



# Guidelines for Members' On Exchange trade and Members' and Non-Members' OTC trade Reporting

## Version 1.9

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# 1. General information on reporting

## 1.1 The Norex Reporting Guidelines

These Reporting Guidelines supplement the NOREX Member Rules ("NMR"). In addition they offer guidance on the reporting of trades outside the Exchanges.<sup>1</sup> NMR regulate in a general manner the members' requirements to report manual trades, i.e. trades that members execute under the NMR but outside the order book in financial instruments admitted to trading on the Exchange ("Manual Trades").

These Reporting Guidelines cover reporting situations for different financial instruments, such as shares, units in unit trusts and other ownership rights that are issued for public trading. The specific use of the different Trade Types is also described accordingly. This document should be regarded as general instructions on how to report Manual Trades.

Please note that this document is intended as practical guidelines on the reporting of the most common transactions and does not purport to be comprehensive. Situations may arise that are not covered by these Reporting Guidelines.

These Reporting Guidelines do not cover the transaction reports to the competent authorities mandated by law in the various jurisdictions for investment firms pursuant to Markets in Financial Instruments Directive ("MiFID").

Surveillance can be contacted if there are any questions relating to trade reporting.

## 1.2 Trading

A member can choose between trading on exchange or outside the exchange. For trading on exchange the member can either make trades in the order book or outside the order book. In both these cases the trades must be made in accordance with the NMR. Manual Trades are trades, which are made outside the order book as well as reported in accordance with NMR to the exchange. An "OTC Trade" is a trade made outside the order book, which is not executed and reported in accordance with NMR to the exchange. An OTC-trade is not an on exchange trade even if it per se would fulfill the requirements in the NMR. How an investment firm shall execute the client orders is defined by its Best Execution Policy. For making OTC-trades the investment firm needs to have obtained the clients' express consent, in accordance with MiFID art 21.

On exchange trading has to comply with the requirements in the NMR. For trading on exchange the members benefit from our regulatory environment and market surveillance. This means that the Exchange is responsible for the trading environment and ensures that the demands of a fair and orderly execution, as well as requirements on neutrality and non-discriminatory treatment, are being satisfied. Thereby the Exchange upholds efficient trading for all members.

The OTC trades fall to the members' own responsibility and do not need to be made in accordance with the NMR. OTC Trades in shares have to be made public by investment

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<sup>1</sup> Depending on the national legislation there are different requirements regarding market transparency for other instruments than shares admitted to trading on a regulated market.

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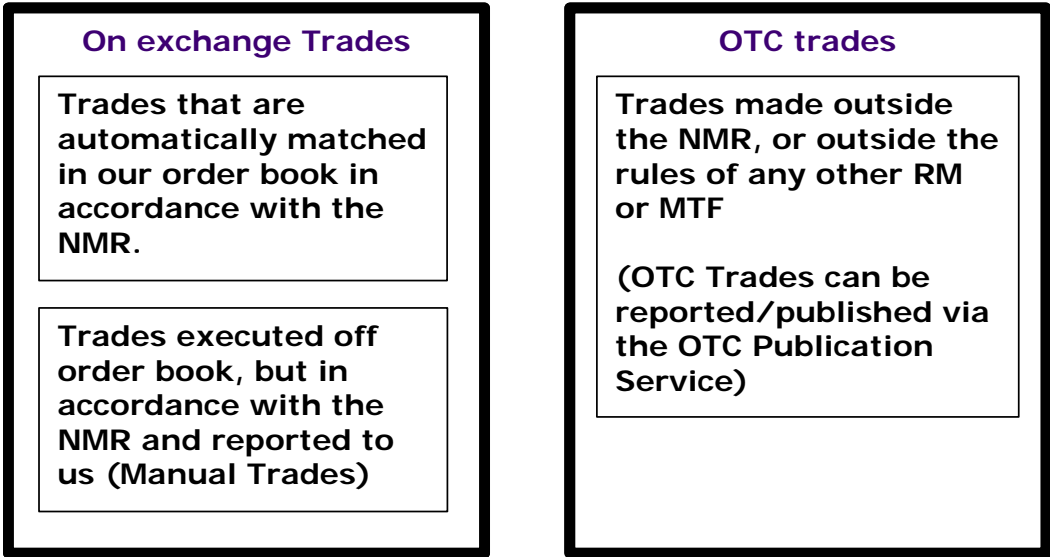
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firms (members as well as non-members) in accordance with art. 28 in MiFID, which requires investment firms that, either on own account or on behalf of clients, conclude transactions in shares admitted to trading on a regulated market (RM) outside a regulated market or Multilateral Trading Facility (MTF), to make public the volume and price of those transactions and the time at which they were concluded. This information shall be made public as close to real-time as possible and in any case, no later than 3 minutes from the time of the agreement, on a reasonable commercial basis, and in a manner which is easily accessible to other market participants. OMX and Oslo Børs provide members and non-members with an “OTC Publication Service” which can be used for this purpose.

On exchange trades and OTC trades

On exchange trades come in two varieties: trades that are the result of automatically matched buy and sell orders in our central order book or Manual Trades. On exchange trades and OTC trades are shown schematically below:



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### 1.3 Trade Types

The Trade Types set out below should be used when reporting on exchange Manual Trades or OTC trades (using the OTC Publication Service) to OMX Nordic Exchanges<sup>2</sup> and Oslo Børs.

#### 1.3.1 Trade Types for On-Exchange Trades (Manual Trades)

One of the following Trade Types shall be used when reporting Manual Trades:

| Trade type                          | Definition   |
|-------------------------------------|--|
| Standard Trade                      | A Trade concluded on standard market terms in respect of price, time of the trade and with standard delivery and settlement schedule   |
| Derivative Related Transaction      | Exercise or expiration of options, forwards or futures contracts that imply an exchange of securities or a trade that relates to a derivatives trade and that forms an unconditional part of a combination together with a derivative trade. |
| Portfolio Trade                     | A transaction in more than one security where those securities are grouped and traded as a single lot against a specific reference price.  |
| Volume weighted average price       | A Trade, which price is based on a volume weighted average of trades made within pre-defined time period.  |
| Exchange granted trade <sup>3</sup> | A Trade pursuant to an individual or general authorisation from the Norex Exchanges  |
| Pre-Opening Trade                   | A Trade, which is entered into in Pre-Opening on the date of admission to trading of an Instrument. (Only applies to OMX Nordic Exchange Helsinki.)  |

Standard Trades in shares below the thresholds in table 1 have to be made on or within the volume weighted average spread (VWAS). The VWAS is the reference price which would have been paid if the order had been executed in the central order book (i.e. would have been the average price if the orders had been auto matched). Standard Trades include all trades made on standard terms, also the ones made above the thresholds in table 1, and outside the VWAS, if made on standard terms for the specific volume.

Although principally the Member needs to make the trade on or within the Spread or VWAS, when there is no Spread the Member needs to make the trade to a price that takes into account the market situation at the time of the trade (for example rule 5.9.4 and 5.9.6).

<sup>2</sup> "OMX Nordic Exchanges" includes, for the purposes of these Reporting Guidelines, OMX Nordic Exchange Copenhagen A/S, OMX Nordic Exchange Helsinki Oy, OMX Nordic Exchange Stockholm AB and OMX Nordic Exchange Iceland hf.

<sup>3</sup> The Trade Type "Exchange granted trade" presupposes that the Member has either obtained prior authorisation from the Norex Exchange(s) for the specific case and Trade or that the Norex Exchange(s) have granted a general authorisation to all Members for a particular kind of Trade. The Norex Exchange(s) shall notify general authorisations through an Exchange Notice.

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According to NMR, in certain situations Member may want to make such a trade to a price that is out side the VWAS (for example rules 5.9.3, 5.9.5) if there has been a change in the market conditions after the relevant VWAS was determined. Members shall enter into a trade at a price that takes into account the market situation at the time of the trade

In both of the above cases members shall be able to provide reasons for their assessment of the market situation. As such valid ways to take the market situation into account, could be to use the prices on other relevant market(s) or prices that are based on other suitable reference prices. Surveillance will assess the suitability of such a reference price which could be for example within a percentage of the price in which the trade would have been entered into if the change in the market conditions had not occurred.

Exercise or expiration of options, forwards or futures contracts that imply an exchange of securities may be reported to the Exchanges. If reported the trade type Derivatives Related Transactions shall be used.

Portfolio trade shall be used for when a member executes a basket of securities on behalf of a client and when the transaction is defined as the whole portfolio of trades. A common example of a Portfolio trade is when an index derivative is traded against a basket of cash securities.

**Table 1 Block trades thresholds (Appendix F in NMR)**

| Class in terms of average daily turnover (ADT)                                      | ADT < €500,000 | €500,000 ≤ ADT < €1,000,000 | €1,000,000 ≤ ADT < €25,000,000 | €25,000,000 ≤ ADT < €50,000,000 | ADT ≥ €50,000,000 |
|---|----------------|-----------------------------|--------------------------------|---------------------------------|-------------------|
| Minimum size of order qualifying as large in scale compared with normal market size | €50 000        | €100 000                    | €250 000                       | €400 000                        | €500 000          |

The classification for all instruments admitted to trading on the OMX Nordic Exchanges is to be found on [www.omxgroup.com](http://www.omxgroup.com) and for Oslo Børs on [www.oslobors.no](http://www.oslobors.no).

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### 1.3.2 Trade Types for OTC Trades

The OTC Publication Service only uses two Trade Types, “OTC Standard” and “OTC Non-Standard”:

| OTC Trade Types  | Definition   |
|------------------|--|
| OTC Standard     | A trade concluded on standard market terms in respect of price, time of the trade and with standard delivery and settlement schedule |
| OTC Non-Standard | A trade determined by factors other than the current market valuation.   |

The relationship between the OTC Trade Types and the on-exchange Trade Types is shown below:

| OTC Trade Types  |                | On-Exchange Trade Types  |
|------------------|----------------|--|
| OTC Standard     | corresponds to | Standard Trade   |
| OTC Non-Standard |                | Derivative Related Transaction<br>Portfolio Trade<br>Volume Weighted Average Price<br>Exchange Granted Trade |

The need for a separate trade types for non-standard trades is due to the publication requirement in art. 27 Commissions Regulation (EC) No 1287/2006. This stipulates that trades determined by factors other than the current market valuation have to be identified.

## 1.4 How to report OTC Trades using the OTC Publication Service

The OTC Publication Service is being offered to members as well as to non-members under separate agreement. All users of the OTC Publication Service will need to set up appropriate technical connections with OMX and/or Oslo Børs, as specifically required by OMX and/or Oslo Børs. Please refer to section 1.4.1 for OTC reporting at OMX Nordic Exchange and section 1.4.2 for OTC reporting at Oslo Børs.

### 1.4.1 OTC Trade reporting at OMX Nordic Exchange

OTC Trade reporting at OMX Nordic Exchange will follow two models: **Model 1** for OTC Trades in instruments admitted to trading on OMX Nordic Exchanges and **Model 2** for other instruments.

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### **Model 1 - Reporting OTC trades in OMX Instruments for publication**

OTC trades in OMX Instruments – all transactions have to be sent to the parallel OTC sub markets with individual order books for each instrument.

- There are separate sub markets and order books for each instrument. OTC-order books at OMX are identified by the prefix “O-“; i.e. ERIC B > O-ERIC B.
- Double-sided reporting is used and the seller reports the trade unless otherwise agreed between the parties. Trades can be reported as internal /cross trades.
- If both parties have an agreement with the Exchange about publishing OTC trades each party can report its own leg, but we recommend that only one party reports such trades. In case only one of the parties has an agreement with the Exchange it must report the trade as internal trade/cross trade to OMX.
- OTC trades are anonymous; no participant information is displayed or disseminated.

Only one party is required to report a trade but both legs of the trade need to be reported. Reporting shall be carried out between the participants as described below:

|                   | <b>Member</b>       | <b>Non-member</b>   | <b>Client</b> |
|-------------------|---------------------|---------------------|---------------|
| <b>Member</b>     | seller or as agreed | member or as agreed | member        |
| <b>Non-member</b> | member or as agreed | seller or as agreed | non-member    |

#### **Example 1:**

Stockholm member AA has made an OTC trade in ERIC B with a non-member BB, who has not an agreement with OMX. Member AA is a seller of the trade and reports the trade. AA reports the trade as an internal trade (in O-ERIC B order book, in submarket OTC STO Equities) using the OTC publication service for OMX Instruments. Parties could also have agreed that BB reports the trade to an alternative venue for publication.

#### **Example 2:**

Stockholm member AA has made an OTC trade in ERIC B with another Stockholm member CC. Members have two options when reporting the trade, either each of them report their own leg or the seller reports the trade as an internal trade.

#### **Example 3:**

A member DD in Copenhagen has made an OTC trade in ERIC B with another Copenhagen member EE. The member DD is a seller and reports the trade. DD can either report the trade as a non-OMX Instrument using the OTC Publication Venue (see below, model 2) or DD can report the trade as an OMX Instrument (in O-ERIC B order book, in submarket OTC STO Equities) using the OTC publication for OMX Instruments. All the OMX members will be authorized to report OTC trades to all of the OMX exchanges regardless of which one they are member of.

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### **Model 2 - Reporting OTC trades in non-OMX Instruments for publication**

OTC-trades in non-OMX Instruments – all transactions have to be sent to the respectively OTC Publication Service.

- There is a separate technical market, sub market and a generic order book for this purpose.
- A separate application called External Trade Reporting is used and only single sided reporting is required.
- OTC trades are anonymous; no participant information is displayed or disseminated.

Only one party is required to report a trade and only one leg of the trade needs to be reported.

Reporting shall be carried out between the participants as described below:

|                   | <b>Members</b>      | <b>Non-member</b>   | <b>Client</b> |
|-------------------|---------------------|---------------------|---------------|
| <b>Member</b>     | seller or as agreed | member or as agreed | member        |
| <b>Non-member</b> | member or as agreed | seller or as agreed | non-member    |

#### ***Example 1:***

Stockholm member AA has made a trade with another Stockholm member DD in a non-OMX instrument. Since AA is a seller it reports the trade to the SAXESS non-OMX instrument submarket, unless otherwise agreed.

#### **1.4.2 OTC Trade reporting at Oslo Børs**

OTC Trades reporting at Oslo Børs will follow two models: **Model 1** for OTC Trades in instruments admitted to trading on Oslo Børs and **Model 2** for other instruments.

### **Model 1 - Reporting OTC trades in Oslo Børs Instruments for publication**

OTC trades in Oslo Børs Instruments – all transactions have to be sent to the parallel OTC sub market, “Oslo OTC Publication – Listed”, with individual order books for each instrument.

- There are separate order books for each instrument. OTC-order books at Oslo Børs are identified by the same name as in the trading market, but with the addition of “OTC”; i.e. “TEL OTC” or “STL OTC”.
- Double-sided reporting is used and the seller reports the trade unless otherwise agreed between the parties. Trades can be reported as internal /cross trades.
- If both parties are members of the Exchange each party can report its own leg if agreed between the parties. In case only one of the parties is member of the Exchange the member must report the trade as internal trade/cross trade to Oslo Børs.
- OTC trades are anonymous; no participant information is displayed or disseminated.

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**Example 1:**

Oslo Børs member AA has made an OTC trade in STL with a non-member BB. Member AA is a seller of the trade and reports the trade. AA reports the trade as an internal trade (in “STL OTC” order book, in submarket “Oslo OTC Publication – Listed”) using the OTC publication service for Oslo Børs Instruments. Parties could also have agreed that BB reports the trade to an alternative venue for publication.

**Example 2:**

Oslo Børs member AA has made an OTC trade in STL with another Oslo Børs member CC. Members have two options when reporting the trade, either each of them report their own leg or the seller reports the trade as an internal trade.

**Model 2 - Reporting OTC trades in non-Oslo Børs Instruments for publication**

- There is a separate technical market, sub market and a generic order book for this purpose.
- Only one party is required to report a trade and only one leg of the trade needs to be reported. The seller reports the trade unless otherwise agreed between the parties.
- OTC trades are anonymous; no participant information is displayed or disseminated.

**Example 1:**

Oslo member AA has made a trade with another Oslo member BB in a non-Oslo Børs instrument. Since AA is a seller it reports the trade to the submarket “Oslo OTC Publication – Unlisted”, unless otherwise agreed.

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## 1.5 Information to be entered when reporting an OTC Trade

### **Model 1 - Using SAXESS for OMX or Oslo Børs Instruments**

The ordinary trade reporting functionality is used when reporting OTC trades and therefore the same information about a trade needs to be entered as when the trade is reported on the regulated market.

### **Model 2 - Using SAXESS for non-OMX or non-Oslo Børs instruments**

External trade reporting functionality is used when reporting an OTC trade in non-OMX or non-Oslo Børs instruments. The following information is required:

- Counter Party: either Member or BIC code
- Buyer/Seller
- Amount
- Price
- Price Dimension
- Currency
- ISIN
- Trade Type
- Time of Agreement

## 1.6 Time for reporting

Trades that take place during Exchanges' Trading Hour must be reported as close to real time as possible, however, not later than three minutes from the time of the agreement.

Manual Trades that take place after three minutes prior to or after the closure of continuous trading and which cannot be reported during continuous trading must be reported in the Pre-Trading Session on the following Exchange Day prior to the opening of the Trading Hours on the following day.

Opening hours for reporting to OMX or Oslo Børs OTC Publication Service are specified on the website. See Art. 29 of the Commission Regulation (EC) No. 1287/2006 implementing Directive 2004/39/EC for further details on when the OTC Trades have to be published.

## 1.7 Price Risk and Owner Categories when reporting Manual Trades

Section 5.6.6 of the NMR requires that trades shall be marked as executed on behalf of "own account" or "client", as well as in some specific cases as "issuer's holding" or "market making". The factor determining whether the member's trade must be marked as effected on behalf of a client or on behalf of own account is whether the member runs a *price risk* when executing the trade. The member runs a price risk:

- If the member trades shares on its own account and does not have a client behind the trade, or
- if the price at which the trade should be delivered is unknown at the time of the trade.

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If the member runs a *price risk*, the trade must be marked as effected on behalf of the member's own account and the trade with the client must subsequently be reported separately. This applies often to VWAP trades, trades concluded at the closing price, etc.

The member shall only report an own account trade if the member incurs an actual and real price risk, but not when the price risk may be deemed to be theoretical. The assessment of whether an actual and real price risk is present should be based on the specific situation, including the size of the trade relative to the amount available in the order book, liquidity at the time of the transaction, etc.

If the member does not run a *price risk* the trade must be marked as effected on behalf of a client. The subsequent client report is superfluous and no separate reporting shall be done. This rule ensures that all trades published within the opening hours of the trading system are current trades.

As a general rule, the price reported must be the price at which the member has traded, i.e. the gross price excluding any fee.

Members shall when trading according to stabilisation rules in Commission Regulation (EC) No. 2273/2003 of 22 December 2003 (implementing directive 2003/6/EC of the European Parliament and of the Council as regards exemptions for buy-back programmes and stabilisation of financial instruments) mark the order with owner category "Stabilisation"

The owner category "Issuer holding" shall be used when the client for which the trading takes place is the issuer of the financial instruments. The most common such situation is when a share repurchase is being conducted on behalf of a listed company.

The owner category "Market making" shall be used when trading takes place under a market making agreement with the Exchange, for example a liquidity provider agreement.

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## Transactions subject to reporting obligations

The diagram below sets forth examples of various transaction situations and the reporting obligations applicable thereto if those transactions are made as Manual Trades or if the transactions in financial instruments have to be otherwise published on the basis on transparency requirements in MiFID or local legislation.

|            | Transaction situation  | Reporting obligation  | Trade type                             | Owner categories | Note |
|------------|--|---|--|------------------|------|
| <b>1.</b>  | <b>Situations that relate to the financial instrument.</b>   |   |  |                  |      |
| <b>1.1</b> | Subscription for and sale of equities prior to stock market listing.   | Shall not be reported. The equities are not admitted to trading on the Exchange at this time. |  |                  |      |
| <b>1.2</b> | Subscription for and sale of newly issued equities.  | Shall not be reported. It is a transaction on the primary market.                             |  |                  |      |
| <b>1.3</b> | Manual Trades in equity rights admitted to trading on a regulated market, warrants and units in unit trusts. | Must be reported.   | Depending on the applicable Trade Type |                  |      |

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|            | <b>Transaction situation</b>   | <b>Reporting obligation</b> | <b>Trade type</b> | <b>Owner categories</b> | <b>Note</b>  |
|------------|--|-----------------------------|-------------------|-------------------------|--|
| <b>1.4</b> | Manual Trades in equities in conjunction with the admission to trading on a regulated market where the equity is traded on the Exchange as a "when-issued" equity. | Must be reported.           | Standard Trade    |                         | Only applicable to OMX Nordic Exchange Stockholm and Oslo Børs |
| <b>1.5</b> | Sale of equities in conjunction with IPO on the date of admission to trading of an Instrument.   | May be reported.            | Pre-opening Trade |                         | Only applicable to OMX Nordic Exchange Helsinki                |
| <b>1.6</b> | Compulsory redemption of equities, which, at the time, are still admitted to trading on a regulated market, if made as a Manual Trade.                             | Must be reported.           | Standard Trade    |                         |  |
| <b>1.7</b> | Conversion of convertible debentures.  | Shall not be reported.      |                   |                         |  |
| <b>1.8</b> | Conversion of equities into depository receipts or vice versa.   | Shall not be reported.      |                   |                         |  |

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|             | <b>Transaction situation</b>   | <b>Reporting obligation</b> | <b>Trade type</b> | <b>Owner categories</b> | <b>Note</b> |
|-------------|--|-----------------------------|-------------------|-------------------------|-------------|
| <b>1.9a</b> | Trades on a RM or an MTF within EEA in respect to financial instruments admitted to trading on OMX Nordic Exchange or Oslo Børs. | Shall not be reported.      |                   |                         |             |

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|             | <b>Transaction situation</b>  | <b>Reporting obligation</b>           | <b>Trade type</b>              | <b>Owner categories</b> | <b>Note</b>   |
|-------------|---|---------------------------------------|--------------------------------|-------------------------|---|
| <b>1.9b</b> | Trades in instruments admitted to trading on a regulated market within the EEA made outside any RM or MTF within the EEA                              | Shall not be reported as on-exchange. | OTC Standard                   |                         | Reporting and publication can be made via the OMX or Oslo Børs OTC Publication Service. Members may choose to do an OTC Trade (and to report/publish it as such) even in situations where the trade conforms to NMR requirements in other respects than as being OTC. |
| <b>1.9c</b> | Trades on a foreign stock exchange outside the EEA with respect to financial instruments admitted to trading on an OMX Nordic Exchanges or Oslo Børs. |                                       | Standard Trade or OTC Standard |                         | Trades can be made either as Manual Trades or as OTC Trades. <sup>4</sup>   |

<sup>4</sup> The publication requirements for OTC Trades in different types of financial instruments are specified in applicable national legislation.

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|             | <b>Transaction situation</b>   | <b>Reporting obligation</b>   | <b>Trade type</b> | <b>Owner categories</b>  | <b>Note</b> |
|-------------|--|---|-------------------|--|-------------|
| <b>1.10</b> | Trades on a foreign exchange with respect to depository receipts in respect of a traded equity admitted to trading on an OMX Nordic Exchange or Oslo Børs. | Shall not be reported.  |                   |  |             |
| <b>1.11</b> | Trades in equities on a foreign exchange where a depository receipt is admitted to trading on an OMX Nordic Exchange or Oslo Børs.                         | Shall not be reported.  |                   |  |             |
| <b>2.</b>   | <b>Situations that relate to the transaction.</b>  |   |                   |  |             |
| <b>2.1</b>  | Trade between companies within the same group.   | Must be reported. Entails a transfer of ownership between different legal entities. | Standard Trade    | Both the buy and the sell sides must be marked as on behalf of "Client". |             |

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|     | Transaction situation   | Reporting obligation   | Trade type     | Owner categories  | Note  |
|-----|---|--|----------------|---|---|
| 2.2 | Trades in accordance with terms and conditions of a published take-over bid (cash bids).  | Must be reported. If the take-over bid is conditional the trades must be reported when the conditions have been met. | Standard Trade | The buy side of the trades with the other members must be marked on behalf of "Client". The final transfer of shares to the client shall not be reported. | Not applicable to OMX Nordic Exchange Stockholm |
| 2.3 | The member has <i>no</i> price risk: Client sell or buy order is placed in own trading book in order to be subsequently bought or sold, possibly together with a larger unit. | Client order shall not be reported as a trade.   |                | The related Manual Trade between members shall be marked as on behalf of client   |   |
| 2.4 | The member <i>has</i> price risk: Client sell or buy order is placed in own trading book in order to be subsequently bought or sold, possibly together with a larger unit     | Client order must be reported as a trade.  | Standard Trade | The related Manual Trade between members shall be marked as on behalf of own account  |   |

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|            | <b>Transaction situation</b>  | <b>Reporting obligation</b>  | <b>Trade type</b> | <b>Owner categories</b>   | <b>Note</b> |
|------------|---|--|-------------------|---|-------------|
| <b>2.5</b> | Manual Trades in which the price is set at a guaranteed VWAP (Volume-Weighted Average Price). | Must be reported when the client's price becomes known because of the member's price risk. | VWAP.             | The related trade between members shall be reported continuously with the indication that the trade is effected on behalf of "Own account".<br><br>The final trade with the client must be marked on behalf of client on one side and on behalf of own account on the other side. |             |
| <b>2.6</b> | Buy and sell orders from clients matched internally at the member (internal Manual Trades).   | Must be reported.  | Standard Trade    | The member reports the trade as a crossed client-client trade, i.e. both the buy and the sell sides are marked as on behalf of "Client".  |             |

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|            | <b>Transaction situation</b>   | <b>Reporting obligation</b>   | <b>Trade type</b>              | <b>Owner categories</b> | <b>Note</b> |
|------------|--|---|--------------------------------|-------------------------|-------------|
| <b>2.7</b> | Trades according to a special permit from the Exchange   | Must be reported.   | Exchange granted trade         |                         |             |
| <b>2.8</b> | Exercise or expiration of options, warrants and futures, with delivery where the underlying asset is admitted to trading on an OMX Nordic Exchange or Oslo Børs. | May be reported.  | Derivative Related Transaction |                         |             |
| <b>2.9</b> | When a member acts as a client to another member.  | Shall only be reported by the member executing the trade on behalf of the client (the other member) <i>or</i> Both members must report the trade. | Standard Trade                 |                         |             |

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### 3. Transactions that can be subject to deferred publication

For on-exchange trades, OMX Nordic Exchanges and Oslo Børs allow waivers from the principle of immediate publication of a reported trade if the trade meets the criteria in table 2 and is a trade where the member takes on risk. A risk trade is a trade that the member executes between a client and the member's own account (i. e. a principal trade), without immediately doing an offsetting trade. If the risk of the trade is partially offset by another trade in the same instrument or a related instrument or if the member possesses the shares already in own account and can match the client order fully or partly, the remaining part must be of the minimum size in table 2 to qualify for deferred publication.

For OTC Trades the waiver in Art. 28 Commission Regulation (EC) No. 1287/2006 implementing Directive 2004/39/EC, which addresses deferred publication, will apply. An OTC trade has to be reported immediately (i.e. within three minutes). If it is a trade in OMX Instruments and if it is large enough to be allowed for deferred publication, the system (SAXESS) model 1 will validate this and choose the longest deferred time allowed. If it is a trade in non OMX Instruments, and done in model 2, the one who reports the trade has to select the delay time himself. No one will validate that it is correct or allowed. The responsibility is totally on the participant who reports the trade.

The minimum trade sizes required to qualify for deferred publications are given in table 2. The relevant thresholds are the ones expressed in the same currency as the order book in the respective instrument, e.g. for shares traded in Euro the Euro thresholds apply.

**Table 2**

|                                       |             | Class of shares in terms of average daily turnover (ADT)   |  |   |   |
|---------------------------------------|-------------|--|--|---|---|
|                                       |             | ADT <<br>EUR 100 000                                       | EUR 100 000<br>≤ ADT <<br>EUR 1000 000     | EUR 1000 000<br>≤ ADT <<br>EUR 50 000 000   | ADT ≥<br>EUR 50 000 000                       |
|                                       |             | Minimum qualifying size of transaction for permitted delay |  |   |   |
| Permitted<br>delay for<br>publication | 60 minutes  | EUR 10 000   | Greater of 5% of<br>ADT and<br>EUR 25 000  | Lower of 10% of<br>ADT and<br>EUR 3 500 000 | Lower of 10% of<br>ADT and<br>EUR 7 500 000   |
|                                       | 180 minutes | EUR 25 000   | Greater of 15%<br>of ADT and<br>EUR 75 000 | Lower of 15% of<br>ADT and<br>EUR 5 000 000 | Lower of 20 % of<br>ADT and<br>EUR 15 000 000 |

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|                                       |   | Class of shares in terms of average daily turnover (ADT)   |  |   |   |
|---------------------------------------|---|--|--|---|---|
|                                       |   | ADT <<br>EUR 100 000                                       | EUR 100 000<br>≤ ADT <<br>EUR 1000 000 | EUR 1000 000<br>≤ ADT <<br>EUR 50 000 000 | ADT ≥<br>EUR 50 000 000                 |
|                                       |   | Minimum qualifying size of transaction for permitted delay |  |   |   |
| Permitted<br>delay for<br>publication | Until end of trading day (or roll-over to noon of next trading day if trade undertaken in final two hours of trading day) | EUR 45 000   | Greater of 25 % of ADT and EUR 100 000 | Lower of 25 % of ADT and EUR 10 000 000   | Lower of 30 % of ADT and EUR 30 000 000 |
|                                       | Until end of trading day next after trade   | EUR 60 000   | Greater of 50 % of ADT and EUR 100 000 | Greater of 50 % of ADT and EUR 1000 000   | 100 %                                   |
|                                       | Until end of second trading day next after trade  | EUR 80 000   | 100 % of ADT                           | 100 % of ADT                              | 250 % of ADT                            |
|                                       | Until end of third trading day next after trade   |  | 250 % of ADT                           | 250 % of ADT                              |   |

The four different deferred publication share classes that are used to define what trade sizes that qualify a trade for deferred publication refers to the criteria in table 2.

A trade that is being deferred shall be reported as soon as possible and will be deferred by the Exchange in accordance with the table 2. If no time is set the trade will automatically be deferred as specified in the table.

The classification for all instruments admitted to trading on the OMX Nordic Exchanges is to be found on [www.omxgroup.com](http://www.omxgroup.com) and for Oslo Børs on [www.oslobors.no](http://www.oslobors.no).

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