

KASE CLEARING CENTER JSC

Approved

by decision of the Board of Directors of
KASE Clearing Center JSC
(minutes of the meeting
dated March 29, 2004 No. 5)

Effective

from XX month 2024¹

RULES

for conduct of settlements under transactions on the currency market

Developed by: Settlement House

Almaty City

2024

¹ With effect from a date the Clearing Center starts its operations on the currency market and derivatives market.

These Rules for settlement of transactions on the foreign exchange market (hereinafter referred to as the Rules) have been developed subject to the laws of the Republic of Kazakhstan, the charter and internal documents of KASE Clearing Center JSC (hereinafter referred to as the Clearing Center), and define the terms and procedure for settlements under transactions with foreign currencies to be conducted in the trading system of Kazakhstan Stock Exchange JSC (hereinafter referred to as the Exchange).

Article 1. Basic notions and designations

1. The Rules shall use the notions and terms defined by the laws of the Republic of Kazakhstan and the internal documents of the Clearing Center as well as the following notions:
 - 1) **bank account** – a bank account opened in the name of a clearing participant, in tenge and/or foreign currency, which is used to credit funds received from the Clearing Center towards payment of claims of this clearing participant;
 - 2) **guarantee contribution** – a contribution of a clearing participant to the clearing guarantee fund of the foreign exchange market;
 - 3) **final liabilities of the Clearing Centre** – liabilities of the Clearing Centre to clearing participants to the extent of amounts free from liabilities of the clearing participants to the Clearing Centre and available for sending by the Clearing Centre in favor of the clearing participants based on results of the trading day and after the end of the last clearing session for the current business day;
 - 4) **National Bank** – the National Bank of the Republic of Kazakhstan;
 - 5) **non-banking organisation** – a legal entity which, subject to the laws and/or a license issued to it, shall have the right to carry out certain types of banking operations;
 - 6) **net liability** – liability of a clearing participant to the Clearing Centre at a certain point in time in national and/or foreign currencies, arising as a result of its participation in foreign currency trading conducted by the Exchange and reduced by the amount of its claims at the same point in time and in the same currency, arising as a result of its participation in foreign currency trading conducted by the Exchange;
 - 7) **net buyer** – a clearing participant with a net claim in foreign currency (net claims in foreign currencies);
 - 8) **net seller** – a clearing participant with a net obligation in foreign currency (net obligations in foreign currencies);
 - 9) **net claim** – a claim of the clearing participant to the Clearing Centre at a certain point in time in national and/or foreign currencies, arising as a result of its participation in foreign currency trading to be conducted by the Exchange and reduced by the amount of its obligations at the same point in time and in the same currency, arising as a result of its participation in foreign currency trading conducted by the Exchange. The net claim shall not include a claim of the clearing participant for return of margin or guarantee contributions, or other funds of the clearing participant on correspondent accounts of the Clearing Centre;
 - 10) **collateral** – money credited by a clearing participant to the correspondent accounts of the Clearing Center, with the exception of guarantee contributions;
 - 11) **servicing bank** – a bank or an organization that carries out certain types of banking operations, which opened a bank account for a clearing participant or the Clearing Center;

- 12) **Clearing Rules** – "Rules for implementation of clearing activities under transactions with financial instruments", approved by the Board of Directors of the Clearing Center;
 - 13) **transactions** – transactions closed on the foreign exchange market of the Exchange, including transactions related to currency swap transactions;
 - 14) **accounting account** – an account of a clearing participant in the internal accounting system of the Clearing Center (not a bank account opening and maintenance of which is carried out for the purpose of accounting by the Clearing Center of funds received from clearing participants to correspondent accounts of the Clearing Center, subject to the internal document of the Clearing Center regulating the general conditions and procedure for accounting of funds for settlements related to trades conducted in the trading system of the Exchange;
 - 15) **Central Depository** – Central Securities Depository JSC.
3. Other notions and terms used in these Rules shall be identical to the notions and terms defined by the laws of the Republic of Kazakhstan and other internal documents of the Exchange and the Clearing Center.
 4. Notions and terms used in these Rules can be applied in other internal documents and correspondence of the Clearing Center.

Article 2. General provisions on settlements

1. Settlements shall include:
 - 1) execution by clearing participants of payments in tenge and/or foreign currencies in favor of the Clearing Center:

towards discharge of net obligations of the clearing participants to the Clearing Center by transferring amounts of net obligations determined based on results of clearing to the correspondent accounts of the Clearing Center;

in order to ensure transactions to be closed in exchange trading;
 - 2) execution by the Clearing Center of payments in tenge and/or foreign currencies in favor of the clearing participants:

towards settlement of net claims of the clearing participants to the Clearing Centre by crediting the amounts of net claims determined based on clearing results, to accounting accounts of the clearing participants, within the accounting system of the Clearing Centre;

towards discharge of claims of the clearing participants to transfer money from correspondent accounts of the Clearing Centre subject to applications of the clearing participants by transferring money to bank accounts of the clearing participants;

towards discharge of final obligations of the Clearing Centre to clearing participants by transferring money to bank accounts of the clearing participants.
2. Grounds to make settlements for a clearing participant shall be:
 - 1) when discharging obligations to the Clearing Centre – clearing reports generated and submitted to the clearing participants subject to the Clearing Rules;
 - 2) when the clearing participants credit money to the correspondent account of the Clearing Centre as a collateral for transactions – documents determined by the clearing participants on their own.

3. Use of clearing reports generated subject to the Clearing Rules for settlements shall be possible only after completion of the reconciliation and adjustment procedures for such reports subject to the Clearing Rules.
4. Grounds for the Clearing Center to settle foreign currency trades in favor of the clearing participants shall be:
 - 1) electronic summary statements of total net claims and net obligations generated at the end of a specific clearing session;
 - 2) applications of the clearing participants executed subject to article 8 of these Rules;
 - 3) electronic statements of total obligations of the Clearing Center based on results of the trading day and clearing, generated at the end of the last clearing session on the same day.
5. Settlements shall be carried out only using the correspondent accounts of the Clearing Center.
6. The Clearing Centre shall carry out settlements only in the "payment versus payment" mode, which means that the Clearing Centre may only fulfill a demand of the clearing participant after the clearing participant has in full discharged its obligation to the Clearing Centre determined subject to the Clearing Rules.
7. When carrying out settlements, the clearing participant shall have to ensure that funds are credited to the correspondent account(s) of the Clearing Centre.

In order to confirm that the clearing participants have credited funds to the correspondent account of the Clearing Centre, the Clearing Centre shall be guided only by documents of its correspondent banks. Documents provided by the clearing participants shall not be accepted or considered by the Clearing Centre as such confirmation.

8. For purposes of identification and separate internal accounting by the Clearing Centre of funds received on correspondent accounts of the Clearing Centre from clearing participants as payment for net obligations, when making collateral or guarantee contributions, clearing participants must indicate in the payment documents a special code designating the type of payment and allowing for unambiguous distribution of funds among the accounting accounts in the internal accounting system of the Clearing Centre.

Special codes specified in the first paragraph of this clause must also be indicated when a clearing participant submits an application in the form of annex 7 to these Rules, in order to determine details of the bank account to which the Clearing Centre must transfer funds in favor of the given clearing participant.

Special codes must also be indicated for identification and accounting of own or client funds of the clearing participants in the accounting system of the Clearing Centre. If the payment document does not contain a code identifying the received payment as own or client money of the clearing participant, the amount of such payment shall be credited to own account of the clearing participant.

List of such codes shall be approved by a member of the Management Board of the Clearing Center supervising the settlement subdivision of the Clearing Center and shall be posted on the Internet resource of the Clearing Center.

Article 3. Correspondent accounts of the Clearing Center

1. In order to store guarantee contributions and provide the clearing participants, and to carry out settlements, the Clearing Center shall use correspondent accounts in tenge and foreign currencies in the National Bank and in servicing banks.

Correspondent accounts of the Clearing Center in the National Bank in foreign currencies shall be reserve correspondent accounts of the Clearing Center and may be used to carry out settlements on exchange transactions in order to discharge settlement obligations of the Clearing Center based on results of exchange trading and to exclude default on the foreign exchange market only if the Clearing Center is unable to carry out transactions in foreign currencies through correspondent accounts of the Clearing Center with other servicing banks.

2. Correspondent accounts of the Clearing Center shall be opened based on relevant decisions of the Management Board of the Clearing Center, which shall be taken in the manner established by the internal document of the Clearing Center "Procedure for review and monitoring of correspondent banks of the Clearing Center".
3. List of correspondent accounts of the Clearing Center and information about their requisites and intended use shall be posted on the Internet resource of the Clearing Center.

In case of a change in the list of correspondent accounts of the Clearing Center and/or their details, the Clearing Center shall notify the clearing participants thereof by sending them individual messages by e-mail and/or posting on the Internet resource of the Clearing Center relevant information messages and an amended list and/or amended details of the correspondent accounts of the Clearing Center. The Clearing Center shall notify the clearing participants of changes in the list and/or details of its correspondent accounts no later than five business days prior to the date of commencement of their application in settlements of the changed list and/or changed details of the correspondent accounts of the Clearing Center. When the Clearing Center posts information on an Internet resource about changes in the list and/or details of its correspondent accounts, the Clearing Center shall not be liable for lack of awareness of the clearing participant.

Article 4. Bank accounts of the clearing participants

1. In order to credit tenge and foreign currencies received from the Clearing Center, the clearing participants shall have the right to determine and use several bank accounts to record their own money and several bank accounts to record client money.
2. Clearing participant shall on its own determine bank accounts in foreign currencies to carry out settlements with the Clearing Center (except as established by clause 3 of this article). In this case, the National Bank, for the purposes of segregated accounting of assets held by it under trust management, may determine a separate correspondent account(s) in foreign currencies for settlements with the Clearing Center under transactions closed by the National Bank using such assets.
3. In order to make settlements with the Clearing Center in the Chinese yuan, the clearing participants that are not market makers for the Chinese yuan can use only those of their bank accounts in the Chinese yuan that are opened in the same banks in which the correspondent accounts of the Clearing Center in the Chinese yuan are opened (hereinafter referred to as the correspondent banks of the Clearing Center for the Chinese yuan).

Clearing participants which do not have bank accounts opened with correspondent banks of the Clearing Center for the Chinese yuan can use bank accounts opened with the Central Depository and/or second-tier banks of the Republic of Kazakhstan for settlements with the Clearing Center, provided that the Central Depository and/or second-tier banks of the Republic of Kazakhstan make payments in the Chinese yuan only through correspondent accounts

opened by them with correspondent banks of the Clearing Center in the Chinese yuan.

5. Clearing participants shall have to provide the Clearing Center with details of bank accounts that are intended to credit tenge received from the Clearing Center towards payment of claims of the clearing participants, subject to the form in annex 1 to these Rules.

The clearing participants shall have to provide the Clearing Center with lists and details of bank accounts in foreign currencies that are intended for settlements with the Clearing Center, subject to the form in annex 2 to these Rules.

6. Clearing participants shall have to immediately notify the Clearing Center of changes in details or closure of bank accounts, details and lists of which are provided to the Clearing Center subject to clause 4 of this article.
7. The Clearing Center shall not be liable for consequences of a clearing participant providing the Clearing Center with inaccurate details of bank accounts.

Clearing participant shall be liable for consequences of a breach of the obligation established by clause 5 of this article, including compensation for possible losses of the Clearing Center associated with use of such inaccurate details by the Clearing Center.

Article 5. Internal accounting of funds in correspondent accounts

1. For purposes of internal accounting by the Clearing Center of funds received from the clearing participants to the correspondent accounts of the Clearing Center set out in article 3 of these Rules, the Clearing Center shall open and maintain accounting accounts.
2. Accounts shall be not bank accounts and shall represent a set of records made by the Clearing Centre in information systems solely for the purpose of internal accounting of its assets and liabilities arising in connection with implementation of clearing activities with performance of functions of the central counterparty on the foreign exchange market.
3. Accounts shall be a part of the internal accounting system of the Clearing Center, operation of which shall be carried out subject to the internal documents of the Clearing Center as approved by the Management Board of the Clearing Center.
4. Accounts shall be opened for clearing participants of the foreign exchange market. The Clearing Center shall on its own open, maintain and close accounting accounts of the clearing participants, respectively, when they are assigned the status of a clearing participant, when they carry out activities as a clearing participant and when they are deprived of a status of the clearing participant. In this case, no actions shall be provided for by the clearing participant to open, maintain or close an account.

Grounds, procedure and terms of opening, maintaining and closing the accounting accounts shall be determined by the internal documents of the Clearing Center.

Article 6. Payments by clearing participants in favor of the Clearing Center

1. When making contributions to the guarantee fund of the foreign exchange market, the clearing participant shall have to ensure that the funds are credited to a correspondent account of the Clearing Center which is determined by the Clearing Center and posted on the Internet resource of the Clearing Center.

2. Clearing participant in the "without collateral" or "with partial collateral" category, which is a net buyer, shall have to ensure that tenge is credited to the correspondent account of the Clearing Center towards payment of its net obligations no later than the deadline fixed by an internal document of the Clearing Center regulating the time of settlement and clearing sessions.
3. Clearing participant in the "with partial collateral" category, which is a net seller, shall ensure that the foreign currency sold by it towards payment of its net obligations is credited to the correspondent account of the Clearing Center no later than the deadline established by the internal document of the Clearing Center regulating the time of settlement and clearing sessions.

Clearing participant in the "without collateral" category, which is a net seller, shall ensure that the foreign currency sold by it towards payment of its net obligations is credited to the correspondent account of the Clearing Center during the settlement day.

4. Clearing participant in the "with collateral" category shall ensure that the foreign currency and/or Kazakhstan tenge sold by it towards payment of the foreign currency purchased by it are/is credited to correspondent accounts of the Clearing Center before an application for sale of foreign currency and/or purchase of foreign currency is submitted to the trading system.
5. Clearing participant which is a net seller of foreign currency shall submit to the Clearing Center a notice in the form of annex 4 to these Rules stating to which of the correspondent accounts of the Clearing Center the foreign currency sold by it will be credited. The notice must be signed by an authorized person of the clearing participant. Notices in the form of annex 4 to these Rules shall be submitted to the Clearing Center in electronic form using an electronic digital signature in the eTransfer.kz information transfer system or on paper medium.

Time for receiving notices specified in the first paragraph of this clause shall be until 16:00 Astana time on the day of settlement for net sellers of all foreign currencies, with the exception of net sellers of the Chinese yuan, for which the time for receiving notices shall end at 12:00 Astana time on the settlement day.

6. If the Clearing Centre does not receive the notice specified in clause 5 of this article, the last of the previously submitted similar notices shall apply.
7. The notice specified in clause 5 of this article, taking into account the feature established by clause 6 of this article, shall be an obligation of the clearing participant to credit the foreign currency sold by it to the correspondent account(s) of the Clearing Centre specified in the notice no later than the deadline established by the internal document of the Clearing Centre regulating the time of settlement and clearing sessions.

For violation of the terms and conditions of the notice, the clearing participant shall bear the same liability as for violation of the settlement deadlines.

8. Clearing participant in the "with partial collateral" category shall have the right to transfer tenge and/or foreign currency to the correspondent accounts of the Clearing Centre in order to secure transactions to be closed in exchange trading both before start of the trading day on the foreign exchange market and during such trading day.
9. Clearing participant in the "with full collateral" category shall have the right to transfer tenge and/or foreign currency to relevant correspondent accounts of the Clearing Center for submitting applications for purchase and/or sale of foreign currency to the trading system before the moment of submitting such applications. In this case, such transfer can be made both before start of the trading day on the currency market and during this trading day.
10. When making settlements, the clearing participant shall have to make payments in favor of the Clearing Center only from its own bank accounts.

The restriction established by the first paragraph of this clause may not be applied with a written permission of the Chairman of the Management Board of the Clearing Center or a member of the Management Board supervising the settlement subdivision of the Clearing Center, in case that the clearing participant is unable to discharge on its own its obligations to the Clearing Center. In this case, the clearing participant must submit an application containing a description of the reasons for the impossibility of discharging its obligations, as well as the name and bank details of the legal entity that will make the payment to discharge the obligation of the clearing participant. The application must be signed by a person who, subject to the document provided to the Clearing Center with signature samples, shall have the right of first signature on behalf of this clearing participant.

Article 7. Payments of the Clearing Centre in favor of the clearing participants

1. Payments of the Clearing Centre in favor of the clearing participants shall be divided into:
 - 1) payments towards discharge of final obligations of the Clearing Centre;
 - 2) payments to clearing participants according to their applications.
2. The Clearing Centre shall send an instruction to correspondent banks to transfer funds to clearing participants towards discharge of the final obligations of the Clearing Centre before the time specified in annex 3 to these Rules, with the exception established by clause 3 of this article.
3. The Clearing Centre shall have the right to submit a separate instruction to the correspondent bank(s) later than the time specified in annex 3 to these Rules, in case of delayed crediting of funds to the correspondent account of the Clearing Centre by the clearing participant or in case of procedures for settling the default of a defaulting or insolvent clearing participant subject to the Clearing Rules.
4. The amount of payments by the Clearing Centre in favor of a clearing participant on any day shall be reduced by the amount specified in the application for preservation of funds on a correspondent account of the Clearing Centre, provided by the clearing participant in the form of annex 5 to these Rules, about the intention to preserve funds on the correspondent account of the Clearing Centre, as well as by the amount of the outstanding obligations of the clearing participant to the Clearing Centre, due date of which has arrived, given the obligations under collateral.
5. The Clearing Centre shall have to submit to its correspondent bank an instruction to transfer funds to the clearing participant in pursuance of the application for transfer of collateral in favor of the clearing participant (hereinafter referred to as the application for transfer of collateral), generated and provided to the Clearing Centre subject to article 8 of these Rules, no later than the deadline specified in annex 3 to these Rules (given the restrictions established by paragraphs 6 and 7 of this article).
6. Upon receipt of the applications specified in clause 5 of this article, the Clearing Centre shall check their compliance with the conditions established by article 8 of these Rules. The Clearing Centre shall have the right to refuse to accept an application for transfer of the collateral if such application does not meet any of the conditions established by article 8 of these Rules.
7. The Clearing Centre shall give the correspondent bank an instruction to transfer funds to the clearing participant within one hour after the said application is received, provided that transfer of funds does not cause formation of a negative value of the single limit or a negative value of the difference between the amounts specified in clause 2 article 8 of these Rules.
8. If a clearing participant uses several bank accounts to credit funds received from the Clearing Centre, the clearing participant shall provide the Clearing Centre

with an application in the form of annex 6 to these Rules indicating the bank account to which the funds must be credited by the Clearing Centre.

Each such application must be signed by an authorized person of the clearing participant and submitted to the Clearing Center before the time specified in annex 3 to these Rules for receiving such applications from the clearing participants.

Application of the clearing participant indicating the bank account for crediting funds by the Clearing Center shall be submitted to the Clearing Center in electronic form using an electronic digital signature in the information transfer system "eTransfer.kz" or on paper medium.

9. The application specified in clause 8 of this article shall be accepted by the Clearing Centre if details of the bank and/or correspondent accounts specified therein correspond to the details previously provided to the Clearing Centre by the clearing participant subject to article 4 of these Rules.
10. If the application specified in clause 8 of this article is not provided within the period established by the second paragraph of clause 8 of this article, or if the Clearing Centre does not accept it subject to paragraph 9 of this article, the last of the clearing participant's applications previously provided to the Clearing Centre shall be valid.
11. For a failure to execute and/or improper execution of the application specified in clause 8 of this article, the Clearing Centre shall bear liability established by article 12 of these Rules.

Article 8. Conditions for filing applications by clearing participants for transfer of collateral

1. Clearing participant in the "with partial collateral" category shall have the right to submit to the Clearing Center an application for transfer of collateral in favor of the clearing participant in the form of annex 7 to these Rules from the beginning of the trading day on the foreign exchange market until the time established by annex 3 to these Rules, in an amount not exceeding the positive value of its planned money position displayed in the ASTS+ trading and clearing system on the foreign exchange market for its trading and clearing accounts, reduced by the amount of the collateral requirements measured by a single limit, as such limit is defined by the Clearing Rules.
2. Clearing participant in the "with full collateral" category shall have the right to submit to the Clearing Center an application for transfer of collateral in favor of the clearing participant in the form of annex 7 to these Rules from the start of the trading day on the foreign exchange market until the time specified in annex 3 to these Rules, in an amount not exceeding the positive value of the difference between the amount of money credited by this clearing participant to the correspondent account(s) of the Clearing Center and the amount of collateral for its outstanding obligations, determined subject to the Clearing Rules.
3. An application for transfer of collateral in favor of the clearing participant shall be submitted to the Clearing Center in electronic form in XML format in the "eTransfer.kz" information transfer system using the electronic digital signature of the authorized person of the clearing participant.
4. The time before which applications for transfer of the collateral specified in clauses 1 and 2 of this article are accepted from the clearing participants shall be determined by annex 3 to these Rules.
5. This article shall not cover cases of return of the guarantee contribution of the clearing participant. The conditions and procedure for return of the guarantee contribution shall be established by the Clearing Rules.

Article 9. Saving money on the correspondent account of the Clearing Center

1. The clearing participant shall have the right to save money subject to transfer to its bank account(s) based on results of the trading day and clearing on a correspondent account of the Clearing Center by submitting an application for saving money on the correspondent account of the Clearing Center according to the form of annex 5 to these Rules.
2. An application for saving money on the correspondent account of the Clearing Center can be non-recurrent (valid for the current day) or permanent (without a specific term). Time for accepting applications from the clearing participants for saving money on the correspondent account of the Clearing Center shall be established by annex 3 to these Rules. An application accepted by the Clearing Center after the specified time shall be executed starting from the next business day, provided that this application is valid indefinitely (permanently valid).
3. An application in the form of annex 5 to these Rules shall be signed by an authorized person of the clearing participant and shall be submitted in electronic form using an electronic digital signature in the information transfer system "eTransfer.kz" or on paper medium.

Article 10. Restrictions within settlements under transactions with foreign currencies

1. The Clearing Center shall have the right to suspend or refuse to carry out operations under settlements subject to requirements of the laws of the Republic of Kazakhstan on anti-money laundering and counter-terrorism financing.
2. The Clearing Center shall resume operations for settlements terminated subject to clause 1 of this article, subject to the laws of the Republic of Kazakhstan on issues of anti-money laundering and counter-terrorism financing.
3. When the clearing participant, a client of the clearing participant or its beneficial owner is included in the list of persons involved in terrorist activities, in the list of organizations and persons associated with financing of terrorism and extremism, in the list of organizations and persons associated with financing of proliferation of weapons of mass destruction, the Clearing Center, in the manner and within the timeframes stipulated by the internal documents of the Clearing Center on issues of anti-money laundering and counter-terrorism financing, shall carry out measures to freeze operations of such clearing participant.
4. In case that international sanctions/ prohibitions/ restrictions and other measures are applied to the clearing participant, a client of the clearing participant, its participants/ shareholders and beneficial owners that may entail any risks for the Clearing Center, the Clearing Center shall have the right to unilaterally refuse to carry out an operation to carry out settlements with this clearing participant. Verification of the clearing participant, its shareholders/ participants, beneficial owners, and details of correspondent banks provided by the clearing participant for settlements under transactions with financial instruments on the sanctions lists shall be carried out by the AML/CTF department subject to the internal document of the Clearing Center on anti-money laundering and counter-terrorism financing.

Article 11. Violation of payment discipline by the clearing participant

1. Violation of payment discipline by the clearing participant shall be recognized as:
 - 1) a failure to credit or partial crediting of the amount of the net obligation of this clearing participant on the day of settlements to the correspondent account of the Clearing Center;
 - 2) violation by the clearing participant of the settlement deadlines towards discharge of net obligations for trading on the foreign exchange market,

established by the internal document of the Clearing Center regulating the time of settlement and clearing sessions;

- 3) violation of the conditions for notifying the clearing participant about crediting of funds subject to article 6 of these Rules.
2. Violation of payment discipline by the clearing participant shall be an unconditional and sufficient basis for a failure of the Clearing Centre to discharge net claims of this clearing participant.
3. If any of the cases specified in clause 1 of this article is identified, the settlement subdivision of the Clearing Centre shall transfer information about such case to the clearing subdivision of the Clearing Centre for taking measures stipulated by the Clearing Rules.
4. The procedure for settling the obligations of the clearing participant that has committed a violation of the payment discipline shall be established by the Clearing Rules.
5. For violation of the payment discipline, the clearing participant shall pay a fine in favor of the Clearing Centre:
 - 1) in the amount of 15 times the monthly calculation indicator in effect on the date of such violation for the first violation of the payment discipline within three calendar months;
 - 2) in the amount of 30 times the monthly calculation index in effect on the date of such violation in case of a repeated violation of the payment discipline within three calendar months to be counted from the date of the previous violation (for each such violation).

If more than three calendar months have passed between violations of the payment discipline, then a fine in the amount specified in sub-clause 1 of this clause shall be charged for the first subsequent violation.

6. The fine specified in clause 5 of this article shall be paid by the clearing participant within five business days from the date of presentation by the Clearing Center of the relevant invoice for payment and a notice explaining the violation standards subject to the Rules.
7. The clearing participant can be exempt from payment of the fine specified in clause 5 of this article by decision of the Management Board of the Clearing Centre if, during examination of the circumstances of the violation of the payment discipline, it is established that the clearing participant submitted instructions to the servicing bank to transfer funds in favor of the Clearing Centre no later than the deadline established by these Rules and the servicing bank of the clearing participant executed the said instructions no later than the said deadline. In this case, violation of the payment discipline has occurred due to late crediting of funds to the correspondent account of the Clearing Centre by its servicing bank.

Article 12. Failure of the Clearing Centre to fulfill requirements of the clearing participant

1. Failure of the Clearing Centre to fulfill requirements of the clearing participant, taking into account the restrictions established by articles 13 and 14 of these Rules, shall be recognized as:
 - 1) a failure to credit or partial crediting of the amount of the final obligation of the Clearing Centre to this clearing participant on the day of settlements to the bank account of the clearing participant;
 - 2) a failure to credit or partial crediting of the amount of the claim of the clearing participant to return money subject to execution;

- 3) violation of the bank account details of the clearing participant when making a payment towards payment of the obligations of the Clearing Center to this clearing participant;
 - 4) violation by the Clearing Center of the regulations for making payments under trades on the foreign exchange market, established by Appendix 3 to these Rules.
2. The clearing participant demand of which was not fulfilled by the Clearing Center shall have the right to apply to the Clearing Center with a statement on recovery of damages and/or penalties.

Article 13. Limitation of liability of the Clearing Center

1. The Clearing Center shall not be liable for a failure to fulfill and/or failure to credit and/or partial crediting of:
 - 1) a demand of the clearing participant on any day, if this clearing participant failed to discharge its obligation to the Clearing Center on that day;
 - 2) requirements of the clearing participant, if additional verification and/or identification procedures and/or assessment of the possibility of transferring funds or other procedures are carried out in relation to this clearing participant, its parent organization or beneficial owner, which result in a failure to execute, incomplete execution or untimely execution by a correspondent bank of the Clearing Center to transfer funds to this clearing participant.
2. The Clearing Center shall take measures within its competence to ensure timely execution of requirements of the clearing participants.
3. In any case, the amount of penalty paid by the Clearing Center can not exceed 0.05% of the amount of the outstanding requirement of the clearing participant (outstanding requirements of the clearing participants), and in case of partial execution, the amount of penalty can not exceed 0.05% of the amount of the outstanding part of the requirement.

Article 14. Force majeure

1. Force majeure shall mean:
 - 1) a fire (but not arson), earthquakes and other natural disasters, war, military actions, epidemics, declaration of a state of emergency, terrorist acts, civil unrest, strikes, lockouts, embargoes, prohibitions and restrictions established by government bodies;
 - 2) malfunction of software and hardware of National Payment Corporation of the National Bank of the Republic of Kazakhstan JSC used by the Clearing Center and/or clearing participants to make settlements in tenge and/or foreign currencies.
2. Document which confirms occurrence of a force majeure circumstance from among the circumstances specified in sub-clause 1) clause 1 of this article and determining the duration of its effect shall be a document of the relevant (competent) body of the Republic of Kazakhstan or another competent body (organization) of the relevant state, with the exception of a well-known fact.
3. Document which confirms occurrence of a force majeure specified in sub-clause 2) clause 1 of this article and determining the duration of its validity shall be a certificate or another document signed by the chief executive of National Payment Corporation of the National Bank of the Republic of Kazakhstan JSC or a person replacing him.

4. A person for which it has become impossible to make settlements due to occurrence of a force majeure circumstance shall have to immediately notify the beneficiaries of payments within the framework of such settlements of occurrence of a force majeure circumstance, expected duration of its validity and its termination, by any available means of notice.

If the person specified in the first paragraph of this clause is a clearing participant, such clearing participant shall have to provide the Clearing Center with the document specified in clause 2 or clause 3 of this article within three business days from the date of its receipt.

5. The Clearing Centre and/or the clearing participant(s) shall be exempt from liability for a failure to meet the deadlines for discharge of claims and/or obligations if such failure has been caused by a force majeure event that began after the relevant claims and/or obligations arose and which the Clearing Centre and/or the clearing participant(s) could not foresee or prevent.
6. In case of a force majeure event, the deadlines for making settlements shall be proportionately extended for duration of such force majeure event.

Article 15. Final provisions

1. Situations related to settlements under foreign currency trades, procedure for settlement of which is not established by these Rules and other internal documents of the Clearing Center, as well as any disputes related to settlements under foreign currency trades, shall be resolved through negotiations. If such resolution is impossible – subject to the laws of the Republic of Kazakhstan.
2. These Rules shall be updated as necessary but not less than once every three years to be counted from the date these Rules takes effect, except in cases of changes in the requirements of the laws of the Republic of Kazakhstan. Responsibility for updating these Rules shall be vested in the settlement subdivision of the Clearing Center.

Chairperson of the Management Board

N. Khoroshevskaya

Annex 1

to the Rules for conduct of settlements under transactions on the currency market

**DETAILS
of a bank account in tenge**

(name of the clearing participant)	Sheet ¹
	<input type="checkbox"/> Additionally to the earlier submitted ones ²
Date and time of submission	<input type="checkbox"/> Instead of the earlier submitted ones ²
Date from which details of the bank account are valid	<input type="checkbox"/> Submitted for the first time ²
Type of bank account of the clearing participant	<input type="checkbox"/> own bank account to account own cash ²
	<input type="checkbox"/> own bank account to account cash of clients ²

Beneficiary's name ³	
Bank account number (IIC ⁴)	
BIN ⁵	
Beneficiary's bank ⁶	
BIC ⁷ of beneficiary's bank	
CBe ⁸	

¹ In format "Sheet X of n".

² Tick the applicable with × or ✓.

³ In this Annex the beneficiary shall mean the clearing participant.

⁴ Individual identification code being a number of bank account.

⁵ Business identification number of the clearing participant.

⁶ Bank in which a bank account of the clearing participant is opened.

⁷ Bank identification code of a bank in which a bank account of the clearing participant is opened.

⁸ Beneficiary's code.

[Position of the chief executive]

[signature]

[Surname, initials]

[Position of the chief accountant]

[signature]

[Surname, initials]

Signatures are verified

(personal signature of the verified employee of the Clearing Center, verification date)

Annex 2

to the Rules for conduct of settlements under transactions on the currency market

**LIST AND DETAILS
of bank accounts in foreign currencies**

(name of the clearing participant in the Russian and English languages/ in transliteration SWIFT- RUR6 ³)	Sheet ¹
	(currency code ²)
	<input type="checkbox"/> Additionally to the earlier submitted ones ⁴
Date and time of submission	<input type="checkbox"/> Instead of the earlier submitted ones ⁴
Date from which details of the bank account are valid	<input type="checkbox"/> Submitted for the first time ⁴
Type of bank account of the clearing participant	<input type="checkbox"/> own bank account to account own cash ⁴
	<input type="checkbox"/> own bank account to account cash of clients ⁴
Name and address of the servicing bank ⁵	
Number of a bank account of the clearing participant	
SWIFT BIC of the clearing participant (if any)	
SWIFT BIC and other identifiers of the servicing bank	
Name, address and SWIFT BIC of the intermediary bank ⁶	
BIC and IIN of the servicing bank ⁷	
Correspondent account of the servicing bank with CB RF ⁸	

¹ In format "Sheet X of n". A separate list of details is provided for each type of currency.

² Code designation of currency – USD, EUR, RUB, CNY.

³ Name in the Russian and English languages. When executing details in the Russian rubles, it is necessary to indicate also a name in transliteration SWIFT- RUR6.

⁴ Tick the applicable with × or ✓.

⁵ When executing details in the Russian rubles, it is necessary to indicate also a name in transliteration SWIFT- RUR6.

⁶ To be filled in, if there is an intermediary bank.

⁷ To be filled in, when details in the Russian rubles are executed.

⁸ Central Bank of the Russian Federation.

[Position of the chief executive]

[signature]

[Surname, initials]

[Position of the chief accountant]

[signature]

[Surname, initials]

Signatures are verified

(personal signature of the verified employee of the Clearing Center, verification date)

Annex 3

to the Rules for conduct of settlements under transactions on the currency market

REGULATION

for payments under transactions on the currency market

(time of Astana City is indicated to make settlements).

Table 1. Application to transfer collateral in favor of the clearing participant

Currency	Deadline to file an application with the Clearing Center	Deadline for the Clearing Center to remit cash*
A	1	2
KZT	17.00	18.00
USD, EUR, RUB	17.00	18.00
CNY	13.00	14.00

Table 2. Discharge by the Clearing Center of final obligations

Currency	Deadline for the Clearing Center to remit cash**
A	1
KZT	18.00
USD, EUR, RUB	18.00
CNY	14.00

Table 3. Settlements based on results of an additional trading session

Currency	Deadline for the Clearing Center to remit cash**
A	2
KZT	19.00
USD	19.00

Table 4. Acceptance of applications to specify a bank account for the Clearing Center to credit cash and applications to preserve money on the correspondent account of the Clearing Center

Currency	Deadline for the Clearing Center to accept applications
A	1
KZT	16.00
USD, EUR, RUB	16.00
CNY	12.00

* Time until occurrence of which the Clearing Center submits to correspondent banks payment orders (instructions) to remit cash to clearing participants against their applications.

** Time until occurrence of which the Clearing Center submits to correspondent banks payment orders (instructions) to remit cash to clearing participants towards payment of final obligations of the Clearing Center.

Annex 4

to the Rules for conduct of settlements under transactions on the currency market

**NOTICE
of cash crediting**

KASE Clearing Center JSC

(name of the clearing participant)	Date of notice submission
	Time of notice submission
	Date from which the notice is effective

The above-mentioned clearing participant hereby informs that the foreign currency it submitted will be credited to the following correspondent accounts of KASE Clearing Center JSC:

Currency	Correspondent bank	Amount of currency to be supplied *
USD		.000
		.000
EUR		.000
		.000
CNY		.000
		.000
RUB		.000
		.000

* Not to be filled in when sold foreign currency is supplied only to one of correspondent accounts of the Clearing Center in this Currency.

This notice shall be valid insofar that the clearing participants provide a later notice.

<p>For and on behalf of the clearing participant</p> <p>(signature, surname, initials of a trader)</p>	<p>Signature is verified</p> <p>(personal signature of the verified employee of the Clearing Center, verification date)</p>
---	--

Annex 5

to the Rules for conduct of settlements under transactions on the currency market

APPLICATION

for preservation of money on correspondent account of the Clearing Center

KASE Clearing Center JSC

(name of the clearing participant)	Date of application submission
	Time of application submission
	Date from which application is valid
Type of accounting account of the clearing participant ¹	<input type="checkbox"/> own accounting account ²
	<input type="checkbox"/> aggregated client accounting account ²
	_____ Number of an aggregated client accounting account ³
Validity period of application	<input type="checkbox"/> non-recurrent ²
	<input type="checkbox"/> permanent ²

The above-mentioned clearing participant hereby announces its intent to preserve money on correspondent account of KASE Clearing Center JSC:

Currency	Currency amount (in digits and in words) ⁵
(currency code ⁴)	

¹ The section is intended to be filled in by the clearing participants not being non-banking organizations.
² Tick the applicable with × or ✓.
³ The section is intended to be filled in by the Central Depository.
⁴ Code three-letter designation of currency, for example: KZT, USD.
⁵ In case of an intent preserve the entire available balance on a correspondent account of the Company, it is not required to fill in the line "Currency amount (in figures and in words)".

This application shall be valid insofar that the clearing participants provide a later application.

<p>For and on behalf of the clearing participant</p> <p style="text-align: center;">(signature, surname, initials of a trader)</p>	<p>Signature is verified</p> <p><input type="checkbox"/> Accepted</p> <p><input type="checkbox"/> Not accepted</p> <p>Reason of refusal to accept:</p> <p style="font-size: small;">(personal signature of the verified employee of the Clearing Center, verification date)</p>
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Annex 6

to the Rules for conduct of settlements under transactions on the currency market

APPLICATION

to specify bank account for the Clearing Center to credit money

KASE Clearing Center JSC

(name of the clearing participant)	Date of application submission
	Time of application submission
	Date from which application is valid

The above-mentioned clearing participant hereby notifies that tenge towards payment of the foreign currency it sold or the foreign currency it acquired must be remitted to the following bank accounts with the following servicing banks:

Currency	Servicing bank ¹ /requisites of bank account ²	Amount of currency to be remitted ³
(currency code ⁴)		

¹ To be filled in only for foreign currency. It is necessary to set out only name of the servicing bank. Other details shall be determined subject to a valid List and details of bank accounts in foreign currencies provided to the Clearing Center by the clearing participant.

² Details of bank account in tenge provided to the Clearing Center by the clearing participant.

³ In case of remittance of Kazakhstan tenge or foreign currency only to one of bank accounts, it is not necessary to fill in the line "Amount".

⁴ Code designation of currency – KZT, USD, EUR, RUB, CNY.

This application shall be valid insofar that the clearing participant provides a later application.

For and on behalf of the clearing participant (signature, surname, initials of a trader)	Signature is verified (personal signature of the verified employee of the Clearing Center, verification date)
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Annex 7

to the Rules for conduct of settlements under transactions on the currency market

APPLICATION

for remittance of collateral in favor of the clearing participant

Specification of xml-file formation

Coding – **utf-8**.

File requires a compulsory unchanged heading:

<?xml version="1.0" encoding="utf-8"?>

Example of file name: **XML22KASPI35.xml**

Content of file name	Description of sections of file name
Format name	always XML22
Code of clearing participant	5 symbols. For example: KASPI
Serial number of message	Always equal to a value in the field "NUMBER" inside the message

All file tags are contained in root tag **<MESSAGE>**. All tags must be available, even with a blank value. Upper case is used.

Tags	Description of tags inside file
<NUMBER>	Compulsory. Unique serial number of message
<DATETIME>	Compulsory. Date and time of message generation in format dd.mm.yyyy hh24:mi:ss, for example: 08.04.2024 14:00:55
<FIRMCODE>	Compulsory. Code of the clearing participant
<BIN>	BIN, if any
<CURRENCY>	Compulsory. Currency code in international format, for example: KZT
<AMOUNT>	Amount for output, for example, 80000000.00. Blank value will be perceived as an entire available amount.
<ACCOUNTTYPE>	Compulsory. Special code to select accounting account from which cash will be transferred.
<IBAN>	Number of bank account. When it is not indicated, details of the bank account which was provided earlier, will be used.
<TRADER>	Compulsory. Full surname, given name, patronymic name (if any) of an authorized person in Cyrillic alphabet.

Example of filling in XML22 file:

File name:

XML22KASPI35.xml

Text:

```
<?xml version="1.0" encoding="utf-8"?>
<MESSAGE>
  <NUMBER>35</NUMBER>
  <DATETIME>08.04.2024 14:00:55</DATETIME>
  <FIRMCODE>KASPI</FIRMCODE>
  <BIN>971240001315</BIN>
  <CURRENCY>KZT</CURRENCY>
  <AMOUNT>3000.00</AMOUNT>
  <ACCOUNTTYPE>FXOWN</ACCOUNTTYPE>
  <IBAN>KZ12345S000000678910</IBAN>
```

<TRADER>Иванов Михаил Михайлович</TRADER>
</MESSAGE>