

**RULES FOR THE TECHNICAL INSTALLATIONS OF THE ELECTRONIC  
TRADING SYSTEM, XETRA<sup>®</sup>, OF THE EXCHANGE OPERATING COMPANY,  
WIENER BÖRSE AG**

## § 1 Definitions

- (1) The network of the electronic trading system XETRA<sup>®</sup> comprises all of the hardware elements linked together at the individual network nodes as well as all components required for their linkage (transmission lines to telecommunications, etc.) which as a whole constitute the technical backbone for trading through the electronic trading system, XETRA<sup>®</sup>. The layout is star-shaped and in each case the network nodes are the central hosts (back ends), access points and the trading participants' trading systems.
- (2) The EDP system of the exchange operating company comprises in addition to the network of the electronic trading system XETRA<sup>®</sup> also the installed exchange applications in operating condition.
- (3) A market participant trading system consists of one or several computers (Member Integration System Server or workstation) that allows trading through the electronic trading system XETRA<sup>®</sup> and a network component through which the connection to the network is established. The computers and network components may be redundant to increase backup security in case of system breakdowns. If a redundant configuration is selected, the market participant system may be expanded to include further locations that do not necessarily have to be connected at the same access point. Furthermore, the market participant trading system comprises all of the components required to maintain internal market participant network connections (e.g. gateways, security routers, etc.), if they are within a network area reserved for the electronic trading system XETRA<sup>®</sup> (logical network). Further hardware elements that are not part of the market participant trading system, but that may be connected are those that meet the requirements defined by the exchange operating company and do not influence the integrity and security of the data within the logical network.
- (4) The Member Integration System Server (MISS) is a market participant's computer that is integrated into the network of the electronic trading system XETRA<sup>®</sup> and equipped with sufficient capacity and data security capabilities to guarantee the market participant's technical base for taking part in trading through the electronic trading XETRA<sup>®</sup>. MISS is a component of the market participant's trading system and in this function also a node within the XETRA<sup>®</sup> trading system's network.
- (5) It is possible to join the MISS computers of several trading participants at one common server and thus create a Local Area Network (LAN) (Basic Multi Member MISS) or that several trading participants use one MISS group consisting of two servers (Extended Multi Member Miss).
- (6) The logistic network of the electronic trading system XETRA<sup>®</sup> comprises in addition to the network, all of the components of a trading participant linked to the network for technical reasons if these are within a network area reserved for the XETRA<sup>®</sup> trading system.
- (7) Telecommunications between the individual nodes in the network is conducted via transmission lines. A market participant can set up a link either through a simple connection or via a multi-member connection. A simple connection means that one market participant is linked via one line. It shall not affect the possibility of setting up redundant lines. A multi-member connection means that several trading participants jointly use one connection, each trading participant having one dedicated MISS group consisting of two servers (Basic Multi Member MISS) linked to form into one LAN, or that several trading participants use one MISS group consisting of two servers (Extended Multi Member MISS).
- (8) The network parameters depend on which network software and system software is used and on the hardware components that regulate the communication between computers within a network. The network parameters are set at typical default values at the time the network software is installed for the first time .

(9) Quote machines are automated quotation systems for securities. Based on the price data and additional parameters set by the trading participants, orders are generated automatically and routed to the XETRA<sup>®</sup> electronic trading system.

(10) Electronic eyes are computer programs that continuously receive and process the prices of the securities traded through the XETRA<sup>®</sup> trading system. As soon as the price of an order received by an electronic eye moves within the range defined by the market participant, the electronic eye automatically creates an order that is routed to the XETRA<sup>®</sup> electronic trading system via a programmable interface in the electronic trading system for it to be executed .

(11) Order-routing systems are electronic order transmission systems that are used by the trading participants to send exchange orders. Such systems also include systems through which orders are forwarded via the Internet. Order-routing systems may be linked to the electronic trading system XETRA<sup>®</sup> via a defined interface as set out under Article 2 paragraph 4 for routing orders entered through this path directly into the electronic trading system XETRA<sup>®</sup> .

## **§ 2 Connections**

(1) After an applicant is admitted as exchange member and authorized to take part in the electronic trading system XETRA<sup>®</sup> as a trading participant, the participant is linked to the XETRA<sup>®</sup> trading system. This requires the such member meets the technical requirements stated in these implementation rules relating to the hardware, software and the network configurations and that the link to the XETRA<sup>®</sup> electronic trading system operates free of hindrances regardless of whether such hindrances are due to the location or any other technical reason. Furthermore, the trading participant must have EDP equipment that guarantees orderly trading through the electronic trading system, XETRA<sup>®</sup> , and does not cause disruptions in the configuration, connection or operation, especially regarding trading and settlement. The exchange operating company shall define these requirements according to the hardware and software used. All other software must meet the requirements of sentence 2; the trading participant must furnish proof thereof. The exchange operating company shall at all times be empowered to check compliance with these requirements. All trading participants shall be obliged to keep their EDP equipment in good operating condition and to ensure their ongoing operability in accordance with the above mentioned rules for the duration of membership.

(2) The installation of MISSes and workstations (trading stations) shall generally be permitted only within the registered business premises of the trading participant on the territory of Austria. The exchange operating company may also permit the installation of such hardware also in the business premises of a trading participant or a third party charged by membership applicant to operate the MISS as well as outside of Austria upon request of a trading participant or of a membership applicant if the validity and compliance with the General Terms and Condition of Business of the exchange operating company are guaranteed, in particular, also by the third party acting on behalf of a membership applicant.

(3) Upon special request of a trading participant, the exchange operating company may permit the connection of systems for computer-assisted trading (quote machines and/or electronic eyes) to the electronic trading system, XETRA<sup>®</sup> via one of the programmable interfaces at the MISS/workstation under the condition that the trading participant guarantees on a continuous basis the following:

- it is located in the business premises of the trading participant admitted to trading on the exchange;
- the parameters are defined for at least one person admitted to trading on the exchange, and
- it is monitored throughout a trading session by at least one such person manually.

(4) A trading participant shall be entitled to connect an order-routing system via a defined interface if it submits a written request which has been authorized by the exchange operating company in the following cases:

- the orders transmitted are filtered electronically on the trading participant's system before being fed into the XETRA<sup>®</sup> trading system, and such orders are checked according to specific parameters by the trading participant before being released;
- an authorized exchange trader is assigned to such filter who shall be responsible for setting the parameters, controlling and monitoring the filter and is able to interrupt the transmission manually at any time;
- the trading participant has informed the exchange operating company in writing of the personal identification code of the assigned exchange trader;
- the order-routing system is used exclusively for the transmission of agent orders and the trading participant makes sure that any individual orders that could lead to cross trading are not entered into the electronic trading system XETRA<sup>®</sup>. Cross trading is understood to be the entering of opposing orders by one and the same trading participant for the same security and which could lead to a trade execution in the electronic trading system XETRA<sup>®</sup>. Cross trading is not permitted if the trading participant knowingly enters orders on both the buy and the sell sides for its own account or for the account of one and the same customer. Such trades do not result in exchange prices in continuous trading if the trading participant acts for its own account. Any other behavior that constitutes a circumvention of this rule under the above mentioned conditions shall be prohibited; and
- in cases in which the system branches off to third parties not admitted to the exchange allowing them to enter orders via an order-routing system, only if the number and location as well as the identity of the users at the terminal linked to the order-routing system are sent to the exchange operating company; the same shall apply to changes in the number of terminals. The trading participant shall obtain a declaration of compliance from such users with the General Terms and Condition of Business of the exchange operating company, Wiener Börse AG, as amended. In cases of breaches and in any case if requested to do so by the exchange operating company, the trading participant shall immediately terminate such users linked to the order-routing system. The trading participant shall be liable for all orders placed via such an order-routing system as if these were its own orders.

### **§ 3 Technical Requirements**

The technical requirements contained in these technical implementation rules shall be binding. Any deviations from said rules shall require the written consent of the exchange operating company. The exchange operating company shall have the right to inspect at any time the configurations and network parameters of the trading participants and to demand corrections of any deviations discovered. The trading participant shall be obliged to immediately respond to such requests.

### **§ 4 Hardware**

- (1) The trading participant shall be obliged to operate only EDP equipment that guarantees orderly trading through the electronic trading system XETRA<sup>®</sup>.
- (2) The exchange operating company shall name recognized hardware components that may be used to equip the trading participant's system linking it to XETRA<sup>®</sup>.

(3) Any hardware configurations planned for use by a trading participant must be admitted for approval to the exchange operating company before being put into operation; this shall also apply to any changes.

(4) The operation of a trading participant's system shall be the responsibility of the trading participant. The trading participant shall ensure that the operation of its system does not hinder the procedures or functionalities of the electronic trading system, XETRA®.

## **§ 5 Software**

(1) The exchange operating company shall provide the trading participants with application software without the source code. A trading participant shall only be permitted to use the current versions supplied and shall not be permitted to modify or to copy it without the consent of the exchange operating company. Every trading participant shall be responsible for the installation of the application software on the components of its trading system.

(2) The exchange operating company shall state each valid version of the system software including all of the necessary components that are permitted for use to operate the trading participant's trading system .

(3) The application software made available by the exchange operating company shall contain a programmable interface (VALUES API) through which the applications may be connected to the electronic trading system XETRA®. The trading participant shall be responsible for the software that uses such interface.

## **§ 6 Scope of Utilization**

A trading participant shall be permitted to use the data transmission installations that enable trading and settlement through the electronic trading system XETRA® only for the purpose of trading in securities and settling trades concluded on the cash market of Wiener Börse through said electronic trading system XETRA®. Any other type of use shall require the prior written agreement between the trading participant and the exchange operating company.

## **§ 7 Transmission Lines to Telecommunications Installations**

(1) Deutsche Börse AG shall retain all rights relating to the lines for the entire physical network of the electronic trading system, XETRA®, as operator of the XETRA® trading system. The installation and operation of the transmission lines to the telecommunications installations required for the link between the trading participants and the trading system, XETRA®, shall be the responsibility of the exchange operating company and any third parties it contracts.

(2) The exchange operating company shall establish a link to the trading participant's trading system. A prerequisite is that the transmission paths and types of connections supported by the electronic trading system XETRA® are available for connecting a trading participant and that these can be installed at the usual business conditions and reasonable expense, taking the security standards of the exchange into account.

(3) Apart from simple connections, trading participants may also be linked to the network of the electronic trading system XETRA® via multi-member connections. Generally, trading participants should be connected via two lines; multi-member connections must be set up using two lines.

(4) The exchange operating company may limit the number of transmission lines a trading participant requests for connecting to the system if this is necessary due to system-specific reasons or other objective reasons.

### **§ 8 Network Parameters**

(1) The appropriately installed MISS software made available by the exchange operating company enables all of the connections required to participate in trading.

(2) The exchange operating company defines network parameters for the purpose of ensuring network security and protecting the installations of the trading participants. The exchange operating company shall in particular ensure that

- trading participants' computers that are not part of a trading participant's trading system only have access to the trading system of such trading participant, and that these computers do not have access to other computers within the network of the XETRA<sup>®</sup> electronic trading system;
- only the computers of the trading participants' systems may be accessed;
- the unauthorized access of a trading participant's system to the computers of the XETRA<sup>®</sup> electronic trading system is not possible;
- communication between the different participants is not possible through the network .

(3) When installing the MISS software and the network components, the trading participants shall define the network parameters as set out under paragraph 2.

(4) The exchange operating company shall reserve areas within the network for the logical network. In order to take part in trading, the network areas named by the exchange operating company must be used. Within their own in-house networks, trading participants may use their own network areas that are not reserved for the XETRA<sup>®</sup> trading systems.

(5) The exchange operating company assigns node numbers and node names for the entire logical network. Within the network, only the nodes authorized and which have been assigned numbers may communicate with each other. Therefore it shall not be permitted to connect trading participants' computers in the reserved network areas that have not been assigned node numbers. It shall not be permitted to transfer an assigned number and corresponding node name on one computer to another computer that has functionalities other than those specified in the application.

### **§ 9 Contingency Planning**

(1) All trading participants shall be responsible for taking the appropriate measures within their areas of responsibility for contingency planning purposes and solving problems.

(2) All trading participants shall be permitted to set up inactive emergency computing centers (backup centers) and to connect these to an access point via an inactive line. Any expenses incurred by the exchange operating company in this context shall be borne by the trading participant in such cases.

(3) If a trading participant has two or more locations, it shall be permitted to link two locations using one connection in order to ensure a backup in the event that the line between one location and one access point is interrupted.

### **§ 10 Personnel**

All trading participants shall be obliged to employ qualified personnel in sufficient numbers at all times during exchange trading hours in order to guarantee the orderly operation of the components of the

XETRA<sup>®</sup> electronic trading system on the trading participant's side. This shall apply in particular to technical disruptions in which the exchange operating company must give instructions to staff members to ensure that the appropriate measures are taken. It shall also be required that a person be named to the exchange operating company as a contact in the event of technical disruptions and if a service contract exists with a third party, to furnish proof thereof.

### **§ 11 Costs**

The costs of procuring, installing and maintaining all of the hardware and software installed at a trading participant shall be borne by said trading participant. The application software in the meaning of Article 5 paragraph 1 shall be provided by the exchange operating company free of any special charge.

### **§ 12 Technical Problems**

(1) In the event of a trading interruption for technical reasons, the exchange operating company shall put the XETRA<sup>®</sup> trading system into "halt status", thus blocking the entry of any data into the system. Trading is resumed after such trading interruptions in those securities that were tradable at the time of the interruption by commencing a new pre-trading phase. Subsequently, trading continues as usual according to the general trading rules. The exchange operating company shall immediately inform the trading participants of the time periods of the trading phases.

(2) If a trading participant is not able to access the XETRA<sup>®</sup> trading system for technical reasons, the exchange operating company may offer such trading participant the service of entering the trades on its behalf (trading on behalf) to the extent possible under the given organizational framework. The exchange operating company shall only be responsible for errors occurring during the entry of the data on behalf of a trading participant if it is proven that the exchange operating company's bodies, assistants or any other persons employed for such purposes have caused such errors by willful intent or due to gross negligence.

(3) The exchange operating company may request trading participants to provide information or to hand over documents at any time if required to prevent or to remedy a technical problem.

Promulgated by Official Notice of the exchange operating company, Wiener Börse AG, No. 528 of 14 October 1999 (effective 5 November 1999), amended by Official Notice of the exchange operating company, Wiener Börse AG, No. 470 of 28 September 2000 (amendment took effect on 1 October 2000) and by Official Notice No. 271 of 26 June 2001 (amendment took effect on 2 July 2001).