



EURONEXT NOTICE 2-01
Amended on 06 02 2009

Issue Date: 06 02 2009

Subject: registration of Authorised Representatives and Responsible Persons for Euronext Securities Markets

Department: Legal, Regulation, Compliance and European Affairs ("LRCEA") & Membership (Euronext Securities Markets)

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This Notice cancels and replaces EURONEXT's Instruction n° 2.01 relating to the procedure of registration of representatives of Members of the Euronext Securities Markets, published by notice n° 2003-3618 of November 3, 2003.

This Notice n°2.01, issued jointly by the Euronext Market Undertakings, specifies certain provisions in respect of:

- The procedure for registration of Authorised Representatives for Euronext Securities Markets pursuant to Rule 2401 (ix) of the Euronext Rule Book, Book 1.
- Responsible Person's registration for Euronext Securities Markets pursuant to Book I of the Euronext Rule Book, Rule 2202.

A) REGISTRATION OF AUTHORISED REPRESENTATIVES FOR EURONEXT SECURITIES MARKETS

I – GENERAL PRINCIPLES

Article 1

Only individuals may be appointed as Authorised Representative.

Article 2

An Authorised Representative shall have the following duties:

- Disseminate, within the Member and, if necessary, at their affiliates, all decisions and communications emitted by Euronext Markets Undertaking.
- Advise the Member on the application of the Euronext's Rules.
- Proceed to the recording and the follow-up both of the Responsible Persons and the Authorised Representative.

Article 3

The Authorised Representative's application file must include the following documents:

- copy of legally valid proof of identity;
- curriculum vitae;
- application form for the admission and registration of an Authorised Representative on the Euronext Securities Markets.

II – REGISTRATION

Article 4

Members must appoint at least one and no more than five Authorised Representative(s).

Article 5

Each Authorised Representative is recorded in the registers maintained by the Relevant Euronext Market Undertaking.

Such registration is communicated to the Member under whose authority or on whose behalf that person acts, by mail.

Pursuant to Rule 2401 (ix) of the Euronext Rule Book, Book 1, Members must notify the Relevant Euronext Market Undertaking of any changes to the details of the Authorised Representative(s) in

writing in a timely manner. The letter must be signed by at least one of the Authorised Representatives or a person that is authorised to represent the company by virtue of law, articles of association, rules or otherwise.

Article 6

All information concerning the persons mentioned in this Notice that is entered into the registers of the Relevant Euronext Market Undertaking is subject to the Directive 95/46/EC of the European Parliament and the Council of October 24, 1995 relating to the protection of individuals with regard to the processing of personal data and on the free movement of such data.

III – SUSPENSION AND RESIGNATION/ TERMINATION

Article 7

If the Authorised Representative no longer exercises his/her function in a temporary, uncertain or definitive capacity, the Member must immediately notify the Relevant Euronext Market Undertaking.

Such notification suspends the registration of the Authorised Representative until that person effectively resumes the prescribed function. In case of suspension, the Member must make sure it remains in compliance with the requirements mentioned in Article 4 of this Notice.

Article 8

The Relevant Euronext Market Undertaking may, at any time, de-register an Authorised Representative who:

- no longer complies with the conditions required for this prescribed function, or
- no longer is considered as fit and proper.

In this case, the Member must make sure it remains in compliance with the requirements mentioned in Article 4 of this Notice.

Article 9

Resignation/Termination of activity by a Member results in the automatic de-registration of the corresponding Authorised Representative(s) with the Relevant Euronext Markets Undertaking.

Article 10

The appointment of an Authorised Representative is realised under the full responsibility of the relevant Member.

The Member is fully responsible for the acts and omissions of its Authorised Representatives.

IV – AUDITS

Article 11

In the framework of on-site audits, the Relevant Euronext Market Undertaking or its duly appointed agents verifies, *inter alia*, that the person performing the functions described in Article 2 of this Notice holds the registration as Authorised Representative.

Article 12

A Member cannot disavow the actions of its agent or employee on the grounds that such a person was not registered to perform them.

B) RESPONSIBLE PERSON REGISTRATION FOR EURONEXT SECURITIES MARKETS

I – GENERAL PRINCIPLES

Article 13

Only individuals may be appointed as Responsible Person.

Article 14

The Relevant Euronext Market Undertaking will direct all queries in relation to business submitted under his responsibility to the Responsible Person. In this respect, a Responsible Person shall have the following duties:

- Have the authority to adjust or withdraw any orders submitted under his responsibility.
- Assure himself of the competence and suitability of any person conducting business under his responsibility.
- Ensure, as far as possible, that all business conducted by the member is conducted in accordance with the Rules and Trading Manual.
- Should be able to ascertain and be willing to disclose to the Relevant Euronext Market Undertaking the immediate source of all orders.
- Ensure that at least one of the Member's Responsible Persons is contactable during NYSE Euronext European market hours.

For the Euronext Securities Markets, the Responsible Person is required to:

- Oversee the trading activities of any person conducting business under his responsibility.

Article 15

The Responsible Person's application file for Euronext Securities Markets must include the following documents:

- copy of a legally valid proof of identity*;
- curriculum vitae*;
- application form signed by the applicant and countersigned by the Authorised Representative.

The Authorised Representative shall send the completed application file to the Relevant Euronext Market Undertaking.

* Not required when applicant is already registered as a Responsible Person on a Euronext Derivatives Market for the same Member.

II – REGISTRATION

Article 16

Members must appoint at least two Responsible Persons. Members may appoint only one Responsible Person if that can be considered sufficient for the scale and nature of business being conducted

All Members must appoint an additional Responsible Person for each Affiliate to which it has granted direct access to the Euronext Markets. Pursuant to Rule 3.3 of the Euronext Rule Book, Book 1, Members may apply for direct market access for their affiliates. Direct market access for affiliates requires a separate application by the Member to the Relevant Euronext Market Undertaking.

Pursuant to Rule 2401 (ix) of the Euronext Rule Book, Book 1, Members must notify the Relevant Euronext Market Undertaking of any changes to the details of the Responsible Person(s) in writing in a timely manner. The letter must be signed by at least one of the Authorised Representatives.

Article 17

Each Responsible Person's registration is recorded in the registers maintained by the Relevant Euronext Market Undertaking.

Such registration is communicated to the Member under whose authority or on whose behalf the person acts in writing.

Article 18

All information concerning the persons mentioned in this Notice that is entered into the registers of the Relevant Euronext Market Undertaking is subject to the Directive 95/46/EC of the European Parliament and of the Council of October 24, 1995 relating to the protection of individuals with regard to the processing of personal data and on the free movement of such data.

III – SUSPENSION AND RESIGNATION/TERMINATION

Article 19

If the holder of the Responsible Person's registration will temporarily cease to perform that function for more than six months or for a period of unspecified duration, the Member who requested the registration must immediately notify the Relevant Euronext Market Undertaking.

Such notification suspends the validity of the Responsible Person registration, under the condition that the holder resumes the functions within one year of such notification.

A registration suspended for more than one year is deemed revoked.

The Responsible Person who is on leave or is absent due to illness or accident for less than one year retains the registration throughout the period of absence.

Article 20

The Member notifies to the Relevant Euronext Market Undertaking, when an individual has ceased to perform the function on its behalf or under its authority. Such notification revokes the validity of the registration.

Article 21

The Relevant Euronext Market Undertaking can suspend or revoke the registration in the following circumstances:

- written request of the Member;
- on request of the relevant Competent Authority(ies) under the National Regulations.
- The registration of a Responsible Person will be revoked when the individual is registered as Responsible Person for another Member, unless this is expressly agreed otherwise with the Relevant Euronext Market Undertaking.

The Relevant Euronext Market Undertaking may, at any time, suspend the registration of the Responsible Person for a period not exceeding six months.

In case of suspension or revocation, the Member must make sure it remains in compliance with the requirements mentioned in article 16 of this Notice.

Article 22

As a consequence of the resignation/termination of the Euronext Membership, the corresponding registration, granted to an individual person registered to the Member, will be automatically revoked by the Relevant Euronext Markets Undertaking.

Article 23

The Relevant Euronext Market Undertaking notifies to the Member the suspension or the resignation/termination of the registration, by mail. Upon receiving such notification, the registered Responsible Person may not perform the corresponding functions for the Member.

The suspension or the resignation/termination is recorded in the registers maintained by the Relevant Euronext Market Undertaking.

IV – AUDITS

Article 24

In the framework of on-site audits, the Relevant Euronext Market Undertaking or its duly appointed agents verifies, *inter alia*, that the person performing the functions described in Article 13 of this Notice is duly recorded.

Article 25

A Member cannot disavow the actions of its agent or employee on the grounds that such a person was not registered to perform them.

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