

EXHIBIT A – GENERAL INFORMATION AND DOCUMENTATION

Exhibit A-1, is a description of the following:

Location, history, size, ownership and corporate structure, governance and committee structure, current or anticipated presence of offices or staff in the United States, and anticipated volume of business emanating from members and other participants that will be provided direct access to the foreign board of trade’s trading system.

1. ICE Futures Europe (formerly known as The International Petroleum Exchange of London Limited) (“the Exchange”) was incorporated on 17 November 1980 in England and Wales with Company Number: 01528617, and is an unlimited company having a share capital. Its registered address is at 5th Floor, Milton Gate, 60, Chiswell Street, London EC1Y 4SA, United Kingdom. Annex A-1(1) includes the Certificate of Incorporation of ICE Futures Europe/ Certificates of Incorporation on Change of Name.
2. The Memorandum and Articles of Association of ICE Futures Europe (exhibited at Annex A-1(2)) provide that the number of directors on the board of directors of ICE Futures Europe (the “Board”) shall be not less than two and not more than 16, including at least two and not more than five independent directors. The Board currently comprises seven directors, four of whom, including the chairman, are considered independent by the Financial Conduct Authority (“FCA”) formerly the Financial Services Authority (“FSA”). David Peniket, the President and Chief Operating Officer is the only ICE Futures Europe executive officer on the Board.
3. The Articles of Association of ICE Futures Europe reserve rights to the Board to delegate certain of their powers in relation to the operation and running of the Exchange to committees of directors and to a director holding executive office, who at the current time is David Peniket, President and Chief Operating Officer of ICE Futures Europe.
4. At the time of submission, ICE Futures Europe has 84 permanent, 6 contract and temporary employees. Annex A-1(3) provides a high level organisation chart showing the President and Chief Operating Officer, his senior management team and the teams which they lead. All members of ICE Futures Europe staff are based at the Exchange’s offices at Milton Gate, Chiswell Street, London, EC1Y 4SA, UK.
5. All ICE Futures Europe staff report directly or indirectly to David Peniket, President and Chief Operating Officer. Mr Peniket has ultimate responsibility for the regulation, operations and business performance of ICE Futures Europe. Regulatory staff also have direct access to either the Board or Regulators. Mr Peniket is a member of the Board of ICE Futures Europe. He reports to that Board in respect of the business performance and operations of the company and all regulatory matters. Mr Peniket is a S16 Officer of IntercontinentalExchange Inc. and within ICE’s global management structure reports to Chuck Vice, IntercontinentalExchange Inc. (“ICE Inc.”) President and Chief Operating Officer. ICE Inc. is ICE Futures Europe’s ultimate parent company, being a United States company headquartered in Atlanta Georgia (further details are set out below).

6. The Board delegates certain functions to sub-committees, comprised of independent directors only, for example the Risk and Audit Committee (the “RAC”), and others comprised of independent directors and representatives of members of ICE Futures Europe (“Members”), for example the Authorization, Rules and Conduct Committee (the “ARC”).

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9. In order to maintain its status as a United Kingdom Recognised Investment Exchange (“RIE”), ICE Futures Europe must continue to satisfy the requirements of the Financial Services and Markets Act 2000, (“FSMA”) as expanded in secondary legislation, and FCA Rules and Guidance, which include a requirement to be a “fit and proper person”. The FCA monitors ICE Futures Europe on an ongoing basis to confirm compliance with this requirement by reviewing ICE Futures Europe’s constitution documents, the effectiveness of its Board in overseeing regulatory functions, avenues of communication between the compliance department of ICE Futures Europe and the Board, Board size, composition and the proportion of independent directors, distribution of responsibilities among Board committees and the independence of the regulatory department from the commercial business of ICE Futures Europe.

10. The Exchange became a wholly-owned subsidiary of ICE Inc. on 10 August 2001 following the acquisition of the Exchange’s parent company, IPE Holdings plc by ICE Inc. on 18 June 2001. Following the purchase of the Exchange by ICE, Inc. the Exchange completed the transition to fully electronic trading on the platform owned by ICE Inc. (the “ICE Platform”) in April 2005. The ICE Platform provides an electronic trading facility which is accessed by Members over a secure internet connection. Under the terms of intra group service agreements, the Exchange has outsourced the operation of the ICE Platform for

¹ The structure of the ARC is currently being reviewed following the death of its chairman, Lord Fraser of Carmyllie.

the trading of ICE Futures Europe products to ICE Inc. although the Exchange retains responsibility for the operation and regulation of its markets.

11. ICE Inc. was admitted to trading on the New York Stock Exchange on 16th November 2005.
12. The group structure of the ICE Inc group of companies (“the ICE Group”) is attached at Annex A-1(4).
13. The Exchange is Europe’s leading energy futures and options exchange and provides a highly regulated fully electronic marketplace where industry participants can manage their price risk exposure in the physical energy market.
14. ICE Futures Europe has approximately 200 Members ranging from global investment banks, energy trading companies to proprietary individual or former floor traders, and the average daily volume for the ICE Futures Europe contracts, for June 2012 for example, was approximately 1.2 million lots.
15. The Exchange is regulated in the UK by the FCS (the successor to the FSA since 01 April 2010) as a recognised investment exchange (“RIE”) under Part XVIII of the Financial Services and Markets Act 2000 (the “Act”). The requirements placed on RIEs by the FCA reflects the work of the International Organisation of Securities Commissions in this area – such as the “Objectives and Principles of Securities Regulations” (1998 and 2002) and “Report on co-operation between market authorities and default procedures” - and also the “Standards for Regulated Markets” published by the Forum of European Securities Commissions in December 1999.
16. The Financial Services Authority made the Recognised Auction Platform Instrument 2011 (FSA 2011/77) (the “RAP Instrument”) on 21 December 2011 and supervision of RAPs passed to the FCA on 01 April 2013. The RAP Instrument amends, *inter alia*, the Recognised Investment Exchanges and Recognised Clearing Houses sourcebook (“REC”), the Rules and Guidance with which the Exchange must comply. It does so by, together with the Recognised Auction Platform Regulations 2011 (SI 2011/2699) (the “RAP Regulations”) (see Annex A-1(5)), adding recognised auction platforms (“RAP”s) to the regulatory regime for recognised bodies. A RAP is defined as “a recognised investment exchange which is declared by a recognition order for the time being in force to be a recognised auction platform”.
17. RAPs are platforms on which auctions of greenhouse gas emission allowances are held pursuant to EU Commission Regulations^[1] and Directive 2003/87/EC establishing a scheme for green house gas emission allowances trading within the European Community.
18. ICE Futures Europe was recognized as a RAP under the RAP Regulations on 16 February 2012. The FSA Recognition of ICE Futures Europe as a Recognised Auction Platform is exhibited at Annex A-1(6).
19. It is also worth noting that the Exchange has received permission from a number of national regulatory authorities in order to enable participants to trade directly from those jurisdictions, including:

^[1] Commission Regulation (EU) No 1031/2010 dated 12 November 2010 can be found at Annex F(9)

- In the United States of America: the Exchange has received a number of no-action reliefs from the Commodities and Futures Trading Commission ('CFTC') in recent years in respect of its products. On 14 April 2003, the Exchange received no-action relief to make all of its contracts, including Brent Futures and Options, Gasoil Futures and Options, and UK Natural Gas Futures Contracts available in the US on the ICE Platform during the course of the entire trading day;
- In Singapore: Recognition as a Recognised Trading System Provider under Section 36 of the Singapore Securities and Futures Act was confirmed on 6 May 2004. By virtue of Regulation 4 of the Securities and Futures Regulations 2005, the Exchange is from the 1st July 2005 deemed a Recognised Market Operator in Singapore;
- In Canada: the Exchange is a recognised exchange under section 59(2) of the Securities Act in British Columbia, and has obtained exemptive relief from the Ontario Securities Commission, the Alberta Securities Exchange and Québec's Autorité des marchés financiers;
- In the Dubai International Financial Centre: recognition was granted to the Exchange under Article 61(8) of the Regulatory Law 2004 on 8 May 2006;
- In Hong Kong: the Exchange was authorised on 23 August 2006 to provide Automated Trading Services pursuant to section 96 of the SFO and paragraphs 52 and 62 of the Guidelines for Regulation of ATS;
- In Taiwan: the Exchange was recognised on 22 August 2008 under Article 5 of the Futures Trading Act as a qualified foreign futures exchange, and was granted approval to permit licensed futures commission merchants in Taiwan to trade in certain ICE Futures Europe contracts;
- In Malaysia: the Exchange was prescribed as a Specified Exchange in the Futures Industry (Specified Exchanges) Order 2005, pursuant to the Futures Industry Act 1993;
- In Australia: the Exchange was granted an Australian Markets Licence on 10 February 2010;
- In New Zealand: the Exchange was authorised by Notice published on 23 February 2012 as an Authorised Futures Exchange under section 37(8) of the New Zealand Securities Markets Act 1988;
- In Brazil: the Exchange was authorized by the Board of the Comissão de Valores Mobiliários to install access screens to the trading system of ICE Europe in Brazil, in accordance with the terms of §1º of article 113 of Instruction 461/07 on 1 February 2011;
- In Switzerland: the Exchange was authorised to act as a foreign stock exchange in Switzerland by the Swiss Federal Banking Commission (SFBC) on 27 May 1999.

- The Exchange has also obtained a statement of no-objection or legal advice that there is no legislative or regulatory impediment to the trading of all its futures and options contracts in their jurisdiction from Bermuda, Cayman Islands, China, Columbia, Guernsey, Israel, Japan, Republic of Korea, Lebanon, Mexico, Monaco, the Netherlands Antilles, Oman, South Africa, Spain, Sweden, Turkey, and the United Arab Emirates.

Further, as of 1 November 2007 and the implementation of the Markets in Financial Instruments Directive (Directive 2004/39/EC) ('MIFID'), the Exchange has the status of regulated market and has the ability to make arrangements to facilitate access to its markets on the ICE Platform in EEA Member States, pursuant to Article 42 of MIFID. The Exchange notified the FSA (home Member State regulator, now the FCA) of its intention to facilitate access to all EEA Member States. No jurisdiction has denied a request by ICE Futures Europe for an approval or a statement of non-objection of this type.

The ICE Futures Europe document confirming and summarizing relevant access arrangements in respect of ICE Futures Europe and its markets as at 20 May 2013 is available at https://www.theice.com/publicdocs/futures_jurisdiction.pdf , and is further exhibited at Annex A-1(7).

20. The Exchange currently does not have an office presence in the United States nor does it have any US based staff (noting its US ownership structure, as detailed above).

21. In accordance with the terms of the “no-action” relief in respect of ICE Futures Europe originally granted by the Commodity Future Trading Commission (“the CFTC”) on 12 November 1999 (and as subsequently amended) by which ICE Futures Europe has permission to make its electronic trading and order matching system available in the USA, ICE Futures Europe is required to report to the CFTC:

“ For each contract available to be traded through ETS, the total volume originating from ETS terminals assigned to each of the [Exchange]’s members in the US compared with total worldwide volume for such products through ETS and the total worldwide volume for such products traded on the [Exchange] generally.”

Therefore, in order to discharge this obligation ICE Futures Europe submits on a quarterly basis details of trading volume in all ICE Futures Europe contracts using a CFTC designated format as advised by Duane Andresen by email dated 28 September 2008.

Therefore, with regard to the anticipated volume of business emanating from members and other participants that will be provided direct access to the foreign board of trade’s trading system, attached at Annex A-1(8) the quarterly submission made to Richard Shilts on 31 July 2013 in respect of the trading volume for the period 1 April – 30 June 2013. This will provide indicative details of relevant volume.

Attached, as **Exhibit A-2**, are the following:

Memorandum and Articles of association.

1. ICE Futures Europe (formerly known as The International Petroleum Exchange of London Limited) was incorporated on 17 November 1980 in England and Wales with Company Number: 01528617, and is an unlimited company having a share capital. Its registered address is at 5th Floor, Milton Gate, 60, Chiswell Street, London EC1Y 4SA.
2. The ICE Futures Europe Memorandum, Articles of Association, Certificate of Incorporation and various Certificates of Incorporation on Change of Name are provided at Annexes A-1(1) and A-1(2).

Exhibit A-3:

1. For the purposes of becoming an Exchange Member an applicant is obliged, in accordance with Rule B.4 of the ICE Futures Europe Regulations (<https://www.theice.com/FuturesEuropeRegulations.shtml>), which can be found at Annex A-6, to complete a prescribed application form. This application form includes an accession to the ICE Futures Europe Regulations on behalf of the applicant. The ICE Futures Europe Membership Application Form can be found at Annex A-3(1).
2. An Exchange Member's access to the ICE trading platform for the purposes of trading ICE Futures Europe Contracts is regulated by the ICE Futures Europe Electronic User Agreement. The ICE Futures Europe Electronic User Agreement can be found at Annex A-3(2).
3. In the event that an Exchange member wanted to develop its own electronic user trading interface to the ICE Platform API for the purposes of trading ICE Futures Europe Contracts such Exchange Member will be required to complete an ICE Futures Europe Direct Access Interface Agreement. An ICE Futures Europe Direct Access Interface Agreement can be found at Annex A-3(3).
4. In accordance with Rule B.3.1.(g) of the ICE Futures Europe Regulations (which can be found at Annex A-6) an ICE Futures Member is required to have appropriate clearing arrangements in place in respect of ICE Futures Europe business. In the event that an ICE Futures Europe Member is also a Clearing House Member, then such Exchange Member will be required to complete the ICE Clear Europe Clearing Membership Agreement. The ICE Clear Europe Clearing Membership Agreement together with relevant Addendum can be found at Annex A-3(4).

ICE FUTURES EU

Attached, as **Exhibit A-4**, are the following:

1. ICE Futures Europe Contract Rules setting out the Terms and conditions of contracts to be available through direct access (as specified in Exhibit E).
2. The terms and conditions of the ICE Futures Europe Contract Rules available for trading through direct access on the ICE Platform can be found in Sections J to XXX of the ICE Futures Europe Regulations (<https://www.theice.com/FuturesEuropeRegulations.shtml>), and further which can be found at Annex A-6
3. Further information in relation to the ICE Futures Europe contract specifications and details of related spread products that might be traded can be found at Annex A-4 and are available at the following link:
<https://www.theice.com/productguide/Search.shtml?productGuide=&advancedKeyword=&markets=ICE+Futures+Europe>.
4. The trading hours for the ICE Futures Europe Contracts are as follows:

Contracts	Electronic Trading (ICE Platform)
Oil Contracts²	23.00 Sunday - 23.00 Monday 01.00 – 23.00 Tuesday to Friday
Utility Contracts³	07.00 – 17.00 Monday to Friday
Coal Contracts⁴	a. 23.00 Sunday – 23.00 Monday 01.00 – 23.00 Tuesday to Friday b. 07.00 – 23.00 Monday to Friday c. 01.00 – 23.00 Monday to Friday
Emissions Contracts⁵	07.00 – 17.00 Monday to Friday
GMT/BST	

² ICE Futures Brent Futures and Options Contracts, ICE Brent NX (New Expiry) Crude Futures and Options Contracts, ICE Futures Gasoil Futures and Options Contracts, ICE Low Sulphur Gasoil Futures and Options Contracts, ICE Futures West Texas Intermediate Light Sweet Crude Oil Futures Contract, ICE Futures New York Harbour Unleaded Gasoline Blendstock (RBOB) Futures Contract, ICE Futures New York Harbour Heating Oil Futures Contract, ICE Futures Middle East Sour Crude Oil Futures Contract, ICE Futures Argus Sour Crude Index Futures Contract and ICE Futures Argus Sour Crude Index Differential Futures Contract

³ ICE Futures UK Natural Gas Futures Contract, ICE Futures TTF Natural Gas Futures and Options Contracts, ICE Futures NCG Natural Gas Futures Contract, ICE Futures Gaspool Natural Gas Futures Contract, ICE Futures UK Base Electricity Futures Contract and ICE Futures UK Peak Electricity Futures Contract

⁴ a. ICE Futures CSX Coal Futures Contract, ICE Futures Central Appalachian Coal Futures Contract, ICE Futures Powder River Basin Coal Futures Contract and ICE Futures API 8 CFR South China Coal Futures Contract

b. ICE Futures API 2 Rotterdam Coal Futures and Options Contract and ICE Futures API 4 Richards Bay Coal Futures and Options Contract

c. ICE Futures GlobalCOAL Newcastle Coal Futures and Options Contract (expires at 12.00 on the last Friday of the delivery month) and ICE Futures FOB Indonesia Sub-Bituminous Coal Futures Contract

⁵ ICE EUA Futures and Options Contracts, and ICE CER Futures and Options Contracts, ICE EUA Daily Futures Contract, ICE CER Daily Futures Contract and ICE Futures ERU Futures Contract

Attached, as **Exhibit A-5**, are the following:

1. Part XVIII of the Financial Services and Markets Act 2000 (“FSMA”) at Annex A-5(1);
2. Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) Regulations 2001, SI 2001/995 (the “Recognition Requirements”) at Annex A-5(2);
3. The FCA’s Recognised Investment Exchanges Source Book (“REC”) at Annex A-5(3);
4. Recognised Auction Platform Regulations 2011, SI 2011 No. 2699 (“the Auction Regulations”) at Annex A-1(5)

Together being the national statutes, laws and regulations governing the activities of ICE Futures Europe and its respective participants within the United Kingdom.

Exhibit A-6:

The current Regulations of ICE Futures Europe.

1. All trading in ICE Futures Europe contracts is conducted in accordance with the ICE Futures Europe Regulations (the “Rules”). ICE Futures Europe maintains the Rules, policies and other similar instruments to govern and regulate all aspects of its business and affairs and the Rules are designed to, in particular to seek to,
 - ensure compliance with the rules of ICE Futures Europe and securities legislation;
 - prevent fraudulent and manipulative acts and practices;
 - promote just and equitable principles of trade;
 - foster cooperation and coordination with persons or companies engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in, the products traded on ICE Futures Europe;
 - provide for appropriate discipline;
 - ensure a fair and orderly market; and,
 - ensure that ICE Futures Europe’s business is conducted in a manner so as to afford proper protection to investors.

2. The ICE Futures Europe Regulations (<https://www.theice.com/FuturesEuropeRegulations.shtml>) can be found at Annex A-6.

ICE FUTURES EU

Attached, as **Exhibit A-7**, are the following:

1. Copies of the Recognition Orders granting ICE Futures Europe the status of a United Kingdom Recognised Investment Exchange and Recognised Auction Platform at Annexes A-7(1) and A-1(6); and,
2. A representation from the FCA that ICE Futures Europe is in good regulatory standing at Annex A-7(2).

Exhibit A-8:

N/A.

No disciplinary or enforcement actions or proceedings have been brought against ICE Futures Europe, or any of the senior officers thereof, in the past five years.

Exhibit A-9:

An undertaking by the chief executive officer(s), Mr. David Peniket, President and Chief Operating Officer of ICE Futures Europe to notify Commission staff promptly if any of the representations made in connection with or related to the foreign board of trade's application for registration cease to be true or correct, or become incomplete or misleading is provided in the covering letter accompanying this submission.