

**ON THE APPROVAL OF THE REGULATION ON COMPILING THE  
ADMINISTRATIVE DATA ON THE ACTIVITIES OF THE NATIONAL  
DEPOSITORY OF UKRAINE AND ON FILING THE CORRESPONDING  
DOCUMENTS WITH THE SECURITIES AND STOCK MARKET STATE  
COMMISSION**

SSMSC RESOLUTION 278 DATED JUNE 8, 2004

REGISTERED WITH THE MINISTRY OF JUSTICE OF UKRAINE ON NOVEMBER 24, 2004  
UNDER #278

AS AMENDED ACCORDING TO THE RESOLUTION OF SSMSC 1002 DATED OCTOBER  
17, 2006

In accordance with item 10 of article 7 of the Law of Ukraine “On State Regulation of Securities Market in Ukraine” and in order to improve the data filing mechanism established by the Regulation on Depository Activities and approved by the Resolution of Securities and Stock Market State Commission 61 of May 26, 1998 (as amended), the Securities and Stock Market State Commission of Ukraine **RESOLVES**:

1. The Regulation on compiling administrative data as to the activities of the National Depository of Ukraine and on filing the relevant documents with the Securities and Stock Market State Commission (hereinafter – the SSMSC) (attached) shall be approved.
2. The word “the Commission” in item 2 of the SSMSC Resolution 64 of February 11, 2003 “On Protection of Securities Owners Rights in the Depository Record-keeping Process” registered with the Ministry of Justice of Ukraine on February 27, 2003 under No 170/7491 shall be deleted.
3. The Regulation on compiling administrative data concerning the activities of the National Depository of Ukraine and on filing the corresponding documents with the SSMSC approved by this Resolution shall come into effect within ten days following the State registration with the Ministry of Justice of Ukraine.
4. The Executive Secretary M. Kaskevich shall ensure:  
  
State registration of the Resolution with the Ministry of Justice of Ukraine;  
  
publication of the Resolution in accordance with the effective legislation.
5. Control over compliance with this Resolution shall be vested with the SSMSC Executive Secretary M. Kaskevich.

**SSMSC Chairman**

**Oleh Mozhovyi**

Protocol No. 18 of the SSMSC meeting dated  
6/8/2004

**APPROVED**

by the Resolution of the Securities and Stock Market  
State Commission of 8 June, 2004, No 278

Registered with the Ministry of Justice of Ukraine  
on 24 November 2004,  
No 1490/10089

**REGULATION ON COMPILING ADMINISTRATIVE DATA CONCERNING THE  
ACTIVITIES OF THE NATIONAL DEPOSITORY OF UKRAINE AND ON FILING THE  
CORRESPONDING DOCUMENTS WITH THE SECURITIES AND STOCK MARKET  
STATE COMMISSION**

This Regulation has been developed in accordance with the Laws of Ukraine “On the State Regulation of Securities Market in Ukraine”, “On the National Depository System and Special Features of Electronic Circulation of Securities in Ukraine”, “On Preventing and Counteracting legalization (laundering) of Profit Gained by Illegal Means”, License provisions for performing securities market professional activities approved by the Order of the State Committee of Regulatory Policy and Entrepreneurship of Ukraine #49 of March 14, 2001 and by the SSMSC Resolution 60 of March 14, 2001 and registered with the Ministry of Justice of Ukraine on April 6, 2001 under No 318/5509 (as amended), Regulation On the Depository Activities approved by the SSMSC Resolution 61 of May 26, 1998 (as amended), The Procedure of Attributing Personal Identification Codes to Non-resident Securities Owners approved by the Resolution of the National Depository Board of Ukraine 8/1 of July 25, 2001 and registered with the Ministry of Ukraine on August 14, 2001 under No 694/5885, The Procedure of the Receipt by the National Depository of Ukraine of Source Documents on the grounds of which changes to the securities owners register systems are made approved by the SSMSC Resolution 27 of January 11, 2001 and registered with the Ministry of Justice of Ukraine on February 15, 2002 under No 148/6436, and The Procedure of Receipt by the National Depository of Ukraine of Securities Owners Register approved by the SSMSC Resolution 27 of January 11, 2002 and registered with the Ministry of Justice of Ukraine on January 15, 2002 under No 149/6437.

This Regulation defines the composition, terms and procedure of filing administrative data (hereinafter – the Data) as to the activities of the National Depository of Ukraine.

**1. DEFINITIONS OF TERMS**

1.1. The terms “securities depository”, “the National Depository of Ukraine”, “correspondent relations as to securities”, “securities issue” are used in this Regulation as defined in the Law of Ukraine “On the National Depository System and Special Features of Electronic Circulation of Securities in Ukraine”.

1.2. Terms “date of ad hoc Data emergence”, “Report receipt Register”, “Information filed” are used exclusively in this Regulation.

1.3. Date of ad hoc Data emergence shall mean the date of assigning and/or canceling the International Stock Identification Numbers by the National Depository of Ukraine.

(item 1.3 of section 1 with amendments as required by the SSMSC Resolution 1002 dated 17 October 2006)

1.4. Data Receipt Register – electronic register, which in the unattended mode records information on the starting date of Data verification, receipt date of the verified Data, and unique registration number of the filed Data.

1.5. Data filed shall mean Data filed with the SSMSC in electronic and paper forms within timeframe and in the amount established by the given Regulation. Data in paper form shall be identical to Data in electronic form by data structure and contain all requisites under this Regulation. NDU's Data shall be recorded in the Received Data Register within the timeframe established by this Regulation with a relevant note made on the cover page of the Data or on the receipt certifying that such Data was received electronically.

## **2. TYPES AND TIMELINES OF THE DATA FILING**

2.1. The Data shall be divided into:

2.1.1. Regular Data (monthly, quarterly, annual);

2.1.2. Ad hoc Data (filed as frequently as it occurs).

2.2. Regular Data shall be compiled:

2.2.1. Monthly – as of the last day of the reporting month;

2.2.2. Quarterly – as of the last day of the reporting quarter;

2.2.3. Annual – as of 31 December of the reporting year;

2.3. Regular Data shall be filed:

2.3.1. Monthly – by the 15<sup>th</sup> day inclusive of each month following the reporting one;

2.3.2. Quarterly – by 15<sup>th</sup> day inclusive of a month following the reporting quarter;

2.3.3. Annual – by 30 April inclusive of a year following the reporting one;

2.4. Ad hoc Data shall be filed within three working days following the day when the changes under this Regulation occur.

2.5. When ad hoc Data is received by regular mail, its filing date shall be defined according to the post stamp of the post office servicing the addresser. If such Data is personally filed, its registration date with the SSMSC shall be considered the filing date.

## **3. REGULAR DATA OF THE NATIONAL DEPOSITORY OF UKRAINE**

3.1. Monthly Data shall contain a list of non-resident securities owners assigned by custodians and included into the Personal Identification Codes Register (appendix 1). Monthly Data shall be filed in the electronic form only.

3.2. Quarterly Data shall include:

3.2.1. Cover page (appendix 2);

3.2.2. Information about the National Depository of Ukraine (appendix 3);

3.2.3. A list of assigned International Stock Identification Numbers (appendix 4);

(sub-item 3.2.3 of item 3.2 of section 3 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

3.2.4. Data about registers of registered securities owners accepted for safekeeping and on the source documents on the grounds of which the changes were made in the systems of registers of registered securities owners of those issues, which were converted into a non-documentary form (appendix 5).

3.2.5. Information on non-resident securities owners' personal identification codes changed by custodians upon the demand of the National Depository of Ukraine (appendix 6);

3.2.6. Information on the tariffs on services/work of the National Depository of Ukraine (appendix 7);

3.2.7. Information on closed bilateral and multilateral contracts on direct membership or on correspondent relations to service international securities transactions of the National Depository system's participants (appendix 8);

3.2.8. List of ad hoc Data filed with the SSMSC during a reporting quarter (appendix 9);

3.2.9. Information, on the letterhead and of optional form, as regards approved depository record-keeping standards complying with the international norms, and information on approved document control standards as to securities transactions.

3.3. Annual Data shall include financial statements in compliance with the Accounting Regulation (Standard) 2 "Balance" approved by the Order of the Ministry of Finance of Ukraine #87 of 31 March 1999 and registered with the Ministry of Justice of Ukraine on 21 June 1999 under #396/3689, and Accounting Regulation (Standard) 3 "Profit and Loss Statement" approved by the Order of the Ministry of Finance of Ukraine #87 of 31 March 1999 and registered with the Ministry of Justice of Ukraine on 21 June 1999 under #397/3690, the Accounting Regulation (Standard) 4 "Cash Flow Statement" approved by the Order of the Ministry of Finance of Ukraine #87 of 31 March 1999 and registered with the Ministry of Justice of Ukraine on 21 June 1999 under #398/3691, the Accounting Regulation (Standard) 5 "Shareholders' Equity Statement" approved by the Order of the Ministry of Finance of Ukraine #87 of 31 March 1999 and registered with the Ministry of Justice of Ukraine on 21 June 1999 under #399/3692; and auditor's opinion as to the financial statements in accordance with the effective legislation.

3.4. Annual Data shall be filed with the SSMSC in accordance with the legislation of Ukraine.

(item 3.4 of section 3 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

#### **4. AD HOC DATA OF THE NATIONAL DEPOSITORY OF UKRAINE**

4.1. Ad hoc Data shall include Data on assigning and/or canceling the International Stock Identification Numbers by the National Depository of Ukraine (appendix 10).

(item 4.1 of section 4 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

## **5. THE PROCEDURE OF DATA COMPILING AND FILING**

5.1. The Data shall be filed with the SSMSC central office.

5.2. The Data shall be filed both in electronic and paper forms.

5.3. Electronic form of the Data shall comply with the format established by the SSMSC. The list of files, the structure, format, and margins of regular and ad hoc Data, and electronic address for filing ad hoc Data shall be established by separate normative and technical acts.

5.4. Quarterly Data in the paper form (appendixes 2, 3, 5 – 9) shall correspond to the quarterly Data in the electronic form by data structure.

5.5. Electronic form of ad hoc Data shall be sent by electronic mail. Upon the receipt of the ad hoc Data by the SSMSC, it shall notify an addresser about the number under which the Data has been registered in the Register of Data Receipt. The ad hoc Data filed with the SSMSC by the National Depository of Ukraine shall be registered in the Register of Data Receipt once a day only.

5.6. Paper form of the ad hoc Data (appendix 10) shall be filed together with quarterly Data and shall correspond by its data structure to the electronic form of ad hoc Data sent by electronic mail during a quarter.

5.7. When filing a paper form of ad hoc Data, the National Depository of Ukraine shall put the registration number of the electronic form of ad hoc Data received by the SSMSC on the corresponding paper form of the ad hoc Data.

5.8. Regular Data shall be supplied with the letter on the letterhead of the National Depository of Ukraine on which a reporting period and a list of paper documents and added electronic files shall be specified.

5.9. All the addenda, envisioned by this Regulation, to the Data in the paper form shall be bound and enumerated, signed by the Chief Executive and certified with a seal of the National Depository of Ukraine.

## **6. CONTROL OVER FILING THE DATA BY THE NATIONAL DEPOSITORY OF UKRAINE**

6.1. The SSMSC shall perform the State control over the compliance with the requirements as to filing the administrative data.

6.2. The National Depository of Ukraine shall bear responsibility in accordance with the effective legislation for failure to file, for late filing and for filing knowingly inaccurate and misleading Data.

**The Head of the Securities Market  
Participants Reporting Department**

**O. Velichko**

Appendix 1

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**List of non-resident securities owners assigned by custodians and included into the Personal Identification Codes Register**

As of “ \_\_\_ ” \_\_\_\_\_ 20\_\_

No	Date of the Data receipt from a custodian	Name in full of a custodian which assigned a code to a non-resident	Enterprise code of a custodian	Inter-depository code on the account of a custodian which assigned a code to a non-resident	Full name of a non-resident	Type of a non-resident (individual or legal entity)	Country of registration of a non-resident legal entity/ country of residence of a non-resident individual	Personal identification code of a non-resident securities owner
1	2	3	4	5	6	7	8	9

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
(signature) (full name)

Stamp

Appendix 2

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

**Cover Page**

I confirm the Data, information mentioned in the enclosed electronic form corresponds to the one in the paper form of the report.

**APPROVED:**

Position	
Full name	
Date	"__" _____ 200_
Signature	

Stamp

<b>Contact person on the Data</b>	
Full name	
Position	
Subdivision	
Local area code, telephone number	

## INFORMATION ABOUT THE NATIONAL DEPOSITORY OF UKRAINE

For quarter \_\_\_\_ of 200\_\_

Compiled as of the date	" ____ " _____ 200_
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Name in short of the National Depository of Ukraine	
Organizational and legal structure	
Enterprise code	

<b>Data Received</b>			
Position		Registration number	
Full name of SSMSC employee		<b>Notes</b>	
Data Receipt Date	" ____ " _____ 200_		
Signature			

Appendix 3

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

**Information about the National Depository on Ukraine**

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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<b>Location of a legal entity</b>			
Country		Street, building	
KOATUU Territory code		Telephone number(s) with the local area code	
Postal index			
Oblast		Fax number(s) with the local area code	
District		E-Mail	
City		WEB-page	

<b>Bank Details of the National Depository of Ukraine</b>			
Name of banking institution			
Checking account		MFO	

<b>Authorized capital</b>	
Registered value of the authorized capital, in thousands Hrn.	
Actual repaid part of the authorized capital, in thousands Hrn.	

Correspondent relations with depositories of other countries			
Name in short of an other country depository		Enterprise code of another country depository	
Number of correspondent relations contract among depositories		Date of correspondent relations contract among depositories	"__" _____ 200_
Essence of achieved agreements			

Information about the management of the National Depository of Ukraine	
Full name of a Chief Executive	
Full name of a Deputy Chief Executive	
Full name of a Chief Accountant	

Audit Information			
Name of an auditor (accounting firm)			
Issue date and number of the Certificate for Entering into the Register of Sole Accounting Firms and Accountants, providing audit services	"__" _____ 200_	Date of the last audit	"__" _____ 200_

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
(full name)

(signature)

Stamp

Appendix 4

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**List of assigned International Stock Identification Numbers**  
As of “\_\_” \_\_\_\_\_ 200\_\_

No	Name in full of a securities issuer	Enterprise Code of a securities issuer	Location of a securities issuer	Certificate Number of Securities Issue **	Type, class and category of securities	Form of securities issue (documentary/non-documentary)	Amount of securities with ISIN assigned, items	Securities ISIN
1	2	3	4	5	6	7	8	9

\* Data filed in the electronic form only.

\*\* If available.

Chairperson of the National Depository of Ukraine  
\_\_\_\_\_  
(signature) / (full name)  
Stamp

(appendix 4 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

Appendix 5

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**Data about registers of registered securities owners accepted for safekeeping and on the source documents on the grounds of which the changes were made in the systems of registers of registered securities owners of those issues, which were converted into a non-documentary form**

**For the period from “ \_\_\_ ” \_\_\_\_\_ 20\_\_ to “ \_\_\_ ” \_\_\_\_\_ 20\_\_**

No	Type of a document (register of registered securities/source documents owners)	Number of a statement on acceptance/transference of a register of registered securities/source documents owners	Acceptance date of a register of registered securities/source documents owners	Number of Certificate on the registration of relevant non-documentary securities issue	Name in full of a securities issuer	Enterprise code of a securities issuer	Name in full of a register-keeper which transferred a register of registered securities/source documents owners	Enterprise code of a register-keeper
1	2	3	4	5	6	7	8	9

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
 (signature) / (full name)  
 Stamp

Appendix 6  
to the Regulation On the Procedure of Compiling Administrative  
Data as to the Activities of the National Depository of Ukraine  
and Filing the Relevant Documents with the Securities and Stock  
Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**Information on non-resident securities owners' personal identification codes changed by custodians upon the demand of the National  
Depository of Ukraine**

For the period from “ ” 20 to “ ” 20

No	Date of the Data receipt form a custodian	Enterprise code of a custodian which assigned a code to a non- resident	Name of a custodian which assigned a code to a non-resident	Interdepository code on the account of a custodian which assigned a code to a non-resident	Name in full (for a legal entity)/ full name of a non- resident (for an individual)	Personal identification code of a non-resident securities owner that have been changed	Personal identification code of a non-resident securities owner entered into a register
1	2	3	4	5	6	7	8

Chairperson of the National Depository of Ukraine

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(full name)

Stamp

Appendix 7

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**Information on the tariffs on services/work provided/performed by the National Depository of Ukraine**  
**For the period from “ ” 20 to “ ” 20**

No	Type of service/work	Tariff, Hrn.
1	2	3

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
(signature) (full name)

Stamp

Appendix 8  
to the Regulation On the Procedure of Compiling Administrative  
Data as to the Activities of the National Depository of Ukraine  
and Filing the Relevant Documents with the Securities and Stock  
Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**Information on executed bilateral and multilateral agreements on direct membership or on correspondent relations to service international securities transactions of the National Depository system's participants**  
**For the period from “ ” 20 to “ ” 20**

No	Number and date of a contract	Information about a depository institution			Information of securities kept on a depository institution's special account in the National Depository of Ukraine			
		Name in full of a depository institution	Country of registration	Location	Registration Certificate			Amount of securities, items
					Number and issue date	Body that issued the certificate	Securities ISIN	
1	2	3	4	5	6	7	8	9

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
(signature) (full name)

Stamp

(appendix 8 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

Appendix 9

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**List of ad hoc Data filed with the SSMSC during a quarter**  
**For the period from “\_\_” \_\_\_\_\_ 20\_\_ to “\_\_” \_\_\_\_\_ 20\_\_**

No	Sending date	Registration number in the Received Data Register on assigned ISIN
1	2	3

Chairperson of the National Depository of Ukraine

\_\_\_\_\_/\_\_\_\_\_  
(signature) (full name)

Stamp

appendix 9 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

Appendix 10

to the Regulation On the Procedure of Compiling Administrative Data as to the Activities of the National Depository of Ukraine and Filing the Relevant Documents with the Securities and Stock Market State Commission

Registration Number	
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Enterprise code of the National Depository of Ukraine		Name in short of the National Depository of Ukraine	
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**Information on assigning and/or canceling the International Stock Identification Numbers by the National Depository of Ukraine**

"\_\_" \_\_\_\_\_ 20\_\_

No	Name in full of a securities issuer	Enterprise code of a securities issuer	Location of a securities issuer	Certificate number of securities issue *	Type, class and category of securities	Form of securities issue (documentary/non-documentary)	Amount of securities with assigned ISIN, items	Character of action Assigned/cancelled, ISIN	Date of ad hoc Data appearance	ISIN
1	2	3	4	5	6	7	8	9	10	11

\* If available.

Chairperson of the National Depository of Ukraine

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(full name)

Stamp

(appendix 10 in the wording of the SSMSC Resolution 1002 dated 17 October 2006)

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