

DECLARATION related to EMIR

Customer's company name:

Tax number:

I, _____, the undersigned, on behalf of the company specified above shall make the following declarations in order to fulfil the obligations set forth in *Regulation EU No. 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (European Market Infrastructure Regulation, EMIR)*:

1. CLASSIFICATION OF THE COUNTERPARTY

- Financial counterparty above clearing threshold or one that does not calculate its positions /FC+¹
- Financial counterparty below clearing threshold (small financial counterparty/ FC-)²
- Non-financial counterparty above threshold or one that does not calculate its positions / NFC+³
 - regarding OTC credit derivatives; or
 - regarding OTC equity derivatives; or
 - regarding OTC FX derivatives; or
 - regarding OTC interest rate derivatives; or
 - regarding OTC commodity and other derivatives
- Non-financial counterparty below threshold / NFC-⁴

2. DATA REQUIRED FOR PORTFOLIO RECONCILIATION, REGULATED IN THE TRASURY BUSINESS RULES**2.1 On behalf of the Customer:**

I request that the statement to be sent by the Bank should be sent to the following official correspondence address:

- Fax number:
- E-mail address:

¹ Investment companies, credit institutions, insurance companies, insurance companies specialized in life insurance policies, counter-insurance companies, UCITS and its fund manager companies, institutions providing retirement allowances, alternative investment fund managers THAT have derivative transactions opened for a purpose other than hedging (as defined in Article no. 10 (3) of EMIR) with a total nominal value of **more than EUR 1 billion in the case of OTC credit derivatives or derivative stock transactions or with a total nominal value of more than EUR 3 billion in the case of OTC derivative foreign exchange, interest rate, commodity market and other derivatives, OR THAT do not annually calculate their positions** related to OTC credit derivatives and derivative stock transactions as well as their positions related to derivative foreign exchange, interest rate, commodity market and other derivatives.

² Investment companies, credit institutions, insurance companies, insurance companies specialised in life insurance, re-insurance companies, UCITS and its fund manager companies, institutions providing retirement allowances and alternative investment fund managers THAT have derivative transactions opened for a purpose other than hedging (as defined in Article 10 (3) of EMIR) with a total nominal value of **no more than EUR 1 billion in the case of OTC credit derivatives or derivative stock transactions or with a total nominal value of more than EUR 3 billion in the case of OTC derivative foreign exchange, interest rate, commodity market and other derivatives.**

³ Such companies with a registered office in the European Union that qualify neither as a central counterparty, nor as a financial counterparty (e.g.: Nyrt., Zrt., Kft., Bt.) AND have derivative transactions opened for a purpose other than hedging (as defined in Article no. 10, paragraph (3) of EMIR) with a total nominal value of **more than EUR 1 billion in case of OTC credit derivatives and derivative stock transactions; derivative transactions opened for a purpose other than hedging with a total nominal value of more than EUR 3 billion in case of OTC derivative foreign exchange, interest rate, commodity market and other derivatives OR THAT do not calculate**, on an annual basis, their positions related to OTC credit derivatives and derivative stock transactions as well as their positions related to derivative foreign exchange, interest rate, commodity market and other derivatives.

⁴ Such companies with a registered office in the European Union that qualify neither as a central counterparty, nor as a financial counterparty (e.g.: Nyrt., Zrt., Kft., Bt.) AND have derivative transactions opened for a purpose other than hedging (as defined in Article 10 paragraph (3) of EMIR) with a total nominal value of **no more than EUR 1 billion in case of OTC credit derivatives and derivative stock transactions; derivative transactions opened for a purpose other than hedging with a total nominal value of more than EUR 3 billion in case of OTC derivative foreign exchange, interest rate, commodity market and other derivatives.**

2.2 On behalf of the Bank:

Official correspondence address where discrepancies identified in the course of portfolio reconciliation are to be sent:

E-mail: tbo@mkb.hu

Fax number: +361-268-7334 or +361-268-7684

3. REQUEST FOR THE REPORT MADE BY THE BANK PURSUANT TO THE BUSINESS RULES ON INVESTMENT SERVICES

(To be completed only when the Customer requests an extract from the report submitted by the Bank)

I hereby request the Bank to send extracts of the reports on derivative transactions, submitted to a Trade Repository on behalf of the company referred to above, pursuant to the provisions of EMIR to the company's e-mail address, as indicated below according our choice :

Our company requests monthly (standard) extracts:

Please send us the report on derivative transactions for each month, in which transactions falling within the scope of the report were concluded between our company and the Bank,

from the reference month of the date of acceptance of this request by the Bank;

from the start of the report on derivative transactions i.e., from the reference month of February 2014.

Our company requests ad hoc statements:

I request reports on derivative transactions only for the period specified below providing that transactions falling within the scope of the report were concluded between our company and the Bank in that month: Reference period of the report:

Year: 20...., month: January February March April May June

July August September October November December

Year: 20...., month: January February March April May June

July August September October November December

Our company accepts that the Bank charges a fee for sending the extracts as indicated above at the rate stated in its effective list of conditions and debits the HUF account of our company kept by the Bank under number:

.....- -,

or, if that does not contain sufficient funds, on any other account of our company kept by the Bank with the respective amount of the fee.

I also accept that, irrespective of the date of request, the Bank shall always charge the full monthly fee for each extract, sent on the basis of this request.

4. REPORTING OBLIGATION

(To be completed exclusively in the case of Customers qualifying as undertakings for collective investments in transferable securities (UCITS) or alternative investment funds (AIFs) OR if there is an intention to deviate from the rules and regulations set forth in MKB's Business Rules on the Engagement in Investment Service Activities!)

4.1 Reporting obligation towards a trade repository

I wish to fulfil my reporting obligation myself and DO NOT REQUEST MKB Bank Nyrt. to fulfil it on my behalf.

Being a Customer qualified as an undertaking for collective investments in transferable securities (UCIT) or an alternative investment fund (AIF), I intend to comply with my reporting obligation set forth in Article 9 (1b) and (1c) of EMIR through my fund manager and DO NOT REQUEST MKB Bank Nyrt. to fulfil the same on my behalf.

4.2 Reporting beneficiaries⁵

I shall execute all Individual Transactions that are within the scope of the effect of the Master Agreement to the benefit of the following beneficiary(ies):

company:..... company:.....
registered seat:..... registered seat:.....
LEI code: LEI code:

4.3 The Individual Transactions are concluded for hedge purposes⁶

I shall establish individual deals falling within the scope of this Master Agreement for purposes OTHER THAN HEDGING.⁷

5. ACKNOWLEDGEMENT OF RECEIPT OF INFORMATION

5.1. I hereby acknowledge that, as set forth in Articles 4 and 10 of EMIR, derivative transactions entered into between a Customer classified as having the status of a “financial counterparty” or a “non-financial counterparty” who is

- (i) above the clearing thresholds applicable under EMIR; or
- (ii) not meeting the calculation requirements set by EMIR regarding OTC derivative positions,

and the Bank shall be centrally cleared by the Parties. The obligation of central clearing shall apply to all derivative transactions in the case of a Customer classified as a “financial counterparty” as defined in this Section and to certain derivative transactions added in the classes of instruments defined in EMIR in the case of a Customer classified as a “non-financial counterparty”.

5.2. I hereby acknowledge that, as set forth in Article 11 of EMIR and in Article 24 of Commission Delegated Regulation (EU) 2016/2251, regarding derivative transactions entered into between:

- (1) a Customer classified as a “financial counterparty”; or
- (2) a Customer classified as a “non-financial counterparty” who is
 - (i) above the clearing thresholds applicable under EMIR; or
 - (ii) not meeting the calculation conditions set by EMIR regarding OTC derivative positions

and the Bank – not under the scope of the central clearance requirement - the Parties shall enter into an agreement regarding the exchange of collateral.

Dated::, 20.....

.....
Customer
(official signature)

I accepted the request referred to in Clause 3 of the Annex on EMIR in the name of the Bank.
Customer’s KUT ID:

Dated::, 20.....

.....
Branch employee

⁵ To be completed exclusively if the beneficiary is a third party each time a deal is executed. If it is only on an ad hoc basis that you wish to make such a deal in which the beneficiary is a third party, then the data requested in Clause 4.2. must be indicated when the deal is executed!

⁶ The Business Rules of MKB presumes that by default OTC derivative deals are made for HEDGING purposes. Clause 4.3. is to be completed only if you wish to execute all OTC derivative deals for NON-HEDGING purposes. If it is only on an ad hoc basis that you wish to make non-hedging type of futures deals, then this deviation must be indicated when the deal is executed!

⁷ An Individual Deal has a hedging purpose if it is linked to the customer’s trading activity or liquidity financing.