

EFET Document Ratification System (“EDRS”)

Description of the EDRS Platform and its purpose

This document is not intended to be legally binding. EFET does not accept liability for any representations made within this document.

Purpose of the EFET Document Ratification System (“EDRS”) Platform

1. Currently, when EFET updates its documentation – for example, through the addition of a new or amended gas appendix – each market participant, which has contracted using the previous document version, is required to sign a “Change Letter” and send it to each of its counterparties. Each counterparty in turn will follow the same process. Only when both parties have sent and received signed Change Letters will the terms of the new version of the EFET document apply to future or existing (but not yet settled) trades.
2. The Change Letter approach is administratively cumbersome and inefficient and EFET would like to move towards a system which will provide market participants with an online-based solution which will enable parties to swiftly transition from one version of an EFET published document to another. It is expected the system will be used most often for amendments to gas appendices but where appropriate it could also be used to amend other EFET documents.
3. The Change Letter approach may still be used by parties who do not wish to use the EDRS Platform (as defined below).

Access/Registration to the EDRS Platform

4. In order to use this online filing process (the online platform of the EFET Document Ratification System, the “**EDRS Platform**”), contracting parties will be required to register for an EDRS account on EFET’s website at www.efet.org (the “**Website**”). It will not be necessary for the individual who registers for the account to be the person who is entitled to enter into legally binding commitments on his company’s behalf.
5. The application data submitted for an EDRS account shall be checked and approved (where appropriate) by EFET (as an offline process). Whilst no verification issues are envisaged as regards applications from current EFET Legal Committee Members for an EDRS account, it is likely that requests by unknown companies will undergo a more detailed verification process. Requesting parties will be given the option to add multiple users per company.

Use of the EDRS Platform

6. Once parties are assigned an account, the EDRS Platform will require the parties to log in to the Website, choose the relevant ratification, and print off a “Ratification Letter” for that specific ratification as generated by the EDRS Platform.
7. Once printed in hard copy, the Ratification Letter should be duly completed by hand (namely, the contact details for the purposes of the Ratification Letter and the relevant details of the authorised signatory) and signed by an authorised signatory.

8. Once signed, the Ratification Letter should be uploaded into a temporary folder within the EDRS Platform. Once uploaded, EFET will review and check the uploaded Ratification Letter for the following **only**: (i) all the required information has been completed; (ii) the uploaded document is readable, contains the full document (i.e. the PDF file is complete and there are no missing pages), and does not contain extraneous material; and (iii) the document is signed. This checking process can take up to 48 hours (excluding weekends and bank holidays). For the avoidance of doubt, parties should not make annotations or any other additions in manuscript to the Ratification Letter. Any such annotations or additions may result in EFET's non-acceptance of the Ratification Letter.
9. If there are no issues with the Ratification Letter following its upload into the temporary folder by the applicant, EFET will publish the Ratification Letter to the Website under "List of Ratifying Parties" in relation to the relevant EFET published document. EFET will also publish the name of the applicant in the "List of Ratifying Parties" and the date by which such publication was made. The applicant will receive an e-mail from EFET when this takes place. Ratification Letters will be available on the Website only to those who hold EDRS accounts and only for the purpose of the EDRS process.
10. If there is an issue with the Ratification Letter following its upload into the temporary folder by the applicant, EFET will contact the applicant and guide it through the steps to make corrections and successfully complete the process (the issue may be an incomplete form or similar). EFET will use all reasonable efforts to help the applicant in the completion of the EDRS process. EFET does not accept liability for any issues arising out of the EFET review stage.
11. It should be noted that once published on to the Website, the completed and signed Ratification Letter shall be deemed to have been accepted by EFET for the purpose of updating the relevant EFET documentation.
12. For the avoidance of doubt, electronic signatures shall not be accepted; the ratifying party should use handwritten signatures as the sole option in this regard. It should also be noted that each counterparty to which the Ratification Letter is addressed shall be solely responsible for verifying the authentication and validity of the signature(s) on the Ratification Letter.
13. EFET may at its sole discretion remove from the Website any published Ratification Letter(s) if there is reasonable evidence that a published Ratification Letter is the result of fraud or other criminal activity. It is not EFET's intention to remove Ratification Letter(s) once such Ratification Letter(s) have been checked by EFET and subsequently published, but it reserves its right to do so in cases of suspected or actual occasions of fraud or other criminal activity.
14. In the event that EFET removes any published Ratification Letter(s) from the Website, it will as soon as possible use all reasonable efforts to notify the relevant ratifying parties and take appropriate actions in conjunction with the relevant parties. The removal of a previously accepted Ratification Letter will not itself affect any **existing** bilateral agreement to amend an EFET agreement that is based on that Ratification Letter but will stop the Ratification Letter from forming the basis of a

new bilateral agreement to amend an EFET agreement i.e. it will be incapable of forming the basis of new ratifications.

Effect of publication on the EDRS Platform

15. Once the Ratification Letter is published by EFET onto its Website, the name of the ratifying party will be published on the EDRS Members' portion of the Website (and the date in which the Ratification Letter was published by EFET), indicating the execution of a Ratification Letter in relation to a newly released EFET document. It should be noted that once a Ratification Letter is published, parties shall **not** be able to make changes to it through the EDRS Platform, subject to paragraphs 13 and 14 above.
16. Each document eligible for ratification on the Website will be open for ratification on the publication date until (i) replaced, if applicable, by a new published version, effective as of the date of publication, or (ii) the official discontinuance of such document to be notified by EFET to all ratifying parties, with 45 days' prior written notice.
17. An EFET document eligible for ratification effectively entered into between parties who ratified such document before it was replaced by a new published version, officially discontinued or closed for ratification for another reason, as the case may be, shall remain effective between such parties. After the EFET document has been closed for ratification, EFET will maintain and publish to all Ratifying Parties the list of the parties who have ratified such ratification document.
18. EFET reserves its right to charge users of the EDRS Platform a fee for such use (this is not yet envisaged).