



# CODE OF CONDUCT ETPA

DECEMBER 2021

KARINE KOSTER



## TABLE OF CONTENT

Why have a code of conduct?

To whom does the code of conduct apply?

Rules code of conduct

- Acting with integrity

- Transparency

- Confidentiality

- Conflicting interests

- Non-discrimination

- Business property

- Gifts

- Prevention of fraud

Compliance and monitoring code of conduct / measures

Reporting concern or violation of code of conduct

- Reporting to compliance officer

- Reporting unusual transactions (REMIT)



## WHY HAVE A CODE OF CONDUCT?

In 2015 ETPA began the exploitation of an energy trade platform. Over the years ETPA has grown; in volume, in participant numbers, in the number of products and in the number of employees.

For a well-functioning energy trade platform within a well-functioning energy market, it is vital that all participants and parties involved with this platform and with the energy market as a whole, are informed of the current rules and treat each other in a transparent, trustworthy, ethical and non-discriminatory manner, as such conduct prevents fraud. It is also important that it is known to everyone where concerns regarding the compliance with the rules or signs of violations of the rules can be reported.

For the participants using the ETPA energy trade platform the rules of conduct have been laid down in the Rulebook. The Rulebook can be found at the ETPA website and by signing the Participant Agreement a participant declares to comply with the rules of conduct as laid down in the Rulebook.

In light of ETPA's growth in the past and ETPA's expected expansion in the future this is the right moment to describe clearly, for ETPA's employees, directors and hired external workers what is expected of them regarding the compliance with the rules of conduct. This Code of conduct follows from this need.

In order to make clear what conduct may be expected of ETPA's employees, directors and external workers, this Code of conduct will be published at the ETPA<sup>1</sup> website. To ensure that everyone understands and adheres to the Code of conduct, it is published in both English and Dutch.

Amsterdam, September 30, 2024

-----  
D.A. Joosten,  
CFO, ETPA

---

<sup>1</sup> <https://www.google.com/search?client=safari&rls=en&q=ETPA&ie=UTF-8&oe=UTF-8.nl>



## TO WHOM DOES THE CODE OF CONDUCT APPLY?

The Code of conduct applies to all persons who perform work for ETPA Holding B.V., ETPA B.V and/or Stichting Beheer ETPA B.V. and for all future entities belonging to the group to which ETPA Holding B.V. belongs.

The Code of conduct therefore applies to directors and employees of ETPA, but also to external workers hired by ETPA.

De Code of conduct is an integral part of the Employment Agreement between ETPA and its employees and shall be declared applicable in the Contract for the provision of services that ETPA enters into with external workers. In the recruitment process of new employees and in the process of giving an assignment to external workers, new employees and external workers shall actively be advised of the existence and the content of the Code of conduct.

## RULES CODE OF CONDUCT

### 1. Acting with integrity

As a ground rule everyone works on the basis of integrity. This means that everyone respects and complies with not only the current legislation and regulations, but also the internal ETPA rules such as this Code of conduct. In addition, acting with integrity entails that we adhere to moral standards and values and that we are trustworthy and honest. The term acting with integrity is further specified for ETPA's activities under sections 2 through to 8 of this Code of conduct.

### 2. Transparency

We offer all parties concerned the information that they require for proper access to the energy trade platform and the information that they require to trade via the platform in a fair manner. We also ensure open access to all information that ETPA must disclose following legislation and regulations. ETPA publishes this information at its website. We prudently keep up with changes to legislation and regulations and ensure that the information remains correct, complete, and up to date.

Within ETPA we ensure that trade on the energy trade platform takes place transparently and fairly and we act against unusual transactions and unfair trade. By complying with the obligations ensuing from the REMIT regulation ETPA contributes to the integrity and transparency in the wholesale energy market. We monitor all transactions and report unusual transactions to the compliance officer without delay.



Employees and external workers who on account of their duties for ETPA are involved in the compliance with legal obligations (including REMIT obligations or other market monitoring regulations), compliance issues, data protection and identifying unusual transactions or unfair trade, ensure they have an adequate level of knowledge in these areas and ensure that this knowledge remains current and complete. ETPA supports this fully.

### 3. Confidentiality

Although ETPA strives for openness and transparency to the extent possible, we acknowledge that we also deal with confidential company and personal data. We treat all confidential information carefully and respectfully, adhere to applicable confidentiality agreements and to rules included in the employment contract or in the contract for the provision of services.

Confidential information, including that of the participants, is kept confidential. Such information is not shared with clients, suppliers, competitors, or other parties concerned, unless ETPA is obligated to do so following legislation and regulations. We also keep such information confidential within ETPA and do not share it with employees who do not require knowledge of this information on account of their position.

Confidential information is not used for personal gain or to the advantage of any other person or external party.

All necessary technical and organisational measures to guarantee the confidentiality and integrity of personal data and its processing, have been taken. Every employee and every external worker performing work for ETPA, is aware that personal data must be processed with due care.

### 4. Conflicting interests

The business and personal acts by employees, directors and external workers do not conflict with the interests of ETPA or of the participants. When an employee, director or external worker performing work for ETPA, or their close relatives, have an interest in company activities by other energy trade platforms, shareholders of ETPA or participants, this is reported to the compliance officer without delay.

Other paid activities by employees, directors and external workers that possibly touch on the interests of ETPA, its shareholders or participants, are reported to the compliance officer without delay.

### 5. Non-discrimination



Every entity that wishes to trade via the ETPA energy trade platform is led through the registration process in an equal manner. Every entity is subjected to a KYC process, a UBO sanction check in an equal manner and is expected to sign the same documentation. After acceptance every participant is equal from ETPA's point of view and can trade via ETPA's energy trade platform in an equal manner.

## 6. Company property

Employees and directors of ETPA have access to and use ETPA company property. Everyone shall use it in a proper manner and not use it for illegal purposes or in a manner that damages the interests of ETPA. Everyone is aware that this property belongs to ETPA and cannot be used for other purposes than the purposes and interests of ETPA.

## 7. Gifts

Receiving and offering gifts always contributes to the interests of ETPA. We ensure that gifts (including dinners) to representatives of authorities or business partners comply with the law and can in no way be construed as attempted influencing or as a bribe. It is general policy not to offer gifts that exceed a value of €75.-. In order to prevent any misunderstandings gifts that exceed a value of €75.- must be approved by the compliance officer in advance. The compliance officer determines whether offering this gift contributes to the interests of ETPA.

We only accept business gifts offered or products offered to a maximum value of €75.-. The acceptance of gifts of higher values must be approved by the compliance officer. The compliance officer determines whether receiving this gift contributes to the interests of ETPA.

### *Bribery*

Illegal payments, compensation, gifts, donations, or comparable benefits that are intended for the reception of unfair business advantages – or that may be construed as such – shall never be accepted / received or offered.



## 8. Prevention of fraud

The primary purpose of the rules as stated above is to advance the integrity and prevent fraud. The business processes within ETPA are designed in such a way that fraud by one person is prevented to the extent possible. If nevertheless there is a suspicion of fraud by employees, external workers, or participants of ETPA, this should be reported to the compliance officer without delay.

### COMPLIANCE AND MONITORING CODE OF CONDUCT / MEASURES

Every employee of ETPA and every external worker performing work for ETPA is, under all circumstances, personally responsible for complying with legislation and ETPA's policy and procedures, and for implementation of and compliance with this Code of conduct. The directors of ETPA are responsible for the implementation of necessary internal checks and for monitoring the compliance with laws, rules, and this Code of conduct.

### REPORTING CONCERN OR VIOLATION OF CODE OF CONDUCT

#### Reporting to compliance officer

All questions regarding the interpretation of or compliance with the Code of conduct may be put to ETPA's directors. A concern regarding the compliance with the Code of conduct or a violation of the Code of conduct can be reported to the immediate supervisor, or to the ETPA directors. If this is not desired, reports can be made to the compliance officer.

All reports shall be dealt with discretely and confidentially. The information received shall be treated with the utmost care, whereby the privacy of all parties concerned shall be ensured to the extent possible and all necessary legal and procedural precautionary measures shall be considered.

#### Reporting unusual transactions (REMIT)

Every unusual transaction on the energy trade platform is reported to the compliance officer without delay. The compliance officer shall investigate the transaction concerned. If and when there is a case of an unusual transaction, this shall be reported to ACER and ACM in accordance with the prescribed procedures.



Participants can also report an unusual transaction. There is a dedicated email address for this purpose: [STR@ETPA.nl](mailto:STR@ETPA.nl). Reports made here shall also be investigated by the compliance officer and if and when necessary be reported to ACER and ACM.