

## Climex Auction Participation Contract

- 1) Company Name of Participant:
- 2) Address:
- 3) Postal Code – City – Country:
- 4) Chamber of Commerce Registration Nr:
- 5) Registry Number of the Holding Account:
- 6) Country where Local Registry is situated:
- 7) VAT Number:
- 8) Name of Legal Representative:
- 9) Name Contact:
- 10) Position Contact:
- 11) Address Contact
- 12) Postal code – City – Country
- 13) Telephone Number Contact:
- 14) Fax Number Contact:
- 15) E-mail Address Contact:

The Participant wishes to use the Services of Climex, including access to the Climex Trading Platform, for the purposes of entering into the Carbon Emission Rights Auctions. The Participant requests the Services by means of this Climex Participation Contract. The Agreement between Climex and the Participant will be concluded as soon as Climex signs the two copies of this Climex Auction Participation Contract. Climex will send one of the signed copies of the Climex Auction Participation Contract to the Participant.

The fee charged for the Services to the Participant is a Use-Related Fee; this is a percentage or part of the purchase price per tonne Carbon Emission Rights traded, as set out in the Climex Auction Process and Procedures Document and as visible on the website. The Use-Related Fee is payable immediately after the 60 working days period exclusively assigned for negotiating the ERPA after the Auction. In case the ERPA cannot be signed due to cancellation or default of one of the Participants (Seller or Buyer) the Use-Related Fee will be waived (or credited) to the other party by Climex. All fees are excl. VAT.

The Participant declares that the following Authorised User(s) may perform Carbon Emission Rights Auctions on its behalf:

- 15) **Name of 1<sup>st</sup> Authorised User:**
- 16) Job title:
- 17) Passport Number:
- 18) Telephone Number:
- 19) Fax Number:
- 20) E-mail Address:
- 21) **Name of 2<sup>nd</sup> Authorised User:**
- 22) Job Title:
- 23) Passport Number:
- 24) Telephone Number:
- 25) Fax Number:
- 26) E-mail Address:

The Participant will provide Climex with the following information and documents, together with both copies of the signed Climex Auction Participation Contract:

- an official statement from the Local Registry stating that the Participant has a certain Holding Account and the details of the Holding Account (only for buyers); and
- an extract of the Register of the Chamber of Commerce or any similar authority regarding the Participant; and/or
- a duly signed confirmation document from a Notary, confirming the existence of the legal entity and its authorisation schedule; and
- Copies of the valid passports of the Legal Representative and the Authorised Users.

In addition to the above-mentioned documents, Climex is - at its sole discretion - entitled to request additional information from the Participant, in order to verify whether the Participant fulfils all requirements for access to the Climex Trading Platform or such information Climex reasonably deems to be fit.

The Climex Auction Documentation (the Climex Auction Rules and Regulations and the Auction Process and Procedures which are provided before each auction) are a part of this Climex Auction Participation Contract. The Participant acknowledges receipt of the documents and agrees with the terms and conditions. The capitalised expressions are defined in the Climex Auction Definitions.

All notices, messages or confirmations sent by the Participant to Climex or by Climex to the Participant must be sent to the above-mentioned address, fax number or e-mail address of the Participant's contact (if sent to the Participant) or to the address, fax number or e-mail address of Climex indicated below (if sent to Climex), and must be written in the English language (or any other language approved by Climex for communication between Climex and the Participant). Changes of address must be sent to the most recent known address.

Agreed and signed in duplicate, in \_\_\_\_\_ on \_\_\_\_\_ 2009.

\_\_\_\_\_  
Participant's signature  
Name of Legal Representative

\_\_\_\_\_  
Signature on behalf of Climex B.V.  
Name of Legal Representative

Mr. Drs. A. Posthumus

Date: \_\_\_\_\_ City: \_\_\_\_\_

Date: \_\_\_\_\_ City: \_\_\_\_\_

Climex contact information:  
P.O. Box 8213  
3503 RE Utrecht  
Tel. +31 (0)30 291 9940  
Fax +31 (0)30 291 9833  
E-mail address: csdesk@climex.com