

Terms and Conditions of Service Agreement /procedural regulation/

This document (**Procedural Regulation**) defines terms and conditions of service provision by the Operator of the Electronic Trading Platform (**ETP**) Sberbank-AST to Procurement Entities and Participants (hereinafter referred to as Users, Participants, Customers)

1. Acceptance of terms and conditions and procedure of introduction of changes and amendments

- 1.1 Participants accept the terms and conditions of this procedural regulation by sending the registration form to the Operator of the ETP.
- 1.2 The Operator of the ETP has the right to change the provisions of this **Procedural Regulation**. The mentioned new changes come into force in fourteen days from the date of publishing of the new updated version of **Procedural Regulation** on the ETP website. On the date of the publication of the new updated **Procedural Regulation** the Operator is obliged to publicly announce the news on introduction of changes on the website.

2. Services provided by the Operator of the ETP

- 2.1 The Operator of the ETP provides services to procurement entities, participants, and users of the ETP.
- 2.2 Procurement Entities are provided with services of tenders or auctions conducting for the purchase (procurement) of goods and services, biddings (hereinafter referred to as bidding) by electronic means.
- 2.3 Participants are provided with the ability to trade at tender or auction by electronic means.
- 2.4 Other users of the ETP website are provided with searching the site for tenders and auctions that are held at the electronic platform, as well as downloading detailed information on indicated tenders and auctions.

3. Rules of electronic document turnover at the ETP

- 3.1 Exchange of information between Participants and the Operator is performed through the personal profile at the ETP by means of electronic documents.
- 3.2 The documents sent by Participants are prepared directly on the ETP website.

4. Registration of Participants

- 4.1 With a view to be registered at the ETP, a representative of the Participant should fill in the registration form on the ETP website. Upon registration, it is obligatory to attach

incorporation documents of the company (in case the participant is a legal entity), as well as documents proving the power of attorney of the person doing the registration on the website to interact with the ETP Operator on behalf of the Participant in accordance to this **Procedural Regulation**.

4.2 Registration form has to be checked by the Operator within 3 working days from the day of the submission of documents.

4.2.1 In case all the submitted documents are consistent and valid, **My account** will be available for the Participant on the ETP.

4.2.2 In other cases the registration form is returned to the Participant with explanation of the reasons for rejection.

4.3 Without further assistance, the participant's representative can register additional representatives at **My account** on the website, delegating part or all of the authority to them to interact with the ETP on behalf of the Participant.

4.4 The Procurement Entity is responsible for provision of full, consistent and true data about his company (him/her personally) to the ETP Operator and maintaining its actual up-to-datedness. Updating the information can be done anytime at **My account**. In case of submitting partial or false data, the Operator has the right to terminate service provision to the Participant.

5. Procurement Announcement

5.1 To announce a procurement/bidding, the Procurement Entity publishes Notice on conducting of Bidding on the ETP website which should include the following:

5.1.1 Description of the bidding subject;

5.1.2 List of requirements for participants of goods or services;

5.1.3 List of requirements for goods or services;

5.1.4 Description of delivery conditions of goods or conditions of service provision;

5.1.5 Requirements for information that should be submitted by participants as part of application for bidding;

5.1.6 Initial (maximum) price of goods or services;

5.1.7 Important clauses of the contract that is planned to be concluded with the winner of the bidding;

5.1.8 Time frame for submission of applications for bidding;

5.1.9 Date of the bidding session start (for auctions only);

5.1.10 Bidding step (for auctions only);

5.1.11 Date of finalizing the outcome of the bidding;

5.1.12 Methods of determining the winner (tenders only);

5.1.13 Time frame for contract conclusion after finalizing the outcome of the bidding.

Other documents can be attached to the Notice including the specified information above, as well as images, drawings, specifics of the product required by the Procurement Entity, and other materials describing conditions of the bidding.

5.2 By publishing the Notice of the bidding, the Procurement Entity accepts liability to conclude contract under the terms specified in the Notice with the Participant that makes the best offer (for tenders) or offers the lowest price (for auctions).

5.3 Procurement Entity should publish the Notice no later than 10 days before and not earlier than 30 days before the deadline for submission of trading applications.

5.4 The Notice is published by the ETP Operator in its Register on the ETP website.

6. Cancellation of bidding

6.1 Procurement Entity has the right to cancel an award bidding at any time before the deadline for submission of trading applications and to cancel a selling bidding 3 days before the deadline for submission of trading applications.

6.2 Instruction to cancel the bidding is submitted by the Procurement Entity to the ETP Operator through **Trade area**.

6.3 The ETP Operator publishes information on cancellation of the bidding on the ETP website and sends notification of cancellation to Participants who have already submitted their trading applications.

7. Changing of conditions of bidding

7.1 Procurement entity has the right to change any conditions of an award bidding at any time before the deadline for submission of trading applications. Procurement entity has the right to change conditions of an award bidding 3 business days before the deadline for submission of trading applications. The subject of the subject is not to be changed.

7.2 Upon introduction of changes, the time frame for submission of trading applications must be extended so that there should be no less than 5 days from the moment of introduction of changes to the deadline for submission of trading applications.

7.3 Instruction to introduce changes to conditions of the bidding is submitted by the Procurement Entity to the ETP Operator through **Trade area**.

7.4 The ETP Operator amends the Notice on Bidding published on the website and sends notification of changes to Participants who have already submitted their trading applications.

8. Clarification (interpretation) of conditions of bidding

- 8.1 Any user of the ETP can send an inquiry, through **Trade area**, regarding the explanation of conditions of the bidding before the deadline for submission of trading applications.
- 8.2 Procurement Entity is obliged to answer the inquiry within 2 days through **Trade area** and publish the answer (explanation) on the website.
- 8.3 The Operator publishes answers to questions on the ETP website and sends notification about publishing the answer (explanations) to the enquirer and all the Participants who have submitted their trading applications.

9. Submission of trading applications (bids)

- 9.1 Trading applications are submitted by Participants through **Trade area** on the ETP website.
- 9.2 The ETP Operator sends a confirmation of acceptance of the trading application, with the application reference number and time of registration, to the Participant who has submitted the trading application.
- 9.3 The Participant who has submitted the trading application bears responsibility for provision of full, true information in the trading application and its compliance with the requirements specified in the Notice on procurement.
- 9.4 Upon applying to award bidding, the Participant assumes responsibility to deliver goods or services to Procurement Entity under conditions specified in the Notice on bidding.
- 9.5 Upon applying to a selling bidding, the Participant accepts the terms specified in the Notice on bidding.
- 9.6 The Participant can submit only one trading application for participation in a bidding.
- 9.7 The Operator protects confidentiality of the Participants who have submitted **Trading application** until the deadline of submission of trading applications.
- 9.8 The Operator discloses the applications to the Procurement Entity that published the Notice on bidding after the deadline of submission of trading applications.

10. Withdrawal of submitted trading application

- 10.1 The Participant **has the right** to withdraw the submitted trading application at any time before the deadline for submission of trading applications.
- 10.2 Instruction to withdraw the trading application is submitted by the Participant to the ETP Operator through **Trade area** on the ETP website.

- 10.3 The Operator sends confirmation of acceptance of trading application withdrawal request.
- 10.4 The Participant has the right to re-submit withdrawn trading application.

11. Transmission of trading applications to Procurement Entity

- 11.1 Instantly upon reaching the deadline for submission of trading applications, the Operator sends all the submitted trading applications to Procurement Entity through **Trade area**.
- 11.2 The Operator indicates registration reference number and date of registration of every trading application.
- 11.3 The Procurement Entity has right to decline a trading application due to corporate internal regulations, instructions or policies that might be disallowed for public view.

12. Summing-up the outcome of the tender (only for tenders)

- 12.1 No later than the date specified in the Notice on bidding, Procurement Entity is obliged to publish on the ETP website the Final protocol of the tender, where all the submitted trading applications should be rated according to the methods of determining the winner.
- 12.2 The Protocol is forwarded by the Procurement Entity to the Operator. The Operator disseminates the Protocol among all participants of the tender.

13. Admission of Participants to participation in bidding (auctions only)

- 13.1 No later than one working day before the date of the auction, Procurement Entity has to publish the Access Protocol on the ETP website.
- 13.2 The Access Protocol must contain Procurement Entity's decision on admission of participants to the bidding. In case of access to bidding is not granted, the reason for rejection should be indicated.
- 13.3 The Operator sends the notification with admission to trade or rejection of participation to Participant. In rejection notification the Operator indicates the reason for rejection specified by the Procurement Entity.
- 13.4 The information on start time of the auction is published by the Operator on the ETP website and included in the notification on admission to the bidding.

14. Conducting the auction (only for auctions)

- 14.1 The bidding procedure (auction) starts at the time scheduled by the Operator and is held on the ETP website.
- 14.2 In the course of the award (selling) bidding procedure, the Participant can see the best price offered and has the right to reduce (to increase) the price by one step of the auction.
- 14.3 The auction ends if within the 10 minutes' slot no one of the Participants reduces (increases) the price, but it cannot happen earlier than 1 hour from the start of the auction.
- 14.4 In the course of the auction Participants do not see any information on other participants' identity.

15. Summing-up the outcome of the auction (auctions only)

- 15.1 Within one hour from the closing of the auction the ETP Operator sends the Trade Protocol to the Procurement Entity, in which all the price offer bids accepted from Participants in the course of the auction are indicated.
- 15.2 For every price offer bid the Operator indicates the registration number of the bid, time of its registration, name of the Participant, and registration number of its trading application.
- 15.3 The Protocol is also disseminated among all the Participants of the auction.
- 15.4 After the Protocol is published the Procurement Entity determines the winner taking into consideration the Participants' final price offers.
- 15.5 Within one day after receiving the Protocol, the Procurement Entity must publish on the ETP website the Final protocol.

16. The ETP Operator's rights

- 16.1 The Operator has the right to terminate provision of services to Procurement Entity in accordance to this Procedural Regulation, in case the Procurement Entity violates provisions of the Procedural Regulation more than 3 times per calendar year.
- 16.2 The Operator has no right to refuse to provide services to Participants of a bidding.
- 16.3 In case of ETP software failure or Internet connection faults, the Operator has the right to suspend a bidding for not more than 1 working day. Notification to ETP users about the reasons for suspension of services and time of resuming of service provision by ETP is necessary.