

**On the approval of the Procedure and Terms of licensing on the realization of certain kinds of professional activity in the stock market, renewal of license, issue of duplicate and copy of license**

**Resolution of the State Commission on Securities and Stock Market**

**No. 345 of May 26, 2006**

**Registered with the Ministry of Justice of Ukraine**

**No. 890/12764 of July 28, 2006**

In accordance with the Civil and Economic Codes of Ukraine, Articles 3, 4, 7, 8 of the Law of Ukraine " On State Regulation of Equity Market in Ukraine ", Articles 16, 17, 19, 20 - 27 of the Law of Ukraine " On Securities and Stock Market ", Laws of Ukraine " On Economic Partnerships ", " On National Depository System and Specifics of Electronic Circulation of Securities in Ukraine ", " On Financial Services and State Regulation of Financial Services Markets ", " On Prevention and Counteraction to Legalization (Laundering) of Revenues Received Criminally ", " On State Registration of Legal Entities and Physical entities - Entrepreneurs ", " On Banks and Banking Activity ", with the account of Articles 13, 19 of the Law of Ukraine " On licensing of specific kinds of economic activities ", other regulatory acts, the State Commission on Securities and Stock market HAS RESOLVED as follows:

1. To approve the Procedure and conditions of licensing on realization of certain kinds of professional activity in the stock market, renewal of license, issue of duplicate and copy of the license (is attached).
2. To state that the application for licensing and appropriate documents on realization of a certain kind of activity in securities trading - activity in securities management (Sub-clause 5.1.3 of Sub-clause 5.1 of Clause 5 of Section I of the mentioned Procedure) are accepted by the Commission for consideration in case of Commission's Resolution coming into force by which the requirements are approved with regard to account of securities and financial resources of the stock trader clients, set in pursuance of the Seventh part of Article 17 of the Law of Ukraine " On Securities and Stock Market ", but not earlier than from the date of coming into force the amendments to the Law of Ukraine " On Payment Systems and Transfer of Funds in Ukraine ", in part of opening the account by the stock trader for the client with the aim of securities management.
3. Professional participants of securities market in accordance with kinds of activity, which they exercise on the basis of the license, should bring, till November 13, 2006, their activities in compliance with requirements of Clause 16 of Chapter 1, Clause 7 of Chapter 2, Clause 5 of Chapter 3, Clause 9 of Chapter 5, Clause 7 of Chapter 7 of Section of III hereof in part of requirements to a length of service in the stock market of the of the Licensee's Chief.
4. Head of Office of the State Commission on Securities and Stock Market (M. Nepran) to ensure:  
Submission of Resolution for registration to the Ministry of Justice of Ukraine;  
Publication of this Resolution in accordance with legislation.
5. This Resolution becomes effective in the procedure set by the legislation.
6. Control over execution of this Resolution to be assigned to M. Nepran, Head of Office of the State Commission on Securities and Stock market.

Chairman of Commission

A.Baljuk

COORDINATED WITH:

Acting Chairman of the State Committee on Financial Monitoring of Ukraine

\_\_\_\_\_  
Ya. V. Yanushevich

First Deputy of the Chairman of the Antimonopoly Committee of Ukraine

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J.Kravchenko

Chairman of the State Committee of Ukraine on Matters of Regulatory Policy and Entrepreneurship

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A.Dashkevich

Protocol of Commission meeting  
No. 17 of May 26, 2006

APPROVED  
Resolution of the State Commission  
on Securities and Stock market  
No. 345 of May 26, 2006

Registered  
with the Ministry of Justice of Ukraine  
No. 890/12764 of July 28, 2006

### **Procedure and Terms**

#### **of licensing on realization of certain kinds of professional activity in the stock market, renewal of license, issue of duplicate and copy of the license**

This Procedure is elaborated in line with Civil and Economic Codes of Ukraine, Articles 3, 4, 7, 8 of the Law of Ukraine " On State Regulation of Stock market in Ukraine ", Articles 16, 17, 19, 20 - 27 of the Law of Ukraine " On Securities and Stock market ", Laws of Ukraine " On Economic Partnerships ", " On National Depository System and Specifics of Electronic Circulation of Securities in Ukraine ", " On Financial Services and State Regulation of Financial Services Markets ", " On Prevention and Counteraction to Legalization (Laundering) of Revenues Received Criminally ", " On State Registration of Legal Entities and Physical Entities - Entrepreneurs ", " On Banks and Banking Activities", with the account of Articles 13, 19 of the Law of Ukraine " On Licensing of Certain Kinds of Economic Activities ", other regulatory acts, and define qualification, organizational and technical requirements, necessary for obtaining license on realization of certain kinds of professional activity in the stock market, its renewal, issue of the license's duplicate and copy of the license.

#### **Section I. General provisions**

1. This Procedure establishes procedure and conditions of licensing on realization of certain kinds of professional activity in the stock market (except for activity on assets management of institutional investors (activity on assets management)), its renewal, issue of duplicate and copy of the license, list of documents which are added to the licensing application, its renewal, issue of the duplicate and copy of the license, the grounds for refusal in its issue.

2. In this Procedure the below-mentioned terms are used in such meaning:

applicant - legal entity who submits the application and appropriate documents for obtaining the license on certain kinds of professional activity in the stock market;

professional activity in the stock market - activity of legal entities on extension of financial and other services in the area of allocation and circulation of securities, registration of rights over securities, assets management of institutional investors that meets the requirements, set up by the legislation to such activity;

stock market professional participants - legal entities, who on the basis of the license issued by the State Commission on Securities and Stock market (further - the Commission), exercise professional activity in the stock market;

licensee - professional participant of the stock market who has the eligible license issued by the Commission;

ownership capital - total of Part I of balance liabilities of the applicant (licensee) per the form in accordance with addition to the Regulation (Standard) on Accounting 2 "Balance" approved by the Order

of the Ministry of Finance of Ukraine No. 87 of 31.03.99, registered with the Ministry of Justice of Ukraine No. 396/3689 of 21.06.99 (with amendments) (further - Regulation (Standard) on Accounting 2 "Balance");

proprietor of the applicant (licensee) - legal or physical entity that possesses share in the statutory fund (capital) of the applicant (licensee);

license - document of an established form, which certifies the licensee's right to perform certain kinds of professional activity in the stock market;

location of the legal entity - address of an agency or a person which in accordance with constituent documents of the legal entity or the law acts on its behalf (further - agency);

licensee's detached subdivision - branch, other subdivision of the legal entity outside of its location and performs all or part of its functions with regard to realization of professional activity in the stock market;

office - part of the inner space of the building, limited by construction elements, with the possibility of entry and exit and which is used by the licensee during the realization of its professional activity in the stock market;

certified expert - employee of the legal entity who performs certain kind of professional activity and meets the qualification requirements set by the Commission (has the qualification certificate of an established form), and has received the eligible certificate;

length of service in the stock market - overall length of service of the certified expert with the licensee on any kind of professional activity in the stock market and/or the length of service as a senior functionary in the Commission or in a self-regulatory organization on the equity market and which has acquired the adequate status in the procedure established by the legislation;

licensee registry - list of economic subjects – licensees, which is formed and conducted by a licensing agency in accordance with licenses received by licensees, as an automated system of collection, accumulation, safety and account of data on those subjects;

stock market (equity market) - set of participants of the stock market and legal relations between them with regard to allocation, circulation and account of securities and derivatives.

3. The licensee should exercise certain kinds of professional activity in the stock market on the location which has been registered in the certificate on the state registration of the legal entity, and on the location of detached subdivisions which have the right to exercise this activity from the date of obtaining copy of a license certified by a licensing agency.

The licensee exercises specific kind of professional activity in the stock market in the offices completely separated from the offices of other legal entities.

The office is considered completely separated in case it is not simultaneously used by other legal entities.

4. Licensing of professional activity in the stock market is done by the Commission.

Licensing of professional activity in the stock market with regard to management of own registry of holders of registered securities that is carried out by issuers, is done by the Commission's eligible territorial agencies on the issuer's location.

5. The Commission, in the procedure established by it, issues licenses for such kinds of professional activity in the stock market, as under:

5.1. Activity in securities trading, including:

5.1.1 dealer's activity;

5.1.2 broker's activity;

5.1.3 activity in securities management;

5.1.4 underwriting.

5.2. Depository activity that includes such kinds of activity:

5.2.1 depository activity of a custodian of securities;

5.2.2 depository activity of a depository of securities;

5.2.3 settlement-clearing activity;

5.2.4 activity on management of the registry of holders of registered securities.

5.3. Activity on organization of trade in the stock market.

6. Activity in securities trading can be combined with the depository activity of the custodian of securities.

Depository activity of the custodian of securities can be combined with the activity on management of the registry of holders of registered securities or with the activity on management of own registry of holders of registered securities.

Depository activity of a depository of securities can be combined with settlement-clearing activity and activity on management of registry of holders of registered securities or with activity on management of own registry of holders of registered securities.

The combination of certain kinds of professional activity in the stock market is not allowed, except for cases stipulated by the Law of Ukraine " On Securities and Stock Market " and other legislation acts that regulate the procedure of certain kinds of professional activity in the stock market.

7. The license on the realization of certain kinds of professional activity in the stock market is obtained in accordance with this Procedure.

8. The professional participant of the stock market has the right to carry out this activity over the whole area of Ukraine after obtaining the appropriate license in the Commission on the condition of joining at least one organization of professional participants of stock market (except for the trade organizer (stock exchange) and the depository) and obtaining, in the procedure established by the Commission of the Certificate on the inclusion into the State Registry of Financial Institutions which render financial services in the equity market (for securities trader; depository and stock exchange if they exercise settlement-clearing activity).

9. Validity of license is set up by the Cabinet of Ministers of Ukraine upon the Commission's submission, but cannot be less than three years.

10. The license (copy of the license) is valid till the termination of license validity, recognition of the license void or coming into force the decision on license cancellation.

11. Realization of professional activity in the stock market after termination of the license validity, decision made on recognition of the license void or decision on the license cancellation that has become effective in the procedure established by the legislation is not allowed.

12. If the licensee intends to exercise the kinds of activity stated in the license after ending of the term of its validity he should, not less than thirty calendar days prior to the termination of the license validity, submit relevant application and documents attached to it to a licensing body for obtaining new license in accordance with this Procedure.

13. In case of occurrence of grounds for renewal of the license, the licensee should renew the license in accordance with this Procedure.

Validity of the renewed license cannot exceed the validity, which has been stated in the license that is renewed.

In case of submission of application and the relevant documents on renewal of the license, it is valid till the date of issue of a new license. Date of license issue is stated in the license form. The license that is renewed is considered void.

In case of submission of application and the relevant documents on renewal of the license with infringement of terms, established by this Procedure, or a non-submission of those documents at all, the license is considered void from the date of obtaining by the Commission of relevant documents or from the date of making out the act of the licensee inspection in which the fact of a non-submission of relevant documents on renewal of the license by the licensee in due time should be recorded.

14. In case of discontinuance of the legal entity (licensee) as a result of transfer of all its property, rights and responsibilities to other legal entities - assignees as a result of reorganization (division, merge, association, transformation), and the licensee intends to exercise the kinds of activity noted in the license he, within twenty working days from the date of registration of new constituent documents, should submit an application for cancellation of a previously issued license in connection with the licensee discontinuance and the appropriate application and documents which are attached to it to a licensing agency, for obtaining a new license in accordance with this Procedure.

15. The payment for licensing is effected in the amount, established by the Commission's resolution No. 329 of 12.05.2006 " On setting up payment rates for licensing on realization of certain kinds of activity in equity market ", registered with the Ministry of Justice of Ukraine No. 734/12608 of 22.06.2006 and agreed by the Decree of the Cabinet of Ministers of Ukraine No. 802 of 07.06.2006 " On setting up the validity of licenses on realization of certain kinds of activity in equity market and agreement of payment rate for their issue ".

16. The license or its attested copy issued by the Commission to the licensee is not subject to transfer for usage to other economic subjects for realization of professional activity in the stock market.

17. The requirements set up by this Procedure, should be complied with by the licensee through the whole term of license's validity.

## **Section II. Procedure of submission and list of documents submitted by the applicant at the obtaining the license on realization of certain kinds of professional activity in the stock market**

1. For obtaining the license the applicant submits to the Commission's General Department (for issuers – to the Commission's appropriate territorial agency) or sends by mail (recommended letter) the application for licensing on realization of professional activity in the stock market (Addendum 1), made out in a state language (with indication on an envelope the subdivision of the Commission's Central Office (except for issuers) which exercises consideration of these documents).

To the application for licensing of realization of certain kinds of professional activity in the stock market there are the documents attached, whose comprehensive list is determined by this Procedure.

All the documents that are submitted by the applicant in accordance with Addenda to this Procedure, should be made out in line with them, signed by the Chief, attested by the applicant's stamp and bear the date of signing.

At the date of submission of the application for licensing, the term of submission of these documents and an auditor's conclusion on the payment of the authorized fund (capital) cannot be larger than two months from the date of signing or compilation.

In documents that are submitted in accordance with this Procedure and having more than one sheet, all the sheets should be numbered, stitched and attested in the established procedure.

The applicant bears responsibility in accordance with the legislation for the authenticity of information stated in the documents, submitted for obtaining the license.

If the licensee intends to exercise the kinds of activity noted in the license after the completion of the term of its validity he submits the documents in accordance with this Procedure not earlier than two months to the date of the termination of validity of the previously issued license.

2. In case of submission by the applicant of the application for licensing on realization of professional activity in the stock market - activity in securities trading on any certain kind of this activity (brokerage activity, dealer activity, underwriting, activity in securities management) or submission of application for licensing simultaneously on several kinds of this activity the complete package of documents is attached to the application, stipulated by Clause 3 hereof.

If the applicant has the license on realization of a certain kind of professional activity in the stock market - activity in securities trading and has submitted the application for licensing on realization of other kinds of this activity then the documents are attached to this application stipulated by Sub-clauses 3.1 - 3.3, 3.8, 3.13 - 3.16 of Clause 3 hereof.

The documents, stipulated by Sub-clauses 3.1, 3.2, 3.7, 3.8 of Clause 3 hereof, are submitted by the applicant in case they were changed accordingly in connection with obtaining of a new certificate on state registration, increase (reduction) of amount of its authorized fund (capital) and/or enlargement of the list of kinds of activity which he has the right to exercise.

The document stipulated by Sub-clause 3.3 of Clause 3 hereof, is submitted by the applicant in case of increase in amount of its authorized fund (capital), including, in the amount of, needed for obtaining the license for a specific kind of professional activity in the stock market - activity in securities trading, for confirmation of payment of such an increase.

3. Such documents are attached to the application for licensing on realization of professional activity in the stock market - activity in securities trading (dealer, brokerage activities, underwriting, and activity in securities management):

3.1 copy of certificate on the applicant's state registration, certified notarially or by an agency which has issued the document;

3.2 copy of the applicant's constituent documents with amendments (new edition) which are registered in the established procedure and certified notarially or by an agency which has issued the document;

3.3 auditor's conclusion on payment of the authorized fund (capital) of the applicant (except for a bank), made out in accordance with Requirements to an auditor's conclusion which is submitted to the State Commission on Securities and Stock Market for obtaining the license on realization of professional activity in an equity market, approved by the Commission's Resolution No. 325 of 28.07.2004 and registered with the Ministry of Justice of Ukraine No. 1217/9816 of 27.09.2004. With this, this auditor's conclusion can be extended by the auditor included into the Registry of auditors and who can carry out inspections of financial institutions conducted by the Commission.

Is submitted by the applicant who for the first time obtains the license on realization of any kind of professional activity in the stock market - activity in securities trading, or in case of termination of validity of the previously issued license for this kind of activity if during the validity of such a license he has registered amendments in the constituent documents, connected with the increase in amount of its authorized fund (capital), for confirmation of payment of this increase;

3.4 extract from the Joint State Registry that confirms state registration of the legal entity - founder of the applicant.

Is submitted by the applicant (except for a bank) which for the first time obtains the license on realization of any kind of professional activity in the stock market - activity in securities trading with regard to the founder, that it is created in accordance with the legislation of Ukraine (further - resident);

3.5 auditor's conclusion with regard to financial state of the legal entity - founder of the applicant, including capability to make payment to the statutory fund (capital) of the applicant, with providing balance in accordance with the Regulation (Standard) on Accounting 2 "Balance" and the statement on financial results of its activity in accordance with the Regulation (Standard) on Accounting 3 "Statement on financial results", approved by the Order of the Ministry of Finance of Ukraine No. 87 of 31.03.99, registered with the Ministry of Justice of Ukraine No. 397/3690 of 21.06.99 (with amendments) (further - Regulation (Standard) on Accounting 3 "Statement on financial results"), for the period in which the relevant payments were made, as well as for the previous period.

Is submitted by the applicant (except for a bank) which is created in the form of a joint-stock company and for the first time obtains the license on realization of any kind of professional activity in the stock market - activity in securities trading with regard to the founder - the resident.

If, on the date of submission of the application for licensing, the founder was changed or liquidated and/or the period in which the founder made payments into the statutory fund (capital) of the applicant, totals more than three years, then instead of such auditor's conclusion and relevant additions to it, the data are submitted, in the arbitrary form, with regard to such founders;

3.6 copy of the first and second pages of the passport containing the information on the physical entity - founder of the applicant.

Is submitted by the applicant (except for a bank), which for the first time obtains the license on realization of any kind of professional activity in the stock market - activity in securities trading with regard to the founder, who is the citizen of Ukraine (further - the resident) upon the authorization of such a founder;

3.7 for the bank - information of the National Bank of Ukraine (its territorial directorate) on the amount of registered and actually paid authorized fund (capital) of the bank at the moment of submission of the application for licensing;

3.8 for the bank - copy of authorization of the National Bank of Ukraine with the relevant additions to it (list of transactions in the stock market which the bank has the right to perform), attested by the signature of the chief and stamp of the applicant;

3.9 information on proprietors of the applicant (licensee) (with indication of professional participants of the stock market) (Addendum 2). For the applicant created in the form of a joint-stock company, the mentioned data are submitted with regard to proprietors who possess over five percent of its authorized fund (capital);

3.10 information on legal entities in which the applicant has a share of over five percent of the authorized fund (capital) of those legal entities (Addendum 3);

3.11 information on the made and registered own issues of the applicant's (licensee's) securities (Addendum 4);

3.12 copy of documents attested by the signature of the chief and stamp of the applicant, which confirm the applicant's property right (except for a bank) on the office in which the professional activity in the stock market is performed, (will be performed) or the right of its use;

3.13 information on senior functionaries and experts of the applicant (licensee), who directly exercise the professional activity in the stock market (activity in securities trading) and are certified in the established procedure (Addendum 5), with the submission of copies of eligible certificates attested by the signature of the chief and stamp of the applicant;

3.14 copy of a balance attested by the signature of the chief and stamp of the applicant (except for a bank) in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of application for licensing with a mark of an eligible agency of statistics (except for the applicant who for the first time obtains the license for realization of any kind of professional activity in the stock market - activity in securities trading);

3.15 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms the payment of fines if such were imposed on the licensee during the validity of the previously issued license for the law infringements in the stock market, and which have not been appealed in judicial procedure.

In case the fines to the licensee were not applied, the information is submitted, in the arbitrary form, on their absence;

3.16 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making the payment by the applicant for licensing in accordance with Clause 15 of Section I hereof.

4. Such documents are attached to the application for licensing on realization of professional activity in the stock market - depository activity, namely depository activity of the custodian of securities:

4.1 for bank - copy of authorization of the National Bank of Ukraine on the realization of depository activity of the custodian of the securities, attested by the signature of the chief and stamp of the applicant;

4.2 auditor's conclusion in accordance with requirements of Sub-clause 3.3 of Clause 3 hereof.

Is submitted by the licensee (except for a bank) in case, when after the receipt of the previously issued license on realization of any kind of professional activity in the stock market - activity in securities trading,

he has registered amendments to the constituent documents, related to the increase in amount of its authorized fund (capital), for confirmation of payment of this increase;

4.3 information on proprietors of the applicant (licensee) (with indication of professional participants of the stock market) (Addendum 2). For the applicant created in the form of a joint-stock company, the mentioned data are submitted with regard to proprietors who possess over five percent of its authorized fund (capital);

4.4 information on the legal entities in which the applicant has a share of over five percent of the authorized fund (capital) of these legal entities (Addendum 3);

4.5 information on senior functionaries and experts of the applicant, who directly exercise professional activity in the stock market (depository activity) and are certified in the established procedure (Addendum 5), with providing copies of the eligible certificates attested by the signature of the chief and stamp of the applicant;

4.6 copy of the applicant's balance (except for a bank) attested by the signature of the chief and stamp of the applicant in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of the application for licensing with a mark of an eligible agency of statistics;

4.7 copy of the payment document attested by the signature and stamp of the applicant that confirms the payment of fines, if such were imposed on the licensee during the validity of the previously issued license for law infringements in the stock market, and which have not been appealed in judicial procedure.

In case the fines to the licensee were not applied, the information is submitted, in the arbitrary form, on their absence;

4.8 copy of documents, attested by signature of the chief and stamp of the applicant, which confirm the applicant's property right (except for a bank) on an office in which professional activity in the stock market is implemented (will be implemented), including depository activity of the custodian of securities, or the right of its use;

4.9 copy of a document attested by the signature of the chief and stamp of the applicant that confirms the provision of round-the-clock security of the above-said office.

If, in the document that confirms the property right or use of an office, there are stipulated the conditions of realization of such protection, then the mentioned document is not submitted;

4.10 copy of the approved and organizational structure of the applicant attested by the signature of the chief and stamp of the applicant with provision of data concerning the structural subdivisions the applicant (licensee) whose employees directly exercise certain kinds of professional activity (depository activity) (Addendum 6);

4.11 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making of a payment for licensing by the applicant in accordance with Clause 15 of Section I hereof.

5. Such documents are attached to the application for licensing on realization of professional activity in the stock market - depository activity, namely depository activity of a depository of securities:

5.1 copy of certificate on the state registration of the applicant, certified notarially or by an agency which has issued the document;

5.2 copy of the applicant's charter, certified notarially or by an agency which has issued the document with amendments (new edition) which are registered in the established procedure;

5.3 auditor's conclusion on payment of the authorized fund (capital) of the applicant, made out in accordance with Requirements to an auditor's conclusion which is submitted to the State Commission on Securities and Stock Market for obtaining the license on realization of professional activity in the equity market, approved by the Commission's resolution No. 325 of 28.07.2004 and registered with the Ministry of Justice of Ukraine No. 1217/9816 of 27.09.2004. With this, if the depository exercises

settlement-clearing activity, this auditor's conclusion can be rendered by the auditor included into the Registry of Auditors who may conduct inspections of financial institutions carried out by the Commission.

Is submitted by the applicant who for the first time obtains the license on realization of professional activity in the stock market - depository activity, namely depository activity of a depository of securities.

The licensee, whose validity of the previously issued license on realization of professional activity in the stock market - depository activity of a depository of securities is approaching its end-term, submits the above-said document, while obtaining a new license, only in case, when, during the validity of the previously issued license on the indicated activity the licensee has registered the amendments to the charter, related to the increase of the amount of its authorized fund (capital), for confirmation of payment of this increase;

5.4 information on proprietors of the applicant (licensee) (with indication of the professional participants of the stock market) (Addendum 2);

5.5 auditor's conclusion with regard to financial state of the legal entity - founder of the applicant, including the capability to make payment to statutory fund (capital) of the applicant, with attaching the balance as per form in accordance with the Regulation (Standard) on Accounting 2 "Balance" and the statement on financial results of its activity in accordance with the Regulation (Standard) on Accounting 3 "Statement on Financial Results" for the period in which the appropriate payments were made, as well as for the previous period.

Is submitted by the applicant who for the first time obtains the license on realization of professional activity in the stock market - depository activity of a depository of securities with regard to the founder - resident (except for the founder in the person of the state).

If, on a date of submission of the application for licensing, the founder was changed or liquidated and/or the period in which the founder made payments to the statutory fund (capital) of the applicant, makes up more than three years, then, instead of such auditor's conclusion and relevant additions to it, the data are submitted, in the arbitrary form, on such founders;

5.6 copy of a balance attested by the signature of the chief and stamp of the applicant (except for a bank) in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of application for licensing with a mark of the eligible agency of statistics (except for the applicant who for the first time receives the eligible license);

5.7 information on legal entities in which the applicant has a share of over five percent of the authorized fund (capital) of those legal entities (Addendum 3);

5.8 information on the made and registered own securities issues by the applicant (licensee) (Addendum 4);

5.9 information on senior functionaries and experts of the applicant, who directly exercise professional activity in the stock market (depository activity) and are certified in the established procedure (Addendum 5), with providing copies of the eligible certificates attested by the signature of the chief and stamp of the applicant;

5.10 copy of the approved organizational structure of the applicant attested by the signature of the chief and stamp of the applicant with provision of data with regard to structural subdivisions of the applicant (licensee) whose employees directly exercise certain kinds of professional activity (depository activity) (Addendum 6);

5.11 copies of documents attested by the signature of the chief and stamp of the applicant, which confirm the applicant's property right on the office in which the professional activity in the stock market is performed (will be performed) or the right of its use;

5.12 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms the payment of penalties, if such were imposed on the licensee during the validity of the previously issued license for the law infringements in the stock market, and which have not been appealed in judicial procedure.

In case the fines to the licensee were not applied, the information is submitted, in arbitrary form, on their absence;

5.13 copy of the document attested by the signature of the chief and stamp of the applicant that confirms provision of the round-the-clock security of the above-said office.

If, in the document that confirms the property right or use of an office, the conditions are stipulated on realization of such security, then the mentioned document is not submitted;

5.14 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making by the applicant of a payment for the issue of appropriate license in accordance with Clause 15 of Section I hereof.

6. The following documents are attached to the application for licensing on realization of professional activity in the stock market - depository activity, namely settlement-clearing activity:

6.1 auditor's conclusion in accordance with requirements of Sub-clause 5.3 of Clause 5 hereof - in case, when after receipt of the license on realization of professional activity in the stock market - depository activity, namely depository activity of a depository of securities, there are registered amendments to the charter by the licensee related to the increase of amount of its authorized fund (capital), for confirmation of payment of this increase;

6.2 copy of a balance attested by the signature of the chief and stamp of the applicant (except for a bank) in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of the application for licensing with a mark of an eligible agency of statistics;

6.3 information on senior functionaries and experts of the applicant who directly exercise professional activity in the stock market, namely settlement-clearing activity and are certified (depository activity) in the established procedure (Addendum 5), with providing copies of the eligible certificates attested by the signature of the chief and stamp of the applicant;

6.4 copy of approved and organizational structure of the applicant attested by the signature of the chief and stamp of the applicant with providing data with regard to structural subdivisions of the applicant (licensee) whose employees directly exercise certain kinds of professional activity (settlement-clearing activity) (Addendum 6);

6.5 copy of the approved Regulations on the Guarantee Fund attested by the signature of the chief and stamp of the applicant that should meet the requirements, established by the Commission;

6.6 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making of a payment by the applicant for the issue of the eligible license in accordance with Clause 15 of Section I hereof.

7. The following documents are attached to the application for licensing on realization of professional activity in the stock market - depository activity, namely activity on management of the Registry of Holders of Registered Securities:

7.1 copy of a certificate on the state registration of the applicant, certified notarially or by an agency, that has issued the document;

7.2 copy of the applicant's constituent documents certified notarially or by an agency which has issued the document with amendments (new edition) which are registered in the established procedure;

7.3 for bank - copy of authorization of the National Bank of Ukraine on realization of activity on management of registries of holders of the registered securities, attested by the signature of the chief and stamp of the applicant;

7.4 auditor's conclusion on payment of the authorized fund (capital) of the applicant (except for a bank), made out in accordance with Requirements to an auditor's conclusion which is submitted to the State Commission on Securities and Stock Market for obtaining the license on realization of professional activity in the equity market, approved by the Commission's resolution No. 325 of 28.07.2004 and registered with the Ministry of Justice of Ukraine No. 1217/9816 of 27.09.2004.

Is submitted by the applicant who for the first time obtains the license on realization of professional activity in the stock market - depository activity, namely activity on management of registry of holders of registered securities.

The licensee, whose validity of the previously issued license on realization of professional activity in the stock market - depository activity reaches the end, namely activity on management of registry of holders of registered securities, at obtaining of a new license, submits the above-said document only in case when during the validity of the previously issued license on the indicated activity the licensee has registered amendments to the charter related to the increase in amount of its authorized fund (capital), for confirmation of payment of this increase;

7.5 copy of a balance attested by signature of the chief and stamp of the applicant (except for a bank) in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of the application for licensing with a mark of an eligible agency of statistics (except for the applicant who for the first time obtains the appropriate license);

7.6 information on proprietors of the applicant (licensee) (with indication of professional participants of stock market) (Addendum 2);

7.7 extract from the Joint State Registry that confirms state registration of the legal entity - founder of the applicant.

Is submitted by the applicant (except for a bank) who for the first time obtains the appropriate license with regard to the founder - the resident;

7.8 auditor's conclusion with regard to financial state of the legal entity - founder of the applicant, including capability to make payment to the statutory fund (capital) of the applicant, with providing the balance as per form in accordance with the Regulation (Standard) on Accounting 2 "Balance" and the statement on financial results of its activity in accordance with the Regulation (Standard) on Accounting 3 " Statement on financial results " for the period in which the appropriate installments were paid, as well as for the previous period.

Is submitted by the applicant who is created in the form of a joint-stock company and for the first time obtains the license on realization of professional activity in the stock market - depository activity, namely activity on management of registry of holders of registered securities, with regard to the founder - the resident.

If, on the date of submission of the application for licensing, the founder was changed or liquidated and/or the period in which the founder made payments into the statutory fund (capital) of the applicant, totals more than three years, then instead of such an auditor's conclusion and relevant additions to it, the data are submitted, in the arbitrary form, with regard to such founders;

7.9 copy of the first and second pages of the passport, which contain the information on the physical entity - founder of the applicant.

Is submitted by the applicant (except for a bank) who for the first time obtains the appropriate license with regard to the founder - the resident with the authorization of such founder;

7.10 information on the made and registered own issues of securities by the applicant (licensee) (Addendum 4);

7.11 information on senior functionaries and experts of the applicant, who directly exercise professional activity in the stock market (depository activity - activity on management of the registry of holders of registered securities) and are certified in the established procedure (Addendum 5), with providing copies of the eligible certificates attested by the signature of the chief and stamp of the applicant;

7.12 information on legal entities in which the applicant (licensee) has a share in the authorized fund (capital) of those legal entities (Addendum 7);

7.13 copies of documents attested by the signature of the chief and stamp of the applicant, which confirm the applicant's property right (except for a bank) on the office in which the professional activity in the stock market is performed (will be performed) or the right of its use;

7.14 copy of the document attested by the signature of the chief and stamp of the applicant that confirms the provision of the round-the-clock security of the above-said office.

If in the document that confirms the property right or use of an office, the conditions are stipulated of realization of such a security, then the mentioned document is not submitted;

7.15 list of issuers, whose registries are managed by the applicant (licensee) (Addendum 8), except for the applicant who obtains license for the first time;

7.16 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms the payment of fines, if such were imposed on the licensee during the validity of previously issued license for law infringements in the stock market and which have not been appealed in judicial procedure.

In case the fines were not applied to the licensee, then the information is submitted, in arbitrary form, on their absence;

7.17 copy of the approved organizational structure of the applicant attested by the signature of the chief and stamp of the applicant with providing data with regard to structural subdivisions of the applicant (licensee) whose employees directly exercise certain kinds of professional activity (depository activity - activity on management of the registry of holders of registered securities) (Addendum 6).

Is submitted by the licensee (except for a bank) in case of combining the depository activity of the custodian of securities with the activity on management of the registry of holders of registered securities;

7.18 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making of a payment by the applicant for the issue of the appropriate license in accordance with Clause 15 of Section I hereof.

8. The following documents are attached to the application on licensing for realization of professional activity in the stock market - depository activity, namely, activity on the management of own registry of holders of registered securities:

8.1 copy of certificate on the applicant's state registration, certified notarially or by an agency which issued the document;

8.2 copies of constituent documents of the applicant certified notarially or by an agency that issued the document with amendments (new edition) registered in the established procedure;

8.3 copy of certificate of registration of securities issue attested by the signature of the chief and stamp of the applicant;

8.4 data on a number of holders of registered securities together with all own issues of registered securities, certified by the stamp and the signature of the applicant, in the arbitrary form;

8.5 information on senior functionaries and experts of the applicant, who directly exercise professional activity in the stock market (depository activity - activity on the management of own registry of holders of registered securities) and are certified in the established procedure (Addendum 5), with providing copies of the eligible certificates attested by the signature of the chief and stamp of the applicant;

8.6 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms the payment of fines, if such were imposed on the licensee during the validity of previously issued license, for the law infringements in the stock market, and which have not been appealed in judicial procedure.

In case the fines were not applied to the licensee, then the information is submitted, in the arbitrary form, on their absence;

8.7 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making of a payment by the applicant for the issue of a relevant license, in accordance with Clause 15 of Section I hereof.

9. The following documents are attached to the application for licensing on realization of professional activity in the stock market - activity on the organization of trade in the stock market:

9.1 copy of certificate on the state registration of the applicant, obtained in a procedure established by the Law of Ukraine " On State Registration of Legal Entities and Physical entities - Entrepreneurs ", certified notarially or by an agency which has issued the document;

9.2 copy of the applicant's constituent documents certified notarially or by an agency that has issued the document with amendments (new edition) registered in the established procedure;

9.3 auditor's conclusion on payment of the applicant's authorized fund (capital) (except for a bank), made out in accordance with Requirements to an auditor's conclusion which is submitted to the State Commission on Securities and Stock Market for obtaining the license on realization of professional activity in the stock market, approved by the Commission's resolution No 325 of 28.07.2004 and registered with the Ministry of Justice of Ukraine N 1217/9816 of 27.09.2004.

Is submitted by the applicant, who for the first time obtains the license for realization of professional activity in the stock market - activity on organization of trade in the stock market.

Licensee, whose validity of the previously issued license on realization of professional activity in the stock market - activity on organization of trade in the stock market comes to an end, submits the above-said document at obtaining of a new license only in case when during the validity of previously issued license for the mentioned activity the licensee has registered amendments to the constituent documents, related to the increase of amount of its authorized fund (capital), for confirmation of payment of this increase, including the amount specified for obtaining the license;

9.4 information on structure of the applicant's assets (in the arbitrary form) with indication of kinds of financial investments;

9.5 copy of a balance attested by the signature of the chief and stamp of the applicant in accordance with the Regulation (Standard) on Accounting 2 "Balance" for the last accounting date prior to the submission of the application for licensing with a mark of an eligible agency of statistics (except for the applicant who obtains the appropriate license for the first time);

9.6 information on proprietors of the applicant (licensee) (with indication of professional participants of the stock market) (Addendum 2);

9.7 extract from the Joint State Registry that confirms state registration of the legal entity - founder of the applicant.

Is submitted by the applicant who for the first time obtains the appropriate license with regard to the founder - the resident;

9.8 auditor's conclusion with regard to financial state of the legal entity - founder of the applicant, including capability to make payment to the applicant's statutory fund (capital), with providing the balance in accordance with the Regulation (Standard) on Accounting 2 "Balance" and the statement on financial results of its activity in accordance with the Regulation (Standard) on Accounting 3 " Statement on financial results ", for the period in which the relevant installments were paid, as well as for the previous period.

Is submitted by the applicant who is created in the form of a joint-stock company and for the first time obtains the license on realization of professional activity in the stock market - activity on organization of trade in the stock market with regard to the founder - the resident.

If at the date of submission of the application for licensing the founder was changed or liquidated and/or the period in which the founder made payment to the applicant's statutory fund, makes up more than three years, then data are submitted in the arbitrary form instead of such auditor's conclusion and relevant additions to it with regard to such founders;

9.9 information on the legal entities in which the applicant has a share of over five percent of the authorized fund (capital) of those legal entities (Addendum 3);

9.10 information on the made and registered own issues of the applicant's (licensee's) securities (Addendum 4);

9.11 information on senior functionaries and experts of the applicant, who directly exercise professional activity in the stock market (activity on organization of trade in the stock market) and are certified in the established procedure (Addendum 5) with providing copies of the relevant certificates attested by the signature of the chief and stamp of the applicant;

9.12 list of members of the stock exchange, made out in alphabetic order with the indication of their names, identification code of the legal entity, location and phone numbers;

9.13 copies of the documents attested by the signature of the chief and stamp of the applicant, that confirm the applicant's property right on the office in which the professional activity in the stock market is performed (will be performed) or the right of its use;

9.14 copy of the approved organizational structure of the applicant attested by the signature of the chief and stamp of the applicant with providing data on structural subdivisions of the applicant (licensee) whose employees directly exercise professional activity in the stock market - activity on organization of trade in the stock market (Addendum 6);

9.15 trade organizer rules registered by the Commission in the established procedure;

9.16 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms the payment of fines if such were imposed on the licensee during the validity of the previously issued license for the law infringements in the stock market, and which have not been appealed in judicial procedure.

In case the fines were not applied to the licensee, then the information is submitted in the arbitrary form on their absence;

9.17 copy of the payment document attested by the signature of the chief and stamp of the applicant that confirms making of a payment by the applicant for the issue of the relevant license, in accordance with Clause 15 of Section I hereof.

### **Section III. Conditions of licensing on realization of certain kinds of professional activity in the stock market**

#### **Chapter 1. Conditions of licensing on realization of professional activity in the stock market - activity in securities trading**

1. License on realization of professional activity in the stock market - activity in securities trading, can be obtained only by the legal entity created in the form of economic partnership.

2. For the stock trader, the securities trading, according to the legislation, is an exclusive kind of its activity that should be reflected in its constituent documents.

The constituent documents should account for the specifics of regulations with regard to realization of activity in securities trading, established by Civil and Economic Codes of Ukraine, Laws of Ukraine " On Securities and Stock Market " and " On Financial Services and State Regulation of Financial Services Markets ".

3. The statutory fund (capital) of the stock trader should be paid, at its generation, exclusively at the expense of money resources.

4. The license on realization of professional activity in the stock market - activity in securities trading, namely, dealer activity can be issued to the stock trader (except for a bank) which the statutory fund (capital) is to be paid in money in the amount of not less than UAH 120 thousand.

5. The license on realization of professional activity in the stock market - activity in securities trading, namely, brokerage activity and activity in securities management can be issued to the stock trader (except for a bank) which the statutory fund (capital) is to be paid in money in the amount of not less than UAH 300 thousand.

6. The license on realization of professional activity in the stock market - activity in securities trading, namely, underwriting can be issued to the stock trader (except for a bank) which the statutory fund (capital) is to be paid in money in the amount of not less than UAH 600 thousand.
7. The license on realization of professional activity in the stock market - activity in securities trading can be issued to the bank created in the form of an economic partnership, which charter stipulates the appropriate securities transactions.
8. The license on realization of any kind of professional activity in the stock market - activity in securities trading cannot be obtained by the stock trader (including bank), in which authorized fund (capital) the share of other stock trader exceeds 10 percent.
9. The license on realization of any kind of professional activity in the stock market - activity in securities trading cannot be obtained by the stock trader (including bank) if its share in the authorized fund (capital) of other stock trader exceeds 10 percent.
10. Senior functionaries of the stock trader (including bank), of its branches or other detached subdivisions who are granted with authorities with regard to realization of activity in securities trading, are defined by Commission's resolution No. 1 of 05.01.99 " On the definition of the list of senior functionaries whose realization of professional activity in the stock market by their legal entities is subject to certification ", registered with the Ministry of Justice of Ukraine No. 25/3318 19.01.99 (further – Commission's resolution No.1 of 05.01.99), as well as experts of the stock trader (of its branches or other detached subdivisions), who directly execute securities transactions, should be certified in accordance with Regulations on certification of entities which exercise professional activity with securities in Ukraine, approved by Commission's resolution No.93 of 29.07.98 and registered with the Ministry of Justice of Ukraine No. 631/3071 of 06.10.98 (further - Regulations on certification).
11. For the stock trader (except for a bank), at obtaining the license on realization of professional activity in the stock market - activity in securities trading, namely, dealer activity, qualification requirements are as follows: not less than two certified experts (including senior functionaries) and one certified expert (including senior functionary) – for a branch or other detached subdivision which are granted with authorities to exercise activity in securities trading.
12. For the stock trader (except for a bank), at obtaining the license on realization of professional activity in the stock market - activity in securities trading, namely, brokerage activity, activity in securities management, underwriting, qualification requirements are as follows: not less than three certified experts (including senior functionaries) and two certified experts (including senior functionaries) – for a branch or other detached subdivision which are granted with authorities to exercise activity in securities trading.
13. For the stock trader (except for a bank), at obtaining the license on the realization of several kinds of professional activity in the stock market - activity in securities trading simultaneously, qualification requirements are as follows: not less than four certified experts (including senior functionaries) and three certified experts (including senior functionaries) – for a branch or other detached subdivision which are granted with authorities to exercise activity in securities trading.
14. For a bank, at obtaining the license on realization of any kind of professional activity in the stock market - activity in securities trading, qualification requirements are as follows: not less than three certified experts (including senior functionaries) and two certified experts (including senior functionaries) – for a branch or other detached subdivision which are granted with authorities to exercise activity in securities trading.
15. For a bank, at obtaining the license on realization of several kinds of professional activity in the stock market - activity in securities trading simultaneously, the qualification requirements are as follows: not less than four certified experts (including senior functionaries) and three certified experts (including senior functionaries) - for a branch or other detached subdivision which are granted with authorities to exercise activity in securities trading.
16. Senior functionaries of the stock trader (its branches or other detached subdivisions) at realization of any kind of professional activity in the stock market - activity in securities trading cannot simultaneously work with other professional participant of the stock market.

Besides, the chief of the stock trader (except for a bank) should have the length of service in the stock market of not less than three years.

Certified experts of the stock trader (of its branches or other detached subdivisions) can work with no more than two stock traders, but cannot simultaneously work with other professional participants.

17. The applicant (except for a bank) at the date of submission of the application for licensing should meet the legislation requirements with regard to payment of the authorized fund (capital), including capability of the founder to make appropriate payments into the statutory fund (capital), and the amount of his own capital at this date should be not less the amount of the registered authorized fund (capital).

18. All own securities issues of the applicant for a date of submission of the application for licensing should be registered in the established procedure.

19. The applicant (except for a bank) should have an office and technical means for realization of professional activity in the stock market - activity in securities trading which meet the requirements, established by the Commission for this kind of activity.

20. The license on realization of any kind of professional activity in the stock market - activity in securities trading cannot be obtained by the licensee who has not ensured the fulfillment, during validity of the previously issued license of decisions on elimination of law infringements, rulings on imposition of sanctions for law violations (including, those that stipulated the payment of appropriate penalties) which were passed by the Commission's authorized officials with regard to this licensee, as well as Commission's relevant decisions which concern the activity of this licensee and which have not been appealed in judicial procedure.

21. Stock trader can obtain the new license not earlier than in a year after cancellation of the previously issued license as per appropriate authorization.

22. Branches or other detached subdivisions of the applicant can obtain copy of the license if the submitted documents meet the requirements of Clause 1 of Section V hereof.

## **Chapter 2. Conditions of licensing on realization of professional activity in the stock market - depository activity, namely depository activity of the custodian of securities**

1. The license on realization of any kind of professional activity in the stock market - depository activity, namely depository activity of the custodian of securities can be obtained by banks which have the license on realization of professional activity in the stock market - activity in securities trading, as well as the stock traders at the availability of the above-said license which constituent documents provide the realization of depository activity of the custodian of securities.

Constituent documents of the licensee (except for a bank), submitted for obtaining the license, should take into account the features specified by the Law of Ukraine " On the National Depository System and Specifics of Electronic Circulation of Securities in Ukraine ".

2. The minimum amount of the authorized fund (capital) and financial state of the bank for obtaining the license on realization of professional activity in the stock market - depository activity, namely depository activity of the custodian of securities should meet the requirements, established by the National Bank of Ukraine.

3. The minimum amount of the authorized fund (capital) of the stock trader at a date of submission of the application for licensing should be fully paid, including money resources in the amount of not less than UAH 1 million.

4. The minimum amount of the authorized fund (capital) of the stock trader which is the investment company and exercises management of its mutual funds and/or assets of the investment fund, at a date of submission of the application for licensing should be fully paid, including money resources in the amount of not less than UAH 1,4 million.

5. In the authorized fund (capital) of the custodian the share of other custodian, stock trader, investment company and other professional participants of the stock market cannot exceed five percent. The share

of the institutional investor, which is not the professional participant of the stock market (insurance company, non-state pension fund and others) in the authorized fund of the custodian, cannot exceed twenty percent, if other is not stipulated by the law.

6. Senior functionaries of the applicant (including bank), its branches or other detached subdivisions which are granted with authorities to exercise depository activity of the custodian of securities, are defined by the Commission's resolution No.1 of 05.01.99, as well as experts who are granted with authorities with regard to realization of depository activity, should be certified in accordance with Regulations on certification.

For the applicant (except for a bank) and for its branches or other detached subdivisions, which are granted with authorities with regard to realization of depository activity of the custodian of securities, qualification requirements at obtaining the license are as follows: not less than three experts certified in the established procedure (including senior functionaries).

7. For a bank, the qualification requirements at obtaining the license are as follows: not less than four certified experts (including senior functionaries) and three certified experts (including senior functionaries) - for each branch or other detached subdivision, which are granted with authorities with regard to realization of activity of the custodian of securities.

Senior functionaries and experts of the applicant (of its branches or other detached subdivisions) who are certified in the procedure established by the Commission, cannot simultaneously work with other professional participant of the stock market.

The chief of the applicant (except for a bank) should have the length of service in the stock market of not less than three years.

8. The applicant (except for a bank) at the date of submission of the application for licensing should meet the requirements the legislation with regard to payment of the authorized fund (capital), including capability of the founder to effect eligible payment to the statutory fund (capital), and the amount of its own capital for this date should be not less the amount of the registered authorized fund (capital).

9. All own securities issues of the applicant at the date of submission of application for licensing should be registered in the established procedure.

10. The applicant (except for a bank) should have an office and technical means on realization of professional activity in the stock market - depository activity of the custodian of securities which meet the requirements, established by the Commission for this kind of activity.

11. The license on realization of professional activity in the stock market - depository activity, namely, depository activity of the custodian of securities can not be obtained by the licensee who has not ensured the fulfillment, during validity of the previously issued license of decisions on elimination of infringements of the legislation, rulings on imposition of sanctions for law violations (including those, that stipulated the payment of relevant fines) passed by the Commission's authorized officials with regard to this licensee, as well as relevant decisions by the Commission with regard to this licensee which were not appealed in judicial procedure.

12. The custodian can obtain new license not earlier than in a year after cancellation of the previously issued license as per eligible authorization.

13. Copy of the license can be obtained by the branches or other detached subdivisions of the custodian if the submitted documents meet the requirements of Clause 1 of Section V hereof.

### **Chapter 3. Conditions of licensing on realization of professional activity in the stock market - depository activity, namely, depository activity of a depository of securities**

1. The license on realization of professional activity in the stock market - depository activity, namely, depository activity of a depository of securities, can be obtained only by the legal entity that is created in line with the Law of Ukraine " On Economic Partnerships " in the form of an open joint-stock company whose participants are not less than ten custodians. Stock exchange or participants of the regulated off-exchange market can be founders of a depository.

2. Charter of a depository should take into account the features specified by the Law of Ukraine " On National Depository System and Specifics of Electronic Circulation of Securities in Ukraine " and other acts, and depository activity should be specified in the charter as its exclusive activity, if other is not established by the said Law.
3. Minimum amount of the authorized fund of a depository at the date of submission of the application for licensing should be fully paid, including money resources in the amount of not less than UAH 2 million.
4. Share of one participant in the authorized fund (capital) of a depository cannot exceed 25 percent of this fund, except for a share of the state in the authorized fund of the National Depository of Ukraine.
5. Senior functionaries of the applicant defined by the Commission's resolution No. 1 of 05.01.99, and all employees of structural subdivisions of a depository who directly exercise depository activity, should be certified in accordance with Regulations on certification of officials.

The said senior functionaries and employees of the applicant cannot simultaneously work with other professional participant of the stock market.

Chief of the applicant should have a length of service in the stock market of not less than three years.

6. The applicant, at the date of submission of the application for licensing, should meet the requirements the legislation with regard to payment of the authorized fund (capital), including the capability of the founder to make appropriate payments to the statutory fund (capital), and amount of its own capital for this date should be not less the amount of the registered authorized fund (capital).
7. All own securities issues of the applicant at the date of submission of the application for licensing should be registered in the established procedure.
8. The depository should have an office and technical means on realization of professional activity in the stock market - depository activity of a depository of securities that meet the requirements, established by the Commission for this kind of activity.
9. The license on realization of professional activity in the stock market - depository activity, namely, depository activity of a depository of securities cannot be obtained by the depository that has not ensured the fulfillment, during validity of the previously issued license, of resolutions on elimination of infringements of the legislation, rulings on imposition of sanctions for law violations (including those, that stipulated the payment of relevant fines) which were passed by the Commission's authorized officials with regard to this licensee, as well as relevant resolutions of the Commission which concern this licensee and which were not appealed in judicial procedure.
10. The depository can obtain the new license not earlier than in a year after cancellation of the previously issued license as per appropriate authorization.

#### **Chapter 4. Conditions of licensing on realization of professional activity in the stock market - depository activity, namely, settlement-clearing activity**

1. The license on realization of professional activity in the stock market - depository activity, namely, settlement-clearing activity can be obtained only by the depository that has the license on realization of professional activity in the stock market - depository activity, namely, depository activity of a depository of securities.
2. The charter of a depository should provide realization of the settlement-clearing activity.
3. Minimum amount of the authorized fund of a depository at the date of submission of the application for licensing should be fully paid, including money resources in the amount of not less than UAH 3,5 million.
4. Senior functionaries of the applicant defined by the Commission's resolution No.1 of 05.01.99 and all experts of structural subdivisions of a depository who directly exercise settlement-clearing activity should be certified in accordance with Regulations on certification of officials.
5. The applicant, at the date of submission of the application for licensing, should meet the legislation requirements with regard to payment of the authorized fund (capital), including capability of the founder

to make appropriate payments to the statutory fund (capital), and amount of its own capital for this date should be not less amount of the registered authorized fund (capital).

6. All own securities issues of the applicant, at the date of submission of the application for licensing, should be registered in the established procedure.
7. The depository should have an office and technical means for realization of professional activity in the stock market - depository activity that meets the requirements, established by the Commission for this kind of activity.
8. The depository, which has obtained a license on realization of professional activity in the stock market - depository activity, namely settlement-clearing activity, acquires the status of a clearing depository.

#### **Chapter 5. Conditions of licensing on realization of professional activity in the stock market - depository activity, namely, activity on management of the registry of holders of registered securities**

1. The license on realization of professional activity in the stock market - depository activity, namely, activity on management of the registry of holders of registered securities can be obtained only by the legal entity which is created in line with the Law of Ukraine " On Economic Partnerships " (further - registrar).

2. The applicant can obtain license, if activity on management of the registry of holders of registered securities is stipulated by its constituent documents.

The constituent documents should account for features specified by the Law of Ukraine " On National Depository System and Specifics of Electronic Circulation of Securities in Ukraine ".

3. Activity on management of the registry of holders of registered securities is an exclusive kind of activity for the registrar, which cannot be combined with other kinds of activity, except for the depository one.

4. Depositories and custodians of securities may also act as the applicants.

Depositories and custodians can conduct registries of holders of registered securities in case of obtaining of eligible license by them in accordance with requirements of this Procedure.

5. Public authorities cannot be founders or participants of the registrar, except for a case of realization of activity on management of the registry of holders of registered securities by the National Depository of Ukraine.

6. The centers of certificate auctions and their assignees cannot be founders and participants of the registrar.

7. If the proprietor of the applicant is the professional participant of the stock market, its share in the authorized fund (capital) of the applicant should not be more than 10 percent.

8. Minimum amount of the paid authorized fund of the registrar at the date of submission of the application for licensing should make up not less than UAH 60 thousand, including money resources of not less than UAH 30 thousand.

9. Senior functionaries of the applicant defined by the Commission's resolution No.1 of 05.01.99, and its employees who directly exercise activity on management of the registry of holders of registered securities, should be certified in accordance with Regulations on certification of officials.

For the applicant (except for a bank) the number of certified employees cannot be less than three (including senior functionaries).

Chief of the applicant (except for a bank) should have the length of service in the stock market of not less than three years.

Certified senior functionaries and experts of the applicant (of its branches or other detached subdivisions) cannot simultaneously work with other professional participant of the stock market.

10. For a bank the number of certified experts should not be less than four (including senior functionaries).

11. Copy of the license can be obtained by branches or other detached subdivisions of the registrar if the submitted documents meet the requirements of Clause 1 of Section V hereof and if they have the number of certified experts with the account of specifics set up by this clause.

In case of availability with the registrar's branch (other detached subdivision) of authorities as to the consolidation of complete registries of a certain issuer then such a branch or other detached subdivision should have not less than three certified experts (including senior functionaries).

Branch or other detached subdivision of the registrar, which has the authority as to the management of personal accounts of individual persons registered in the system of registries, should have not less than one certified expert.

With this, if the branch or other detached subdivision services more than ten thousand personal accounts of persons registered in the registries, it should have not less than two certified experts.

12. All own securities issues of the applicant, at the date of submission of the application for licensing, should be registered in the established procedure.

13. The applicant (except for a bank), at the date of submission of the application for licensing, should meet the legislation requirements as to the payment of the authorized fund (capital), including capability of the founder to make appropriate payments to statutory fund (capital), and the amount of its own capital at this date should not be less the amount of the registered authorized fund (capital).

14. The applicant (except for a bank) should have an office and technical means for realization of professional activity in the stock market - depository activity, namely, activity on management of the registry of holders of registered securities which meets the requirements, established by the Commission for this kind of activity.

15. The license on realization of professional activity in the stock market - depository activity, namely, activity on management of the registry of holders of registered securities, cannot be obtained by the applicant who has not ensured the fulfillment, during validity of the previously issued license of decisions on elimination of infringements of the legislation, rulings on imposition of sanctions for law violations (including those, that provided the payment of relevant fines) which were passed by the Commission's authorized officials with regard to this licensee, as well as Commission's relevant decisions which concern this licensee and which were not appealed in judicial procedure.

16. The registrar can obtain the new license not earlier than in a year after cancellation of the previously issued license as per eligible authorization.

#### **Chapter 6. Conditions of licensing on realization of professional activity in the stock market - depository activity, namely, activity on management of own registry of holders of registered securities**

1. The license on realization of professional activity in the stock market - depository activity, namely, activity on management of own registry of holders of registered securities, can be obtained by the issuer in case the management of own registry is stipulated by the charter the applicant and the number of holder of registered securities from all securities issues of the issuer, in aggregate, does not exceed 150 persons.

2. The chief of the issuer's executive body or other senior functionary who in accordance with the allocation of duties is responsible for realization of activity by the issuer on the management of own registry of holders of registered securities, and an expert, to whom the authorities are granted with regard to realization of this activity, should be certified in accordance with Regulations on certification of officials.

3. The minimum quantity of the certified experts (including senior functionaries) should total not less than two persons for realization by the issuer of activity on the management of own registry of holders of registered securities.

4. All own securities issues of the applicant, at the date of submission of the application for licensing, should be registered in the established procedure.
5. The license on realization of professional activity in the stock market - depository activity, namely, the activity on management of own registry of holders of registered securities, cannot be obtained by the applicant who has not ensured the fulfillment, during validity of the previously issued license of decisions on elimination of infringements of the legislation, rulings on imposition of sanctions for law violations (including those, that stipulated payment of relevant fines) which were passed by of the Commission's authorized officials with regard to this licensee, as well as Commission's eligible decisions which concern this licensee and which were not appealed in judicial procedure.
6. The issuer can obtain the new license not earlier than in a year after cancellation of the previously issued license as per the eligible authorization.

#### **Chapter 7. Conditions of licensing on realization of professional activity in the stock market - activity on organization of trade in the stock market**

1. The license on realization of professional activity in the stock market - activity on organization of trade in the stock market, can be obtained by the stock exchange only if the stock exchange regulations are registered by the Commission in the established procedure.

With this, in the charter of the stock exchange there should be the accounted the features, specified by the Law of Ukraine " On Securities and Stock Market " .

2. The license on realization of professional activity in the stock market - activity on organization of trade in the stock market can be obtained by the stock exchange which is formed in the organizational-legal form of a partnership (except for complete, special partnership and a company with double liability) of not less than twenty founders - stock traders which have the license on realization of professional activity in the stock market, or affiliated enterprise of association of securities traders that totals not less than twenty stock traders.
3. Minimum amount of the authorized fund (capital) of the stock exchange at the date of submission of the application for obtaining the license should be fully paid, including money resources in the amount of not less than UAH 2 million, and for stock exchanges, engaged in clearing and settlements, of not less than UAH 5 million.
4. The share of one stock trader cannot be larger than 5 percent of the authorized fund (capital) of the stock exchange.
5. The stock exchange cannot obtain a license, if its statutory fund (capital) is formed with the medium-term or long-term state securities of more than 30 percent.
6. The stock exchange cannot obtain a license, if in the structure of its assets there are no state securities, except for a case of a depository stockholding.
7. The senior functionaries of the stock exchange defined by the Commission's resolution No 1 of 05.01.99, and not less than two experts of each structural subdivision of the stock exchange that exercise activity on organization of trade in the stock market, should be certified in accordance with Regulations on certification.

The certified senior functionaries and experts of the stock exchange (of its branches or other detached subdivisions) cannot simultaneously work with other professional participant of securities market.

The chief of the stock exchange should have the length of service in the stock market of not less than three years.

8. All own securities issues of the applicant, at the date of submission of the application for licensing, should be registered in the established procedure.
9. The applicant, at the date of submission of the application for licensing, should meet the legislation requirements with regard to payment of the authorized fund (capital), including capability of the founder

to make appropriate payments to the statutory fund (capital), and amount of its own capital for this date should be not less the amount of the registered authorized fund (capital).

10. The applicant should have an office and technical means for realization of professional activity in the stock market - activity on organization of trade in the stock market that meet the requirements, set by the Commission for this kind of activity.

11. The license on realization of professional activity in the stock market - activity on organization of trade in the stock market cannot be obtained by the applicant who has not ensured the fulfillment, during validity of the previously issued license of decisions on elimination of legislation infringements, rulings on imposition of sanctions for law violations (including those, that stipulated the payment of relevant fines) which were passed by the Commission's authorized officials with regard to this licensee, as well as relevant decisions of the Commission which concern this licensee and which were not appealed in judicial procedure.

12. The applicant can obtain the new license not earlier than in a year after cancellation of the previously issued license as per the eligible authorization.

13. Branches or other detached subdivisions of the trade organizer can obtain copy of the license if the submitted documents meet the requirements of Clause 1 of Section V hereof.

#### **Section IV. Procedure of consideration of documents, licensing or refusal in its issue**

1. Commission (for issuers – Commission's relevant territorial agency) returns the application for licensing and corresponding documents to the applicant without consideration, if:

1.1 application is signed by a person, which has no authorities to do so;

1.2 documents that are attached to the application are issued with the violation of requirements established by this Procedure;

1.3 partial list of documents is submitted, that is attached to the application in accordance with this Procedure for a certain kind of activity.

2. On disregard of application for licensing the applicant is informed in writing (signed by the Commissioner who according to allocation of the responsibilities is responsible for this area of activity or for issuers - signed by the chief of corresponding territorial agency of the Commission) with the indication of reasons for disregard of application for licensing in a term not later than ten working days from the date of receipt of these documents.

After elimination of reasons that were the grounds for disregard of application for licensing, the applicant can reiterate the submission of application for licensing with providing the relevant documents that are considered in accordance with this Procedure.

3. The Commission (for issuers – Commission's relevant territorial agency) has the right, within the term of consideration of the application for licensing and the relevant documents to exercise verification of authenticity of data that are stated in those documents.

4. Commission (for issuers – Commission's relevant territorial agency) makes a decision on licensing or on refusal in its issue in time not later than thirty calendar days from the date of receipt of application for licensing and documents list of which is set by this Procedure individually on a specific kind of activity.

5. The decision on the issue or refusal in licensing is made out by a relevant order that is signed by the chief of the Commission or its acting chief (for issuers – by the chief of an appropriate territorial agency of the Commission or its acting chief).

In case of acceptance of decision by a licensing agency on the issue or refusal in licensing on realization of professional activity in the stock market: depository activity of a depository of securities; settlement-clearing activity and activity on organization of trade in the stock market, such a decision is accepted at the Commission's meeting (collective agency) and is made out in accordance with standing orders of holding of those meetings.

In a decision on refusal in licensing, the grounds of such refusal are necessarily stated in accordance with Clause 9 hereof with an adequate substantiation.

6. The written notification on a decision made on the issue or on the refusal in licensing (with providing a copy of an appropriate decision) is sent to the applicant within five working days from the date of acceptance of an appropriate decision (signed by the chief of the Commission's structural subdivision, that exercises consideration of the application for licensing and the relevant documents, and for issuers - the chief of a corresponding territorial agency of the Commission).
7. In case of refusal in licensing the submitted documents are not returned to the applicant.
8. In case of acceptance of a decision on licensing by a licensing agency it should be issued not later than within five working days from the date of acceptance of this decision.
9. The grounds for a decision made on refusal in licensing by a licensing agency are as under:
  - 9.1 inauthenticity of data in the application and documents, submitted by the applicant, for obtaining the license;
  - 9.2 non-compliance of the applicant to the requirements set up by this Procedure for obtaining the license on realization of a certain kind of professional activity in the stock market.
10. In case of refusal in licensing because of detection of inauthentic data in the documents submitted by the applicant on its issue, he can submit a new application for licensing to licensing agency not earlier than within three months from the date of decision made on refusal in licensing.
11. In case of refusal in licensing because of non-compliance of the applicant to the requirements set up by this Procedure, he can submit a new application for licensing and corresponding documents to a licensing agency after elimination of reasons that became the grounds for refusal in licensing.
12. The decision on refusal in licensing can be appealed in judicial procedure.

#### **Section V. Procedure of issue of license's copy**

1. In case of availability of a branch or other detached subdivision with the licensee, enlargement of the list of existing ones, to which the authorities will be granted on implementation of certain kinds of professional activity in the stock market in accordance with the license obtained or expansion of certain kinds of activity of the branch (other detached subdivision), the licensee should submit, prior to the commencement of realization of activity by the detached subdivision, the application to a licensing agency for the issue of a copy of license on realization of professional activity in the stock market (Addendum 9) and the following documents:
  - 1.1 copy of a decision on creation of a branch or other detached subdivision, on the granting the mentioned authorities to the operating branch (other detached subdivision), copy of the Regulations on the branch or other detached subdivision (except for a banks) approved in the established procedure in accordance with the requirements which have been set by this Procedure;
  - 1.2 for banks - copy of the written authorization of the bank on realization by a branch of the list of transactions specified by it, including transactions in the stock market, and a copy of Regulations, approved in the established procedure, on the in-house structural subdivision of the bank's branch or other detached subdivision, to which authorities are granted with regard to realization of certain kinds of professional activity in the stock market which should meet the requirements of the Regulation with regard to organization of activity of banks and their detached structural subdivisions for realization of professional activity in the equity market by them, approved by the Commission's resolution No. 160 of 16.03.2006, registered with the Ministry of Justice of Ukraine No. 409/12283 of 10.04.2006;
  - 1.3 information on a branch or other detached subdivision of the licensee to which authorities are granted with regard to realization of certain kinds of professional activity in the stock market (Addendum 10);
  - 1.4 information on the senior functionaries and experts of a branch or other detached subdivision of the licensee who directly exercise professional activity in the stock market and certified in the established procedure (Addendum 11);

- 1.5 copy of documents, attested by the signature of the chief and stamp of the applicant which confirm the property right of the applicant (except for a bank) on an office in which professional activity is implemented at the location of a branch or other detached subdivision, or the right of its use.
2. The decision on an issue of a copy (ies) of license or on refusal in its (their) issue is made out by the relevant order which is signed by the chief of a licensing agency or the acting chief in time not later than ten working days from the date of receipt of the application on an issue of a copy (ies) of license and documents attached to the application.
3. In case of acceptance a decision by a licensing agency of on an issue of a copy of the license it should be issued not later than within five working days from the date of acceptance of this decision.
4. Written notice on a decision made by a licensing agency on an issue or refusal in issue of a copy of license (with a copy of the relevant decision attached) is sent (is issued) to the applicant within five working days from the date of acceptance of a relevant decision (signed by the chief of the Commission's structural subdivision, which consider the application for obtaining the copy of the license and the relevant documents).
5. In a decision on refusal in issue of a copy of the license there should necessarily be noted the grounds of such refusal in accordance with this Procedure. With this, the submitted documents are not returned to the applicant.
6. The grounds for decision made by a licensing agency on refusal in issue of a copy of the license are as under:
  - 6.1 inauthenticity of data in the relevant application and the documents submitted by the applicant for obtaining copy of the license;
  - 6.2 non-compliance of the applicant to the requirements, which have been set up by this Procedure, for obtaining copy of the license on realization of a certain kind of professional activity in the stock market;
  - 6.3 absence of an office with the licensee at the location of a branch (other detached subdivision) or non-compliance of such an office to the requirements set by the Commission for a kind of professional activity in the stock market on which the copy of the license is obtained.
7. In case of refusal in issue of a copy of the license on the basis of detection of inauthentic data in the documents submitted by the applicant for its issue, he can submit new application to a licensing agency for the issue of a copy of the license, not earlier than in three months from the date of decision made on refusal in its issue.
8. In case of refusal in issue of a copy of the license on the basis of non-compliance of the applicant's branch (other detached subdivision) to the requirements set by this Procedure, he can submit new application to a licensing agency for the issue of a copy of the license and relevant documents after elimination of reasons which have become the grounds for refusal in its issue.
9. The decision on refusal in issue of a copy of the license can be appealed in judicial procedure.
10. In case of alteration of the branch's name (other detached subdivision) and/or location of branch (other detached subdivision), the licensee, within twenty working days from the date of introduction of respective alterations to the Regulations on this subdivision, should submit the following documents to a licensing agency:
  - 10.1 application on amendments with regard to the name of the subdivision and/or its location;
  - 10.2 copy of a decision on alteration of the name and/or location of this subdivision;
  - 10.3 copy of the Regulations on this subdivision approved in the established procedure with the amendments introduced;
  - 10.4 information with respective alterations in accordance with Addendum 11 to this Procedure.
11. Commission, in case of obtaining, in the established procedure, of licensee's application (with providing of appropriate documents) on alteration of the name and/or location of a branch or other detached subdivision which exercise activity on the basis of copy of the license issued by it, should,

within ten working days from the date of receipt of the indicated documents, introduce amendments into the relevant decision on an issue of a copy of the license. Introduction of amendments to decision on issue of a copy of the license is made out by the relevant order signed by the chief of the Commission or the acting chief.

## **Section VI. Procedure of renewal of the license**

1. In case of occurrence, during the realization of activity by the licensee, of the reasons for renewal of the license, namely: alteration of the name of the legal entity (if alteration of the name is not related to reorganization of the legal entity) and/or change of location of the legal entity, the licensee should, within fifteen working days from the date of occurrence of the reasons for renewal of the license, submit application for renewal of the license on realization of professional activity in the stock market (Addendum 12) to the Commission (for issuers - to a relevant territorial agency of the Commission) together with the first copy of the license which is subject to renewal, as well as the relevant documents or their copies certified notarially or by an agency which has issued the document that confirms the said alterations.

2. In case of the license's renewal in connection with amendments which are related to the alteration of the name of the licensee (if alteration of the name is not related to the discontinuance of the legal entity in connection with its reorganization) and/or change of its location, the following is attached to the application in accordance with the 12 to this Procedure:

2.1 copy of certificate on the state registration with respective alterations, certified notarially or by an agency which has issued the document;

2.2 copy of amendments to constituent documents (new edition) (alterations with regard to the name and/or location of the licensee) which are registered in the established procedure certified notarially or by an agency which has issued the document.

Copy of amendments to constituent documents is not submitted, if amendments with regard to location were not introduced into this document.

In this case, the extract is submitted from the Joint state registry of legal entities and physical entities - entrepreneurs in which the date and the No. of entry of those amendments are recorded in the said registry;

2.3 first copies of the license and copies of the license certified by the licensing agency (in case of their availability).

3. Decision on licensing in connection with its renewal and recognition void of the license (copy of the license) that has been renewed, is made out by an appropriate order signed by the chief of the Commission or acting chief (for issuers the chief of a respective territorial agency of the Commission or acting chief).

4. Commission (for issuers - relevant territorial agency of the Commission) within five working days from the date of receipt of the application for renewal of the license and the documents attached to it, should issue the renewed license on a new form with the account of amendments which have been stated in the application for renewal of the license.

5. Simultaneously with the license renewed on a new form, the Commission (for issuers - respective territorial the agency of the Commission), on the basis of data of the license registry, issues to the licensee, without charge, certified copies of such license to the branches or other detached subdivisions of the licensee (in case of their availability) to which the authorities are granted with regard to realization of professional activity in the stock market.

The license, which is renewed in the established procedure, is valid till the date of issue of the renewed license.

6. Commission (for issuers - respective territorial agency) returns application for renewal of the license and respective documents to the applicant without consideration, if:

6.1 application is signed by a person, which has no authorities to do so;

6.2 documents, which are attached to the application, are issued with violation of requirements set by this Procedure;

6.3 incomplete list is submitted of documents, stipulated by this Procedure.

7. On disregard of application for renewal of the license the applicant is informed in writing (signed by the chief of structural subdivision of the Commission which functions cover the consideration of those documents, or for issuers - signed by the chief of a respective territorial agency of the Commission) with indication of grounds of disregard of application for the license renewal in term not later than ten working days from the date of receipt of these documents.

After elimination of causes, which were the grounds for disregard of application for the license renewal, the applicant can reiterate the submission of the application for the license renewal with providing the adequate documents that are considered in accordance with this Procedure.

### **Section VII. Procedure of issue of the duplicate of the license**

1. If in the process of activity, the license has been lost by the licensee, he should apply to the Commission (for issuers - respective territorial agency of the Commission) for the issue of the duplicate of the license on realization of professional activity in the stock market (Addendum 13), to which copy is attached of the publication on such a loss in the Commission's official publication.

The grounds for the issue of the license duplicate are the loss of the license form or its damage.

2. If the form of the license is not suitable for the use as a result of its damage, then the licensee submits the form of the license unsuitable for use to a licensing agency in addition to the application for issue of the license's duplicate.

3. Validity of the duplicate of the license cannot exceed validity, which was stated in the lost or damaged license.

4. The licensee, who has submitted the application and appropriate documents for the issue of the license's duplicate, can exercise the activity on the basis of information on acceptance of the application on the issue of the license's duplicate that is issued by a licensing agency in case of submission of this application.

5. Commission (for issuers - respective territorial agency) should, within five working days from the date of obtaining the application for issue of the license's duplicate, issue the license's duplicate to the applicant instead of the lost or damaged form of the license.

6. The decision on the issue of the license's duplicate and on recognition void the license that has been lost or damaged is made out by the appropriate order signed by the chief of the Commission or the acting chief (for issuers - the chief of a respective territorial agency of the Commission or the acting chief).

**Head of Department  
on licensing the activity  
of professional participants  
of the equity market**

**I. Zanoza**

Addendum 1  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

No. \_\_\_\_\_ 200\_  
(Date of application signing)

**APPLICATION**  
**on licensing of realization of professional activity in the stock market**

Applicant \_\_\_\_\_,  
(Full name)

Location \_\_\_\_\_,

Phone, fax \_\_\_\_\_,

Identification code of the legal entity \_\_\_\_\_,

Bank essentials:

Name of bank \_\_\_\_\_,

Bank location \_\_\_\_\_,

MFO, current account \_\_\_\_\_,

**Requests the issue of license on realization of professional activity in the stock market:**

1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

(kind of activity is stated in accordance with Clause 5 of Section I of the Procedure)

Copy of inventory (list) of documents is attached.

Chief of legal entity

Place of stamp  
(Signature)

Name

Addendum 2  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information  
on proprietors of the applicant (licensee)  
(with indication of professional participants of the stock market)**

Date of information signing:

Item No.	Full name of legal entity or surname, name, patronymic of physical entity of proprietor of the applicant	Identification code of the legal entity of the proprietor of the applicant	Identification No. of physical entity of proprietor of applicant (if available)	Symbol of participant of securities market * (for legal entities)	Location of legal entity or passport data of physical entity of proprietor of the applicant **	Share in the applicant's authorized fund (capital) (UAH)	Share in the applicant's authorized fund (capital) (%)
----------	--	--	---	---	---	--	--

1  
2  
3

Chief of legal entity                      Place of stamp                      Name  
(Signature)

\* T - stock traders, P - independent registrars, I - investment funds, Д - depositaries, Б - stock exchanges, С - self-regulatory organizations, З - custodians, КYA - assets management companies, О - other legal entities which are not professional participants of the stock market, СК - insurance company, ПФ - pension fund.

\*\* - For the proprietor who is non-resident - to indicate mailing address.

Addendum 3  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information**

**on legal entities in which the applicant has a share over 5 percent of the authorized fund (capital)  
of these legal entities**

Date of information signing:

Item No.	Full name of legal entity	Identification code of legal entity	Symbol of participant of securities market * (for legal entities)	Location of legal entity	Share of applicant in authorized fund (capital) of this legal entity (UAH)	Share of applicant in authorized fund (capital) of this legal entity (%)
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1

2

3

Chief of legal entity

Place of stamp  
(Signature)

Name

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\* T - stock traders, P - independent registrars, I - investment funds, Д - depositaries, Б - stock exchanges, С - self-regulatory organizations, З - custodians, КУА - assets management companies, О - other legal entities which are not professional participants of the stock market, СК - insurance company, ПФ - pension fund.

\*\* - For the proprietor who is non-resident - to indicate mailing address.

Addendum 4  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**The information  
on the completed and registered own securities issues of the applicant (licensee)**

Date of information signing:

Item No.	Kind of issuing security	Nominal cost of security, UAH.	Qty of securities, pcs	Total sum of issue, UAH	No. of certificate of issue registration, date, name of registration agency
1					
2					
3					

Chief of legal entity

Place of stamp  
(Signature)

Name

Addendum 5  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information**

**On senior functionaries and experts of the applicant (licensee) who directly exercise professional activity in the stock market and are certified in the established procedure**

Date of signing the information:

Item No.	Surname, name, patronymic	Identification No. of physical entity (if available)	Post	Length of service in equity market (stock market)	Phones	Certificate: number, date of issue, validity, kind of professional activity with securities	Data on previous conviction, fines for administrative offences in the equity market	Name of document (date and No.), which assigned (dismissed) the expert or to whom the authorities are granted to directly exercise professional activity
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1

2

3

Chief of the legal entity

Place of stamp  
(Signature)

Name

Addendum 6  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Data**

**on structural subdivisions of the applicant (licensee), whose employees directly exercise certain kinds of professional activity**

Date of signing the information:

Item No.	Full name of structural subdivision	Post	Surname, name, patronymic	Functions
1		1		
		2		
2		1		
		2		

Chief of legal entity

Place of stamp  
(Signature)

Name

Addendum 7  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information**

**on legal entities in which the applicant (licensee) has a share in the authorized fund (capital) of these legal entities**

Date of signing the information:

Item No.	Full name of legal entity	Identification code of legal entity	Symbol of participant of securities market * (for legal entities)	Location of legal entity	Applicant's share in authorized fund (capital) of this legal entity (UAH)	Applicant's share in authorized fund (capital) of this legal entity (%)
1						
2						
3						

Chief of legal entity

Place of stamp  
(Signature)

Name

---

\* T - stock traders, P - independent registrars, I - investment funds, Д - depositaries, Б - stock exchanges, С - self-regulatory organizations, З - custodians, КУА - assets management companies, О - other legal entities which are not professional participants of the stock market, СК - insurance company, ПФ - pension fund.

\*\* - For the proprietor who is non-resident - to indicate mailing address.

Addendum 8  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**List of issuers, whose registries are managed by the applicant (licensee)**

Date of signing of the information:

Item No.	Issuer's full name	Issuer's identification code	Issuer's location	No. of holder of registered securities	Surname, name, patronymic of the issuer's chief	Phones	Date and No. of agreement on registry management	Date and No. of registry acceptance report from one entity to the other legal entity*
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Chief of legal entity

Place of stamp  
(Signature)

Name

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\* - filled in at the fact of event

Addendum 9  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

No. \_\_\_\_\_ 200\_  
(Date of application signing)

**APPLICATION**

**on issue of a copy of license on realization of professional activity in the stock market**

Applicant \_\_\_\_\_,  
(Full name)

Location \_\_\_\_\_,

Identification code of the legal entity \_\_\_\_\_,

Bank essentials:

Name of bank \_\_\_\_\_,

Location of bank \_\_\_\_\_,

MFO, current account \_\_\_\_\_

kind (s) of activity, on which the license has been issued

\_\_\_\_\_,  
series and No. of the license

\_\_\_\_\_,  
Date of acceptance and No. of decision on licensing \_\_\_\_\_,

Date of licensing \_\_\_\_\_,

Validity of license from \_\_\_\_\_ till \_\_\_\_\_,

**Requests the issue of copy (ies) of the license to a branch or other detached subdivision:**

Names of branches or other detached subdivision	Location of applicant's branches or other detached subdivision	Name of a kind (s) of professional activity in the stock market which is exercised by the applicant's branch or other detached subdivision
1	2	3

Two copies of inventory (list) of the documents are attached.

Chief of the legal entity	<u>Place of stamp</u> (Signature)	Name
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Addendum 10  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information on the licensee's branch or other detached subdivision to which the authorities are granted with regard to realization of certain kinds of professional activity in the stock market**

Date of information signing:

Item No.	Full name	Identification code of branch or other detached subdivision	Location of branch or other detached subdivision	Phones	Date and No. of decision on setting up of branch or other detached subdivision (granting the authorities on realization of certain kinds of professional activity in the stock market)	No. and date of a decision on issue of a license copy *	Date of issue of a license copy *
1							
2							
3							

Chief of legal entity

Place of stamp  
(Signature)

Name

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\*- filled in for the branch or other detached subdivision which already has a copy of the license.

Addendum 11  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

**Information**

**on senior functionaries and experts of a branch or other detached subdivision of the licensee  
who directly exercise professional activity in the stock market and are certified in the established  
procedure**

Date of information signing:

Item No.	Surname, name, patronymic	Identification No. of physical entity (if available)	Post	Length of service in the stock market	Phones	Certificate: No., date of issue, validity, kind of professional activity with securities	Data on previous convictions, fines for administrative offences in the equity market	Name of document (date and No.), by which the expert or to whom the authorities are directly granted to exercise professional activity is appointed (dismissed)
1								
2								
3								

Chief of legal entity

Place of stamp  
(Signature)

Name

Addendum 12  
to Procedure and licensing conditions  
on realization of certain kinds of  
professional activity in the stock market,  
license renewal, issue of duplicate  
and copy of the license

No. \_\_\_\_\_ 200\_  
(Date of application signing)

**APPLICATION**

**on renewal of license on realization of professional activity in the stock market**

Applicant \_\_\_\_\_,  
(Full name)

Identification code of the legal entity \_\_\_\_\_,

Location \_\_\_\_\_,

Phone, fax \_\_\_\_\_,

Bank essentials:

Name of bank \_\_\_\_\_,

Location of bank \_\_\_\_\_,

MFO, current account \_\_\_\_\_,

Kind (s) of activity, on which license was issued \_\_\_\_\_,

Date of acceptance and No. of decision on licensing \_\_\_\_\_,  
series and No. of license

\_\_\_\_\_ ,  
Date of licensing \_\_\_\_\_,

Validity of license from \_\_\_\_\_ till \_\_\_\_\_,

**Requests the license renewal** \_\_\_\_\_  
(To specify the  
reason)

Applicant's branches or other detached subdivisions:

Name of applicant's branches or other detached subdivisions	Location of applicant's branches or other detached subdivisions	Name of kind (s) of professional activity in the stock market exercised by the applicant's branch or other detached subdivision
1	2	3

Copies of inventory (list) of documents are attached.

Chief of legal entity	<u>Place of stamp</u> (Signature)	Name
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