APPROVED

Minutes of the Board Meeting

of JSC ‘Belarusian Universal

Commodity Exchange’

08.08.2024 No. 175

(as amended by Minutes of the Board Meeting of JSC ‘Belarusian Universal Commodity Exchange’ No. 194 dated 28.08.2024, No. 218 dated 20.09.2024)

REGULATIONS

on Exchange Auctions for
Export Dairy Products with an Option to Execute Non-Anonymous Exchange Transactions
 in the Agricultural Products Section of JSC ‘Belarusian Universal Commodity Exchange’

1. These Regulations on Exchange Auctions for Export Dairy Products with an Option to Execute Non-Anonymous Exchange Transactions in the Agricultural Products Section of JSC ‘Belarusian Universal Commodity Exchange’ (the ‘Exchange’) provide the rules governing exchange auctions for the following export products:

milk and cream, condensed or with addition of sugar or other sweetening agents, in powder, granules, or other solid forms, with fat content of not more than 1.5%wt, in primary packages with a net weight of more than 2.5 kg (HS Code 0402 10);

milk and cream, condensed, in powder, granules, or other solid forms, with fat content of more than 1.5%wt, without addition of sugar or other sweetening agents, in primary packages with a net weight of more than 2.5 kg (HS code 0402 21);

butter in primary packages with a net weight of more than 1 kg (HS code 0405 10);

butter with fat content of more than 72% but less than 80% in primary packages with a net weight of more than 1 kg (HS code 0405 20).

For the purposes of these Regulations, exchange commodities listed in the first part of this paragraph are defined as basic exchange commodities.

2. These Regulations use terms and their definitions set out in the Law of the Republic of Belarus ‘On Commodity Exchanges’, Model Rules of the Exchange Trade at the Commodity Exchanges approved by Resolution of the Council of Ministers of the Republic of Belarus dated August 6, 2009, No. 1039 ‘On Certain Measures for the Implementation of the Law of the Republic of Belarus ‘On Commodity Exchanges’, Rules of Exchange Trade at JSC ‘Belarusian Universal Commodity Exchange’ approved by Resolution of the Board of JSC ‘Belarusian Universal Commodity Exchange’ dated November 22, 2005, No. 3, and Regulations of the Exchange Auctions for Agricultural Products Section of JSC ‘Belarusian Universal Commodity Exchange’ approved by Resolution of the Board of JSC ‘Belarusian Universal Commodity Exchange’ dated December 30, 2005, No. 8 (‘Regulations No. 8’), and these Regulations.

Current trading session – trading session which is determined by the period during which exchange transactions are executed, and consists of the main trading period of the current trading session and the period of execution of non-anonymous exchange transactions.

Main trading period of the current trading session (‘main trading period’) – trading period which consists of the pre-trading period, the trading period, the sellers' offers adjustment period, and the trading and results registration period.

Regulations No. 8 should be used for guidance on all matters not expressly covered by these Regulations.

3. Exchange trading participants may execute non-anonymous exchange transactions in the course of the current trading session upon completion of the main trading period of the current trading session.

The schedule of exchange auctions for commodities eligible for submission of non-anonymous sell offers and execution of non-anonymous exchange transactions is published on the official website of the Exchange on the Internet global computer network at [www.butb.by](http://www.butb.by).

4. Exchange auctions participants may execute non-anonymous exchange transactions where the subject of the transaction is a basic exchange commodity. It is permitted to combine, in a mixed lot, basic exchange commodities with other dairy products admitted to exchange auctions conducted in the Agricultural Products Section.

5. The basic exchange commodities volume that a specific seller intends to sell in an exchange auction is offered by the seller during the main trading period in the form of lots where commodities are combined by product type, grade (as defined by the existing technical regulations of the Republic of Belarus on technical norm-setting and standardisation), price, and delivery terms (country of destination).

The volume of basic exchange commodities available for execution of non-anonymous exchange transactions is determined with respect to each seller and each basic commodity subject to delivery terms and other lot parameters (as necessary), and may not exceed the threefold volume of basic commodities that was offered for sale by such seller during the main trading period of the current trading session.[[1]](#footnote-1) The offering of that volume by the seller signifies the seller's consent to execution of non-anonymous exchange transactions on the same terms as those quoted during the main trading period.

6. Based on the submitted non-anonymous sell offers of export commodities (each, a ‘non-anonymous sell offer’), exchange auctions participants may execute non-anonymous exchange transactions at the price determined in accordance with the following procedure[[2]](#footnote-2):

6.1. for basic exchange commodities:

at the price not lower than the exchange quotation[[3]](#footnote-3) determined with respect to basic exchange commodities by the end of the auction held during the main trading period of the current trading session. The exchange quotation is determined subject to the country of destination, delivery basis (including the point of destination (where necessary)), payment terms, and delivery periods of up to 3 months (inclusively);

at the price not lower than the price quoted during the main trading period (with a breakdown by lots) determined subject to the legislation in effect on the date of execution of the non-anonymous exchange transaction, if no exchange quotations are available for basic exchange commodities;

6.2. for other dairy products admitted to trading in the Agricultural Products Section, at the price not lower than the lowest of the prices quoted by a specific seller during the main trading period for specific dairy products, subject to the legislation in effect on that date.

7. Information on exchange quotations determined upon completion of the main trading period is published on the website of the Exchange on the Internet global computer network at [www.butb.by](http://www.butb.by) at or before 09:30 a.m. of the business day following the day of completion of the main trading period of the current trading session.

*(Paragraph 7 as amended by the Minutes of the Board Meeting dated 20.09.2024 No. 218.)*

8. The non-anonymous sell offer may be submitted by the seller upon completion of the main trading period of the current trading session after publication on the website of the Exchange on the Internet global computer network at [www.butb.by](http://www.butb.by) of the exchange quotation determined upon completion of the main trading period, in accordance with the procedure stipulated by these Regulations, until 04:00 p.m. of the business day preceding the day on which the next exchange auction for the relevant export commodity is to be held in accordance with the schedule of exchange auctions.

*(Paragraph 7 as amended by the Minutes of the Board Meeting dated 20.09.2024 No. 218.)*

9. The parties of each non-anonymous exchange transaction are accredited exchange trading participants.

10. The non-anonymous sell offer may be submitted by a seller participating in the main trading period of the current trading session.

The terms of the non-anonymous sell offer are determined by the seller subject to the terms quoted by it with respect to a specific exchange commodity during the main trading period of the current trading session, unless otherwise provided in these Regulations.

If a non-anonymous sell offer being submitted envisages the sale of the commodities to entities comprising commodity distribution networks, it is permitted to adjust payment periods, delivery periods, and payment terms quoted during the main trading period. For other non-anonymous sell offer being submitted, it is permitted to adjust payment and delivery periods quoted during the main trading period.

Non-anonymous sell offers with electronic digital signature are submitted by the seller who inputs the data comprising such non-anonymous sell offers in the screen form of the web application used for registration of off-exchange transactions which can be accessed through the website of the Exchange on the Internet global computer network at [www.butb.by](http://www.butb.by) (the ‘information system’). The seller inputs ‘Non-anonymous exchange transaction’ in the ‘Grounds’ field.

11. The grounds for refusal of the Exchange to accept a non-anonymous sell offer are:

absence of accreditation of the buyer specified in the non-anonymous sell offer in the capacity of the exchange auctions visitor and/or the exchange broker;

denial (withdrawal) of access to exchange auctions previously granted to the seller and/or the buyer specified in the non-anonymous sell offer;

violation of the procedure and time frame for the submission of non-anonymous sell offers as stipulated by paragraphs 4–10 of these Regulations.

12. If the Exchange has no grounds to refuse acceptance of the non-anonymous sell offer, the Exchange uses the information system to dispatch to the seller a request for the submission of the exchange contract formalising the terms and conditions of the non-anonymous sell offer.

Upon receipt from the Exchange of the request mentioned in the first part of this subparagraph of request, the seller submits through the information system the exchange contract formalising the terms of the non-anonymous sell offer by 09:00 a.m. on the business day on which the next exchange auction for the relevant export dairy product is to be held in accordance with the schedule of exchange auctions (but not later than by 01:00 p.m. on Monday, if the main trading period was held on Friday).

The exchange contract is made by and between the seller and the buyer specified in the non-anonymous sell offer by drawing a single text document, or by exchanging text documents signed by the parties to the exchange contract by affixing handwritten signatures or by using communication devices or other technical equipment (exchange of signed scanned copies between the parties to the exchange contract).

13. The submitted exchange contract should meet the following conditions:

there is no violation of the procedure and time frame for the submission of the exchange contract, as stipulated by paragraph 12 of these Regulations;

the terms of the exchange contract are not in conflict with the terms of the non-anonymous exchange transaction, as stipulated by these Regulations;

the exchange contract is signed by authorised persons (for exchange auctions visitors, by the trader of the exchange trading participant or by the manager).

14. If the exchange contract meets the conditions stipulated by paragraph 13 of these Regulations, the Exchange registers non-anonymous exchange transactions formalised by the exchange contract in the information system. The non-anonymous exchange transaction is deemed to have been completed, and comes into force, as of the time of its registration by the Exchange. It is possible to retrieve from the information system a receipt in the form of an electronic document which contains information on the registered non-anonymous exchange transaction.

In the event of execution of a non-anonymous exchange transaction for the export of dairy products (EAEU HS Codes: 0401, 0402, 0403, 0404, 0405, 0406, 3501 10, 1806 90, 1901 90, 2105 00), primary accounting records (registers of transactions of exchange trading participants) confirming provision of the relevant services by the Exchange are drawn individually by each of the Parties (Exchange, exchange auctions visitors (buyer and seller)). In such case, the Exchange e-mails to each exchange auctions visitor the register of transactions of the exchange trading participant individually signed by the Exchange, whereupon such exchange auctions visitor may, based on that register, individually draw the relevant primary accounting record.

15. If the exchange contract fails to meet the conditions stipulated by paragraph 13 of these Regulations, the Exchange refuses to register the non-anonymous exchange transaction formalised by such exchange contract, specifying the reason for such refusal.

16. Provisions of paragraph 4 of Regulations No. 8 do not apply to formalisation and registration of non-anonymous exchange transactions.

1. If a mixed lot combining assorted basic commodities is offered for sale during the main trading period, and the seller subsequently submits a non-anonymous sell offer where the seller adjusts the volume of one of the basic commodities comprising such mixed lot, the volume of the other basic commodity in such mixed lot is adjusted proportionally (in proportion identical to the original proportion of such lot).

If a mixed lot combining a basic commodity with another dairy product admitted for trading in the Agricultural Products Section is offered for sale during the main trading period, and the seller subsequently submits a non-anonymous sell offer where the seller adjusts the volume of the basic commodity, then:

if the volume of the basic commodity is decreased, the volume of other dairy products in such lot can be preserved or decreased to a level not lower than that proportionally identical to the original proportion of such lot;

if the volume of the basic commodity is increased, the volume of other dairy products in such lot must be preserved or increased to any level regardless of the original proportion of such lot. [↑](#footnote-ref-1)
2. In the course of execution of a non-anonymous exchange transaction, its participants ensure that the price of such non-anonymous exchange transaction determined in accordance with the procedure stipulated by paragraph 6 of these Regulations complies with the applicable pricing legislation, and are liable for any violation of the requirements stipulated by such legislation. If during the period after the execution of a non-anonymous exchange transaction, but before expiry of such exchange transaction (contract), a legislative act is adopted that sets rules that are binding for the parties but differ from those that were in effect at the time of execution of the contract, the terms of the executed non-anonymous exchange transaction (contract) must be brought into conformity with such new legislative act, except where otherwise stipulated by such legislative act. [↑](#footnote-ref-2)
3. Each exchange quotation is published by the Exchange in the form of minimum and average-weighted price for each commodity item. When executing non-anonymous exchange transactions, exchange trading participants use a price which is not lower than the minimum price for each commodity item on the relevant terms published in the exchange quotation. [↑](#footnote-ref-3)