

Technical Rule no. 10 rev. 07 PCE

(under article 4 of the Rules Governing the Forward Account Registration Platform)

Title	Submission and return of guarantees
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Reference Legislation	Article 56, para. 56.1 c) and 56.2, Article 57, paras. 57.11 and 57.12, Rules Governing the Forward Account Registration Platform
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successfully verified by the Director of Markets of
Autorità di Regolamentazione per Energia, Reti e Ambiente
(Regulatory Authority for Energy, Networks and the Environment – ARERA)

Updated on....

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1. FOREWORD

Article 56, para. 56.1 c) of the Rules Governing the Forward Account Registration Platform (hereafter “PCE Rules”) provides that the PA Participant shall post guarantees exclusively in the form of a non-interest-bearing cash deposit to be transferred to the bank account held by GME at the treasury institute pursuant to Article 55 of the PCE Rules according to the terms and conditions provided for in the Technical Rules.

Article 56, para. 56.2 of the PCE Rules provides that, as an alternative to or in addition to the guarantees posted in the form of a bank guarantee, non-PA Participants may post guarantees in the form of a non-interest-bearing cash deposit to be transferred to the bank account held by GME at the treasury institute according to the procedures set forth in the Technical Rules.

Article 57, para. 57.11 of the PCE Rules provides that in case of positive verification of the request for return of the bank guarantee posted by the Participant, GME shall notify the Participant of the immediate validity of the modifications requested for the purposes of the adequacy verifications, and return the bank guarantee according to the terms and conditions set forth in the Technical Rules.

Article 57, para. 57.12 of the PCE Rules provides that in case of positive verification of the request for refund of the non-interest-bearing cash deposit, the decrease of the guaranteed amount will be immediately valid for the purposes of adequacy verifications, and GME shall refund the non-interest-bearing deposit according to the terms and conditions set forth in the Technical Rules. In the event of an increase in the deposit, the Participant shall transfer the related amount to the bank account held by GME at the treasury institute, according to the terms and conditions set forth in the Technical Rules.

2. SUBMISSION OF THE CASH DEPOSIT

The submission or the increase of the cash deposit must be made by the Participant, through SEPA Credit Transfer with Priority or equivalent procedures, from the bank account whose details have been previously notified to GME pursuant to Article 24, para. 24.1 of the PCE Rules, according to the terms and conditions identified in Technical Rule no. 6 PCE.

3. RETURN OF THE GUARANTEE

Pursuant to Article 57, paras. 57.11 and 57.12 of the PCE Rules, the Participant may at any time request:

- the return of the bank guarantees posted pursuant to Article 56, para. 56.1 a) and b) of the PCE Rules;
- the total or partial refund of the amount transferred pursuant to Article 56, para. 56.1 c) and para. 56.2 of the PCE Rules.

The acceptance of these requests is subject to GME's positive verification of the amounts for which the requesting Participant is exposed. If the verification is positive, the decrease of the guaranteed amount will be immediately valid for the purposes of the adequacy verifications and GME:

- in case of a bank guarantee, will instruct the treasury institute to return the guarantee to the address specified in the text of the bank guarantee or alternatively to the addresses indicated by the Participant in the repayment request;
- in case of a non-interest-bearing cash deposit, will refund the amount by crediting, via SEPA Urgent/Priority Credit Transfer, the amount to the bank account indicated by the Participant pursuant to Article 24, para. 24.1 of the PCE Rules in accordance with the procedures referred to in paragraph 2 above.