



**EURONEXT NOTICE 2-01  
Amended on 04 August 2014**

**Registration of Authorised Representatives and Responsible  
Persons**

**Department: Group Regulation  
Issue Date: 04 August 2014  
Effective Date: 11 August 2014**

This Notice cancels and replaces Euronext Notice 2-01 issued on 9 August 2010..

This Notice 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 and/or Derivatives Markets pursuant to Rule 2401 (ix) of the Euronext Rule Book, Book 1; and
- the procedure for registration of **Responsible Persons** for Euronext Securities and/or Derivatives Markets pursuant to Book I of the Euronext Rule Book, Rule 2202.

Terms beginning with a capital letter used in this Notice have the same meaning as defined in Book I, Chapter 1 of the Euronext Rule Book.

## A - RESPONSIBLE PERSON

### I – General Principles

#### **Article 1**

Only individuals may be appointed as Responsible Persons.

#### **Article 2**

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 on the Euronext Securities Markets, and under his Individual Trading Mnemonic(s)/ITM on the Euronext Derivatives Markets;
- ➔ Assure himself of the competence and suitability of any person conducting business under his responsibility on the Euronext Securities Markets and under his ITM(s) on the Euronext Derivatives Markets, if applicable;
- ➔ Ensure, as far as possible, that all business conducted by the member, under his responsibility on the Euronext Securities Markets and his ITM(s) on the Euronext Derivatives Markets, is conducted in accordance with the Rules and Trading Manual/Trading Procedures;
- ➔ Be able to ascertain and be willing to disclose to the Relevant Euronext Market Undertaking the immediate source of all orders; and
- ➔ Ensure that at least one of the Member's Responsible Persons is contactable during Euronext market hours and while his ITM is/are in use.

#### **Article 3**

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

- ➔ copy of a legally valid proof of identity; and
- ➔ application form signed by the applicant and countersigned by 2 Authorised Representatives.

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

## II – Registration

### **Article 4**

For the Euronext Securities Markets, 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, and therefore include his/her mobile phone number to be contactable and is not registered also as an Authorised Representative.

For the Euronext Derivatives Markets, a Responsible Person must be assigned to at least one ITM and a valid password for each.

When a responsible person is absent, and therefore not contactable, yet his ITM(s) is/are to continue to be used, the Member must nominate to the Relevant Euronext Market Undertaking a replacement Responsible Person to fulfil his role in respect of the relevant ITM(s).

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 5**

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. Direct market access for Affiliates requires a separate application by the Member to the Relevant Euronext Market Undertaking.

### **Article 6**

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, by email.

## III – London Market

### **Article 7**

Members will be aware that a Responsible Person is a "relevant person" for the purposes of the Euronext London Rules and is therefore held directly responsible for all trading that he conducts himself and is open to disciplinary action and sanction in the event that he violates the Rules and/or the Trading Manual in respect of Euronext London.

The Responsible Person is not, however, held automatically responsible for misconduct that has been perpetrated by individuals operating under his general authority. Specifically, a Responsible Person would only be held responsible for misconduct perpetrated by others where it is found that the Responsible Person has participated in the misconduct himself or has failed to take reasonable steps to have prevented such misconduct.

## **B - AUTHORISED REPRESENTATIVE**

### I – General Principles

#### **Article 8**

Only individuals may be appointed as Authorised Representatives.

The appointment of this key contact is carried out under the full responsibility of the relevant Member.

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

#### **Article 9**

An Authorised Representative shall have the following duties:

- ➔ Be the main contact for Euronext's Member Compliance team;
- ➔ Disseminate, within the Member and, if necessary, at their affiliates, all decisions and communications published by a Euronext Market Undertaking;
- ➔ Advise the Member on the application of the Euronext Rules; and
- ➔ Register the Responsible Persons and contact the Euronext Market Undertaking as soon as a change has to be made to the details.

#### **Article 10**

The Authorised Representative's application file for Euronext Securities and Derivatives markets must include the following documents:

- ➔ A copy of legally valid proof of identity; and
- ➔ The application form signed by the applicant and counter-signed by 2 Authorised Signatories, identified by Virtue of Law.

### II – Registration

#### **Article 11**

Members must normally appoint at least one but no more than five Authorised Representative(s) who have to be different from the Responsible Persons. However, with the prior approval of Euronext, Members may appoint the same person as AR and RP if that can be considered sufficient for the scale of the company.

## **Article 12**

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 e-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.

## **C - KEY CONTACTS: RESIGNATION or TERMINATION**

### **Article 13**

If the Responsible Person or the Authorised Representative no longer exercises his/her duties in a temporary, uncertain or definitive capacity, the Member who requested the registration must immediately notify the Relevant Euronext Market Undertaking.

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.

If there is only one Responsible Person or Authorised Representative, another key contact has to be identified.

In case of termination, the Member must make sure it remains in compliance with the requirements mentioned in Articles 4 and 11 of this Notice.

### **Article 14**

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

### **Article 15**

The Relevant Euronext Market Undertaking can revoke the registration of a Responsible Person (RP) or an Authorised Representative (AR) in the following circumstances:

- ➔ written request of the Member;
- ➔ on request of the relevant competent authority(ies) under the National Regulations;
- ➔ when he no longer complies with the conditions required for those prescribed duties;
- ➔ when he no longer is considered as fit and proper; or

- when the individual is Responsible Person (RP) or Authorised Representative for another Member, unless this is expressly agreed otherwise with the Relevant Euronext Market Undertaking.

In those cases, the Member must make sure it remains in compliance with the requirements specified in articles 4 and 11 of this Notice.

#### **Article 16**

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

#### **Article 17**

The Relevant Euronext Market Undertaking will notify to the Member the resignation/termination of the registration, by e-mail. Upon receiving such notification, the registered RP or AR may not perform the corresponding duties for the Member.

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

### **D - AUDITS**

#### **Article 18**

In the framework of on-site audits, the Relevant Euronext Market Undertaking or its duly appointed agents may verify, inter alia, that the persons performing the duties described in Articles 2 and 9 of this Notice is duly recorded.

#### **Article 19**

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

### **E – DATA PROTECTION**

#### **Article 20**

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.