

## APPLICATION TO BECOME A PARTICIPANT OF THE DEPOSITORY

Please read the guidance notes that accompany this form before completing it.

### 1. APPLICANT DATA

<b>1. Name of the applicant: (“Applicant”)</b>			<b>2. Registration State:</b>	
<b>3. Registration number</b>	<b>4. SWIFT/BIC code</b>	<b>5. LEI<sup>1</sup> (if any)</b>		<b>5. GIIN<sup>2</sup> (if any)</b>
<b>6. Legal address</b>				<b>7. VAT number</b>
<b>8. Contact person’s name</b>			<b>9. Contact person’s position/title</b>	
<b>10. Telephone:</b>		<b>11. E-mail:</b>		

### 2. REGULATION AND COMPLIANCE

Please tick the box regarding your regulatory status.

<p><b>2.1 credit institution:</b></p> <p>(a) organised and licensed under the laws of an EU/EEA Member State, or</p> <p>(b) licensed to conduct investment business in a non-EU/EEA state and subject to satisfactory supervision equivalent to Directive 2006/48/EC<sup>3</sup> and authorised to provide credit institution’s services in Estonia, Latvia or Lithuania and provides custody services in Estonia, Latvia or Lithuania.</p> <hr style="border: 0.5px solid black;"/> <p style="text-align: center;">Please specify State of license/authorisation:</p>
<p><b>2.2 investment firm:</b></p> <p>(a) organised and licensed under the laws of an EU/EEA Member State, or</p> <p>(b) licensed to conduct investment business in a non-EU/EEA state and subject to satisfactory supervision equivalent to Directive 2006/48/EC<sup>4</sup> and authorised to provide credit institution’s services in Estonia, Latvia or Lithuania and provides custody services in Estonia, Latvia or Lithuania.</p> <hr style="border: 0.5px solid black;"/> <p style="text-align: center;">Please specify State of license/authorisation:</p>

<sup>1</sup> Legal Entity Identifier.

<sup>2</sup> Global Intermediary Identification Number.

<sup>3</sup> Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast).

<sup>4</sup> Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast).

<p><b>2.3 fund management company</b>, including investment (fund) management company authorised under Directive 2009/65/EC<sup>5</sup> or external alternative investment fund manager authorised under Directive 2011/61/EU;<sup>6</sup>;</p> <hr/> <p>Please specify State of license/authorisation:</p>
<p><b>2.4 central securities depository:</b></p> <p>(a) registered and licensed in an EU/EEA Member State, or</p> <p>(b) registered and licensed in a non-EU/EEA state and subject to a legal and supervisory framework effectively equivalent to Regulation 909/2014.<sup>7</sup></p> <hr/> <p>Please specify State of license/authorisation:</p>
<p><b>2.5 central clearing counterparty</b> authorised under Regulation 648/2012.<sup>8</sup></p> <hr/> <p>Please specify State of license/authorisation:</p>
<p><b>2.6 national central bank</b> participating in TARGET2.</p>
<p><b>2.7</b> EU/EEA Member State or its local municipality, government agency or any other public law legal person exercising authority within administrative territorial unit or foundation established by the state, state authority or entity the obligations of which are guaranteed by the state.</p>

<sup>5</sup> Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (recast).

<sup>6</sup> Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010.

<sup>7</sup> Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012.

<sup>8</sup> Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories.

### 3. PARTICIPANT STATUS

3.1. Please tick the box with one or more Participant statuses in one or more Securities Settlement Systems (“SSS”) to which you are applying. In case you are applying for the status of Account Operator in more than one SSS, please tick the box with your Default SSS that will be used for the purposes of holding securities registered with a Foreign CSD as Issuer CSD via a CSD link arrangement, unless specified otherwise in the application for the opening of Operational Account (see Section 6.19.5 of Chapter I of the Rules).

3.1.1. Account Operator: SSS Default SSS

- (a) Estonian Securities Settlement System
- (b) Latvian Securities Settlement System
- (c) Lithuanian Securities Settlement System

3.1.2. Cash Agent:

- (a) Estonian Securities Settlement System
- (b) Latvian Securities Settlement System
- (c) Lithuanian Securities Settlement System

3.1.3. Issuer Agent:

- (a) Estonian Securities Settlement System
- (b) Latvian Securities Settlement System
- (c) Lithuanian Securities Settlement System

3.1.4. Fund Administrator:

- (a) Estonian Securities Settlement System
- (b) Latvian Securities Settlement System
- (c) Lithuanian Securities Settlement System

3.1.5. Foreign CSD as Investor CSD

- (a) Estonian Securities Settlement System
- (b) Latvian Securities Settlement System
- (c) Lithuanian Securities Settlement System

3.2. *Please tick the box indicating your status for connectivity to TARGET2-Securities for securities (see Section 6.2 of Chapter I of the Rules).*

3.2.1. Indirectly Connected Party

3.2.2. Directly Connected Party

#### 4. OTHER INFORMATION

[Please use the space below to provide any other additional information you consider relevant for assessing this application.]

#### 5. TERMS OF APPLICATION

- 5.1. Capitalised terms in the application have the meaning ascribed to them in Annex I to Chapter I of the Rules (Definitions).
- 5.2. By signing this application, the Applicant applies to Nasdaq CSD SE (“**Depository**”) in order to become a Participant in one or more SSSs in one or more Participant statuses indicated in Section 3 above.
- 5.3. The Applicant confirms that:
- (a) where it is providing or intending to provide custody services in the country whose law applies to the SSS in which it seeks the right of participation, it is entitled to provide such services under the law applicable to the SSS;
  - (b) it has reviewed and understood the Nasdaq CSD Rules and documents adopted on the basis thereof (including but not limited to the Price List) or incorporated therein by reference;
  - (c) it complies with the admission requirements set out in Section 3 of the Nasdaq CSD Rules and agrees, if the Applicant is granted a participation right, to continuously comply with the admission requirements; and
  - (d) the information provided herein and documents appended hereto are true and correct.
- 5.4. The list of documents that the Applicant has to append hereto is set out in Schedule 1 (Supporting Documents) hereto. The Applicant acknowledges that the Depository has a right to request additional information and documents to assess the compliance of the Applicant with the admission requirements set out in the Rules and applicable law.
- 5.5. The Applicant authorises the contact person indicated in Section 1 to represent him in any matter concerning entering into a Participation Agreement with the Depository or withdrawal of this application. The details of other contact persons are set out in Schedule 2 (senior management and other contact persons) appended hereto.
- 5.6. The Applicant undertakes to immediately notify the Depository of any changes in the information provided in this application or documents appended hereto which occur after the date of this Application. Prior to receiving such notification, the Depository is entitled to rely on the correctness of the information provided by the Applicant earlier.

Country	[date]
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**Applicant:**

FIRST AND LAST NAME	(position)	(signature)
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## **SCHEDULE 1 – SUPPORTING DOCUMENTS**

The Applicant which is a participant to AS Eesti Väärtpaberikeskus, AS "Latvijas Centrālais depozitārijs" or Lietuvos centrinis vertybinių popierių depozitoriumas (“**Baltic CSDs**”) has to provide documents set out in this Schedule to the Depository if and to the extent such documents are not already in the possession of the Depository. In such case the Applicant has to indicate in the cover letter the name and the date of the document, and indicate the Baltic CSD to which the respective document has been already submitted.

### **1. ALL APPLICANTS**

The Applicant needs to append the following documents to the application (**General Documents**):

- 1.1. a copy of its registration certificate or an equivalent document;
- 1.2. a copy of its articles of association or an equivalent document;
- 1.3. a copy of a document evidencing the authority of the signatory to represent the applicant unless the authority is evidenced by records of an official public register in Estonia, Latvia or Lithuania;
- 1.4. specimen of the signatures of persons authorized to represent the Applicant in the form established by the Depository, except where the Applicant intends to sign any written document only with an electronic signature that has equivalent legal effect of a handwritten signature;
- 1.5. Participation Agreement in the form approved by the Depository signed by the Applicant in 2 original copies;
- 1.6. document(s) evidencing the agreement between the Applicant and Cash Agent regarding provision of cash agent services unless the Applicant intends to act as Cash Agent himself;
- 1.7. tax residency entity self-certification in form established by the Depository.

### **2. ACCOUNT OPERATOR**

In addition to General Documents, the Applicants, if applying for the status of the Account Operator, needs to append the following documents:

- 2.1. a copy of the document which evidences the right to provide investment and custody services in Latvia or/and Lithuania if the applicant applies for the participation in Latvian Settlement System or/and Lithuanian Settlement System. The Applicants applying for the status of Account Operator in Estonian Settlement System is not required to provide such document;

### **3. ISSUER AGENT**

In addition to General Documents and the documents set out in Section 2, the Applicant, if applying for the status of the Issuer Agent, needs to append the following documents:

- 3.1. Copy of the agreement with the Issuer or other written evidence regarding engagement of Issuer Agent by the Issuer

### **4. FUND ADMINISTRATOR**

In addition to General Documents and the documents set out in Section 2, the Applicant, if applying for the status of the Fund Administrator, needs to append the following documents:

- 4.1. Copy of the agreement with the fund manager or other written evidence regarding engagement of the Fund Administrator by the fund manager.

### **5. FOREIGN CSD**

In addition to General Documents, the Applicant, if applying for the status of the Foreign CSD, needs to append the following documents:

- 5.1. Documentation specified in the course of negotiations that are reasonably necessary to perform checks and controls required under the applicable law(s).

**SCHEDULE 2 – SENIOR MANAGEMENT AND OTHER CONTACT PERSONS**

<b>Title</b>	<b>Name</b>	<b>Telephone number</b>	<b>E-mail address</b>
<b>Management board</b>			
<b>Contact person responsible for compliance</b>			
<b>Contact person responsible for clearing and settlement</b>			
<b>Contact person responsible for IT operations</b>			
<b>Contact person responsible for invoicing</b>			