

APPROVED
by order of the President
Caspy Commodity Exchange JSC

Rules for registration of over-the-counter transactions on
Caspy Commodity Exchange JSC
of exchange-traded commodities



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Section 1: General Provisions

These Rules for registration of OTC transactions (hereinafter - the Rules) are developed in accordance with the Law of the Republic of Kazakhstan dated May 4, 2009 "On Commodity Exchanges" (hereinafter - the Law), the Model Rules of Exchange Trade approved by Order of the Acting Minister of National Economy of the Republic of Kazakhstan dated March 30, 2015 № 280 (hereinafter - the Model Rules), the Rules for determining the price of exchange goods, established in the course of duly conducted trades on commodity exchanges and electronic trading platforms, not recognized as monopolistically high (low), approved by the Order of the Minister of National Economy of the Republic of Kazakhstan dated March 30, 2015 № 280 (hereinafter - the Model Rules)

The Rules for Registration of OTC transactions on Caspy Commodity Exchange JSC concluded with exchange-traded commodity (hereinafter - the Rules) determine the procedure and internal procedures for registration of OTC transactions on Caspy Commodity Exchange JSC, as well as the procedure for keeping the Register of OTC transactions concluded with exchange-traded commodity and provision of information from the Register of OTC transactions concluded with exchange-traded commodity to interested parties.

1. OTC deals concluded with exchange-traded commodities included in the list of exchange-traded commodities approved by Order of the Minister of National Economy of the Republic of Kazakhstan No. 142 dated February 26, 2015 shall be subject to registration at the Exchange.

2. Registration of an OTC deal on the Exchange does not entail any costs for the parties of this deal, as well as for the accredited members of the Exchange.

3. The applicant shall apply to the Exchange for registration of OTC deals independently or through an accredited Exchange member

4. The Applicant, by the fact of disclosure to the Exchange of information on the OTC deal, guarantees to the Exchange that for this purpose it has received consent from the counterparty on the deal to disclose trade secrets on the deal.

5. The Exchange shall not be liable for said actions of the applicant.

6. Data on OTC deals registered on the Exchange are displayed exclusively in tenge.

7. In case of providing information on an OTC transaction concluded in foreign currency, the price of the Goods will be displayed in tenge at the official exchange rate of the National Bank of the Republic of Kazakhstan on the date of conclusion of the OTC transaction.

8. For registration of OTC deals the applicant submits to the Exchange data on the OTC deal in the form set by Appendix 1 to these Rules.

9. Information on the OTC deal for its registration on the Exchange includes:

- full name of brokers (dealer) of transaction participants (in case of registration through a broker)

-the full name of the Seller and the Buyer of the goods;

-BIN/INN of the Seller and the Buyer of the goods;

- contact information of the Seller and the Buyer of the goods (phone numbers, e-mail addresses);

- legal addresses of the Seller and the Buyer of the goods;

-contract number and date of conclusion of the contract (OTC transaction);

-product name ;

- unit of measure;

- number, to two decimal places;

-price of goods per 1 unit of measurement;

-total amount of the transaction (contract);

- currency of the transaction - "T" - Kazakhstani tenge, "S" - US dollar; "R" - Russian ruble, "E" - EU euro;
 - Terms of payment and delivery of the Goods;
 - qualitative/technical characteristics of the goods.
10. Registration data on the OTC deal shall be formed by the Exchange. Registration of an OTC deal on the Exchange is not an Exchange deal.
11. Adjustment and deletion of a registered OTC transaction is not allowed.


Section 2: Procedure for registration of an OTC transaction by the applicant

12. The Applicant sends to the Exchange the information on the OTC deal for its registration by using postal or electronic communication.
13. In case of transfer of information on OTC transaction for registration by electronic communication, information on OTC transaction shall be sent by the applicant in the form set forth in Appendix 1 to these Rules.
14. The information in Attachment 1 is sent by the applicant in two files.
- 1) Appendix 1 file in Microsoft Excel format (version 2007 and later)
 - 2) Attachment 1 file in Adobe PDF format signed and stamped by the Applicant or signed with EDS.
15. Registration of the OTC deal is carried out by the Exchange within two working days from the day of submission by the applicant of full data on the OTC deal.
16. When the Exchange registers an OTC deal, a separate registration number is assigned to this deal by the broker.
17. The Exchange is not liable for the Applicant's indication of incorrect data, as well as for the damage caused to the parties of the deal as a result of the Applicant's indication of incorrect data. In case of detection of incorrect, invalid, fictitious data provided by the Applicant by the antimonopoly authority of the Republic of Kazakhstan, the Applicant is responsible.
18. The Exchange refuses to register an OTC deal if the applicant has submitted incomplete information.
19. A notification on refusal to register an OTC deal shall be sent by the Exchange to the applicant on the day of refusal to register an OTC deal, specifying the reasons for refusal. This notification is sent as an electronic message to the applicant's e-mail account.

Section 3. Procedure for keeping the register of OTC transactions

The Exchange registers OTC deals in the OTC Deals Register as information on OTC deals is received from applicants.

20. The register of over-the-counter transactions contains:
- identification number of the OTC deal assigned by the Exchange;
 - date and time of registration of the OTC deal on the Exchange;
 - name of the parties to the OTC transaction;
 - name of the goods that are the subject of the transaction;
 - price of goods (in tenge);
 - unit of measurement;
 - quantity of goods in units of measure;
 - currency of the transaction;
 - the amount of the over-the-counter transaction;
 - number and date of the OTC transaction.

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Section 4: Procedure for provision of information from the register of OTC transactions

21. Information from the Register of OTC transactions shall be submitted to the applicant in electronic form to the e-mail address specified by him in the form of a report on registration of OTC transaction in the form set forth in Appendix 2 to these Rules.

22. Data of the Register of OTC deals, in breakdown of exchange deals, are recognized as commercial secret of OTC deals parties and may be disclosed by the Exchange to third parties only on condition of preliminary obtaining consent of these deals parties.

23. In other cases, the Exchange provides data of the OTC deals Register to third parties only if the right of the latter to receive such data is stipulated by legislative acts of the Republic of Kazakhstan.

Section 5: Final Regulations

24. These Rules are approved by decision of the Exchange President. Amendments and additions to these Rules are made by decision of the Exchange President.

25. These Rules shall come into effect upon expiration of five calendar days from the date of its publication on the Exchange's Internet resource.



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Annex 1

to the Rules for registration of over-the-counter transactions on the Caspy Commodity Exchange JSC concluded with exchange commodity

Form of application and report on registration of an OTC transaction

Date of the over-the-counter transaction		dd.mm.yyyy					
Full name of the counterparties to the transaction		Seller:			Buyer:		
Location (legal address)							
BIN/contact details		BIN:	Telephone:	Email:	BIN:	Telephone:	Email:
The document basis for registering an over-the-counter transaction (purchase and sale agreement, additional agreement) must be underlined							
Document No. and date of conclusion	Product name	Quantity (volume) of goods, in tons	Delivery terms	Product price per unit of measurement	Transaction amount	Transaction currency	Quality Product Characteristics
1							

Number and date of registration of the over-the-counter transaction (to be filled out by Caspy Commodity Exchange JSC)

Signature / EDS

M.P. /EDS

Full name of the person who signed the Application

Full name and signature of the responsible employee (filled in by the Exchange)

on behalf of the seller/buyer (underline) if the form is provided by email

