISSION SERVICES BY ETSO OR GTSO TO A CLEARING HOUSE MEMBER OR IN THE CASE OF TERMINATION OF AN AGREEMENT WITH A CLEARING HOUSE MEMBER BY THE ENTITY PROVIDING A USE UNIT OR A SHIPPER CODE TO THE CLEARING HOUSE MEMBER	99
THE CLEARING HOUSE’S ACTIONS IF ETSO OR GTSO DOES NOT ACCEPT TRANSACTIONS IN ELECTRICITY OR GAS FOR PHYSICAL EXECUTION	100
APPENDIX 1 TO THE DETAILED CLEARING AND SETTLEMENT RULES OF THE EXCHANGE CLEARING HOUSE - SETTLEMENT SCHEDULE	101
APPENDIX 2 TO DETAILED CLEARING AND SETTLEMENT RULES OF THE EXCHANGE CLEARING HOUSE. - INVOICING SCHEDULE	103

Definitions

- 1) **Clearing Bank** – bank providing Clearing House Members, under an agreement with the Clearing House, the Settlement Bank and agreements with Clearing House Members, with financial services associated with the settlement of Transactions executed by them on the exchange;
- 2) **Settlement Bank** – bank providing the Clearing House, under an agreement with the Clearing House and agreements with Payer Banks of Clearing House Members, with financial services associated with the settlement of Transactions executed on the exchange;
- 3) **Exchange Member** – entity that has entered into a membership agreement with the Exchange;
- 4) **Clearing House Member** – entity that has entered into a membership agreement with IRGiT;
- 5) **TGE Daily Settlement Price** – the price of a forward contract published by the Exchange, determined in accordance with the rules set out in the applicable Trading Terms for instruments listed on the Gas Forward Market or Trading Terms for instruments listed on the Electricity Forward Market;
- 6) **Delivery Day** – day on which a commodity sold or purchased on the Trading Day is delivered or accepted;
- 7) **Day N** – day on which the clearing of Transactions is performed by the Clearing House. The days preceding or following Day N are denoted as N-1 or N+1, respectively;
- 8) **Trading Day** – the day on which the session on which exchange commodities are quoted is held;
- 9) **e-ACM** – is defined as the register, in which the levels of agricultural commodity inventories are recorded, on the terms and conditions set out by the Exchange;
- 10) **Gas** – gaseous fuels referred to in art. 3 item 3 a) of the Energy Law, i.e. an exchange commodity admitted for trading on the Commodity Exchange Market in accordance with the relevant internal regulations of the Exchange;
- 11) **exchange** – Commodity Exchange Market within the meaning of the Regulations;
- 12) **Exchange, TGE** – Towarowa Giełda Energii S.A.;
- 13) **Intra-Day Scheduling** – a program to deliver or offtake electricity to or from the entity's USE Units, which can be reported to the eTSO on the date of delivery of electricity;

- 14) **Day-Ahead Scheduling** – a program to deliver or offtake electricity to or from the entity's USE Units, which can be reported to the eTSO on the day before the date of delivery of electricity;
- 15) **Power Group** – Power Group within the meaning of the Regulations.
- 16) **Delivery group** – a group of delivery periods for forward contracts set out for the Electricity Forward Market Gas Forward Market (GFM) pursuant to § 22 sec. 10 and § 23 sec. 13, respectively,
- 17) **Schedule** – detailed plan of cash settlement conducted by the Clearing House, forming Appendix 1 hereto;
- 18) **IRGiT** – Izba Rozliczeniowa Giełd Towarowych S.A. with its registered office in Warsaw;
- 19) **IRiESPg** – The Transmission Network Code drawn up by the gTSO
- 20) **Clearing House** – exchange clearing house (within the meaning of the Act) operated by IRGiT SA;
- 21) **USE Unit** – the object of the balancing market operated by Polskie Sieci Energetyczne S.A., within the meaning of the TCB assigned by eTSO or provided to: a Clearing House Member or a Clearing House Member's client in accordance with regulations applicable on the Exchange in order to physically carry out the supply of electricity;
- 22) **Shipper Code (ZUP)** – a code used to identify the Principal of the Transmission Service defined in IRiESPg assigned by the gTSO or provided to: a Clearing House Member or a Clearing House Member's client in accordance with regulations applicable on the Exchange in order to physically carry out the supply of gas;
- 23) **SWIFT messages** – messages sent between banks participating in the settlement process consistent with the standards published by the Society for Worldwide Interbank Financial Telecommunication;
- 24) **Physical delivery account** – recording device used to register the volume of Positions subject to delivery;
- 25) **Trading account** – recording device used to register Positions in exchange commodities maintained by IRGiT according to the Clearing House Member's code or the code of the Clearing House Member's client, the code of the exchange commodity series, the activity type code;
- 26) **Clearing account** – recording device used to determine liabilities and receivables arising from the clearing of Transactions concluded on the exchange and the updating

of required forward margin, maintained by IRGiT according to the Clearing House Member's code, the code of the Clearing House Member's client;

- 27) **Settlement account** – recording device used to register the value of Clearing House Member's liabilities and receivables, based on which the Clearing House prepares payment orders forwarded to the Clearing Bank for financial settlement of Transactions cleared by the Clearing House;
- 28) **Collateral pledged account** – recording device used to register the total value of collateral provided by a Clearing House Member in the form of cash deposited in transaction margin bank sub-accounts and collateral margin sub-accounts maintained in the Settlement Bank or deposited by the Clearing House on another account of the Clearing House, as referred to in § 5 sec. 5, as well as in Clearing Bank Accounts maintained in the Clearing Bank in accordance with the Clearing House's regulations and in the form of non-cash collateral entered in the Non-Cash Collateral Register;
- 29) **Forward contract** – a forward contract within the meaning of the Regulations;
- 30) **Domestic System** – set of devices operating under the national energy policy designed to generate, transmit, distribute, store and use electricity, functionally interconnected into a system that enables electricity supply in the country;
- 31) **Clearing price for the delivery period** – the clearing price determined by IRGiT assigned to a given delivery period of forward contracts, calculated on the basis of TGE Daily Settlement Prices in accordance with the provisions of these Detailed Clearing and Settlement Rules;
- 32) **Average EUR exchange rate** – the Euro exchange rate expressed in Polish zloty, calculated and published by the National Bank of Poland in accordance with the Resolution of the Management Board of the National Bank of Poland in the matter of the method for calculating and announcing current foreign exchange rates;
- 33) **Nomination** – nomination defined in IRiESPg;
- 34) **eTSO or the Power Transmission System Operator** – Polskie Sieci Elektroenergetyczne Spółka Akcyjna with its registered office in Konstancin-Jeziorna;
- 35) **gTSO or the Gas Transmission System Operator** – Operator Gazociągów Przesyłowych GAZ-SYSTEM Spółka Akcyjna with its registered office in Warsaw;
- 36) **OTF** – OTF within the meaning of the Regulations;
- 37) **Foreign Entity** – a Clearing House Member with its registered seat abroad, acting in the territory of the Republic of Poland;

- 38) **Positions** – exchange commodities registered on Trading Accounts as a result of transactions, accepted for clearing, of the acquisition or disposal of a given series of exchange commodities or transactions executed as part of the clearing guarantee system operated by the Clearing House;
- 39) **Short position** – a sale position registered in the relevant delivery period for contracts of a given type,
- 40) **Long position** – a purchase position registered in the relevant delivery period for contracts of a given type,
- 41) **Property Rights to Certificates of Origin** – property right to certificates of origin, within the meaning of the Energy Law, within the meaning of the Act on Renewable Energy Sources, and property rights under energy efficiency certificates, within the meaning of the Energy Efficiency Act;
- 42) **Transaction margin bank account** – account kept for the House in the Settlement Bank with sub-accounts dedicated to Clearing House Members in which funds constituting transaction margin provided by Clearing House Members are posted;
- 43) **Collateral margin bank account** – account kept for the Clearing House in the Settlement Bank with sub-accounts dedicated to Clearing House Members in which funds constituting transaction margin for FIM/RTP provided by Clearing House Members are posted;
- 44) **Clearing Bank Account** – account of a Clearing House Member in the Clearing Bank used to handle cash settlements for Transactions and to update forward margin for FIM/RTP;
- 45) **Clearing House's settlement bank account** – account kept for the Clearing House in the Settlement Bank, dedicated to handling interbank transfers during cash settlements and updating the required forward margin;
- 46) **Technical bank account** – account kept for the Clearing House in the Clearing Bank, dedicated to handling cash settlement and updating the required forward margin;
- 47) **Payments Confirmation Report** – report sent by the Clearing House to the Clearing Bank on every business day containing information on payments of individual Clearing House Members on account of the clearing of Transactions executed on the exchange and updating the required forward margin;
- 48) **Clearing Report** – report available to a Clearing House Member in the Clearing System, containing the values of margin and payments on a given day on account of

the clearing of Transactions executed on the exchange, the value of the surplus of collateral provided as transaction margin and the value of pledged collateral;

- 49) **IDM** – Intra-Day Market operated by the Exchange;
- 50) **IDMg** – Gas Intraday Market operated by the Exchange;
- 51) **DAM** – Day-Ahead Market operated by the Exchange;
- 52) **DAMg** – Gas Day-Ahead Market operated by the Exchange;
- 53) **Regulations** – Regulations of the Exchange Clearing House (Commodity Market);
- 54) **TGE Regulations** – Trading Regulations of the TGE Commodity Exchange Market;
- 55) **Certificate of Origin Register** – a register of certificates of origin operated by an authorized entity on the basis of legal regulations in effect in this respect;
- 56) **Non-Cash Collateral Register** – a register kept by the Clearing House and used to record non-cash collateral specified by IRGiT, constituting collateral for payment of liabilities of Clearing House Members and their clients, forward margin in accordance with the rules set forth based on the wording of these Detailed Clearing and Settlement Rules;
- 57) **Clearing Member** – an entity, which has obtained membership in the Clearing House by the power of a resolution adopted by the IRGiT Management Board and has been admitted by the Clearing House to the clearing of Transactions concluded on the exchange;
- 58) **clearing** – process of establishing Positions, including the calculation of net liabilities, and ensuring that exchange commodities or cash are available to secure the exposures arising from such Positions, occurring from the moment the Clearing House accepts a Transaction for clearing in accordance with the Regulations until the moment the Clearing House or another authorized entity performs settlement;
- 59) **settlement** – performance of a transaction on exchange commodities cleared by the Clearing House, through a transfer of cash or a delivery of exchange commodities in accordance with the rules laid down in the Regulations;
- 60) **PRM** – Market for Property Rights to Certificates of Origin operated by the Exchange;
- 61) **FIM/RTP** – the Electricity Forward Market (EFM) and the Gas Forward Market (GFM), within which forward contracts are traded on the OTF, operated by the Exchange;
- 62) **ACM** – Agricultural Commodity Market operated by the Exchange;
- 63) **contract series** – contract of a specific standard and period of performance;

- 64) **VAT rate** – determined in accordance with the applicable laws, for the given Clearing House Member, the rate of tax on goods and services for the delivery of commodity resulting from the Transaction
- 65) **Synthetic net position** – a position resulting from the application of the mechanism combining positions from BASE, PEAK and OFFPEAK forward contracts through cross-product netting;
- 66) **Clearing system** – collection of devices and software, in particular specialized computer software used for running the Transaction clearing process and preparing Clearing Reports, shared by the Clearing House with authorized users of the system;
- 67) **TGeBase** – the TGeBase index calculated by TGE in accordance with the Detailed rules for trading and clearing of electricity on the Day-Ahead Market;
- 68) **TGEgasDA** – the TGEgasDA index calculated by TGE in accordance with the Detailed rules for trading and clearing of gas on the Gas Day-Ahead Market and the Gas Intraday Market;
- 69) **TGeOffpeak** – the TGeOffpeak index calculated by TGE in accordance with the Detailed rules for trading and clearing of electricity on the Day-Ahead Market;
- 70) **TGePeak** – the TGePeak index calculated by TGE in accordance with the Detailed rules for trading and clearing of electricity on the Day-Ahead Market;
- 71) **TOE** – means the ton of oil equivalent within the meaning of the Energy Efficiency Act;
- 72) **exchange commodity** – is understood as the exchange commodity within the meaning of the Regulations;
- 73) **agricultural commodity** – a product of a quality standard specified by the Exchange, being an effect of soil cultivation or animal husbandry, in the form of raw materials, intermediate products and finished products made out of such raw materials and intermediate products, admitted to exchange trading and constituting a commodity referred to in Article 2 item 2(a) of the Act;
- 74) **Transaction** – a sale agreement for exchange commodity concluded on the exchange, where a Clearing House Member is a party to clearing operations;
- 75) **Over-the-Counter Transaction** – a sale agreement for exchange commodity concluded outside of an exchange session, where a Clearing Member is a party to clearing operations;
- 76) **Act** – the Act of 26 October 2000 on Commodity Exchanges (consolidated text: Journal of Laws of 2005 No. 121 Item 1019, as amended);

- 77) **Energy Efficiency Act** – is understood to mean the Act of 15 April 2011 on Energy Efficiency (Journal of Laws of 2011, No. 94 Item 551, as amended);
- 78) **Act on Renewable Energy Sources** – is the Act of 20 February 2015 on Renewable Energy Sources (Journal of Laws of 2015, Item 478, as amended);
- 79) **Energy Law Act** – is understood to mean the Act of 10 April 1997 Energy Law (Journal of Laws of 2006, No. 89 Item 625, as amended);
- 80) **TCB** – is understood as the Terms and Conditions Related to Balancing drawn up by the eTSO;
- 81) **No-Arbitrage Principle** – a principle applied when determining Clearing prices for delivery periods and meaning that:
- I. the volume-weighted average of the Clearing Prices for the delivery periods falling within a given forward contract must equal the TGE Daily Settlement Price for that forward contract (No-Arbitrage Principle within instrument types), or
 - II. the Clearing Price for a delivery period specified for, respectively, a given BASE (PEAK5) contract must equal the volume-weighted average of the Clearing Prices for the delivery periods in PEAK5 and OFFPEAK (H-PEAK5 and L-PEAK5) contracts covering the same delivery period (No-Arbitrage Principle between instrument types);
- 82) **Foreign clearing house** – an entity acting individually in relation to the Clearing House, which clears electricity trading Transactions entered into outside the Domestic System;
- 83) **Order** – a purchase or sale offer made by an Exchange Member for exchange commodities on the exchange.

CHAPTER I

GENERAL PROVISIONS

§ 1

These Detailed Clearing and Settlement Rules of the Exchange Clearing House. (hereinafter also "Detailed Clearing and Settlement Rules") have been approved by the IRGiT Management Board in order to lay down the detailed rules for conducting the clearing and settlement process of Transactions executed on the Exchange, in accordance with the Regulations.

§ 2

The IRGiT SA Management Board is entitled to amend these Detailed Clearing and Settlement Rules in whole or in part, at any time, on the terms set out in § 3 of the Regulations.

§ 3

The provisions and definitions set forth in the Regulations are applicable to the terms used in these Detailed Clearing and Settlement Rules, unless they were defined in these Detailed Clearing and Settlement Rules.

CHAPTER II

CLEARING HOUSE MEMBERSHIP

§ 4

1. The following may be Clearing House Members on the terms and conditions specified in the Regulations:
 - a) companies operating the Commodity Exchange Market,
 - b) commodity brokerage houses,
 - c) brokerage houses,
 - d) domestic financial institutions other than those enumerated in items (a)-(c), in particular banks if their membership is aimed at cooperating the Clearing House in the clearing of Transactions executed on Commodity Exchange Markets,
 - e) power companies,

- f) foreign legal entities referred to in Article 50 sec. 1 of the Act conducting brokerage activities of trading in exchange commodities in the territory of the Republic of Poland in the form of a branch.
 - g) companies running an exchange clearing house with their registered office in a member state of the European Union, the Swiss Confederation or in a member state of the European Free Trade Agreement (EFTA) – parties to the Agreement on the European Economic Area.
2. Clearing House membership is acquired by way of a resolution adopted by the IRGIT Management Board accepting the application of the interested entity for executing a membership agreement.
3. The application referred to in sec. 2 shall be prepared in accordance with the form defined by the Clearing House.
4. In the application referred to in sec. 2, the Applicant shall indicate the type of its activity. The presentation distinguishes between the following activities:
- a) activity on one's own account – when a Clearing House Member assumes responsibility for the discharge of liabilities arising from the clearing of Transactions executed by the said Clearing House Member on its own account,
 - b) activity on client's account – when a Clearing House Member assumes responsibility for the discharge of liabilities arising from the clearing of Transactions executed by the said Clearing House Member on its client's account,
- It is permitted to indicate more than one type of activity.
5. For a Clearing House Member which intends to conduct activity on its own account and at the same time conduct activity on the account of a client, the Clearing House shall create separate account sets in the Clearing System, pursuant to the provisions of §39, § 40 and § 40a, one for each type of activity conducted.
6. The Clearing House sets up the accounts referred to in §39, § 40 and § 40a:
- a) for a Clearing House Member acting solely on its own account – on the basis of an application for executing a Clearing House membership agreement.
 - b) for A Clearing House Member acting on client's account– on the basis of an application received from TGE or, in cases specified by the Clearing House on the basis of a separate application by the House Member.

7. A Clearing House Member shall name, in the application for executing a Clearing House membership agreement, an entity that will act for it as the Clearing Bank. A Clearing House Member which intends to act on its own account and at the same time act on client's account is required to open separate bank accounts in the Clearing Bank for each type of activity conducted.
8. The Clearing House clears Transactions, for the clearing of which a given Clearing House Member is responsible, provided that, at the time of execution of such Transactions, the said Member has the status of a Clearing Member in accordance with the rules set out in the Regulations. A Clearing House Member which intends to act on its own account and at the same time act on the account of a client is required to obtain the status of a Clearing Member for each type of its activity.
9. A Clearing House Member is obligated to sign an agreement with IRGiT authorizing the buyer to issue invoices, correction invoices and duplicate invoices on behalf and for the supplier, on the basis of which the Clearing House provides the self-billing service. Up until the performance of obligations arising under the Clearing House membership agreement, a Clearing House Member is obligated to maintain the status of a taxpayer registered as an active VAT taxpayer.
10. The membership agreement may be amended by way of an application submitted by the Clearing House Member in accordance with the form defined by the Clearing House and requires approval by the IRGiT Management Board.
11. The membership agreement may be terminated by the Clearing House Member in writing only. A Clearing House Member may terminate its Clearing House membership agreement with fourteen days' notice, effective at the end of the relevant calendar month. A Clearing House Member which has unilaterally terminated its Clearing House membership agreement shall take actions aimed at closing its Positions opened as a result of Transactions executed on the exchange for the clearing of which it is responsible or shall transfer such Positions to another Clearing Member. Such Positions shall be closed or transferred by the end date of the termination notice period. Unilateral termination of a Clearing House membership agreement shall not result in the forfeiture of the Clearing Member status in respect of Transactions executed on the exchange until the termination of the said agreement or the expiration of other obligations related to this status.

CHAPTER III

TRANSACTION CLEARING LIQUIDITY GUARANTEE SYSTEM

§ 5

1. The clearing guarantee system operated by the Clearing House consists of:
 - a) transaction margin, which consist of a delivery margin and a historic margin,
 - b) forward margin for forward contracts, comprised of the initial margin and the variation margin,
 - c) Default fund.
2. The Clearing House creates and manages a clearing liquidity guarantee system for Transactions based on the cash collected in the Transaction Margin Sub-Accounts and the Collateral Margin Sub-Accounts of the Clearing House Members in the Settlement Bank and based on recognized non-cash collateral entered in the Non-Cash Collateral Register, subject to the provisions of sec. 3 and 5.
3. In the case of Clearing House Members which have obtained the consent of the IRGiT Management Board referred to in § 11 sec. 2 of the Regulations, the Clearing House may recognize the indicated Clearing Bank Account kept in the Clearing Bank as the Transaction Margin Bank Account or the Collateral Margin Account.
4. Deposits into and withdrawals from the Transaction Margin Sub-Account are made by the Clearing House Member. Cash collected in the Collateral Margin Sub-Account shall be updated automatically, based on payment orders submitted by IRGiT on every business day.
5. The IRGiT Management Board may, in exceptional circumstances, adopt a resolution to temporarily transfer, for a defined term, the funds referred to in sec. 2 to the Clearing House's collective account kept by a bank other than the Settlement Bank and define detailed rules of procedure in such situation.

§ 6

1. Each Clearing House Member has a Collateral Pledged Account in the Clearing System reflecting the current balance of collateral pledged for Transactions for the clearing of which it is responsible.
2. On every business day following the completion of clearings by 6:30 p.m., the balance of the Collateral Pledged Account shall be updated based on the provided cash and recognized non-cash collateral.

3. (revoked)

Clearing of benefits resulting from a positive interest rate and costs resulting from a negative interest rate on the cash accumulated in the Transaction clearing liquidity guarantee system

§ 7

1. Benefits resulting from a positive interest rate on cash contributed by Clearing Members to Collateral Margin Sub-Accounts in the Settlement Bank shall be transferred to Clearing House Members on the business day following the date of their receipt during the collateral margin update, by reducing or increasing the amount resulting from the margin update. The costs resulting from a negative interest rate on cash contributed to the collateral margin sub-accounts shall be deducted from the cash contributions to the collateral margin of each Clearing House Member.
2. Until Clearing House Members receive the benefits referred to in sec. 1 above, they shall be counted towards the contribution of the collateral margin of a given Clearing House Member.
3. Benefits resulting from a positive interest rate on cash contributed by Clearing House Members to Transaction Margin Sub-Accounts in the Settlement Bank shall be counted towards the contribution of the transaction margin of a given Clearing House Member. The costs resulting from a negative interest rate on cash contributed to the transaction margin sub-accounts shall be deducted from the cash contributions to the transaction margin of each Clearing House Member.
4. Benefits resulting from a positive interest rate and costs resulting from a negative interest rate on cash contributed by Clearing House Members to the account of the Default fund shall be accounted for in accordance with § 45f of the Regulations.
5. With respect to Clearing House Members for which the IRGiT Management Board has given the consent referred to in § 11 sec. 2 of the Regulations, benefits resulting from a positive interest rate on the cash contributed by such Members and held in the Clearing Bank Accounts shall be counted towards payment for the transaction margin and the collateral margin. The costs resulting from a negative interest rate shall reduce these payments.
6. The value of benefits obtained from a positive interest rate on cash contributed by Clearing House Members to the clearing guarantee system shall be reduced in accordance with the applicable laws by the amount of tax due. Tax on interest rate benefits on cash contributed by Clearing House Members to Collateral Margin Sub-Accounts and to Transaction Margin Sub-Accounts shall be withdrawn in the first week

of every month for the previous month, while tax on benefits in the form of cash contributed to the Default fund shall be withdrawn on a quarterly basis together with the update of contributions to this Fund.

7. The value of benefits obtained from a positive interest rate on cash used from the default fund, including funds of the earmarked resource used – shall be refunded pursuant to § 38a sec. 2.

Transaction margin

§ 8

1. Transaction margin are designed for collateralization of cash settlements and liabilities on account of changes to the value of forward margin.
2. The value of transaction margin is the sum of cash contributed towards the required delivery margin, and the required historic margin.
3. The Clearing House requires a Clearing Member to maintain the minimum value of transaction margin which, subject to sec. 4, depending on the market on which it conducts business, is:
 - a) for the PRM, DAMg, IDMg, DAM and IDM: PLN 10,000,
 - b) for the FIM/RTP: PLN 50,000,
 - c) for the ACM: PLN 10,000.
4. If a Clearing House Member conducts activity on more than one market for the markets specified in sec. 3(a) and (b), the minimum value of transaction margin is calculated as determined for the market with the highest required minimum value of transaction margin pursuant to sec. 3.

§ 9

1. Cash contributed towards the transaction margin by a Clearing House Member is collected separately for activity conducted on one's own account and separately for activity other than activity conducted on own account, and separately for ACM, in the Transaction Margin Sub-Accounts dedicated to the said Clearing House Member in the Settlement Bank and in the Non-Cash Collateral Register, subject to § 5 sec. 3 and 5.
2. Payments to a Transaction Margin Sub-Account are made without the need to obtain the Clearing House's prior approval.

3. Withdrawals of cash contributed towards the Transaction Margin Sub-Accounts shall be made on business days at the request of a Clearing Member, subject to prior approval by the Clearing House.
4. An order to withdraw cash contributed towards the transaction margin shall be executed no later than on the business day immediately following the date of submission of the pertinent instruction by the Clearing House Member in the Settlement Bank's electronic banking system or, in the case referred to in § 5 sec. 3, in the Clearing Bank's electronic banking system, along with approval of the instruction by persons authorized by the pertinent Clearing House Member.
5. The transfer instruction referred to in sec. 4 above may also be submitted by sending, by e-mail to the address of the Clearing and Settlement Department or on paper to the address of the Clearing House, a letter containing a request for the withdrawal of cash along with an indication of the withdrawal amount and the number of the Clearing Bank Account in the Clearing Bank or an alternative account number if the consent of the IRGiT Management Board referred to in sec. 6 has been obtained. The transfer order must be signed by the persons authorized to represent the company, while in the case of a letter sent by e-mail, the Clearing House accepts electronic signature.
6. The IRGiT Management Board, at the request of the Clearing House Member, may, by way of a resolution, consent to the placement, by such Clearing House Member, of orders to withdraw cash from the transaction margin sub-account to the bank account specified in the request, kept in PLN by a domestic bank established in Poland ("alternative account number").
7. The IRGiT Management Board is entitled to refuse to give consent for the Clearing House Member to use an alternative account number for the withdrawals referred to in sec. 6 or to revoke such consent if any event has occurred that, in IRGiT's opinion, may have an adverse impact on the security of clearings.
8. The Clearing House verifies the payment orders referred to in sec. 3 submitted by Clearing Members separately for the respective Transaction Margin Sub-Accounts while applying the following rules:
 - a) In the case of an order from a Clearing House Member acting on its own account or a Clearing House Member conducting activity other than activity conducted on own account, which has not obtained the consent referred to in §11 sec. 2 of the Regulations, the consent for the withdrawal shall be given if the following condition is fulfilled:

$$W\acute{S}DT - WW + \min(BM; 0) + \min(SM; 0) \geq \max(DD + DH; MWDT)$$

where:

- WŚDT* – value of cash in the transaction margin sub-account in the Settlement Bank,
- WW* – value of the withdrawal in the order submitted by the Clearing Member,
- BM* – value of the balance of liabilities or receivables resulting from the clearing of Transactions, as scheduled for payment on the nearest business day,
- SM* – value of the balance of liabilities or receivables resulting from the clearing of Transactions, as scheduled for payment on the second nearest business day,
- DD* – required value of the delivery margin referred to in § 10,
- DH* – required value of the historic margin referred to in § 11,
- MWDT* – minimum value of the transaction margin referred to in § 8 sec. 3 and sec. 4

- b) In the case of an order from a Clearing House Member, which has obtained the consent referred to in §11 sec. 2 of the Regulations, the consent for the withdrawal shall be given if the following conditions are fulfilled:

$$WŚ - WW - WŚDZ + \min(BM; 0) + \min(SM; 0) \geq MWDT$$
$$WŚ - WW \geq PLN 0$$

where:

- WŚ* – value of cash on the Clearing Bank Account in the Clearing Bank,
- WW* – value of the withdrawal in the order submitted by the Clearing Member,
- WŚDZ* – value of cash required for the forward margin,
- BM* – value of the balance of liabilities or receivables resulting from the clearing of Transactions, as scheduled for payment on the nearest business day,
- SM* – value of the balance of liabilities or receivables resulting from the clearing of Transactions, as scheduled for payment on the second nearest business day,
- MWDT* – minimum value of the transaction margin referred to in § 8 sec. 3 and sec. 4.

9. The consent for withdrawal shall be given if all required signatures are affixed by persons authorized to issue cash transfer instructions from the Transaction Margin Sub-Account in the Settlement Bank dedicated to the pertinent Clearing House Member or, in the case referred to in §5 sec. 3, from the Clearing Bank Account of brokerage houses and commodity brokerage houses in the Clearing Bank.
10. In the case of an order from a Clearing House Member acting on its own account or a Clearing House Member conducting activity other than activity conducted on own account, which has not obtained the consent referred to in §11 sec. 2 of the Regulations,

the consent for the withdrawal is given after the fulfillment of the criteria described in sec. 8(a) and if the indicated account number to which the cash will be transferred is the number of the Clearing Member's Clearing Bank Account or an alternative account number referred to in sec. 6.

11. In the case of an order from a Clearing House Member, which has obtained the consent referred to in §11 sec. 2 of the Regulations, the consent for the withdrawal is given subject to the fulfillment of the criteria described in sec. 8(b), if the indicated account number to which the cash will be transferred is the number of the bank account dedicated to the transfer of orders to withdraw cash from the Clearing Member's Clearing Bank Account.
12. Orders for the withdrawal of cash contributed to the transaction margin shall be approved on business days between 4:00 p.m. and 4:30 p.m., provided that an e-mail is sent by 4:00 p.m. to the address of the Clearing and Settlement Department or, in emergencies, a text message (SMS) is sent to the telephone of the Operator of the Clearing and Settlement Department (along with a telephone confirmation of the need to use the emergency communication channel), containing a notice of submission of the order and provided that the conditions set forth in sec. 4-11 have been fulfilled.
13. If the execution date defined in the withdrawal order is different from the date of the instruction submitted by the Clearing House Member in the Settlement Bank's electronic banking system then the Clearing House may refuse its consent for the withdrawal of funds contributed as transaction margin.
14. In the case referred to in § 5 sec. 3, if the execution date defined in the withdrawal order is different from the date of the instruction submitted by the Clearing House Member in the Clearing Bank's electronic banking system then the Clearing House may refuse its consent for the withdrawal of funds from the Clearing Bank Account of brokerage houses and commodity brokerage houses.
15. In special cases, where it is justified by the security of clearing, the Clearing House may refuse to withdraw the funds contributed by a Clearing House Member as transaction margin.
16. In the event of termination of the membership agreement with the entity, IRGiT will refund the cash paid by the entity to the transaction margin within the time limit set by by the Clearing House, provided that the refund amount may be reduced by the value of that entity's obligations to IRGiT.

Delivery margin

§ 10

1. A Clearing Member shall be required to contribute and maintain the delivery margin for forward contracts for electricity and Gas in the amount specified by the Clearing House in the Transaction Margin Sub-Account dedicated to the said Clearing House Member in the Settlement Bank, subject to § 5 sec. 3 and 5. In the case of the Clearing House Members conducting activity on their own account and at the same time activity other than activity conducted on own account, the delivery margin shall be defined separately for these types of activity. Brokerage Houses and Commodity Brokerage Houses which have obtained the consent referred to in §11 sec. 2 of the Regulations are exempted from the obligation to provide the delivery margin for the activity other than activity conducted on own account.
2. Cash collected by a Clearing House Member as a delivery margin and historic margin are used to ensure security of financial settlement of concluded Transactions, in particular they ensure the coverage of liabilities in the event that the Clearing Bank reserves a payment order on account of a delivery of exchange commodities as referred to in § 55 sec. 2. The Brokerage Houses and Commodity Brokerage Houses, which have obtained the consent referred to in §11 sec. 2 of the Regulations, are obligated to review and ensure the coverage of orders according to the rules laid down in § 37 sec. 11 of the Regulations.
3. The required delivery margin for forward contracts for electricity and Gas is determined separately for activity conducted on own account and for activity other than activity conducted on own account conducted by a Clearing House Member using the following algorithm:

the value of the required delivery margin for each Clearing Member for a given month is equal to twice the maximum daily value of liabilities arising as a result of deliveries under Transactions concluded on the FIM/RTP until the date of setting the delivery margin delivered during that month.

The value of the required delivery margin is determined on the penultimate day of the previous month or, if such day is a non-business day, on the last business day preceding that day. The new value of the required delivery margin is announced to the Clearing House Members on the date when the delivery margin amount is determined.

4. The first business day of the month is the day when the Clearing House Members contribute the required delivery margin. The required delivery margin amount is

contributed, subject to § 5 sec. 3, to the Transaction Margin Sub-Accounts in the Settlement Bank dedicated to Clearing House Members, which affects the value of the surplus of collateral contributed to the transaction margin referred to in § 13.. If, following an update, the cash balance of the Transaction Margin Sub-Account is not sufficient to cover the updated value of the delivery margin, the Clearing House Member, subject to § 5 sec. 5, is requested to promptly contribute the lacking funds. Clearing House Member's failure to supplement the funds to the required amount may constitute a premise for the Clearing House to declare an Infringement within the meaning of the Regulations and to take the actions referred to in § 54 of the Regulations.

Historic margin

§ 11

1. A Clearing Member operating on the markets referred to in sec. 6 shall be required to contribute and maintain the historic margin value set by the Clearing House in the Transaction Margin Sub-Account in the Settlement Bank dedicated to that Member, subject to § 5 sec. 3 and 5. In the case of the Clearing House Members conducting activity on their own account and at the same time activity other than activity conducted on own account, the historic margin shall be defined separately with respect to these types of activity.
2. The required amount of the historic margin for a Clearing Member is determined by the Clearing House daily, while separately for the ACM, in accordance with the following algorithm:

$$DH_T = \max(\gamma * \max_{i \in [0;29]} (NetAll_i); DH_{min})$$

where:

$$NetAll_i = \max(RDN_{i+1} + RDNG_{i+1} + RPM_i + RDBG_{i-1} + RDB_{i-1} + \min(RTP_{i+1}; 0); 0)$$

$$NetAll_i = \max(RTRS_i; 0)$$

i – the date for which the value of liabilities and receivables *NetAll* is determined (with a value range of 0 – 29)

DH_T – value of the historic margin determined on day *T*;

RDN_{i+1} – value of Transactions with delivery on day *i+1* on the DAM where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;

- $RDNG_{i-1}$** – value of Transactions with delivery on day $i-1$ on the DAMg, where the value of purchase Transactions is marked with a positive sign and the value of sales Transactions is marked with a negative sign;
- RPM_i** – value of Transactions with delivery on day i on the PRM, where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;
- $RDBG_{i-1}$** – value of Transactions with delivery on day $i-1$ on the IDMg, where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;
- RDB_{i-1}** – value of Transactions with delivery on day $i-1$ on the IDM, where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;
- RTP_{i+1}** – value of Transactions with delivery on day $i+1$ on the FIM/RTP, where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;
- $RTRS_i$** – value of Transactions concluded on day i on the ACM, where the value of the purchase Transaction is marked with a positive sign and the value of the sale Transaction is marked with a negative sign;
- γ** – the multiple published in an announcement of the Risk Management Department Director and posted on the IRGiT website;
- DH_{min}** – the minimum value of the historic margin determined as the minimum value of the payment for transaction margin pursuant to § 8 sec. 3 (a) and (c).

3. The required historic margin can only be paid in cash.
4. The historic margin is paid by the Clearing Members in cash, subject to § 5 sec. 3, in the Transaction Margin Sub-Accounts in the Settlement Bank, dedicated to the Clearing Members on the day when its value is determined, affecting the value of the surplus of collateral contributed to transaction margin as referred to in § 13.
5. If, as a result of an update, the cash balance contributed towards the historic margin is insufficient to cover its updated value, the Clearing Member, subject to § 5 sec. 5, shall be requested to immediately provide collateral in the amount specified by the Clearing House and the ability of that Clearing Member to submit orders on the exchange is blocked. Clearing House Member's failure to supplement the collateral to the required amount may constitute a premise for the Clearing House to declare an Infringement

within the meaning of the Regulations and to take the actions referred to in § 54 of the Regulations.

6. The historic margin is applied to Transactions concluded on the IDM, IDMg, DAM, DAMg, ACM and PRM.
7. Brokerage Houses or Commodity Brokerage Houses which have obtained the consent referred to in § 11 sec. 2 of the Regulations are exempted from the obligation to lodge the historic margin with regard to activity other than activity conducted on own account.
8. On each business day following the date of determining the value of the historic margin, the Clearing House performs its historic review process. Based on the outcome of the process, the Clearing House may increase the level of the γ multiple referred to in sec. 2. The parameter is changed through an announcement of the Risk Management Department Director, subject to sec. 9.
9. The Clearing House may increase the γ multiple referred to in sec. 2 for selected Clearing House Members who compromise the security of clearing with regard to the markets subject to the historic margin. The change of the parameter for the respective Clearing House Members is made by way of a resolution of the Management Board of IRGiT.
10. The Clearing House has the right to set a limit for the maximum value of Transactions concluded during a single day on the markets subject to the historic margin for the Clearing House Members who expose the security of clearing with regard to such markets. The limit shall be set by way of a resolution of the Management Board of IRGiT.

§ 12

(revoked)

Surplus of collateral contributed to transaction margin

§ 13

1. The value of the surplus of collateral contributed to transaction margin of the given Clearing House Member acting on its own account and the Clearing House Member conducting activity other than activity conducted on own account that has not received the consent referred to in § 11 sec. 2 of the Regulations, subject to § 5 sec. 5, shall be set on the basis of the sum of the funds paid as the transaction margin less the required value of the delivery margin, the historic margin, decreased or increased by the balance of liabilities and receivables under the clearings of the Transactions concluded by the Clearing Member on:

- a) Day N-1 and Day N (by 1:00 p.m.) on the IDM with delivery on Day N,
 - b) Day N on DAM with delivery on Day N+2,
 - c) Day N on DAM with delivery on Day N+3 (if Day N is a Thursday),
 - d) Day N on DAMg with delivery on Day N+2 (if Day N is a Thursday or Friday),
 - e) Day N on DAMg with delivery on Day N+3 (if Day N is a Thursday),
 - f) Day N (by 3:30 p.m.) on IDMg with delivery on Day N,
 - g) Day N on DAMg with delivery on Day N+1 and DAM with delivery on Day N+1 (if Day N is a non-business day),
 - h) on days preceding Day N, if the values following from such Transactions were not taken into account in the Payments Confirmation Reports referred to in § 52, sent to the Clearing Bank on the last business day before Day N.
2. The value of the surplus of collateral contributed to transaction margin of the Clearing Member who has received the consent referred to in § 11 sec. 2 of the Regulations shall be set as on the basis of the sum of cash contributed to the Clearing Bank Account in the Clearing Bank minus the required value of the collateral margin, and minus or plus the balance of liabilities and receivables of the Clearing Member resulting from the Transactions concluded by:
- a) the Clearing Member on Day N on PRM with delivery on Day N (if Day N is a business day from Monday to Thursday),
 - b) the Clearing Member on Day N on the ACM with delivery on Day N,
 - c) The Clearing Member Day N-2 and Day N-1 on the IDM with delivery on day N-1 and concluded on Day N-1 and Day N (by 1:00 p.m.) on the IDM with delivery on Day N,
 - d) the Clearing Member on Day N-1 on IDMg with delivery on Day N-1 and concluded on Day N (by 3:30 p.m.) on IDMg with delivery on Day N,
 - e) the Clearing Member on Day N on DAM with delivery on Day N+1 and Day N+2,
 - f) the Clearing Member on Day N on DAM with delivery on Day N+3 (if Day N is a Thursday),
 - g) the Clearing Member on Day N on DAMg with delivery on Day N+1,
 - h) the Clearing Member on Day on DAMg with delivery on Day N+2 (if Day N is a Thursday or Friday),
 - i) the Clearing Member on Day N on DAMg with delivery on Day N+3 (if Day N is a Thursday),

- j) the Clearing Member on FIM/RTP with delivery on Day N+1 (if Day N is a business day),
- k) the Clearing Member on FIM/RTP with delivery on the following day in relation to each holiday preceding Day N (if Day N is the first business day following a holiday).
- l) If, as a result of a Transaction settlement or an update of the historic margin or delivery margin, the value of the surplus of collateral contributed to transaction margin of a given Clearing House Member is less than zero, the Clearing House Member shall be requested to immediately provide collateral in the amount specified by the Clearing House, and the ability of that Clearing Member to submit orders on the exchange is blocked.

§ 14

(revoked)

§ 15

(revoked)

Forward margin for FIM/RTP

§ 16

1. The value of the collateral margin shall be calculated on a daily basis for each Clearing House Member.
2. The values of the forward margin for a Clearing House Member shall be recorded in the sub-accounts of initial and variation margin maintained as part of the clearing account.
3. If a Clearing House Member effects clearings for other entities, the value of the collateral margin shall be calculated separately for each client of the said Clearing House Member and for own Positions of the said Clearing Member.
4. To determine the values of the forward margin (initial and variation margin) referred to in § 39 of the Regulations, the Positions in the electricity or Gas forward contracts of a given Clearing House Member and of its clients shall be placed in the buckets established on the basis of the delivery periods, account being taken of the Position netting within these delivery periods.

§ 17

1. The initial margin for forward contracts in electricity set on Day N shall include all Delivery Days, starting from Day N+1 with respect to contracts concluded until Day N (inclusive).
2. The initial margin for forward contracts in electricity shall be calculated in accordance with the following algorithm:

$$Dw_e = - \sum_{i=1}^N (|LK_i - LS_i| * P_i * (1 + VAT_i) * Kr_i - NW_{MP_i}) + NW_{MO1_e} + NW_{MO2_e}$$

where:

- Dw_e – value of the initial margin [PLN];
- LK_i – undelivered electricity volume in forward purchase contracts for the i-th delivery period [MWh];
- LS_i – undelivered electricity volume in forward sales contracts for the i-th delivery period [MWh];
- Kr_i – clearing price for the i-th delivery period [PLN/MWh];
- i – delivery period;
- P_i – arithmetic mean of the risk parameters assigned to all the days in the i-th delivery period;
- VAT_i – volume-weighted average of VAT rates applicable to each day in the i-th delivery period;
- N – number of delivery periods of forward contracts;
- NW_{MP_i} – value of cross-product netting for the i-th delivery period, calculated in accordance with the rules described in § 17a.
- NW_{MO1_e} – value of intra-delivery-group cross-period netting for BASE, PEAK5, OFFPEAK forward contracts, calculated in accordance with the rules described in § 17b,
- NW_{MO2_e} – value of inter-delivery-group cross-period netting for BASE, PEAK5, OFFPEAK forward contracts, calculated in accordance with the rules described in § 17c.

Cross-product netting of initial margin for forward contracts in electricity

§ 17a

1. For each delivery period i established separately for BASE, PEAK5, OFFPEAK forward contracts cleared on the EFM, the net position in the respective delivery period is

calculated. The net position in BASE forward contracts during delivery period is calculated as:

$$BASE_i = (BASE_{K_i} - BASE_{S_i})$$

where:

$BASE_i$ – net position in BASE forward contracts during delivery period i [MWh],

Kr_i – quantity of executed BASE forward product buy contracts during delivery period i [MWh],

$BASE_{S_i}$ – quantity of executed BASE forward product sell contracts during delivery period i [MWh].

The net position in PEAK5 and OFFPEAK forward contracts is calculated in a corresponding manner.

2. For each delivery period i for BASE forward contracts, the corresponding delivery periods i are set for PEAK5 and OFFPEAK forward contracts. The corresponding delivery periods are periods, the beginning of which falls no later than the beginning of delivery period i for a BASE forward contract and the end of which falls no later than the end of delivery period i for a BASE forward contract.
3. In cases where for a PEAK5 forward contract the corresponding delivery period i does not exist, it is assumed that the net position in PEAK5 forward contracts during the corresponding delivery period i is 0.
4. For the purposes of calculating cross-product netting on the EFM, the net position in BASE forward contracts during delivery period i is decomposed into synthetic positions in PEAK5 and OFFPEAK forward contracts in the corresponding delivery periods i :

$$PEAK5'_i = BASE_i + PEAK5_i$$

$$OFFPEAK'_i = BASE_i + OFFPEAK_i$$

where:

$PEAK5'_i$ – synthetic position in PEAK5 forward contracts during the corresponding delivery period i [MWh],

$OFFPEAK'_i$ – synthetic position in OFFPEAK forward contracts during the corresponding delivery period i [MWh],

$BASE_i$ – net position in BASE forward contracts during delivery period i [MWh],

$PEAK5_i$ – net position in PEAK5 forward contracts during the corresponding delivery period i [MWh],

$OFFPEAK_i$ – net position in OFFPEAK forward contracts during the corresponding delivery period i [MWh].

5. A delivery period in OFFPEAK and PEAK5 forward contracts, corresponding to a delivery period in a BASE forward contract referred to in sec. 4 above, is defined as a delivery period whose beginning is not earlier than the beginning of the delivery period in a BASE forward contract and the end is no later than the end of the delivery period in a BASE forward contract. If no period corresponding to the delivery period under a given forward contract type meets the definition above then it is assumed that the net position used for further analyses instead of net positions for the corresponding delivery period is in each case equal to zero.

6. For each delivery period i , the synthetic net position in a BASE forward contract ($BASE'_i$) after netting is calculated according to the following rules:

a) if there is no corresponding delivery period i in a PEAK5 forward contract:

$$BASE'_i = OFFPEAK'_i$$

b) if a long position is held in delivery period i both in $PEAK5'_i$ and in $OFFPEAK'_i$, then the synthetic net position in a BASE forward contract is calculated according to the following formula:

$$BASE'_i = MIN(PEAK5'_i; OFFPEAK'_i)$$

c) if a short position is held both in $PEAK5'_i$ and in $OFFPEAK'_i$, then the synthetic net position in a BASE forward contract is calculated according to the following formula:

$$BASE'_i = MAX(PEAK5'_i; OFFPEAK'_i)$$

d) in all other cases:

$$BASE'_i = 0$$

where:

$BASE'_i$ – synthetic net position after cross-product netting in BASE forward contracts during delivery period i [MWh],

$PEAK5'_i$ – synthetic position in PEAK5 forward contracts during the corresponding delivery period i [MWh],

$OFFPEAK'_i$ – synthetic position in OFFPEAK forward contracts during the corresponding delivery period i [MWh].

7. For each delivery period i , the quantity of forward contracts corresponding to the synthetic net positions in PEAK5 and OFFPEAK forward contracts during the respective delivery period i after netting is calculated according to the following formula:

$$PEAK5''_i = PEAK5'_i - BASE'_i$$

$$OFFPEAK''_i = OFFPEAK'_i - BASE'_i$$

where:

$BASE'_i$ – synthetic net position after cross-product netting in BASE forward contracts during delivery period i [MWh],

$PEAK5''_i$ – synthetic net position after cross-product netting in PEAK5 forward contracts during the corresponding delivery period i [MWh],

$OFFPEAK''_i$ – synthetic net position after cross-product netting in OFFPEAK forward contracts during the corresponding delivery period i [MWh].

8. For each delivery period i , the value of cross-product netting of the initial margin is calculated using the following formulas:

$$NW_MP_{BASE_i} = (|BASE_i| - |BASE'_i|) \cdot P_{BASE_i} \cdot (1 + VAT_i) \cdot Kr_{BASE_i} \cdot U_{MP}$$

$$NW_MP_{PEAK5_i} = (|PEAK5_i| - |PEAK5''_i|) \cdot P_{PEAK5_i} \cdot (1 + VAT_i) \cdot Kr_{PEAK5_i} \cdot U_{MP}$$

$$NW_MP_{OFFPEAK_i} = (|OFFPEAK_i| - |OFFPEAK''_i|) \cdot P_{OFFPEAK_i} \cdot (1 + VAT_i) \cdot Kr_{OFFPEAK_i} \cdot U_{MP}$$

where:

NW_MP_i – potential change in the amount of the required initial margin for BASE, PEAK and OFFPEAK forward contracts during delivery period i , resulting from the difference between the volume of the net position and the volume of the synthetic net position [PLN],

$P_{BASE_i}, P_{PEAK5_i}, P_{OFFPEAK_i}$ – arithmetic mean of the risk parameters published by IRGiT for BASE, PEAK5 and OFFPEAK forward contracts, respectively, assigned to all days in delivery period i ,

VAT_i – volume-weighted average of VAT rates applicable to each day in delivery period i ,

$Kr_{BASE_i}, Kr_{PEAK5_i}, Kr_{OFFPEAK_i}$ – clearing price for the i -th delivery period, for BASE, PEAK5 and OFFPEAK type forward contracts, respectively [PLN/MWh],

U_{MP} – parameter of cross-product netting recognition published by IRGiT.

9. The cross-product netting parameter is published in an announcement of the Risk Management Department Director and posted on the IRGiT website.

Cross-period netting of initial margin for forward contracts

§ 17b

1. Cross-period netting is carried out separately for each of the cleared contract types: BASE, PEAK5, OFFPEAK forward contracts and GAS_BASE forward contracts.
2. For each forward contract type: BASE, PEAK5, OFFPEAK and GAS_BASE, and for each delivery group, two sums of initial forward margin are calculated based on synthetic net positions ("hypothetical initial margin") assigned to the delivery periods included in the respective delivery group. By introducing a convention according to which short positions are presented with a negative sign and long positions are presented with a positive sign, the hypothetical initial margin aggregate, as the case may be:

- i. margin arising from long positions only,

$$DW_Long_{GD} = \sum_{j \in GD} MAX(Position''_j; 0) * P_j * (1 + VAT_j) * h_j * Kr_j$$

- ii. margin arising from short positions only.

$$DW_Short_{GD} = \sum_{j \in GD} MIN(Position''_j; 0) * (-1) * P_j * (1 + VAT_j) * h_j * Kr_j$$

where:

GD – a delivery group for a BASE, PEAK5, OFFPEAK, GAS_BASE forward contract, which is subject to cross-period netting [*DAILY, SHORT, MEDIUM, LONG*] pursuant to § 22 sec. 10 and § 23 sec. 13, respectively,

DW_Long_{GD} – hypothetical initial margin assigned to long positions classified into delivery group *GD* for a given type of BASE, PEAK5, OFFPEAK, GAS_BASE forward contract [PLN],

DW_Short_{GD} – hypothetical initial margin assigned to short positions classified into delivery group *GD* for a given type of BASE, PEAK5, OFFPEAK, GAS_BASE forward contract [PLN],

Position''_j – a position corresponding to the net position of a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, for delivery period *j*, with a qualification that for forward contracts in electricity, a synthetic net position calculated in accordance with § 17a [MW] is assumed,

P_j – arithmetic mean of the risk parameters published by IRGiT assigned to all days in delivery period *j*,

VAT_i – volume-weighted average of VAT rates applicable to each day in delivery period i,

h_j – number of delivery hours in delivery period j,

Kr_j – clearing price for the j-th delivery period [PLN/MWh].

3. For each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE and for each delivery group, a margin is calculated for the dominant position ("dominant margin") and netting position ("netting margin") in terms of risk using the following formulas:

$$DW_Dominant_{GD} = MAX(DW_Long_{GD}; DW_Short_{GD})$$

$$DW_Netting_{GD} = MIN(DW_Long_{GD}; DW_Short_{GD})$$

where:

$DW_Dominant_{GD}$ – dominant margin, i.e. hypothetical initial margin assigned to the dominant position classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

$DW_Netting_{GD}$ – netting margin, i.e. hypothetical initial margin assigned to the netting position classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN].

4. For each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, and for each delivery group, the excess margin is equal to the product of:

$$NW_M01_{GD} = DW_Netting_{GD} * 2 * Correlation_coefficient_{GD}$$

where:

NW_M01_{GD} – excess of the initial margin value assigned to delivery group GD on account of intra-delivery-group cross-period netting for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

$Correlation_coefficient_{GD}$ – intra-delivery-group correlation parameter for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, and GD delivery group published by IRGiT.

5. The excess margin on account of intra-delivery-group cross-period netting assigned to the market is calculated using the following formulas:

$$NW_M01_e = Parameter_{cross-period} * \sum_{PROD} \sum_{GD} NW_M01_{PROD,GD}$$

$$NW_M01_g = Parameter_{cross-period} * \sum_{GD} NW_M01_{g,GD}$$

where:

NW_MO1_e – excess of the initial margin resulting from the sum of intra-delivery-group cross-period netting for all delivery groups for BASE, PEAK5, OFFPEAK forward contracts [PLN],

NW_MO1_g – excess of the initial margin resulting from intra-delivery-group cross-period netting for all delivery groups for GAS_BASE forward contracts [PLN],

$PROD$ – types of forward contracts cleared by IRGiT on the Electricity Forward Market (BASE, PEAK5, OFFPEAK),

$Parameter_{cross-period}$ – cross-period netting recognition parameter, as published by IRGiT.

§ 17c

1. First, for each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, the side of the dominant position in terms of risk is determined in each delivery group, i.e. that characterized by the greater amount of assigned hypothetical initial margin, using the following formulas:

$$Position_{GD} = 0, \text{ if } \sum_{j \in GD} Position''_j = 0, \text{ otherwise:}$$

$$Position_{GD} = 1, \text{ if } DW_Dominant_{GD} = DW_Long_{GD}$$

$$Position_{GD} = -1, \text{ if } DW_Dominant_{GD} = DW_Short_{GD}$$

where:

DW_Long_{GD} – hypothetical initial margin assigned to long positions classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, calculated in accordance with § 17b sec. 2 [PLN],

DW_Short_{GD} – hypothetical initial margin assigned to short positions classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, calculated in accordance with § 17b sec. 2 [PLN],

$DW_Dominant_{GD}$ – dominant margin, i.e. hypothetical initial margin assigned to the dominant position classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, calculated in accordance with § 17b sec. 3 [PLN],

$Position_{GD,j}$ – position in delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE,

$Position''_j$ – position corresponding to the net position for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE (on the electricity market, the synthetic net position calculated in accordance with § 17a), for delivery period j.

2. Then, the initial margin subject to cross-period netting at the level of delivery groups, assigned to the delivery group is estimated for each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, in accordance with the following formula:

$$DW_Delivery_groups_{GD} = DW_Dominant_{GD} - DW_Netting_{GD}$$

where:

$DW_Delivery_groups_{GD}$ – hypothetical initial margin assigned to delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

$DW_Netting_{GD}$ – netting margin, i.e. hypothetical initial margin assigned to the netting position classified into delivery group GD for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, calculated in accordance with § 17b sec. 3 [PLN],

3. For each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, a margin is calculated for the dominant position and netting position using the following formulas:

$$DW_Long = \sum_{GD} MAX(Position_{GD}; 0) * DW_Delivery_groups_{GD} * Inclusion_coefficient_{GD}$$

$$DW_Short = \sum_{GD} MIN(Position_{GD}; 0) * (-1) * DW_Delivery_groups_{GD} * Inclusion_coefficient_{GD}$$

$$DW_Dominant = MAX(DW_Long; DW_Short)$$

$$DW_Netting = MIN(DW_Long; DW_Short)$$

where:

DW_Long – hypothetical initial margin assigned to long positions for a given contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

DW_Short – hypothetical initial margin assigned to short positions for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

$DW_Dominant$ – dominant margin, i.e. hypothetical initial margin assigned to the dominant position for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

$DW_Netting$ – netting margin, i.e. hypothetical initial margin assigned to the netting position for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE [PLN],

Inclusion_coefficient_{GD} – inclusion coefficient for a delivery group in a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, in the cross-period netting mechanism, as published by IRGiT.

4. For each forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, the excess margin on account of inter-delivery-group cross-period netting is calculated using the following formula:

$$NW_M02 = DW_Netting * 2 * Correlation_coefficient$$

where:

NW_M02 – excess initial margin for the respective forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE resulting from inter-delivery-group cross-period netting [PLN],

Correlation_coefficient – inter-delivery-group correlation parameter for a given forward contract type: BASE, PEAK5, OFFPEAK, GAS_BASE, published by IRGiT.

5. The excess margin on account of inter-delivery-group cross-period netting is assigned to the Electricity Forward Market (EFM) and the Gas Forward Market (GFM), respectively, and calculated using the following formula:

$$NW_M02_e = Parameter_{cross-period} * \sum_{PROD} NW_M02_{PROD}$$

$$NW_M02_g = Parameter_{cross-period} * NW_M02_{GAS_BASE}$$

where:

NW_M02_e – excess of the initial margin on the electricity market resulting from the sum of cross-period netting between the delivery groups for forward contract types BASE, PEAK5, OFFPEAK [PLN],

NW_M02_g – excess of the initial margin resulting from inter-delivery-group cross-period netting for GAS_BASE forward contracts [PLN],

PROD – types of forward contracts on the Electricity Forward Market (BASE, PEAK5, OFFPEAK),

Parameter_{cross-period} – cross-period netting recognition parameter published by IRGiT.

§ 18

1. The initial margin for forward contracts in Gas set on Day N shall include all Delivery Days, starting from Day N+1 with respect to forward contracts concluded until Day N (inclusive).

2. The initial margin for forward contracts in Gas shall be calculated in accordance with the following algorithm:

$$Dw_g = - \sum_{i=1}^N (|LK_i - LS_i| * P_i * (1 + VAT_i) * Kr_i) + NW_MO1_g + NW_MO2_g$$

where:

- Dw_g – value of the initial margin [PLN];
- LK – undelivered Gas volume in forward purchase contracts for the i-th delivery period [MWh];
- LS_i – undelivered Gas volume in forward sales contracts for the i-th delivery period [MWh];
- Kr_i – clearing price for the i-th delivery period [PLN/MWh];
- i – delivery period;
- P_i – arithmetic mean of the risk parameters assigned to all the days in the i-th delivery period;
- VAT_i – volume-weighted average of VAT rates applicable to each day in the i-th delivery period;
- N – number of delivery periods of forward contracts.
- NW_MO1_g – value of intra-delivery-group cross-period netting in the Gas Forward Market (GFM) calculated in accordance with the rules described in § 17b,
- NW_MO2_g – value of inter-delivery-group cross-period netting in the Gas Forward Market (GFM), calculated in accordance with the rules described in § 17c.

§ 19

1. The variation margin for forward contracts in electricity set on Day N shall include all Delivery Days, starting from Day N+1 with respect to forward contracts concluded until Day N (inclusive).
2. The variation margin for forward contracts in electricity shall be calculated in accordance with the following algorithm:

$$Du_e = \sum_{i=1}^N (LK_i * (Kr_i - Kk_i) + LS_i * (Ks_i - Kr_i)) * (1 + VAT_i)$$

where:

- Du_e – value of the variation margin;
- LK_i – undelivered electricity volume in forward purchase contracts for the i-th delivery period [MWh];
- LS_i – undelivered electricity volume in forward sales contracts for the i-th delivery period [MWh];
- Kr_i – clearing price for the i-th delivery period [PLN/MWh];
- Kk_i – weighted average buy Transaction price for forward contracts for the i-th delivery period [PLN/MWh];
- Ks_i – weighted average sell Transaction price for forward contracts for the i-th delivery period [PLN/MWh];
- VAT_i – volume-weighted average of VAT rates applicable to each day in the i-th delivery period;
- i – delivery period;
- N – number of delivery periods of forward contracts.

§ 20

1. The variation margin for forward contracts in Gas set on Day N shall include all Delivery Days, starting from Day N+1 with respect to forward contracts concluded until Day N (inclusive).
2. The variation margin for forward contracts in Gas shall be calculated in accordance with the following algorithm:

$$Du_g = \sum_{i=1}^N (LK_i * (Kr_i - Kk_i) + LS_i * (Ks_i - Kr_i)) * (1 + VAT_i)$$

where:

- Du_g – value of the variation margin;
- LK_i – undelivered Gas volume in forward purchase contracts for the i-th delivery period [MWh];
- LS_i – undelivered Gas volume in forward sales contracts for the i-th delivery period [MWh];
- Kr_i – clearing price for the i-th delivery period [PLN/MWh];

- Kk_i – weighted average buy Transaction price for forward contracts for the i-th delivery period [PLN/MWh];
- Ks_i – weighted average sell Transaction price for forward contracts for the i-th delivery period [PLN/MWh];
- VAT_i – volume-weighted average of VAT rates applicable to each day in the i-th delivery period;
- i – delivery period;
- N – number of delivery periods of forward contracts;

§ 21

1. For a Clearing House Member clearing its own Transactions only, the value of the collateral margin shall be calculated in accordance with the following formula:

$$Dz = \min (Dw_e + Du_e + Dw_g + Du_g; 0)$$

where:

- Dz – total collateral margin;
- Dw_e – Initial Margin for forward contracts in electricity;
- Du_e – variation margin for forward contracts in electricity;
- Dw_g – Initial Margin for forward contracts in Gas;
- Du_g – Variation Margin for forward contracts in Gas.
2. If a Clearing House Member clears Transactions of its clients, the principle presented in sec. 1 shall apply at the level of its individual clients, and the total collateral margin calculated for this Clearing House Member shall be equal to the sum of the forward margin calculated for all individual clients and Clearing House Member's own Positions.

§ 22

1. The Initial Margin and the Variation Margin for forward contracts in electricity shall be calculated separately for each delivery period. The delivery period shall be deemed to be one day provided that the delivery takes place between Day N+1 and:
 - a) 16 days, when the day of calculating the margin is a Friday;
 - b) 15 days, when the day of calculating the margin is a Saturday;
 - c) 14 days, when the day of calculating the margin is a Sunday;

- d) 13 days, when the day of calculating the margin is a Monday;
 - e) 12 days, when the day of calculating the margin is a Tuesday;
 - f) 11 days, when the day of calculating the margin is a Wednesday;
 - g) 10 days, when the day of calculating the margin is a Thursday.
2. With respect to the successive days, weekly delivery periods shall be established, which shall be in line with the execution dates of the weekly forward contracts subject to quotation.
 3. In the case of weekly forward contracts including days of different months, the days shall be divided into two buckets: the first one including the days of the month that ends and the second one including the days of the month that begins.
 4. If the delivery period of the last one of the weekly forward contracts subject to quotation does not end on the last day of the month, then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last weekly contract subject to quotation until the last day of that month.
 5. Further delivery periods shall be created with respect to days which coincide in full with the monthly forward contracts subject to quotation and create monthly buckets.
 6. If the delivery period of the last one of the monthly forward contracts subject to quotation does not end on the last day of the quarter, then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last monthly forward contract subject to quotation until the last day of that quarter.
 7. The successive days which are not included in the delivery periods of monthly forward contracts subject to quotations shall be aggregated into quarterly buckets.
 8. If the delivery period of the last one of the quarterly forward contracts subject to quotation does not end on the last day of the year and if an annual contract is quoted for a given instrument type, then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last quarterly forward contract subject to quotation until the last day of that year.
 9. The successive days which are not included in the delivery periods of quarterly forward contracts subject to quotations shall be aggregated into yearly buckets, provided that an annual contract is quoted for a given instrument type.
 10. Delivery periods for BASE, PEAK5, OFFPEAK electricity forward are divided into the following delivery groups:

- a) DAILY, which includes delivery periods calculated in accordance with sec. 1.
- b) SHORT, which includes delivery periods starting after the last delivery date classified in the DAILY group and ending within the time horizon of:
 - i) 28 days if the day of calculating the margin is a Monday, Tuesday, Wednesday or Thursday,
 - ii) 21 days if the day of calculating the margin is Friday, Saturday or Sunday.
- c) MEDIUM, which includes delivery periods starting after the last delivery date classified in the SHORT group and ending up to the last delivery date of the monthly instrument with the furthest delivery period, which is listed on the Electricity Forward Market at the time of margin calculation.
- d) LONG, which includes delivery periods starting after the last delivery date classified in the MEDIUM group and ending up to the last delivery date of the instrument with the furthest delivery period, which is listed on the Electricity Forward Market at the time of margin calculation.

§ 23

1. The Initial Margin and the Variation Margin for forward contracts in Gas shall be calculated separately for each delivery period. The delivery period shall be deemed to be one day provided that the delivery takes place between Day N+1 and:
 - a) 16 days, when the day of calculating the margin is a Friday;
 - b) 15 days, when the day of calculating the margin is a Saturday;
 - c) 14 days, when the day of calculating the margin is a Sunday;
 - d) 13 days, when the day of calculating the margin is a Monday;
 - e) 12 days, when the day of calculating the margin is a Tuesday;
 - f) 11 days, when the day of calculating the margin is a Wednesday;
 - g) 10 days, when the day of calculating the margin is a Thursday.
2. With respect to the successive days, weekly delivery periods shall be established, which shall be in line with the execution dates of the weekly forward contracts subject to quotation.

3. In the case of weekly forward contracts including days of different months, the days shall be divided into two buckets: the first one including the days of the month that ends and the second one including the days of the month that begins.
4. If the delivery period of the last one of the weekly forward contracts subject to quotation does not end on the last day of the month, then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last weekly forward contract subject to quotation until the last day of that month.
5. Further delivery periods shall be created with respect to days which coincide in full with the monthly forward contracts subject to quotation and create monthly buckets.
6. If the delivery period of the last one of the monthly forward contracts subject to quotation does not end on the last day of the quarter, then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last monthly forward contract subject to quotation until the last day of that quarter.
7. The successive days which are not included in the delivery periods of monthly forward contracts subject to quotations shall be aggregated into quarterly buckets.
8. If the delivery period of the last one of the quarterly forward contracts subject to quotation does not end on the last day of the season (understood as the period of the second and third quarters of the year (summer season) or the last quarter of the year and the first quarter of the following year (winter season), then the bucket shall be created starting from the day which is the first day following the last Delivery Day of the last quarterly forward contract subject to quotation until the last day of that season.
9. The successive days which are not included in the delivery periods of quarterly forward contracts subject to quotations shall be aggregated into seasonal buckets, subject to sec. 10.
10. If the delivery period of the last of the listed quarterly term contracts ends on the last day of the season then a bucket shall be created from the days beginning on the first day after the last Delivery Date of the last listed quarterly term contract until the last day of the year.
11. Another bucket shall be created for the period starting on the day which is the first day following the last Delivery Day of the last seasonal forward contract subject to quotation until the last day of the year.
12. The successive days which are not included in the delivery periods of seasonal forward contracts subject to quotations shall be aggregated into yearly buckets.

13. Delivery periods for forward contracts for gas are divided into the following delivery groups:

- a) DAILY, which includes delivery periods calculated in accordance with sec. 1.
- b) SHORT, which includes delivery periods starting after the last delivery date classified in the DAILY group and ending within the time horizon of:
 - i) 21 days if the day of calculating the margin is a Monday, Tuesday, Wednesday or Thursday,
 - ii) 14 days if day of calculating the margin is Friday, Saturday or Sunday.
- c) MEDIUM, which includes delivery periods starting after the last delivery date classified in the SHORT group and ending up to the last delivery date of the monthly instrument with the furthest delivery period, which is listed on the Gas Forward Market at the time of margin calculation..
- d) LONG, which includes delivery periods starting after the last delivery date classified in the MEDIUM group and ending up to the last delivery date of the instrument with the furthest delivery period, which is listed on the Gas Forward Market at the time of margin calculation..

§ 24

1. The Clearing Price for the delivery period of electricity fully coinciding with the delivery period of a given forward contract listed on TGE is equal to the TGE Daily Settlement Price of that forward contract.

2. The Clearing Price for delivery periods for electricity, as referred to in § 22 section 1 and § 22 section 3 is calculated as a product of:

- a) the normalization parameter for a given delivery period, which is the average of the Daily Settlement Prices seasonality parameters published by Daily Settlement Price Daily Settlement Price TGE for the weekdays within that delivery period, weighed by the delivery volume for that day, and
- b) the ratio of the TGE Daily Settlement Price of the weekly forward Daily Settlement Price contract corresponding to the delivery period (or, if a weekly contract corresponding to the delivery period is not available, the immediately subsequent weekly forward contract) to the normalization parameter for that week.

3. The Clearing Price for delivery periods for electricity, as referred to in:

- a) § 22 section 4, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the monthly forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full calendar month,
- b) § 22 section 6, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the quarterly forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full calendar quarter,
- c) § 22 section 8, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the annual forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full calendar year

and calculated based on the following algorithm:

$$\frac{DSP_{Instrument} * Volume_{Instrument} - \sum_i (ClearingPrice_{DeliveryPeriod(i)} * Volume_{DeliveryPeriod(i)})}{Volume_{DeliveryPeriod(x)}}$$

where:

$DSP_{Instrument}$ - the TGE Daily Settlement Price of the forward contract which is completed by the analyzed delivery period;

$Volume_{Instrument}$ - the volume of the listed forward contract which is completed by the analyzed delivery period;

$ClearingPrice_{DeliveryPeriod(i)}$ - Clearing Prices for delivery periods corresponding to the forward contract which is completed by the analyzed delivery period;

$Volume_{DeliveryPeriod(i)}$ - volumes for delivery periods corresponding to the forward contract which is completed by the analyzed delivery period;

$Volume_{DeliveryPeriod(x)}$ - the volume of the analyzed delivery period.

4. For the delivery periods concerning the forward contract types defined by TGE as less liquid contracts:

- a) within a given delivery period for a PEAK5/OFFPEAK pair, a corresponding delivery period is identified within the BASE instrument type, and within a more liquid instrument type on the electricity market
- b) within a given delivery period for a L-PEAK5/H-PEAK5 pair, a corresponding delivery period is identified within the PEAK5 instrument type, and within a more liquid instrument type on the electricity market.

The Clearing Prices for the aforementioned delivery periods are determined by applying the No-Arbitrage Principle between instrument types in accordance with the following algorithm:

$$ClearingPrice_{DeliveryPeriod(illiquid)} = \frac{ClearingPrice_{DeliveryPeriod(BASE/PEAK5)} * Volume_{DeliveryPeriod(BASE/PEAK5)} - ClearingPrice_{DeliveryPeriod(liquid)} * Volume_{DeliveryPeriod(liquid)}}{Volume_{DeliveryPeriod(illiquid)}}$$

where:

$ClearingPrice_{DeliveryPeriod(illiquid)}$ – Clearing price for delivery period of a less liquid instrument type within the PEAK5/OFFPEAK or L-PEAK5/H-PEAK5 pair,

$ClearingPrice_{DeliveryPeriod(BASE/PEAK5)}$ – Clearing price for delivery period within the BASE or PEAK5 instrument type,

$Volume_{DeliveryPeriod(BASE/PEAK5)}$ – the volume for a given delivery period within the BASE or PEAK5 instrument type,

$ClearingPrice_{DeliveryPeriod(liquid)}$ – Clearing price for delivery period of a more liquid instrument type within the PEAK5/OFFPEAK or L-PEAK5/H-PEAK5 pair,

$Volume_{DeliveryPeriod(liquid)}$ – the volume of the analyzed delivery period of a more liquid instrument type within the PEAK5/OFFPEAK or L-PEAK5/H-PEAK5 pair,

$Volume_{DeliveryPeriod(illiquid)}$ – the volume of the analyzed delivery period of a less liquid instrument type within the PEAK5/OFFPEAK or L-PEAK5/H-PEAK5 pair,

1. The Clearing Price for the delivery period of gas, fully coinciding with the delivery period of a given forward contract listed on TGE is equal to the TGE Daily Settlement Price of that forward contract.
2. The Clearing Price for delivery periods for gas, as referred to in § 23 section 1 and § 23 section 3 is calculated as a product of:
 - a) the normalization parameter for a given delivery period, which is the average of the daily seasonality parameters published by TGE for the weekdays within that delivery period, weighed by the delivery volume for that day, and
 - b) the ratio of the TGE Daily Settlement Price of the weekly forward contract corresponding to the delivery period (or, if a weekly contract corresponding to the delivery period is not available, the immediately subsequent weekly forward contract) to the normalization parameter for that week.
3. The Clearing Price for delivery periods for gas, as referred to in:
 - a) § 23 section 4, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the monthly forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full calendar month,
 - b) § 23 section 6, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the quarterly forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full calendar quarter,
 - c) § 23 section 8, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the seasonal forward contract including that delivery period and the Clearing Prices for delivery periods that complete the full season,
 - d) § 23 section 10, is determined by applying the No-Arbitrage Principle within instrument types, between the TGE Daily Settlement Price of the annual forward contract including that delivery period and the Clearing Prices adopted for delivery periods that complete the full calendar year

and calculated based on the following algorithm:

$$\frac{DSP_{Instrument} * Volume_{Instrument} - \sum_i (ClearingPrice_{DeliveryPeriod(i)} * Volume_{DeliveryPeriod(i)})}{Volume_{DeliveryPeriod(x)}}$$

where:

$DSP_{Instrument}$ - the TGE Daily Settlement Price of the forward contract which is completed by the analyzed delivery period;

$Volume_{Instrument}$ - the volume of the listed forward contract which is completed by the analyzed delivery period;

$ClearingPrice_{DeliveryPeriod(i)}$ - Clearing Prices for delivery periods corresponding to the forward contract which is completed by the analyzed delivery period;

$Volume_{DeliveryPeriod(i)}$ - volumes for delivery periods corresponding to the forward contract which is completed by the analyzed delivery period;

$Volume_{DeliveryPeriod(x)}$ - the volume of the analyzed delivery period.

§ 26

1. Setting clearing prices for electricity or Gas delivery periods in special circumstances:

- a) If, due to the absence of a TGE Daily Settlement Price set for the relevant forward contract, it is not possible to determine the Clearing Price for a given delivery period on the basis of the rules set out in § 24 and § 25, and at the same time there are open Positions in forward contracts that include that delivery period, the Clearing Price for that delivery period shall be deemed to be the last available TGE Daily Settlement Price of a forward contract that includes that delivery period, with the earliest delivery completion date, for which such TGE Daily Settlement Price was determined,
- b) If the TGE Daily Settlement Price is not published for a given forward contract and the Clearing Price for a given delivery period cannot be determined based on a) above, the Clearing Price for that delivery period shall be determined based on the rules described in § 24 and § 25, assuming that TGE Daily Settlement Price for that contract is 1,
- c) If the clearing price for the delivery period determined pursuant to § 24 sec. 1 or § 25 sec. 1 significantly deviates from the market values, IRGiT may adjust such a Clearing price for the delivery period.

§ 27

1. The collateral margin may be covered with cash and with contributed non-cash collateral in accordance with the rules set forth in § 28. Cash paid towards forward margin is, subject to § 5 sec. 3 and 5, accumulated on Collateral Margin Sub-Accounts dedicated to Clearing House Members in the Settlement Bank. Update of the amount of the required forward margin is published daily by 5:00 p.m. in the Clearing Report. On business days, at 11:00 a.m. and 1:00 p.m. a forecast of the value of forward margin is made in the clearing System on the basis of the intraday clearing prices for delivery periods, which are calculated on the basis of hypothetical TGE Daily Settlement Prices determined on a given date before the forecast. If the forecast value of liabilities under the margin exceeds the total value of margin paid, the Clearing House Member shall be required to immediately supplement the monies on the Collateral Margin Sub-Account.
2. Clearing House Members are required to settle their liabilities resulting from the calculated forward margin on the next business day in the process of execution of payment order batch no. 3 referred to in § 59 sec. 1(c).
3. If a Clearing House Member has no cash available to cover its liabilities referred to in sec. 2, it shall be required, at the Clearing House's request, to immediately reduce the quantity of its Positions on FIM/RTP to a level at which the value of the cash deposited by it and the possible credited value of non-cash collateral is sufficient to cover its liabilities.
4. If a Clearing House Member, within a time limit set by the Exchange, fails to replenish the required cash to cover its liabilities or fails to fulfill the Clearing House's request referred to in sec. 3, the IRGiT Management Board shall have the right to suspend the possibility of concluding Transactions by the said Clearing House Member or launch procedures associated with an Infringement.

Non-Cash Collateral Register

§ 28

1. The Clearing House, acting pursuant to § 37 sec. 8 and 9 and § 39 sec. 6 of the Regulations, maintains the Non-Cash Collateral Register for collateral contributed by individual Clearing House Members.
2. It is only non-cash collateral contributed for covering liabilities of Clearing House Members towards contributions to the Default fund, and forward margin, that may be entered in the Non-Cash Collateral Register.

3. The object of collateral provided by Clearing House Members in non-cash form to serve the purpose of a collateral margin may be the following:
- a) Property Rights to Certificates of Origin,
 - b) CO2 emission allowances,
 - c) bank guarantees,
 - d) sureties granted by third parties,
 - e) the EUR currency,
 - f) statement of submitting to enforcement submitted in the form of a notary deed following the procedure under Article 777 § 1 item 5 of the Act of 17 November 1964 – Code of Civil Procedure (consolidated text: Journal of Laws of 2020, item 1575),
 - g) insurance guarantees,
- on condition that the object of the collateral referred to in items (a)–(g) is accepted by the Clearing House.
4. The object of the collateral provided by Clearing House Members in non-cash form towards the contributions to the Default fund may only be bank guarantees that meet the condition referred to in § 32 sec. 3 (a) (first class liquidity guarantees), whose payment amount is denominated in Polish zloty.
5. Non-cash collateral contributed by a member of a Power Group, within the meaning of the Regulations, which has signed an agreement with the Clearing House specifying the principles for establishment of financial collateral for the Power Group may be divided and recognized in the Non-Cash Collateral Register as non-cash collateral for other members of this Power Group. Subject to the next sentence, collateral shall be divided on business days based on instructions sent out up to 2:30 p.m. of a given business day in an e-mail sent to dzr@irgit.pl. A bank guarantee designated for the Default fund shall be divided on the date the Default fund is updated, provided that the instructions have been sent no later than the last business day of the month preceding the date of updating the Default fund. The instructions referred to above are sent by the persons authorized in the agreement specifying the principles for establishment of financial collateral for the Power Group. The recognition of collateral between respective entities is carried out on general terms defined for each type of collateral in these Detailed Clearing and Settlement Rules.
6. Any collateral submitted by a Clearing House Member shall be registered in the Non-Cash Collateral Register on the respective business day, provided that the condition

referred to in sec. 3 has been fulfilled by 2:30 p.m. on such business day. Otherwise, such registration shall be made on the next business day following that day.

7. In extraordinary cases, justified by the security of clearings, the Clearing House's Management Board may decide to refrain from accepting any further non-cash collateral and request the Clearing House Member to supplement the funds in cash within a defined time limit.

§ 29

1. While submitting non-cash collateral, a Clearing House Member acting at the same time on its own account and on the clients' account, is required to:
 - a) specify the purpose of the lodged collateral (e.g. contribution to the Default fund, collateral margin),
 - b) indicate the type of activity for which the collateral is lodged (i.e. activity on its own account, activity on the clients' account),
 - c) specify the clients for whom the collateral is lodged (if activity on the clients' account is specified in (b)).
2. In the event of any change in the indicated type of activity referred to in sec. 1(b) for which the collateral is lodged, the Clearing House Member is required to send an instruction in the form of a message sent to the e-mail address of the Risk Management Department. If the instruction referred to in the preceding sentence is received by 2:30 p.m. on a business day, IRGiT shall delete the collateral covered by the instruction from the Non-Cash Collateral Register on the same day, whereas its entry in the Non-Cash Collateral Register as collateral dedicated to the type of activity indicated in the instruction shall be made on the business day following the date of deletion. Any instructions received after 2:30 p.m. or on a non-business day shall be taken care of on the next business day.
3. If the Clearing House Member providing collateral in the form of a bank guarantee fails to declare the purpose of such collateral, it shall be assumed that the non-cash resources so provided for collateral shall be used to cover liabilities on account of the forward margin.
4. Bank guarantees provided to cover contributions to the Default fund may not be recognized as collateral for other purposes. The surplus of funds above the required value of contribution to the Default fund resulting from the provision of a bank guarantee to cover such contribution shall not be accepted as coverage of any other liabilities.

§ 30

1. As non-cash collateral for liabilities on account of forward margin, the Clearing House accepts only Property Rights to Certificates of Origin for electricity generated using renewable energy sources, as entered in the Certificates of Origin Register in the PMOZE_A instrument.
2. Property Rights under Certificates of Origin are provided as collateral by a Clearing House Member and entered in the Non-Cash Collateral Register based on:
 - a) an application for locking Property Rights under Certificates of Origin to collateralize liabilities on account of forward margin, submitted to the Certificate of Origin Register by the Clearing House Member providing such Property Rights under Certificates of Origin as collateral, and
 - b) the signing of an agreement between a Clearing House Member and the Clearing House for the transfer of title to secure the Property Rights under Certificates of Origin provided as collateral.
3. These Property Rights under Certificates of Origin provided by a given Clearing House Member shall be classified as collateral after the Clearing House's receipt of information from the Certificate of Origin Register about the type and quantity of the locked Property Rights under Certificates of Origin provided as collateral and under the conditions enumerated in sec. 2 above.
4. Classified as the collateral referred to in sec. 3 shall be a portion of the market value of the Property Rights under Certificates of Origin calculated in accordance with the following formula:

$$W_i = Lpm_i * Wr_i * (1 - WR_i)$$

where:

W_i – value of collateral provided in the form of Property Rights,

Lpm_i – number of property rights of a given type,

Wr_i – market value of Property Rights under Certificates of Origin traded on the exchange market, determined according to the last index for session transactions,

WR_i – haircut for the respective type of property rights within the range of (0,1), as communicated in announcements from IRGiT's Risk Management Department.

5. The value of eligible collateral W_i is added to other guarantees provided in a non-cash form by the pertinent Clearing House Member.
6. Withdrawal of Property Rights under Certificates of Origin from the Non-Cash Collateral Register by a Clearing House Member shall be released based on an application submitted by the pertinent Clearing House Member to the Certificate of Origin Register with the Clearing House's intermediation and consent, however on condition that the value of the remaining funds classified as collateral is equal to at least, as appropriate, the minimum or required value of such collateral or on condition that such a Clearing House Member has previously supplemented the collateral to, as appropriate, its minimum or required value.
7. Until the withdrawal referred to in sec. 6, the Property Rights under Certificates of Origin the value of which has ceased to be taken into account in determining the value of collateral provided by the relevant Clearing House Member shall remain the object of such collateral and may be used in accordance with the purposes for which such collateral has been established.

§ 31

1. The object of the collateral provided by Clearing House Members in a non-cash form may be CO2 emission allowances defined as follows:

EUAs or EUAAs – allowances for the atmospheric release of greenhouse gases referred to in Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, deposited in the Union Registry (within the meaning of Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry within the meaning of the Commission Delegated Regulation issued on the basis of that directive.
2. CO2 emission allowances are provided as collateral by a Clearing House Member and entered in the Non-Cash Collateral Register based on:
 - a) an instruction for the Union Registry by the Clearing House Member providing collateral in the form of CO2 emission allowances to transfer such allowances to the account specified by the Clearing House, and
 - b) the signing of an agreement between a Clearing House Member and the Clearing House for the transfer of title to secure the CO2 emission allowances provided as collateral.

3. The CO₂ emission allowances shall be classified as collateral after all conditions enumerated in sec. 2 have been satisfied and provided that the Clearing House has received the transfer of the CO₂ emission allowances subject to the transfer of title on the Clearing House's bank account in the Union Registry.
4. Classified as the collateral referred to in sec. 1 shall be a portion of the market value of the allowances calculated in accordance with the following formula:

$$W_{up} = Cz * I_{up} * F_{ex} * (1 - WR_{EUA})$$

where:

- W_{up} – value of accepted collateral provided in the form of CO₂ emission allowances;
- Cz – on the day preceding the valuation of collateral, where first price to be applied is the price of EUA emission allowances quoted on the spot market of the European Energy Exchange or, if such price is unavailable, then the price to be applied is the clearing price of the daily EUA futures contract from the Intercontinental Exchange (if on the date in question none of these prices is available, the activities described above shall be performed by applying the prices from the day preceding such date);
- I_{up} – number of CO₂ emission allowances transferred to the Clearing House's bank account in the Union Registry;
- F_{ex} – average EUR/PLN exchange rate published by the National Bank of Poland on a given date;
- WR_{EUA} – haircut for collateral provided in the form of CO₂ emission allowances within the range of (0,1), as communicated in announcements from IRGiT's Risk Management Department.

5. The value W_{up} is added to other guarantees provided in a non-cash form by the pertinent Clearing House Member.
6. CO₂ emission allowances are withdrawn from the Non-Cash Collateral Register and released based on a Clearing House Member's request to the Clearing House. The application is accepted on condition that the required collateral margin provided by a given Clearing House Member is covered with other forms of collateral provided by such an entity.
7. Until the release of the CO₂ emission allowances the value of which has ceased to be taken into account in determining the value of the collateral provided by the pertinent

Clearing House Member, such allowances shall remain the object of collateral and may be used in accordance with the purposes for which such collateral was established.

§ 32

1. In the cases referred to in § 28 sec. 3 and sec. 4, the object of collateral provided by Clearing House Members in a non-cash form and entered in the Non-Cash Collateral Register may be bank guarantees fulfilling the following conditions:
 - a) guarantees may be issued only by a bank accepted by the Clearing House, provided, in particular, that the bank has no equity ties (is not a member of the same corporate group) with either the entity for which a bank guarantee has been issued or the Clearing House Member conducting activity on account of the client for whom the bank guarantee has been issued,
 - b) guarantees may be issued only by a bank with its registered office or branch in the territory of the Republic of Poland or outside the territory of the Republic of Poland, provided that it has appropriate arrangements in place with the Settlement Bank or Clearing Bank with regard to interbank communication via the SWIFT system,
 - c) guarantees may be issued only by a bank with an appropriate level of credit quality, determined in accordance with the rules described in sec. 2 subject to guarantor may also be a bank acting as a Settlement Bank, which does not have any rating where the total value of valid guarantees issued by a given bank for one Clearing House Member cannot exceed PLN 13 million (say: thirteen million Polish zloty),
 - d) the bank guarantee must include the bank's unconditional and irrevocable commitment to make immediate payment, at the Clearing House's first request, of the amount so requested up to the maximum value specified in the guarantee,
 - e) the bank guarantee must comply with new bank guarantee form approved by the Clearing House, defined separately for guarantees with first and second liquidity classes as mentioned in sec. 3,
 - f) the amount of the cash benefit for which the bank guarantee has been issued (sum guaranteed) may be specified in PLN, and in the case of bank guarantees of the second class of liquidity, as referred to in sec. 3(b), submitted as collateral in the form of a contribution to the collateral margin – also in EUR,
 - g) the amount of the cash benefit for which the bank guarantee has been issued must not be lower than PLN 100,000 (one hundred thousand Polish zloty) if the sum guaranteed has been specified in PLN, or EUR 25,000 (twenty-five thousand euro) if the sum guaranteed has been specified in EUR,

h) the validity term of the bank guarantee recognized as collateral towards the contribution to the Default fund should be determined in accordance with the provisions of § 33 sec. 3 and 4.

2. An appropriate level of credit quality shall be determined based on the long-term rating awarded by the rating agencies Fitch, Moody's and Standard & Poor's which, in accordance with the table below, is lower than 6.

S&P	Fitch	Moody's	credit quality	risk level assessment
step				
AAA	AAA	Aaa	1	Acceptable
AA+	AA+	Aa1	1	Acceptable
AA	AA	Aa2	2	Acceptable
AA-	AA-	Aa3	2	Acceptable
A+	A+	A1	3	Acceptable
A	A	A2	3	Acceptable
A-	A-	A3	3	Acceptable
BBB+	BBB+	Baa1	4	Acceptable
BBB	BBB	Baa2	4	Acceptable
BBB-	BBB-	Baa3	4	Acceptable
BB+	BB+	Ba1	5	Conditional
BB	BB	Ba2	5	Conditional
BB-	BB-	Ba3	5	Conditional
B+	B+	B1	6	Unacceptable
B	B	B2	6	Unacceptable
B-	B-	B3	6	Unacceptable
CCC+	CCC+	Caa1	6	Unacceptable
CCC	CCC	Caa2	6	Unacceptable
CCC-	CCC-	Caa3	6	Unacceptable
CC	CC	Ca	6	Unacceptable
C	C	Ca	6	Unacceptable
RD	DDD	C	6	Unacceptable

where:

- a) the conditional risk level assessment means that with regard to the banks which have the credit quality level 5, the total value of valid guarantees issued by a given bank for one Clearing House Member cannot exceed PLN 13 million (say: thirteen million Polish zloty);
 - b) where a bank has been assigned ratings from different credit rating agencies, the rating to which the highest credit quality level is attributed shall be assumed;
 - c) where a bank has been assigned no rating, its credit quality level is 6.
3. The term "immediate payment" shall be construed as crediting the bank account specified by the Clearing House:
- a) on the date of submission of such request if the request is made by 9:30 a.m. CET or on the following day if the request is made after 9:30 a.m. CET (first liquidity class guarantee) or
 - b) within 2 business days of submission of such request if the request is made by 9:30 a.m. CET or on within 3 business days if the request is made after 9:30 a.m. CET (second liquidity class guarantee).
4. A Clearing House Member shall be required to provide the Clearing House with up-to-date powers of attorney of persons granting bank guarantees on behalf of the bank and all necessary documents required by the Clearing House in order to conduct the assessment process for the bank issuing the guarantee by the Clearing House. At the request of a Clearing House Member, the Clearing House shall provide information concerning the potential approval of the bank indicated by such a Member as the issuer of the bank guarantee to be submitted as collateral.
5. If, during the term of the bank guarantee accepted as collateral, the bank that has issued the guarantee ceases to satisfy the conditions for approval by the Clearing House, a Clearing House Member, at the Clearing House request, shall be required to submit promptly, no later than within 14 business days, other collateral accepted by the Clearing House.

§ 33

1. In order to provide collateral in the form of a bank guarantee, a Clearing House Member shall be required to specify the collateral title and to provide a draft of the bank guarantee document to the Clearing House.

2. The final approval of a bank guarantee as collateral provided in non-cash form requires the approval by IRGiT and entry in the Non-Cash Collateral Register, subject to provisions of sec. 3.
3. Bank guarantees provided on account of contribution into the Default fund shall be recognized as a non-cash collateral as of the date of the first regulation referred to in § 45c of the Regulations following the date of acceptance of the bank guarantee under the rules specified in sec. 2 above, provided that the term of validity of the bank guarantee has been determined in accordance with the following rules:
 - a) the bank guarantee shall be valid at least from the date of its recognition as non-cash collateral, and
 - b) the bank guarantee shall be valid at least until the 7th business day of the calendar month following the date of recognition of the bank guarantee as non-cash collateral, subject to the provisions of sec. 4.
4. The condition specified in sec. 3 may be fulfilled by the submission, by the Clearing House Member, of more than one bank guarantee for contribution to the default fund, as long as the term of validity of all submitted bank guarantees covers all business days within the period specified in accordance with the rules set forth in sec. 3. In the situation described in the preceding sentence, the value of bank guarantees recognized as non-cash collateral for contribution to the default fund under the respective update is determined as the lowest of the values of the submitted bank guarantees.
5. In the event of a change in the content of a bank guarantee recognized by the Clearing House, the provisions of sec. 1 and 2 shall apply respectively, subject to a reduction in the bank guarantee amount paid into the Default fund between successive updates of the Default fund being allowed only up to the amount recognized as contribution to the Default fund.
6. Withdrawal of a bank guarantee recognized as contributed non-cash collateral before the end of its validity term requires consent given by the Clearing House. A bank guarantee provided on account of contribution to the Default fund will be returned no earlier than on the 4th business day following the date of the Default fund contribution update as referred to in § 45a of the Regulations, based on a request of a Clearing House Member made to IRGiT not later than on the last business day of the month preceding the update and provided that the Clearing House Member has made the contribution in cash to the Default fund.
7. The Clearing House Member which has provided the collateral in the form of a bank guarantee on some other account than contribution to the Default fund, in order to

continue to use that form of making contributions, shall be required, not later than 3 business days before the expiration of the term of the guarantee or, if the last day of the term of the guarantee falls on a non-business day, 3 business days before the last business day preceding such day, to submit a new bank guarantee the term of which shall begin no later than one day after the last day of the term of the existing bank guarantee or an annex to the existing bank guarantee extending its term. If this condition is not fulfilled then, 2 business days before the end of the term of the existing guarantee or if the last day of the warranty coverage falls on a non-business day, 2 business days before the last business day preceding such day, the Clearing House shall be entitled to remove such a guarantee from the Non-Cash Collateral Register, provided that it has not submitted a demand for payment under the guarantee securing the surety agreement before the end of such term.

8. The Clearing House has the right to enter into the Non-Cash Collateral Register a lower amount of a bank guarantee submitted for a purpose other than towards a payment into the guarantee fund:
 - a) in the case referred to in sec. 7, when a new bank guarantee document or an annex to an existing guarantee is issued for an amount lower than the amount of the bank guarantee that is expiring – starting from the second business day before the end of the term of the existing guarantee or, if the last day of the term of the guarantee falls on a non-business day, from the second business day before the last business day preceding that day, or
 - b) in other cases of a reduction in the bank guarantee amount – starting from the date specified by IRGiT.

§ 33a

1. If the respective Clearing House Member has submitted bank guarantees as collateral the sum guaranteed of which is denominated in EUR (hereinafter referred to as "bank guarantees in EUR"), the Clearing House, on each business day following the date of its recognition, shall determine the recognized value of such collateral, converted into Polish zloty, in accordance with the following formula:

$$W_{gbe} = N_{gbe} \times F_{ex} \times (1 - WR_{gbe})$$

Where:

W_{gbe} – value of collateral submitted in bank guarantees in EUR converted into PLN;

$N_{gbe,n}$ – aggregate nominal amount of bank guarantees in EUR;

F_{ex} – average EUR/PLN exchange rate published by the National Bank of Poland on the respective business day;

$WR_{gbe,n}$ – haircut for collateral provided in the form of bank guarantees in EUR within the range of (0,1), as communicated in announcements from IRGiT's Risk Management Department.

2. The value of recognized collateral W_{gbe} referred to in sec. 1 shall be added to the collateral provided in a non-cash form by the Clearing House Member.

§ 34

1. The object of collateral provided by Clearing House Members in a non-cash form and entered in the Non-Cash Collateral Register may be the sureties referred to in § 28 sec. 3 with the following conditions taken into account:

a) the surety may be granted by:

- 1) a client of the Clearing House Member conducting activity on such client's account;
- 2) a company, which is the parent company within the meaning of Article 4 item 3 of the Competition and Consumer Protection Act of 16 February 2007 (consolidated text: Journal of Laws 2021 Item 275) of the Clearing House Member, to whom such surety is extended, and holding a credit rating as defined Article 3(1)(a) of the Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies, with the credit quality step no higher than 4 based on the table mentioned in § 32 sec. 2. In the event that the Clearing House becomes aware of a change of the rating of the company extending the surety, as a result of which it no longer meets the criterion mentioned above, the Clearing House will have the right to remove the collateral immediately from the Non-Cash Collateral Register;

b) the surety must be collateralized by the guarantor in one of the following forms:

- 1) in the case of the surety referred to in sec. 1(a) item 1):

- i) agreement for a transfer of title to Property Rights under Certificates of Origin as security where the value of collateral is determined in accordance with the rules set forth in § 30 sec. 4 and 5, or
- ii) agreement for a transfer of title to CO2 emission allowances as security where the value of collateral is determined in accordance with the rules set forth in § 31 sec. 4 and 5, or

- iii) bank guarantee issued by a bank accepted by the Clearing House, where the value of collateral is determined in accordance with the rules set forth in § 33 and § 33a, subject to the provisions in sec. 5, or
- iv) a statement of submitting to enforcement from a client that is a power transmission system operator within the meaning of Article 3 item 24 of the Energy Law, submitted in the form of a notary deed following the procedure under Article 777 § 1 item 5 of the Act of 17 November 1964 – Code of Civil Procedure (Journal of Laws of 2021, item 1805, as amended), where the value of collateral is set accordingly in accordance with the rules set forth in § 34b, or
- v) the EUR currency, where the value of collateral is determined in accordance with the rules set forth in § 34a.

2) in the case of the surety referred to in sec. 1(a) item 2):

- i) bank guarantee issued by a bank accepted by the Clearing House, where the value of collateral is determined in accordance with the rules set forth in § 33 and § 33a, subject to the provisions in sec. 5 and 6, or
 - ii) statement of submitting to enforcement submitted in the form of a notary deed following the procedure under Article 777 § 1 item 5 of the Act of 17 November 1964 – Code of Civil Procedure (consolidated text: Journal of Laws of 2020, item 1575, as amended), where the value of collateral is set accordingly in accordance with the rules set forth in § 34b.
- c) the surety shall be granted as an unconditional surety payable at first request;
 - d) the surety shall be granted in accordance with the rules specified in the draft agreement determined and approved by the Clearing House.
2. The client of a Clearing House Member shall submit such surety to the Clearing House via the Clearing House Member.
 3. Sureties provided by a client of a Clearing House Member may be used only to cover liabilities on account of the forward margin for Transactions cleared by such a Clearing House Member for the client.
 4. In the case of the surety referred to in sec. 1(b) item 2(ii), the Clearing House has the right to remove such collateral from the Non-Cash Collateral Register 6 calendar months before the end of the time limit specified in the surety, during which the Clearing House may petition to a court to issue an enforcement clause for the notary deed.

5. The Clearing House Member which has provided the collateral in the form of a surety secured with a bank guarantee in order to continue using that form of contributing collateral during the term of the surety agreement, shall be required, not later than 6 business days before the expiration of the term of the bank guarantee, or, if the last day of the term of the guarantee is a non-business day, 6 business days before the last business day preceding such day, to submit a new bank guarantee the term of which begins no later than one day after the last day of the term of the existing bank guarantee or an annex to the existing bank guarantee extending its term. If this condition is not fulfilled then, 5 business days before the end of the term of the existing guarantee or, if the last day of the term of the guarantee is a non-business day, 5 business days before the last business day preceding such day, the Clearing House will be entitled to remove such a guarantee from the Non-Cash Collateral Register, provided that it has not submitted a demand for payment under the guarantee securing the surety agreement before the end of such term.
6. The Clearing House has the right to enter into the Non-Cash Collateral Register a lower amount of a bank guarantee submitted as collateral for a surety:
 - a) in the case referred to in sec. 5, when a new bank guarantee document or an annex to an existing guarantee is issued for an amount lower than the amount of the bank guarantee that is expiring – starting from the fifth business day before the end of the term of the existing guarantee or, if the last day of the term of the guarantee falls on a non-business day, from the fifth business day before the last business day preceding that day,
 - b) in other cases of a reduction in the bank guarantee amount – starting from the date specified by IRGiT.

§ 34a

1. The object of the collateral provided by Clearing House Members in non-cash form and entered in the Non-Cash Collateral Register may be the EUR currency, provided that the collateral has been previously approved by the Clearing House.
2. IRGiT shall open, at the request of a Clearing House Member, a separate account in EUR, dedicated to collateral in EUR, to be contributed by the respective entity. The form of application for opening an account for collateral in EUR is available on IRGiT's website. Banking costs related to the maintenance of the account referred to in the preceding sentence shall be covered by the Clearing House Member. In the event of the absence of funds on the bank account necessary for its maintenance, IRGiT may take steps to close the account immediately.

3. The banking costs referred to in sec. 2 shall be covered by the Clearing House Member on the terms specified in the table of fees by the bank keeping the account dedicated to collateral in EUR. A hyperlink to the table of fees is available on IRGiT's website.
4. The bank account referred to in sec. 2 shall bear interest in accordance with the table of interest rates on funds in bank accounts published by the bank keeping the account. A hyperlink to the table of interest rates is available on IRGiT's website.
5. A Clearing House Member operating solely for its own account may, at any time, have only one account referred to in sec. 2.
6. Each payment in EUR to cover non-cash collateral shall be made through a transfer of an amount in EUR to the dedicated account specified by IRGiT, as referred to in sec. 2, provided that IRGiT has been informed in advance by persons authorized by the respective Clearing House Member about the planned transfer, by an electronic message sent to the following e-mail address: dzt@irgit.pl.
7. The minimum value of collateral that may be submitted in EUR is EUR 100,000 (one hundred thousand euro).
8. Recognized towards the object of collateral referred to in sec. 1 by way of an entry in the Non-Cash Collateral Register shall be part of the value of the funds in EUR contributed by the respective Clearing House Member converted into PLN, as determined on each business day in accordance with the following formula:

$$W_{eur} = L_{eur} * F_{ex} * (1 - WR_{eur})$$

where:

- W_{eur} – value of the amount in EUR converted into PLN,
- L_{eur} – amount of cash contributed in EUR,
- F_{ex} – average EUR/PLN exchange rate published by the National Bank of Poland on the respective business day;
- WR_{eur} – haircut for collateral provided in the form of cash in EUR within the range of (0,1), as communicated in announcements from IRGiT's Risk Management Department

9. The value of eligible collateral W_{eur} shall be added to other guarantees provided in non-cash form by the pertinent Clearing House Member.
10. The withdrawal of funds in EUR by a Clearing House Member from the Non-Cash Collateral Register and the definition of a transfer shall take place in consideration of sec. 11, on the basis of a declaration made by such Clearing House Member, provided,

however, that the value of the remaining funds recognized as collateral is equal to at least, as appropriate, the minimum or required value of such collateral or on condition that such Clearing House Member has previously supplemented the collateral to, as the case may be, its minimum or required value. The declaration referred to in the preceding sentence shall be deemed submitted when it is received by IRGiT by e-mail at the following e-mail address: dzr@irgit.pl, by persons authorized by the respective Clearing House Member.

11. Funds in EUR may be withdrawn from the Non-Cash Collateral Register only up to the minimum value referred to in sec. 7, subject to the provisions of sec. 13.
12. The whole amount of funds in EUR may be withdrawn from the Non-Cash Collateral Register only simultaneously with the closing of the account referred to in sec. 15.
13. Two business days before the date of such withdrawal and definition of the transfer referred to in sec. 10, the funds in EUR forming the subject matter of such declaration shall not be taken into account in determining the level of collateral margin coverage by the respective Clearing House Member. IRGiT may refuse to transfer a specific value in EUR if the forward margin required from the Clearing House Member on the date of withdrawal and definition of the transfer are not covered.
14. Until the withdrawal referred to in sec. 10, the funds in EUR the value of which has ceased to be taken into account in determining the value of collateral provided by the respective Clearing House Member shall remain the object of such collateral and may be used in accordance with the purposes for which such collateral has been established.
15. The account referred to in sec. 2 may be closed by IRGiT at the request of the Clearing House Member, provided that the funds on the account cover all liabilities resulting from banking costs related to its operation. In the event of the absence of sufficient funds on the account, IRGiT shall request the Clearing House Member to replenish such funds promptly. Failure to replenish such funds by the Clearing House Member shall mean the inability to close the account and shall not exclude the possibility of additional costs, as described in sec. 2. The form of application for closing the account for collateral in EUR is available on IRGiT's website.

§ 34b

1. The Clearing House accepts, as non-cash collateral securing liabilities on account of forward margin, a statement of submitting to enforcement made by a Clearing House Member in the form of a notary deed following the procedure under Article 777 § 1 item 5 of the Act of 17 November 1964 – Code of Civil Procedure (consolidated text: Journal of Laws of 2021, item 1805, as amended) in accordance with the form defined by IRGiT from time to time.

2. The statement on submitting to enforcement may be deemed to be non-cash collateral only if the Clearing House Member making such statement:
 - a) has a credit rating as defined Article 3(1)(a) of the Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies, with the credit quality step no higher than 4 based on the table mentioned in § 32 sec. 2, or
 - b) on 27 September 2022 it was an enterprise obliged to perform the obligation referred to in Article 49a sec. 1 of the Energy Law Act of 10 April 1997 in the wording in effect on 28 September 2022, or
 - c) has the status of a power transmission system operator within the meaning of Article 3 item 24 of the Energy Law.

In the event that the Clearing House becomes aware of a change, as a result of which a Clearing House Member no longer meets the criterion mentioned above, the Clearing House will have the right to remove the collateral immediately from the Non-Cash Collateral Register;

3. In order to provide collateral in the form of a statement on submitting to enforcement, a Clearing House Member shall be required to provide the Clearing House with documents confirming that, as at 27 September 2022, the Clearing House Member was subject to the obligation referred to in Article 49a sec. 1 of the Energy Law Act of 10 April 1997 in the wording in effect on 28 September 2022, or a declaration that the Clearing House Member has the status of a power transmission system operator within the meaning of Article 3 item 24 of the Energy Law.
4. The final approval of a statement of submitting to enforcement as collateral provided in non-cash form requires approval by IRGiT and entry in the Non-Cash Collateral Register.
5. The Clearing House has the right to remove the collateral referred to in sec. 1 from the Non-Cash Collateral Register 6 calendar months before the end of the time limit specified in the notary deed , during which the Clearing House may petition to a court to issue an enforcement clause for that deed.

§34c

1. In the cases referred to in § 28 sec. 3, the object of collateral provided by Clearing House Members in a non-cash form and entered in the Non-Cash Collateral Register may be insurance guarantees fulfilling the following conditions:

- a) Korporacja Ubezpieczeń Kredytów Eksportowych S.A. is the only entity that may issue the guarantees,

- b) an insurance guarantee must include an unconditional and irrevocable commitment to make immediate payment referred to in sec. 3 of the amount up to the maximum value specified in the guarantee, upon first request of the Clearing House,
 - c) an insurance guarantee must comply with new insurance guarantee form approved by the Clearing House,
 - d) the amount of the cash benefit for which the insurance guarantee has been issued must be specified in Polish zloty only,
 - e) the amount of the cash benefit for which the insurance guarantee has been issued must not be lower than PLN 100,000 (one hundred thousand Polish zloty),
3. The term "immediate payment" shall be construed as crediting the bank account specified by the Clearing House within the time limit up to 10 business days from the date of the request.
4. A Clearing House Member shall be required to provide the Clearing House with up-to-date powers of attorney of persons granting insurance guarantees on behalf of the Insurer.

§ 34d

1. In order to provide collateral in the form of an insurance guarantee, a Clearing House Member shall be required to specify the collateral title and to provide a draft of the insurance guarantee document to the Clearing House.
2. The final approval of an insurance guarantee as collateral provided in non-cash form requires the approval by IRGiT and entry in the Non-Cash Collateral Register.
3. In the event that the wording of an insurance guarantee recognized by the Clearing House as contributed non-cash collateral is amended, the provisions of sec. 1 and 2 shall apply accordingly.
4. Withdrawal of an insurance guarantee recognized as contributed non-cash collateral before the end of its validity term requires consent given by the Clearing House.
5. The Clearing House Member which has provided the collateral in the form of an insurance guarantee shall be required, not later than 13 business days before the expiration of the term of the guarantee, to submit a new bank guarantee the term of which shall begin no later than one day after the last day of the term of the existing insurance guarantee or an annex to the existing insurance guarantee extending its term. If this condition is not fulfilled then, 12 business days before the end of the term of the existing guarantee or, if the last day of the term of the guarantee is a non-business day, 12 business days before

the last business day preceding such day, the Clearing House will be entitled to remove such a guarantee from the Non-Cash Collateral Register, provided that it has not submitted a demand for payment under the guarantee before the end of such term.

6. If such new insurance guarantee document or an annex to the existing guarantee referred to in sec. 5 is issued for a lower amount than the amount of the insurance guarantee whose term is about to expire, the Clearing House shall be entitled to enter such lower amount in the Non-Cash Collateral Register as of the twelfth business day prior to the expiration of the term of the existing guarantee or, if the last day of the term of the guarantee falls on a non-business day, as of the twelfth business day prior to the last business day preceding such day.

Non-cash collateral concentration limit

§ 35

1. The recognized total value of non-cash collateral provided for forward margin must not be higher than the percentage specified for each of the collateral forms in the announcement of the Risk Management Department Director. The announcement is available on the IRGiT website.
2. The recognized total value of collateral provided in the form of bank guarantees meeting the condition referred to in § 32 sec. 3(a) (first liquidity class guarantees) must not be higher than 60% of the required contribution to the default fund by a given Clearing House Member.
3. (repealed)
4. If a Clearing House Member, with a view to covering its liabilities on account of forward margin, lodges non-cash collateral in more than one of the forms referred to in § 28 sec. 3, the recognized value of each such collateral shall be determined in the following order:
 - a) statement of submitting to enforcement following the procedure under Article 777 § 1 item 5 of the Act of 17 November 1964 – Code of Civil Procedure (consolidated text: Journal of Laws of 2020, item 1575, as amended), including those lodged as collateral for the surety referred to in § 34,
 - b) Property Rights to Certificates of Origin and CO2 emission allowances, including those lodged as collateral for the surety referred to in § 34, and insurance guarantees,

- c) bank guarantees of the second liquidity class, including those lodged as collateral for the surety referred to in § 34 and the EUR currency,
- d) bank guarantees of the first liquidity class, including those lodged as collateral for the surety referred to in § 34,

where:

- i. if a Clearing House Member provides the collateral referred to in letter (a), the recognized value of the collateral reduces the value of the required collateral margin, which is used to calculate the recognition value of other non-cash collateral.
 - ii. the parameters referred to in sec. 1 are applied to the value of the forward margin reduced in accordance with item i,
 - iii. the value of non-cash collateral recognized earlier in accordance with the order specified above, subject to the provisions of item i, shall reduce the maximum possible value of recognition of any non-cash collateral recognized subsequently,
 - iv. the order in which the Clearing House Member lodges non-cash collateral shall not affect the aforescribed order of recognition of its value. In the event the Clearing House Member lodges non-cash collateral in another form, the recognized value of non-cash collateral lodged previously by such entity shall be determined again in accordance with the aforescribed order of recognition of the value of each such collateral.
5. In the case of Clearing House Members conducting activity both on their own account and activity other than that conducted on their own account, the recognized value of non-cash collateral shall be determined separately for these types of activity, and in the case of activity other than conducted on own account, the recognized value of non-cash collateral shall be calculated separately for each client, subject to the rules referred to in sec. 1-4.
6. The value of non-cash collateral lodged as collateral margin in each of the forms referred to in § 28 sec. 3 shall be calculated in accordance with the principles defined in sec. 1-5 above, based on the following formula:

$$WUZ_i = \min (WZ_i; DZ * PU_i - WUZ_{<n_i}; DZ - WUZ_{<n_i})$$

where:

- WUZ_i – value of collateral in the form of i recognized as collateral margin,
- WZ_i – value of collateral in the form of i lodged as collateral margin,

DZ – required value of the collateral margin,

PU_i – percentage value specified according to sec. 1 for each form of collateral *i* and meaning that the recognized value of collateral in the form of *i* may not be greater than **PU_i** of the value of the required collateral margin,

WUZ_{<n_i} – (where **n_i** is the indicator of the order of recognition of collateral in the form of *i*) value of non-cash collateral recognized as collateral margin that has been recognized earlier in accordance with the order specified in sec. 4,

and, if the Clearing House Member lodges non-cash collateral simultaneously in the form of:

a) Property Rights to Certificates of Origin, CO2 emission allowances and insurance guarantees, or

b) Bank guarantees of the second liquidity class, and the EUR currency,

including those lodged as collateral for the surety referred to in § 34, then the value of recognized non-cash collateral for these groups of collateral forms shall be determined on an aggregate basis, subject to sec. 7.

7. Where a Clearing House Member has contributed non-cash collateral in the form of an insurance guarantee and in the form of Property Rights to Certificates of Origin or CO2 emission allowances then the lower percentage calculated separately for these collateral items in accordance with sec. 1 will be used in order to determine the value of recognized collateral.

8. Considering clearing security, the Clearing House Management Board may decide to set other maximum values for recognized particular forms of non-cash collateral for the given Clearing House Member or for the Clearing House.

§ 36

1. In respect of collateral provided in the form of:

a) Property Rights to Certificates of Origin,

b) CO2 Emission Allowances,

c) the EUR currency and bank guarantees in EUR,

the Clearing House shall apply concentration limits at the level of the pertinent Clearing House Member and a concentration limit at the Clearing House level.

2. The concentration limit at a Clearing House Member level is the maximum volume of Property Rights from Certificates of Origin or CO2 emission allowances and the

maximum nominal value in EUR and bank guarantees in EUR that may be provided by the respective Clearing House Member, taking into account the collateral provided both in connection with the activity conducted on its own account and not its own account.

3. The concentration limit at the Clearing House level is the maximum volume of the Property Rights under Certificates of Origin or CO2 emission allowances and the maximum nominal value in EUR and bank guarantees in EUR that may be provided in total to IRGiT.
4. The values of concentration limits of Property Rights under Certificates of Origin and CO2 emission allowances are presented, subject to sec. 7, in the following table:

Type of collateral	Limit type	Concentration limit
CO2 emission allowances	Limit at the Clearing House level	50,000,000 units
CO2 emission allowances	Limit on the Clearing House Member level	15,000,000 units
Property Rights under Certificates of Origin – PMOZE_A	Limit at the Clearing House level	3,000,000 MWh
Property Rights under Certificates of Origin – PMOZE_A	Limit on the Clearing House Member level	240,000 MWh

5. The Clearing House sets one shared concentration limit of the respective type for the EUR currency and bank guarantees in EUR. The value of the limits is specified in the following table:

Type of collateral	Limit type	Concentration limit
the EUR currency and bank guarantees in EUR	Limit at the Clearing House Level	EUR 600,000,000
the EUR currency and bank guarantees in EUR	Limit for the Clearing House Member	EUR 150,000,000

6. If, as a result of providing collateral in a specified non-cash form, the given concentration limit referred to in sec. 4 or sec. 5 is exceeded, the Clearing House, subject to provisions of sec. 8, shall accept the collateral only up to the amount of the concentration limit.
7. For the entities that have or belong to a group with an investment rating with credit quality step not higher than 4, in accordance with the table referred to in § 32 sec. 2, the concentration limits referred to in sec. 4 shall not apply. The volume of Property Rights under Certificates of Origin and CO2 emission allowances contributed by the above entities as non-cash collateral is not taken into account when determining concentration limits at the Clearing House level.

8. Bearing in mind the security of clearing, the IRGiT SA Management Board may decide to set concentration limits that are different from those defined in sec. 4 and 5, for particular forms of non-cash collateral at the level of either the respective Clearing House Member or the Clearing House.
9. If the amount indicated in the declaration on submission to enforcement following the procedure set forth in Article 777 § 1 item 5 of the Code of Civil Procedure Act of 17 November 1964 – (consolidated text in Journal of Laws of 2021 Item 1805, as amended) is higher than the value of equity in the current standalone financial statements of the entity subject to enforcement, then IRGiT, bearing in mind the security of clearing, has the right to recognize the lower amount of this collateral or delete it from the Non-cash Collateral Register.

Default fund

§ 37

1. The Clearing House, acting pursuant to § 41 of the Regulations, organizes the Default fund with a view to securing Transactions concluded on the exchange.
2. The minimum value of a contribution to the Default fund shall be PLN 10,000 or, for entities that signed a Clearing House membership agreement for the FIM/RTP is PLN 30,000.
3. The first contribution to the Default fund shall be equal to three times the minimum contribution value referred to in sec. 2.
4. A Clearing House Member shall make the first contribution to the Default fund no later than two days prior to the date specified by the Exchange as the date on which such a Clearing House Member commences its activity on the markets referred to in sec. 1.
5. The required contribution by a Clearing House Member to the Default fund shall be calculated by dividing the total value of contributions to the Default fund, determined in accordance with sec. 6, pro rata to the average value of the absolute uncovered loss risks referred to in sec. 9, determined for individual Clearing House Members participating in the fund during the most recent month.
6. The total value of contributions to the Default fund shall be calculated as the first largest value during the most recent 60 days which is the greater of the two values determined for each of these days:

- a) the first largest value of the relative uncovered risk determined for the respective Clearing House Members, excluding the Clearing House Members operating within Power Groups, as determined on the respective day in accordance with sec. 7, or
- b) the sum of the second and third largest values of the relative uncovered risk determined on the respective day in accordance with sec. 7, determined for the respective Clearing House Members, excluding the Clearing House Members operating within Power Groups.

The Management Board of IRGiT may draw up a list of entities that are not to be taken into account in the determination of the total value of contributions to the Default fund, in accordance with the rules set forth in (a) and (b) above. The list of entities referred to in the previous sentence shall be drawn up by the IRGiT Management Board by way of a resolution, which is subsequently published on IRGiT's website.

- 7. The value of the relative uncovered loss risk shall be calculated as a stress test loss, determined in accordance with sec. 12, minus the value of the variation margin calculated for Transactions executed by the given Clearing House Member and covered by the Default fund, plus the value of the collateral margin calculated by taking into account all the Transactions executed by such that Clearing House Member and covered by the Default fund.
- 8. For the purposes of the calculation referred to in sec. 6, for each Power Group, the value of the relative uncovered loss risk shall be calculated at the respective group level.
- 9. The value of the absolute uncovered risk shall be determined independently for each Clearing House Member as a stress test loss, determined in accordance with sec. 12, minus the value of the initial margin for Transactions executed by the respective Clearing House Member and covered by the default fund.
- 10. For each Clearing House Member conducting activity both on its own account and activity other than activity conducted on own account, the value of the relative uncovered risk referred to in sec. 7 and the value of the absolute uncovered risk referred to in sec. 9 shall be determined as the sum of the relative or absolute uncovered risks arising from each of these activities, as the case may be.
- 11. In the case of Clearing House Members who are members of Power Groups, the value of the absolute uncovered risk referred to in sec. 9 shall be calculated for the respective Clearing House Member without taking into account the impact of the netting of initial margin.
- 12. For each Clearing House Member and for each Power Group, the value of the stress test loss shall be calculated as the value obtained when Positions are closed, as the case

may be, for the respective Clearing House Member and the respective Power Group, in the event the worst-case stress test scenario materializes.

13. Contributions to the Default fund shall be made in Polish zloty (PLN), subject to the provisions of sec. 14, to IRGiT's bank account kept by Deutsche Bank Polska S.A. no.:

69 1880 0009 0000 0013 0091 0004

or by contributing bank guarantees in Polish zloty (PLN), in accordance with the provisions of § 33.

14. The IRGiT Management Board, in response to an application submitted by the Brokerage House or the Commodity Brokerage House, may approve a contribution to the Default fund to be made to the bank account of the entity concerned kept by the Clearing Bank. The terms and conditions for such approval shall be set forth in a resolution of the Clearing House Management Board.
15. In the event a membership agreement is amended in such manner that the respective entity terminates its activity as a Clearing House Member in respect of all the markets referred to in sec. 1, then the contribution to the Default fund shall be refunded to such an entity at its request, no later than on the due date of the next update of a contribution to the fund, after a given House member meets all liabilities resulted from its membership in the House
16. Such a refund shall be made to the bank account indicated in the application referred to in sec. 15 or, in the absence of such an indication, to the Clearing Bank Account of such an entity kept by the Clearing Bank.
17. In special cases justified by the security of clearing, the Clearing House may withhold the transfer of a given Clearing House Member's contribution to the Default fund, by refunding a part thereof pursuant to § 45c of the Regulations.
18. Pursuant to § 43a of the Regulations, in order to ensure the safety of clearing liquidity, IRGiT will set aside an liquidity pool of the default fund, which is dedicated to support transaction clearing liquidity, in the amount equal to 30% of the total value of contributions to the fund mentioned in sec. 6 during the update period.
19. The funds of the Default fund's liquidity pool shall be kept in the Default fund account maintained with the Settlement Bank.

CHAPTER IV

RULES OF CONDUCT IN CASE OF THREATS TO CLEARING SAFETY

§37a

If circumstances occur that may indicate a potential threat to the safety of clearings, including, in particular, situations that may lead to the determination of the occurrence of an Event of Default by IRGiT, IRGiT shall be entitled to take the remedial measures referred to in Chapter 3 of the Rules of conduct in case of an Event of Infringement, as defined by IRGiT.

Rules of conduct in case of an Event of Infringement

§ 38

1. If an Infringement has been identified for a given Clearing House Member, the Clearing House may take the actions specified in § 54 of the Regulations.
2. Detailed information on the actions taken by IRGiT and the rules of conduct in the event of occurrence of a premise for declaring an Infringement are laid down in the Rules of Conduct in the Event of Infringement adopted by the IRGiT Management Board by way of resolution.
3. In order to secure financial settlements following from Transaction clearings the Clearing House, pursuant to §53 sec. 2 and §54 sec. 1 of the Regulations, may settle the liabilities and receivables of the Clearing House Member by debiting or crediting the transaction margin subaccounts in the Settlement Bank assigned to the given Clearing House Member.
4. The taking of the decision referred to in sec. 3 above does not preclude the Clearing House's possibility of charging the Clearing House Member's clearing bank account in the Clearing Bank in order to cover its current or future liabilities arising from the Transactions whose clearing is the responsibility of such Clearing House Member.
5. The Clearing House informs the Clearing House Member about the necessity to utilize their receivables according to the rules specified in sec. 3 above.

Rules of conduct in case of a need for liquid funds

§ 38a

1. The utilization of the resources of the Default fund or IRGiT's own funds, as referred to in § 54c, sec. 3, and § 45o (2) and (3) of the Regulations, may occur in particular by transferring these resources to the transaction margin bank account of that Clearing House Member, provided that IRGiT's Management Board adopts a resolution on the settlement of liabilities and receivables of a Clearing House Member through that account in accordance with § 38 sec. 3.
2. Benefits resulting from a positive interest rate on cash used in accordance with sec. 1 and transferred to the transaction margin bank account of a Clearing House Member shall be transferred:
 - a) directly to IRGiT – if IRGiT's own funds have been used
 - b) to the Clearing House Members, whose contributions to the Default fund have been used, in proportion to their share in the Default fund.
3. Unless the Clearing House's Management Board decides otherwise, the transfer of the interest referred to in sec. 2 above shall be carried out as part of the first update of the Default fund contributions referred to in § 45b of the Regulations that takes place after:
 - a) the date of completion of financial settlements of all the transactions concluded by the Clearing House Member affected by the infringement, provided that the recovered funds have not been recovered in a situation as described in § 54c sec. 3 of the Regulations,
 - b) the date of the return of the recovered funds, as mentioned in § 45h and § 45o sec. 2 of the Regulations.

CHAPTER V

REGISTRATION OF OPERATIONS RELATED TO TRADING IN COMMODITIES

§ 39

1. The Clearing House maintains separate Trading Accounts for each Clearing House Member.
2. If a Clearing House Member pursues an activity on clients' account, the Clearing House shall maintain separate Trading Accounts dedicated to each client of such a Clearing House Member, subject to the provisions of sec. 4-6.
3. For Transactions concluded on IDM, DAM, EFM/RTPE, and PRM, the Clearing House creates a collective Trading Account and an assigned Clearing Account.

4. If Positions arising from the Transactions concluded on IDM, DAM, and EFM/RTPE are registered on the Trading Account, a USE Unit assigned to such a Trading Account is configured in the Clearing System.
5. For Transactions concluded on IDMG, DAMG, and GFM/RTPG, the Clearing House creates a separate collective Trading Account for each Gas delivery point and an assigned common Clearing Account.
6. If Positions arising from the Transactions concluded on IDMG, DAMG, and GFM/RTPG are registered on the Trading Account, a Shipper Code assigned to such a Trading Account is configured in the Clearing System.
7. The Clearing House enables Clearing Members to make changes in the Clearing System, which involve editing a description of a Transaction, splitting Transaction volume, and transferring a Transaction between the Trading Accounts created for the Clearing House Member for the relevant type of its activity.
8. The changes referred to above can be made on the date of the Transaction (Day T) within the following time frames, subject to sec. 9:

Transactions concluded on:	Availability of the editing option (in hours)
IDM with delivery on Day T	up to 1 hour before delivery of a given instrument begins
IDM with delivery on Day T+1	
DAM with delivery on Day T+1	08:00 a.m. – 3:30 p.m.
DAM with delivery on Day T+2 and T+3	
FIM/RTP	08:00 a.m. – 3:30 p.m.
IDMG	08:00 a.m. – 8:00 p.m.
DAMG	08:00 a.m. – 3:30 p.m.
PRM	08:00 a.m. – 2:30 p.m.

9. Due to the restrictions resulting from:
 - a) settlements related to electricity, any changes made by a Clearing Member after the time specified in § 60 sec. 4 on Transactions entered into on the DAM with delivery on Day T+1 might not be included in submissions to eTSO,

- b) settlements related to Property Rights referred to in § 61, any changes made by a Clearing Member after 1:30 p.m. on Transactions concludes on the PRM might not be included in the relevant Certificates of Origin Register.

§ 40

1. For the Trading Accounts serving the purpose of registering Positions arising from the Transactions referred to in § 39 sec. 4 and 6, the Clearing House creates Physical Delivery Accounts assigned to such accounts, under which a USE Unit or a Shipper Code, respectively, is configured.
2. If a Clearing House Member pursues a simultaneous activity on markets where the object of delivery is electricity and Gas, the Clearing House creates two separate Physical Delivery Accounts serving the purpose of such activities.
3. Where a Clearing House Member does not have its own USE Unit or a Shipper Code, it may use a USE Unit or a Shipper Code owned by another entity with which it has entered into a relevant agreement on sharing a USE Units or a Shipper Code.
4. There may be more than one USE Unit configured under one Physical Delivery Account provided that all USE Units configured under a given Physical Delivery Account are owned by one entity.
5. One Shipper Code may be configured under one Physical Delivery Account. Where a company owns several Shipper Codes, the Clearing House creates a separate Physical Delivery Account for each of the codes in the Clearing System.
6. For Transactions concluded on IDMG, DAMG and GFM/RTPG, the Clearing House creates a separate Physical Delivery Account for each Gas delivery point and assigns it to separate Trading Accounts referred to in § 39 sec. 5.
7. One physical delivery account may be assigned to more than one Trading Account.
8. In a situation resulting in a Clearing House Member or its client being unable to effect a physical delivery of electricity or Gas by using a USE Unit or a Shipper Code assigned to their Trading Account, the Clearing House Member is obligated to indicate another USE Unit or Shipper Code, respectively, for which a physical delivery of electricity or Gas may be effected.
9. For each Trading Account, the Clearing House creates a Clearing Account assigned to it, used to record liabilities and receivables resulting from the daily clearing of a Clearing

Member's Transactions and liabilities on account of the calculated forward margin resulting from its open Positions.

10. For each Clearing House Member, the Clearing House maintains a Settlement Account, with the reservation that if a Clearing Member simultaneously pursues activity on its own account and activity not on its own account, the Clearing House maintains two separate Settlement Accounts for these types of activity. Linked to a Settlement Account is the Clearing Account of a Clearing House Member acting on its own account or all Clearing Accounts dedicated to its clients.
11. A Settlement Account is used to register the value of liabilities and receivables of a Clearing Member, based on which the Clearing House prepares payment orders forwarded to the Clearing Bank for financial settlement of Transactions cleared by the Clearing House. A Settlement Account is linked to the appropriate Clearing Bank Account of the Clearing House Member in the Clearing Bank through which that Member pays its liabilities towards the Clearing House.
12. For each Clearing House Member, the Clearing House maintains a Collateral Pledged Account, with the reservation that if a Clearing Member simultaneously pursues an activity on its own account and activity not on its own account, the Clearing House maintains two Collateral Pledged Accounts for these types of activity.
13. A Collateral Pledged Account serves the purpose of registering the total value of collateral contributed by a Clearing House Member in cash as well as in other forms of non-cash collateral recognized by the Clearing House and entered in the Non-Cash Collateral Register.

RECORDING OF OPERATIONS CONNECTED WITH TRADING IN AGRICULTURAL COMMODITIES

§40a

1. All operations related to registration and clearing of Transactions in agricultural commodities are performed by the Clearing House on Trading Accounts of the agricultural commodity register and on Clearing Accounts.
2. Trading Accounts of the agricultural commodity register are defined as recording devices used to register positions in agricultural commodities cleared by the Clearing House. The Clearing House keeps separate Trading Accounts for each Clearing House Member for Transactions on the ACM.
3. Clearing Accounts are defined as recording devices used to register liabilities and receivables of a Clearing Member on account of the registration of liabilities and

receivables related to the clearing of Transactions on the ACM. The Clearing House keeps separate Clearing Accounts for each Clearing House Member for Transaction on the ACM.

4. If a Clearing House Member performs clearing activities for clients then the records of Transactions on the ACM concluded for a client are kept in the Clearing House's Clearing System on a separate Trading Account of the agricultural commodity register dedicated to that Clearing House Member.
5. Liabilities and receivables arising from the clearing of Transactions on the ACM in the event that a Clearing House Member performs clearing activities for clients are registered on a separate Clearing Account dedicated to that Clearing House Member.

CHAPTER VI

BREAKDOWN OF FORWARD CONTRACT POSITIONS FROM FIM/RTP FOR TRADING IN GAS

§ 41

1. Breakdown of Positions from annual contracts into quarterly contracts:

One day before performing an annual contract, in the current clearing process, the Clearing House breaks down the Positions – registered by the Clearing House – from the annual contract with the closest delivery period into an analogous number of Positions in four closest contracts with a quarterly delivery period, thus combining the Positions from the annual contract subject to breakdown with the Positions – registered earlier by the Clearing House – in quarterly contracts with corresponding delivery periods with the annual contract subject to breakdown.

2. Breakdown of Positions from seasonal contracts into quarterly contracts:

One day before performing a seasonal contract, in the current clearing process, the Clearing House breaks down the Positions – registered by the Clearing House – from the seasonal contract with the closest delivery period into an analogous number of Positions in two closest contracts with a quarterly delivery period, thus combining the Positions from the seasonal contract subject to breakdown with the Positions – registered earlier by the Clearing House – in quarterly contracts with corresponding delivery periods with the seasonal contract subject to breakdown.

3. Breakdown of Positions from quarterly contracts into monthly contracts:

One day before performing a quarterly contract, in the current clearing process, the Clearing House breaks down the Positions – registered by the Clearing House – from the quarterly contract with the closest delivery period into an analogous number of Positions in three closest contracts with a monthly delivery period, thus combining the Positions from the quarterly contract subject to breakdown with the Positions – registered earlier by the Clearing House – in monthly contracts with corresponding delivery periods with the quarterly contract subject to breakdown.

CHAPTER VII

METHOD AND PROCEDURE FOR THE CLEARING OF TRANSACTIONS

General provisions

§ 42

1. The clearing of Transactions executed in markets operated by TGE does not involve the Clearing House entering into the rights or obligations of the parties to such Transactions. In the clearing process, the Clearing House becomes a party to the clearings for the purposes of financial handling of the executed Transactions.
2. Calculation and settlement of VAT and excise tax is carried out according to prevailing regulations.
3. The Clearing House provides the self-billing service Clearing House Members under the agreement referred to in § 4 sec. 11. The general rules concerning the self-billing service provided by the Clearing House, including the rules of liability of IRGiT and the Clearing House Members are laid down in the Detailed rules for the provision of the self-billing service by IRGiT S.A. In the event that the Clearing House is unable to provide the self-billing service, the Clearing House Members are obligated to issue invoices in accordance with the IRGiT Invoicing Schedule constituting Appendix 2 to these Detailed Clearing and Settlement Rules. In special cases, mainly in holiday periods, the Clearing House

may introduce changes to the Invoicing Schedule. Changes to the schedule are sent to the Clearing House Members by electronic mail with appropriate notice.

4. Transactions concluded on the exchange are cleared by the Clearing House in Polish zloty, subject to sec. 5.
5. In the case Transactions concluded on IDM, where instruments are quoted in Euro, the value of the concluded transactions, for the purpose of the clearing and settlement process, are translated based on the average Euro exchange rate published by the National Bank of Poland for the date preceding the Delivery Day. If the Delivery Day is a statutory holiday or the first business day following a non-business day, the value of the concluded Transactions is converted based on the average Euro exchange rate published by the National Bank of Poland on the last business day preceding the statutory holiday.

§ 43

1. A Clearing House Member has at least one Clearing Account in the Clearing System where the clearing of Transactions executed on DAM, IDM, DAMg, IDMg, PRM, and FIM/RTP is effected taking into account § 39 sec. 3 and 5, and at least one separate Clearing Account if it conducts activity on the ACM. In the case of conducting activity on clients' account, a Clearing House Member has separate Clearing Accounts for each client.
2. In the clearing process, each Clearing House Member receivables and liabilities resulting from Transactions executed on DAM, IDM, DAMg, IDMg, PRM, and FIM/RTP are set off against each other, and separately for Transactions executed on the ACM, subject to the provisions of sec. 3.
3. If a Clearing House Member pursues an activity simultaneously on its own account and activity not on its own account, the Clearing House shall clear Transactions separately for these types of activity. The Clearing House does not set off Clearing House Member receivables and liabilities resulting from an activity conducted by such a Member on its own account and resulting from an activity conducted by such a Member on clients' account.

§ 44

1. The PRM, DAM, DAMg, and FIM/RTP clearing process starts at 3:30 p.m., after the Clearing House receives the data of all Transactions entered into on the exchange on a given Trading Day and confirmation of the finality of such data from the Exchange.

2. The IDMG clearing process starts at 3:30 p.m., after the Clearing House receives the data of all Transactions entered into on the exchange between 3:30 p.m. on Day N-1 and 3:30 p.m. on Day N and confirmation of the finality of such data from the Exchange.
3. The IDM clearing process starts at 1:00 p.m., after the Clearing House receives the data of all Transactions entered into on the exchange between 1:00 p.m. on Day N-1 and 1:00 p.m. on Day N and confirmation of the finality of such data from the Exchange.
4. Upon confirmation by the Exchange of the data on Transactions referred to in sec. 1, sec. 2 and sec. 3 and on Transactions executed on the ACM, they become irrevocable for the Exchange and for third parties.
5. After the completion of the clearing process of all markets on Day N (until 6:30 p.m. on business days or until 5:30 p.m. on non-business days), the Clearing House provides in the Clearing System the updated documents referred to in § 35 sec. 1 of the Regulations in the form of a Clearing Report. In extraordinary circumstances, the times of provision of a Clearing Report may change.

§ 45

1. A Clearing House Member is obligated to provide the Clearing House with the Clearing Bank Account in the Clearing Bank, subject to § 5 sec. 3. If a Clearing House Member pursues an activity simultaneously on its own account and activity other than activity conducted on own account, the Clearing House Member is obligated to provide the Clearing House with two separate Clearing Bank Accounts dedicated to these types of activity.
2. A Clearing House Member is obligated to grant to the Clearing Bank a power of attorney to submit instructions of transfer of monies from the Member's Clearing Bank Account to the Technical Bank Account in a given Clearing Bank in the amount specified by the Clearing House in the Clearing Report.

Rules for determining the amount of receivables and liabilities under Transactions executed on DAM

§ 46

1. On each Trading Day after registering the Positions from the Transactions whose clearing is the responsibility of the given Clearing Member, the Clearing House, on individual Clearing Accounts of the Clearing Member and its clients, respectively, carries out current clearing of session Transactions entered into on DAM on the Trading Day.

2. The sum of clearings on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the sell Transactions and the buy Transactions entered into on DAM on the Trading Day plus the VAT amount as required by the applicable law.
3. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT.
4. The value of Transactions entered into on IDM is calculated as the product of the Transaction volume, the lot size of the instrument counted in MWh or MW (which is $\frac{1}{4}$ of MWh), respectively, and the Transaction price expressed as PLN/MWh.

Rules for determining the amount of receivables and liabilities under Transactions executed on IDM

§ 47

1. On each Day N after registering the Positions from the Transactions whose clearing is the responsibility of the given Clearing Member, the Clearing House, on individual Clearing Accounts of the Clearing Member and its clients, respectively, carries out clearing of Transactions entered into on IDM between 1:00 p.m. on Day N-1 and 1:00 p.m. on Day N.
2. In the case of block contract Transactions concluded on IDM, the separate individual series comprising that contract are subject to clearing.
3. The sum of clearings on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the sell Transactions and the buy Transactions entered into on IDM between 1:00 p.m. on Day N-1 and 1:00 p.m. on Day N plus the VAT amount as required by the applicable law.
4. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT.
5. The value of Transactions entered into on IDM is calculated as the product of the Transaction volume, the lot size of the instrument counted in, respectively, MWh or MW (corresponding to $\frac{1}{4}$ of MWh), and the Transaction price expressed as PLN/MWh.

Rules for determining the amount of receivables and liabilities under Transactions entered into on FIM/RTP

§ 48

1. On each Day N, the Clearing House, on individual Clearing Accounts of a Clearing Member and its clients, carries out current clearing of session Transactions and OTC Transactions for which it received a clearing instruction, whose delivery will take place on Day N+1.
2. The sum of clearing balances on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the electricity or Gas delivered on Day N+1 resulting from the sell Transactions and the buy Transactions entered into on FIM/RTP plus the VAT amount and excise tax accrued in accordance with prevailing regulations.
3. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT but, if required by provisions of law, is increased by excise tax.
4. The value of Transactions entered into on FIM/RTP (the object of which is electricity or Gas) is calculated as the product of the Transaction volume, the lot size of the instrument counted in MWh, and the Transaction price expressed as PLN/MWh.

Rules for determining the amount of receivables and liabilities under Transactions entered into on PRM.

§ 49

1. On each Transaction day after registering the Positions from the Transactions whose clearing is the responsibility of the given Clearing Member, the Clearing House, on individual Clearing Accounts of the Clearing Member and its clients, carries out current clearing of session Transactions entered into on PRM on the Trading Day and OTC Transactions for which it received a clearing instruction.
2. The sum of clearing balances on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the sell Transactions and the buy Transactions entered into on PRM on the Trading Day or OTC Transactions for which it received a clearing instruction plus the VAT amount as required by the applicable law.
3. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT.
4. The value of Transactions entered into on PRM is calculated as:

- a) The product of the Transaction volume counted in kWh and the Transaction price expressed as PLN/MWh divided by 1,000, for the Property Rights to Certificates of Origin within the meaning of the Energy Law,
- b) The product of the Transaction volume counted in TOE and the Transaction price expressed as PLN/TOE divided by 1,000, for the Property Rights to Certificates of Origin from energy efficiency certificates within the meaning of the Energy Efficiency Act.

Rules for determining the amount of receivables and liabilities under Transactions entered into on DAMg

§ 50

1. On each Trading Day after registering the Positions from the Transactions whose clearing is the responsibility of the given Clearing Member, the Clearing House, on individual Clearing Accounts of the Clearing Member and its clients, carries out current clearing of session Transactions entered into on DAMg on the Trading Day.
2. The sum of clearings on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the sell Transactions and the buy Transactions entered into on DAMg on the Trading Day plus the VAT amount and the excise tax accrued in accordance with prevailing regulations.
3. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT but, if required by provisions of law, is increased by excise tax.
4. The value of Transactions entered into on DAMg is calculated as the product of the Transaction volume, the lot size of the instrument counted in MWh, and the Transaction price expressed as PLN/MWh.

Rules for determining the amount of receivables and liabilities under Transactions executed on the ACM

§50a

1. On each Trading Day, after registering positions from the ACM Transactions cleared by a House Member, the Clearing House effects the clearing of Transactions on the Clearing Account of such Clearing House Member.

2. The value of Transactions on a Trading Day is calculated as the product of the ACM Transaction volume, lot size of the instrument, measured in tons, and the Transaction price expressed as PLN/ton, with the accuracy of PLN 0.01.
3. The clearing balance of a Clearing Account of a Clearing House Member is calculated as the sum of the values of the sell Transactions concluded on the ACM on the Trading Day, less the sum of the values of the buy Transactions concluded on the ACM on the Trading Day plus the VAT amount, calculated per applicable law.
4. For foreign entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT.

Rules for determining the amount of receivables and liabilities under Transactions entered into on IDMg

§50b

1. On each Day N after registering the Positions from the Transactions whose clearing is the responsibility of the given Clearing Member, the Clearing House, on individual Clearing Accounts of the Clearing Member and its clients, carries out clearing of Transactions entered into on IDMg between 3:30 p.m. on Day N-1 and 3:30 p.m. on Day N.
2. The sum of clearings on individual Clearing Accounts (to be cleared by a given Clearing Member) is determined as the difference of the value of the sell Transactions and the buy Transactions entered into on IDMg between 3:30 p.m. on Day N-1 and 3:30 p.m. on Day N plus the amount of VAT and the excise tax calculated in accordance with the applicable provisions of law.
3. For Foreign Entities, unless prevailing provisions of law stipulate otherwise, the clearing balance is not increased by VAT but, if required by provisions of law, is increased by excise tax.
4. The value of Transactions entered into on IDMg is calculated as the product of the Transaction volume, the lot size of the instrument counted in MWh, and the Transaction price expressed as PLN/MWh.

CHAPTER VIII

METHOD AND PROCEDURE OF THE SETTLEMENT OF TRANSACTIONS

§ 51

1. The function of the Settlement Bank for cash settlements of Transactions and updating of forward margin is discharged by Deutsche Bank Polska S.A.
2. The Clearing House carries out cash settlement of Transactions and update of forward margin for all Clearing Members which are parties to Transactions, through the Settlement Bank and all Clearing Banks.
3. To ensure the secure and efficient conduct of cash settlements of Transactions and updating of forward margin, the Clearing House cooperates with the Settlement Bank and all Clearing Banks in accordance with the Schedule.
4. Cash settlement of Transactions with a Foreign Clearing House may be carried out outside the Settlement Bank. In such a case, the Foreign Clearing House is obligated to settle its liabilities through payment of monies directly to the account specified by IRGiT before carrying out the cash settlement by the Clearing House within the time-limit defined by a resolution of the IRGiT Management Board.
5. Liabilities or receivables of a Foreign Clearing House can be increased or decreased by payments following from Transactions entered into on the exchange, which will be executed outside the Domestic System.

Rules for exchange of information between the Clearing House, the Settlement Bank and the Clearing Bank.

§ 52

1. On each business day, the Clearing House prepares data for cash settlement and update of the forward margin, carried out through the Settlement Bank in cooperation with all Clearing Banks. The data have the form of Payments Confirmation Reports.
2. Payments Confirmation Reports comprise payments of all Clearing Members resulting from update of forward margin for the CFIM/RTT and payment balances calculated as a sum of Transaction clearing balances within the framework of the given activity. Payments Confirmation Reports are sent to individual Payer Banks of Clearing House Members and form the basis for the settlement executed by the Clearing House through the Settlement Bank and the Clearing Bank.

§ 53

1. Payments Confirmation Reports prepared on Day N being a business day include liabilities and receivables of individual Clearing House Members resulting from:

- a) update, on Day N, of forward margin for forward contracts executed on FIM/RTP;
 - b) Transactions executed on PRM, ACM with delivery on Day N;
 - c) Transactions executed on DAM, DAMg, and FIM/RTP with delivery on Day N+1;
 - d) Transactions executed on IDM, IDMg with delivery on Day N-1.
2. Where the business Day N is the first business day following a non-business day, the Payments Confirmation Report includes liabilities and receivables of individual Clearing House Members resulting from:
- a) (repealed);
 - b) Transactions executed on DAM, DAMg, and FIM/RTP with delivery on Day N+1 with respect to each non-business day preceding a business Day N;
 - c) Transactions executed on IDM, IDMg with delivery on each non-business day preceding Day N-1 and the last business day directly preceding non-business days.
3. Payments Confirmation Reports may be extended by the Clearing House to include any and all Clearing Member liabilities or receivables towards the Clearing House or the Exchange resulting from their membership in the Clearing House or the Exchange, including those resulting from the receivables referred to in sec. 1 and 2 above, in the situation defined in §38 sec. 3 and 4.
4. Payments Confirmation Reports are sent to individual Clearing Banks on Days N by 5:30 p.m. Payments Confirmation Reports are sent on the first business day following such non-business day and contain a compensated balance of payments calculated on the non-business days and the next business day following them.
5. If the Exchange conducts the recalculation described in the "Detailed rules for trading and clearing of electricity on the Day-Ahead Market", the Payments Confirmation Reports may be sent to the Clearing Bank after 5:30 p.m. In such a case, the Clearing House informs Clearing Members, the Settlement Bank and the Clearing Bank thereof.
6. Payments Confirmation Reports for individual Clearing Banks constitute confirmation of the information contained in the Clearing Report.
7. On the first business day following the date of sending of the Payments Confirmation Reports to individual Clearing Banks, they shall carry out their operations in accordance with the Schedule and instructions contained in the order batches effected in cooperation with the Settlement Bank.

§ 54

1. The exchange of information between the Settlement Bank and the Clearing Bank is based on the appropriate SWIFT Messages:
 - a) sent by the Settlement Bank to the Clearing Bank during the business day, containing all payment orders to be carried out by the Clearing Bank;
 - b) sent by the Clearing Bank to the Settlement Bank during the business day, containing information about all operations carried out on the given day on the Technical Bank Account before its generation;
 - c) sent by the Clearing Bank to the Settlement Bank, containing information about all operations carried out on the Technical Bank Account on the previous day.
2. The Clearing Bank executes the payment instructions received from the Settlement Bank in the form of SWIFT Messages. The instructions are consistent with the Payments Confirmation Reports.

§ 55

1. The Clearing Bank has the right to preclude execution of a payment order debiting the Clearing Bank Account of a selected Clearing House Member on the principles and in the manner specified in an agreement between the Clearing Bank and IRGiT.
2. The payment reservation for cash settlement of the Transactions concluded on the exchange, as referred to in § 59 sec. 1(a), may take place only if the additional liquidity collateral referred to in § 59 sec. 3 is insufficient to cover the Clearing Member liabilities.
3. The payment reservation for updating of the forward margin referred to in § 59 sec. 1(c) may take place if the Clearing House Member has failed to ensure a sufficient amount of cash in its Clearing Bank Account.
4. In the event any payments are reserved by the Clearing House, the value of the transfer between the Technical Bank Account and the Clearing Bank Account in the Payments Confirmation Report sent by the Clearing House to the Clearing Bank pursuant to § 53 sec. 4 and the actual amount of the instruction sent by the Settlement Bank by way of a SWIFT Message may be different. In such a case, the Clearing House sends a correction of the Payments Confirmation Report to the Clearing Bank which precluded the payment.
5. In the case of a payment reservation for a cash settlement of the exchange Transactions referred to in sec. 2 above, the Clearing House uses the cash collected by a Clearing

Member on the Transaction Margin Sub-Account in the first place. If the payment reservation amount is greater than the value of the surplus of collateral contributed to transaction margin referred to in § 13, the Clearing House shall cover the missing amount of limiting direct payments with cash of the given Clearing House Member making up the delivery margin and the historic margin.

6. Where the cash being delivery margin and historic margin referred to in § 10 and § 11 is used for covering the reserved payment order referred to in § 55 sec. 2, the Clearing Member is obligated to supplement the value of the delivery margin and the historic margin so as to reach the required level by 4:00 p.m. on the reservation day. A failure to make the replacement payment within this time limit will result in blocking the Clearing House Member's ability to submit orders on all markets, may constitute a premise for the Clearing House to declare an Infringement and take the actions referred to in § 54 of the Regulations.
7. If, subject to § 5 sec. 5, all cash on the Transaction Margin Sub-Account is insufficient to cover the reserved payment order of a given Clearing House Member, IRGiT uses the cash collected on the Collateral Margin Sub-Account of a given Clearing Member for settlement.
8. If, subject to § 5 sec. 5, both the cash on the Transaction Margin Sub-Account and the cash on the Collateral Margin Sub-Account is insufficient to cover the reserved payment order of a given Clearing House Member, the Clearing House uses own funds referred to in § 45o of the Regulations for settlement.
9. Next, the Clearing House requests the Clearing House Member to reimburse the used cash referred to in sec. 8 and to supplement the forward margin, delivery margin, historic margin, as well as to make the minimum contribution to transaction margin so as to reach the required values. In addition, when the funds referred to in sec. 8 have been utilized, the Clearing House Member shall refund the amount of accrued interest or banking fees arising on that account.
10. In the event of a payment restriction for cash settlement of the Exchange Transactions referred to in sec. 2 above or occurrence of a payment restriction for update of forward margin referred to in sec. 3 above, the Clearing House may immediately utilize all non-cash collateral provided by such Clearing House Member towards collateralizing the transaction margin and collateral margin.
11. Failure to reimburse by the Clearing Member the used cash referred to in sec. 8 and failure to supplement the forward margin, delivery margin, historic margin, as well as to make the minimum contribution to transaction margin so as to reach the required

values may constitute a premise for declaring an Infringement within the meaning of the Regulations.

§ 56

1. After executing each batch of payment orders referred to in § 59 sec. 1, each Clearing Bank sends a Technical Bank Account statement via a SWIFT message in accordance with the Schedule.
2. After completing the settlement process, the Clearing Bank sends a Technical Bank Account statement via a SWIFT message in accordance with the Schedule.
3. The Clearing Bank which submitted a written undertaking to send SWIFT Messages from the Clearing Bank Account of the brokerage house or the commodity brokerage house carries out the operations in accordance with the Schedule.

Services for Clearing Members as part of cash settlement

§ 57

1. The following bank accounts are dedicated to providing financial services to a Clearing Member:
 - a) Transaction Margin Sub-Account in the Settlement Bank;
 - b) Clearing Bank Account in the Clearing Bank;
 - c) Collateral Margin Sub-Account in the Settlement Bank if a given Clearing House Member is admitted to operate on FIM/RTP.
2. The Clearing House Member's bank account credited or debited in accordance with the clearing of Transactions and in accordance with the updating of the required forward margin for FIM/RTP is the Clearing Bank Account in the Clearing Bank, subject to § 5 sec. 3.
3. There are monies constituting a delivery margin, a historic margin, and cash constituting the basis for calculating the value of the surplus of collateral contributed to transaction margin referred to in § 13 of Clearing Members on Transaction Margin Sub-Accounts, subject to § 5 sec. 5. Payments to the Transaction Margin Sub-Account are made by a Clearing Member.
4. There is cash constituting coverage for forward margin for FIM/RTP required from Clearing Members on Collateral Margin Sub-Accounts, subject to § 5 sec. 5. Payments

to and from the collateral margin sub-account are made automatically by the Clearing House.

5. To carry out the settlement of Clearing Members in the Clearing Bank, IRGiT has a Technical Bank Account in each Clearing Bank and a Clearing Bank Account in the Settlement Bank. The Clearing House's Technical Bank Accounts are used solely for inter-bank transfers and internal transfers executed by IRGiT between clearing bank accounts of Clearing House Members as part of settlements. The use of the Technical Bank Account referred to in this section by a Clearing House Member without IRGiT's consent may pose a threat to clearing security and form grounds for asserting that such entity has violated the principles of membership in the Clearing House.

§ 58

1. If in connection with Transaction clearings and update of forward margin the Clearing House's Clearing Member has:
 - a) Net liabilities, then the Clearing Bank Account is debited and the Technical Bank Account is credited;
 - b) Net receivables, then the Technical Bank Account is debited and the Clearing Bank Account is credited.
2. Interbank transfers are executed as netted liabilities and receivables of all Clearing House Members in the Clearing Bank through the Clearing House's settlement bank account in the Settlement Bank.

§ 59

1. Payment instructions consistent with Payments Confirmation Reports are sent by the Clearing Bank for execution broken down into four batches of orders:
 - a) Payment order batch no. 1 – pertaining to settlement of Transactions entered into on the exchange, comprising transfer orders debiting the Clearing Bank Accounts in the Clearing Bank for the Clearing House Members holding a liabilities balance;
 - b) Payment order batch no. 2 – pertaining to settlement of Transactions entered into on the exchange, comprising transfer orders crediting the Clearing Bank Accounts in the Clearing Bank for the Clearing House Members holding a receivables balance, and interbank transfer orders through the Settlement Bank Account in the Settlement Bank;

- c) Payment order batch no. 3 – pertaining to update of forward margin for FIM/RTP, comprising transfer orders debiting the Clearing Bank Accounts in the Clearing Bank for the Clearing House Members holding a liabilities balance and debiting Collateral Margin Sub-Accounts for the Clearing House Members holding a receivables balance;
 - d) Payment order batch no. 4 – pertaining to update of forward margin for FIM/RTP, comprising transfer orders crediting the Clearing Bank Accounts in the Clearing Bank for the Clearing House Members holding a receivables balance and crediting the Collateral Margin Sub-Accounts for the Clearing House Members with a liabilities balance and order interbank transfers via the Clearing House's settlement bank account in the Settlement Bank.
2. IRGiT sends the payment instructions referred to in sec. 1 for execution in accordance with the Schedule.
 3. Clearing House Members, in cooperation with their selected Clearing Banks, are required to maintain and secure appropriate financial liquidity on their Clearing Bank Accounts in a manner enabling the execution of the payment orders referred to in sec. 1, in accordance with the Schedule. Failure to comply with the Clearing House Member's obligation specified in the first sentence may constitute a premise for the Clearing House to declare an Infringement and take the actions referred to in § 54 of the Regulations.
 4. Cash settlement of a Foreign Clearing House carried out outside the Settlement Bank is executed through collecting the monies paid into the account indicated by IRGiT if the Foreign Clearing House has a liabilities balance, and through payment of monies by the Clearing House to the account indicated by the Foreign Clearing House, if the Foreign Clearing House has a receivables balance.

Electricity settlement

§ 60

1. Transactions in electricity trading cleared by the Clearing House are submitted to eTSO as a balance, broken down into USE Units assigned by the eTSO to Clearing Members and their clients and the Exchange.
2. The Clearing House allows Clearing Members to modify Day-Ahead Scheduling and Intra-Day Scheduling in the Clearing System if they have their own USE Unit.
3. The changes referred to above can be made on a daily basis:

- a) For Intra-Day Scheduling – up to 1 hour before delivery of a given instrument begins,
 - b) For Day-Ahead Scheduling – up to 3:30 p.m., subject to section 4.
4. No changes made in schedules with electricity delivery for the next day made after 1:50 p.m. will be included in the submission made to eTSO.
 5. The submission is made for the USE Units belonging to the Exchange. A change of the USE Units for which Transactions will be submitted is made by a resolution of the IRGiT Management Board and is communicated to Clearing Members no later than one week before making the change.
 6. Detailed principles of electricity settlement are defined in the TCB and the relevant Detailed Rules for Trading and Clearing of TGE

Settlement of Property Rights to Certificates of Origin in the Property Rights Market

§ 61

1. On Day N, after completion of the clearing of the Transactions, the Clearing House hands over a file with the balances of liabilities and receivables of individual Clearing Members expressed in Property Rights to Certificates of Origin to the Certificate of Origin Register.
2. Execution of Transactions entered into on the PRM takes place through change of the holdings of individual Property Rights to Certificates of Origin on the Trading Accounts of Clearing Members in a relevant register kept by the Exchange:
 - a) certificates of origin register referred to in the Energy Law,
 - b) register of energy efficiency certificates referred to in the Energy Efficiency Act.
3. If a Clearing Member enters into a Transaction on the client's account, the process of reposting Property Rights to Certificates of Origin is carried out using the client's Trading Account in the Certificate of Origin Register.

Suspension of Transaction clearings. A standard procedure in the event of lack of sufficient quantity of Property Rights to Certificates of Origin on the account of the Certificate of Origin Register Member. A buy Transaction of the missing quantity of Property Rights to Certificates of Origin on TGE as an OTC or PRM session Transaction

§ 62

1. If the Clearing House has to suspend the clearing of an exchange PRM Transaction due to insufficient quantity of Property Rights to Certificates of Origin of the given Clearing Member in the Certificate of Origin Register, IRGiT immediately communicates with the parties to the Transaction, no later than on the day following the day of conclusion of such a Transaction by 9:00 a.m.
2. If the party to the Transaction is obligated to buy additional Property Rights to Certificates of Origin is a Clearing House Member pursuing an activity not on own account, it executes the Order for the client on whose account it effected the sale.
3. If a party to the Transaction is obligated to buy additional Property Rights to Certificates of Origin is a different Clearing Member than indicated in sec. 2, it executes the Order on its own account.
4. The Clearing House blocks, on its own account in the Settlement Bank, the cash paid by the buying party for the clearing of the Transaction which has been suspended.
5. The cash referred to in item sec. 4 shall be used for the cash settlement of the buy Transaction of the missing quantity of Property Rights to Certificates of Origin. The party obligated to buy additional Property Rights to Certificates of Origin covers the exchange difference during the cash settlement of the Transaction.
6. The party obligated to buy the missing quantity of Property Rights to Certificates of Origin informs the Clearing House on an on-going basis about the actions taken and their results.
7. The missing quantity of Property Rights to Certificates of Origin is supplemented through placing of a buy Order by a Clearing Member and entering into a session Transaction or OTC cleared on TGE. The buying party is obligated to immediately notify the Clearing House about submission of the Order in the Exchange's IT System and provide it with a written confirmation of the Order.
8. The missing quantity of Property Rights to Certificates of Origin should be supplemented at least during the nearest Trading Day on the exchange. Failure to supplement an

appropriate amount of Property Rights to Certificates of Origin may constitute a premise for declaring an Infringement within the meaning of the Regulations.

The buy Transaction of the missing Property Rights to Certificates of Origin on PRM as an OTC

§ 63

1. The Exchange Management Board, in communication with the Clearing House, may allow to conclude an OTC on a written request of the entity obligated to buy the missing quantity of Property Rights to Certificates of Origin.
2. The OTC is entered into on PRM and cleared by the Clearing House outside the days set in pertinent regulations of the Exchange and Clearing House.

Procedure after buying additional Property Rights to Certificates of Origin

§ 64

1. After entering into a buy Transaction of additional Property Rights to Certificates of Origin, the Clearing House finally clears the suspended Transaction.
2. The buy Transaction of additional Property Rights to Certificates of Origin is cleared financially and in Property Rights to Certificates of Origin.
3. In the case of a buy Transaction of additional Property Rights to Certificates of Origin as an OTC, the clearing in Property Rights to Certificates of Origin takes place immediately after entering into the Transaction. The financial clearing takes place by the nearest date of cash settlement carried out by the Settlement Bank.
4. After the clearing of the buy Transaction of additional Property Rights to Certificates of Origin, the Transaction whose clearing has been suspended is cleared through financial clearing and entering of the Transaction parameters into the IT system.
5. The financial clearing is carried out using the cash referred to in § 62 sec. 4 and adjusted by exchange rate differences, if any. The Clearing House calculates the adjustment and issues pertinent payment documents.

Gas settlement

§ 65

1. Transactions in Gas trading cleared by the Clearing House are submitted to gTSO as a balance, broken down into Shipper Codes assigned by gTSO to Clearing Members and their clients.
2. The submission is made by TGE on behalf of Clearing Members and their clients, through submission of Nominations on the basis of the data obtained from the Clearing House's Clearing System.
3. Detailed principles of Gas delivery are defined in the IRiESPg and the relevant Detailed Rules for Trading and Clearing of TGE.

Settlement and clearing of electricity trading Transactions entered into on exchanges and executed outside the Domestic System

§ 66

1. As part of organization and keeping of the clearing of electricity trading Transactions entered into on the exchange and executed outside the Domestic System, the Clearing House in particular:
 - a) determines the amount of non-cash performances which Clearing Members are obligated to deliver or entitled to obtain for a given inter-system connection (within the meaning of sec. 2 below),
 - b) determines the amount of the cash performances of Clearing Members following from determination of the amount of the performances referred to in item a),
 - c) renders it possible to provide the performances referred to in item b) through preparation of instructions causing crediting or debiting of the bank accounts indicated by Clearing Members or by crediting or debiting of a relevant bank account of the Clearing House,
 - d) to the extent specified in the Regulations, organizes and manages the clearing guarantee system,
 - e) issues or accepts, on behalf of Clearing Members, relevant accounting documents comprising the cash performances referred to in item b).

2. The deliveries are submitted to the eTSO broken down into USE Units assigned by eTSO to Clearing House Members or to their clients, taking into account the deliveries executed using inter-system connections. Intersystem connections are understood as transaction capacities which have been made available by the Exchange for commercial purposes, using the connection between the national electricity transmission system and the transmission systems of neighboring countries.
3. The entity responsible for ensuring appropriate transmission capacities in inter-system connections allowing Clearing House Members to deliver the non-cash performances resulting from the Transactions being cleared by the Clearing House is the relevant Exchange. The rules for making the transmission capacities available to Clearing House Members are defined by the Clearing House in an agreement on the clearing of Transactions, concluded with a given exchange.

Settlement with agricultural commodities on the ACM

§66a

1. On the Trading Day, after completion of the clearing of the Transactions whose subject matter is agricultural commodities, the Clearing House hands over to the Exchange a file with the balances of liabilities and receivables of individual Clearing House Members, expressed in tons.
2. By 1:30 p.m. on the date of the Transaction whose subject matter is agricultural commodities, Clearing Members may make changes in the Clearing System consisting in editing a description of a Transaction and splitting Transaction volume. Any changes made by a Clearing House Member after the hour determined in accordance with the previous sentence might not be considered by the Exchange.
3. Transactions whose subject matter is agricultural commodities are executed through a change in the balance of agricultural commodities on trading accounts of Clearing House Members in the e-ACM.
4. If a Clearing House Member whose subject matter is agricultural commodities concludes a Transaction on a client's account, the process of reposting the agricultural commodities is carried out using the client's trading account in the e-ACM.
5. The settlement activities performed by the Clearing House with respect to deliveries of agricultural commodities are deemed performed at the moment when information on Transactions concluded in agricultural commodities is provided to the e-ACM.

CHAPTER IX

OTHER OPERATIONS

Position transfer

§ 67

1. Position transfer involves transfer of entries expressing the Position holdings in exchange commodities from the Trading Account kept for a Clearing Member to another Trading Account kept for the same or different entity, without transfer of the ownership title to the commodities. Such Position transfer takes place through a change of the Trading Account assigned to all Transactions which make up the Position specified for the transfer.
2. A transfer is effected by the Clearing House based on a written request submitted by the Clearing House Member in the accounts of which such Positions are registered, approved by the Clearing House Member which assumes the status of a Clearing Member in respect of such Positions.
3. The request referred to in sec. 2 shall specify the names of the Trading Accounts from which and to which such transfer is to be made and shall include information on the name of the instrument, the quantity of contracts, and the number, type and price of the Transaction.
4. The Clearing House may request a Clearing House Member to provide, within a specified time-limit, appropriate explanations and documents confirming the occurrence of a specific event or to take certain actions justifying the transfer.
5. The Clearing House may carry out the Position transfer, in cases when it is permitted by relevant provisions of law, consisting in moving of entries expressing the holdings of the Positions in exchange commodities from the Trading Account kept for a Clearing Member to the Trading Account kept for another Clearing Member, in connection with purchase of the Positions as a result of a specified legal event, with transfer of the ownership title to the commodities.
6. The transfer referred to in sec. 5 is carried out by the Clearing House on the basis of a written request submitted both by the Clearing House Member which receives the transfer and the Clearing Member from whose account the transfer is carried out. The request shall specify the names of the Trading Accounts from which and to which such transfer is to be made and shall include information on the name of the instrument, the quantity of contracts, and the number, type and price of the Transaction. Additionally, a Clearing Member attaches to the request appropriate documents confirming the

occurrence of a specific event or execution of the activities requested by the Clearing House within the time-limit specified by the Clearing House.

7. A transfer request must be submitted no later than 10 business days prior to the intended transfer date. In justified cases, the Clearing House may permit the submission of a request on a date different than that specified in the previous sentence.
8. Within 5 business days of receipt of a complete transfer request, the Clearing House shall make a decision on making the transfer. The Clearing House may refuse to make the transfer at any time in justified cases, in particular if there is a circumstance justified by clearing security considerations.
9. The execution of the Position transfer is conditional on the Clearing House carrying out appropriate verification tests aimed at ensuring safe and correct transfer, between the trading accounts of the Clearing House Members, of the data pertaining to open Positions subject to transfer.
10. If the Clearing House gives its consent to the Position transfer, such transfer shall be made in the last week of the month, on the date set by the Clearing House, after completion of the clearing process. In justified cases, the Clearing House may set, in a given month, a different date for the Position transfer than the date referred to in the previous sentence.
11. A transfer request may be canceled no later than by 3:00 p.m. two days preceding the scheduled date of the transfer. The withdrawal of a transfer request must be made in writing.
12. If the Clearing House gives consent to the transfer of Positions, the Clearing House Member who assumes the status of a Clearing Member for the transferred Positions shall be required to provide, within the time limit specified by the Clearing House, in the information referred to in sec. 13 an appropriate value of collateral in respect of such Positions subject to the provisions of sec. 14.
13. The information on the amount of the required collateral referred to in sec. 12 and the number of the collateral margin sub-account to which the collateral should be paid, is communicated to the Clearing House Member who adopts the status of the Clearing Member with regard to the transferred Positions on the business day preceding the day of the transfer.
14. The Clearing House Members referred to in sec. 2, in order to ensure appropriate value of the collateral of the transferred Positions, may submit an application for transfer of the cash collateral between the collateral margin sub-accounts dedicated to such Clearing House Members. If the party to the Position transfer is a Clearing House

Member who obtained the Management Board's consent referred to § 11 sec. 2 of the ECH Regulations, the Clearing Bank Account of such Clearing House Member is the account debited or credited on account of the collateral transfer.

15. The collateral transfer is made by the Clearing House on the basis of the application referred to in sec. 14 submitted no later than 10 business days before the planned date of the Position transfer under the condition of ensuring clearing security.

The Clearing House's actions in the event of congestions of electricity or Gas consumption or deliveries

§ 68

1. In case of occurrence of congestions of electricity or Gas consumption or deliveries, Clearing Members or their clients suffering from such congestions are not released from their obligations resulting from holding open Positions on FIM/RTP (for trading in electricity or Gas), on DAM or DAMg, unless the decision to suspend settlements, referred to in sec. 2, is made. If a Clearing Member or its client does not have the possibility of balancing the deliveries using the instruments available on the exchange, then it is subject to the (physical or commercial) balancing service, provided for in the TCB or IRiESPg. In such a case, the provisions of these Detailed Clearing and Settlement Rules apply to clearing and settlement, respectively, of Transactions in electricity or Gas.
2. If the Clearing House becomes aware of introduction or occurrence of congestions of electricity or Gas consumption or deliveries, the Clearing House reserves the right, to the established extent, to suspend the settlements or clearings of Transactions in electricity or Gas for a specified time. After the cause of the decision to introduce the suspension referred to in this item ceases to exist, the IRGiT Management Board makes a decision on resuming the settlements or clearings of the Transactions.
3. In the period of suspension of the settlements or clearings by the Clearing House, referred to in sec. 2, the Clearing House will not carry out:
 - a) settlement of electricity, referred to in § 60, or settlement of Gas, referred to in § 65;
 - b) financial settlement for the Transactions concluded on DAM, IDM, DAMg IDMg or FIM/RTP (if the Transactions pertain to electricity or Gas), the delivery of which corresponds to the suspension period. Additionally, the Clearing House, for the

specified suspension period, will not issue VAT invoices for the Transactions in electricity or Gas trading.

4. The decision referred to in sec. 2 will be taken by means of a resolution of the IRGiT Management Board.

The Clearing House's actions in the case of suspended provision of transmission services by eTSO or gTSO to a Clearing House Member or in the case of termination of an agreement with a Clearing House Member by the entity providing a USE Unit or a Shipper Code to the Clearing House Member

§ 69

1. If the Clearing House receives information about suspended provision of transmission services by eTSO or gTSO for USE Units or Shipper Codes used by a Clearing House Member or its client, or where the Clearing House receives information about termination of an agreement with a Clearing House Member or its client by the entity providing a USE Unit or a Shipper Code, the Clearing House will prevent, starting from the delivery date to a given Clearing House Member, its client or represented Exchange Member, submission of the Positions registered for such USE Units or Shipper Codes.
2. The Clearing House Member which has registered Positions to be executed on Trading Accounts in the Clearing House, under which the USE Units or Shipper Codes for which eTSO or gTSO has suspended provision of transmission services or for which the entity providing a USE Unit or a Shipper Code to the Clearing House Member has terminated the agreement are identified, is obligated, on the Clearing House's demand, to close such Positions by 10:30 a.m. one day before their delivery date at the latest.
3. The situation in which the Clearing House Member referred to in sec. 2 did not close the Position by 10:30 a.m. one day before the delivery date may constitute a premise for declaring an Infringement within the meaning of the Regulations. Consequently, the Clearing House may take the actions referred to in the Regulations, in particular take the actions on behalf of the Clearing House Member to close open Positions.
4. A Clearing Member is required to specify, within 2 weeks of the date of suspension of provision of the services by the Power Transmission System Operator or Gas Transmission System Operator or termination of the agreement by the entity providing the Clearing House Member with the USE Unit or Shipper Code, respectively, another USE Unit or Shipper Code making it possible to settle the electricity or Gas which will be allocated to the Trading Account specified in sec. 2.

5. The Clearing House may deactivate a Trading Account to which the USE Unit or Shipper Code was allocated for which the eTSO or gTSO has suspended provision of transmission services or for which the entity providing a USE Unit or a Shipper Code to the Clearing House Member has terminated the agreement if the time limit specified in sec. 4 above was not complied with.

The Clearing House's actions if eTSO or gTSO does not accept Transactions in electricity or Gas for physical execution

§ 70

1. If eTSO does not accept the submission referred to in § 60 for physical execution, or if gTSO does not accept the submission referred to in § 65 for physical execution, the Clearing House reserves the right to suspend, for a specified time, the settlements or clearings of Transactions in electricity or Gas. The suspension referred to in the sentence above may pertain to all Transactions or some Transactions for which the causes referred to in the first sentence existed, coinciding with the date of delivery of the submissions not accepted for physical execution by eTSO or gTSO. After the cause of the decision to introduce the suspension referred to in this section ceases to exist, the IRGiT Management Board makes a decision on resuming the settlements or clearings of the Transactions.
2. In the period of suspension of the settlements or clearings by the Clearing House, referred to in § 68 sec. 2, the Clearing House will not carry out:
 - a) settlement of electricity, referred to in § 60, or settlement of Gas, referred to in § 65;
 - b) financial settlement for the Transactions concluded on DAM, IDM, DAMg IDMg or FIM/RTP (if the Transactions pertain to electricity or Gas), the delivery of which corresponds to the suspension period. Additionally, the Clearing House, for the specified suspension period, will not issue VAT invoices for the Transactions in electricity or Gas trading.
3. The decision referred to in sec. 1 will be taken by means of a resolution of the IRGiT Management Board.

Appendix 1 to the Detailed Clearing and Settlement Rules of the Exchange
Clearing House - Settlement Schedule

Time	Task	Execution by
Day N		
17:00	Sending SWIFT Messages (intraday statement) to the Settlement Bank (only for brokerage house and commodity brokerage house accounts which were approved in accordance with the principles specified in § 11 sec. 2 of the Regulations)	Clearing Bank
By 5:30 p.m.	Submission of Payments Confirmation Reports to the Clearing Bank	IRGiT
By 6:00 p.m.	Submission of payment order batch no. 1 for execution	IRGiT
Day N+1		
By 8:30 a.m.	Sending SWIFT Messages (statement for the previous day) to the Settlement Bank (only for brokerage house and commodity brokerage house accounts which were approved in accordance with the principles specified in § 11 sec. 2 of the Regulations)	Clearing Bank
By 8:30 a.m.	Posting of the payments from payment order batch no. 1 (internal posting)	Clearing Bank
By 9:00 a.m.	Submission of exclusions of payment orders from batch no. 1	Clearing Bank
By 9:00 a.m.	Sending the SWIFT Message (intraday statement) from the Clearing House's Technical Bank Account to the Settlement Bank	Clearing Bank
By 10:30 a.m.	Submission of payment order batch no. 2 for execution	IRGiT
10:30-12:00	Posting of the payments and remitting the monies in accordance with payment order batch no. 2	Clearing Bank, Settlement Bank
11:30-12:00	Submission of payment order batch no. 3 for execution	IRGiT
By 12:30 p.m.	Sending the SWIFT Message (intraday statement) from the Clearing House's Technical Bank Account to the Settlement Bank	Clearing Bank
12:00-13:00	Posting of the payments from payment order batch no. 3 (internal posting)	Clearing Bank, Settlement Bank
By 1:30 p.m.	Submission of exclusions of payment orders from batch no. 3	Clearing Bank
By 1:30 p.m.	Sending the SWIFT Message (intraday statement) from the Clearing House's Technical Bank Account to the Settlement Bank	Clearing Bank
By 3:00 p.m.	Submission of payment order batch no. 4 for execution	IRGiT
15:00-16:00	Posting of the payments and remitting the monies in accordance with order batch no. 4	Clearing Bank
By 4:30 p.m.	Sending the SWIFT Message (intraday statement) from the Clearing House's Technical Bank Account to the Settlement Bank	Clearing Bank

Day N+2		
By 8:30 a.m.	Sending the SWIFT Message (statement for the previous day) from the Clearing House's Technical Bank Account to the Settlement Bank	Clearing Bank

Appendix 2 to Detailed Clearing and Settlement Rules of the Exchange Clearing House. - Invoicing Schedule

1. Schedule for the Intra-Day Market (IDM)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
IDM	Friday	Friday	Monday	Tuesday
IDM	Saturday-Sunday	Monday	Monday	Tuesday
IDM	Monday	Monday	Tuesday	Wednesday
IDM	Tuesday	Tuesday	Wednesday	Thursday
IDM	Wednesday	Wednesday	Thursday	Friday
IDM	Thursday	Thursday	Friday	Monday

2. Schedule for the Intra-Day Market (IDMg)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
IDMg	Friday	Friday	Monday	Tuesday
IDMg	Saturday-Sunday	Monday	Monday	Tuesday
IDMg	Monday	Monday	Tuesday	Wednesday
IDMg	Tuesday	Tuesday	Wednesday	Thursday
IDMg	Wednesday	Wednesday	Thursday	Friday
IDMg	Thursday	Thursday	Friday	Monday

3. Schedule for the Day-Ahead Market (DAM and DAMg)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
DAM/DAMg	Saturday	Monday	Friday	Monday
DAM/DAMg	Sunday-Tuesday	Tuesday	Monday	Tuesday
DAM/DAMg	Wednesday	Wednesday	Tuesday	Wednesday
DAM/DAMg	Thursday	Thursday	Wednesday	Thursday
DAM/DAMg	Friday	Friday	Thursday	Friday

4. Schedule for the Forward Market (EFM/RTPE and GFM/RTPG) (jointly referred to as FIM/RTP)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
FIM/RTP	Saturday	Monday	Friday	Monday
FIM/RTP	Sunday-Tuesday	Tuesday	Monday	Tuesday
FIM/RTP	Wednesday	Wednesday	Tuesday	Wednesday
FIM/RTP	Thursday	Thursday	Wednesday	Thursday
FIM/RTP	Friday	Friday	Thursday	Friday

5. Schedule for the Property Rights Market (PRM)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
PRM	Monday	Monday	Monday	Tuesday
PRM	Tuesday	Tuesday	Tuesday	Wednesday
PRM	Wednesday	Wednesday	Wednesday	Thursday
PRM	Thursday	Thursday	Thursday	Friday

6. Schedule for the Agricultural Commodity Market (ACM)

Cleared market	Data included in the transaction invoice		Settlement Bank - payment orders	
	Delivery period	Date of issue invoices*	Date of transmitting payment orders to the Settlement Bank	Day of executing payment orders by the Settlement Bank
ACM	Monday	Monday	Monday	Tuesday
ACM	Tuesday	Tuesday	Tuesday	Wednesday
ACM	Wednesday	Wednesday	Wednesday	Thursday
ACM	Thursday	Thursday	Thursday	Friday
ACM	Friday	Friday	Friday	Monday

**provided that when, according to the above schedule, for a particular day in the Delivery Period, the Invoice Date would fall in the following calendar month - in such a case the Invoice Date for this day of the Delivery Period will be the last day of the calendar month, even if it falls on a public holiday or consecutive public holidays*