

EFET Document Ratification System (“EDRS”)

Frequently Asked Questions

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This Frequently Asked Questions document is intended to provide for guidance to EDRS Users and does not contain any legal advice and should be relied upon for information only. EFET does not accept any liability for any information contained within this document.

What is the purpose of the EDRS Platform?

The EDRS Platform is a platform enabling users of EFET Documentation to change existing EFET contractual documentation via protocol.

The term of “ratification letters” includes change notices and the Electronic Notice Agreement (“hereafter referred to as “E-Notice Agreement”).

The protocol-based approach is an alternative way to bring about contractual change instead of executing bilateral “change letters” between OTC-trade counterparties.

EFET puts EDRS to use by the EFET document user community in order to ease the administratively cumbersome and inefficient approach of bilateral change letters. The EDRS Platform as a web-based solution enables market participants to swiftly transition from one version of an EFET published document to another version, or to execute contractual change via online ratification.

The traditional change letter approach remains in place as an alternative way for executing contractual change for EFET documentation users. The EDRS Platform allows EFET documentation users an alternative way to proceed with contractual change.

How does the EDRS Platform work?

Ratification via the EDRS Platform requires the parties to accept and sign ratification letters for amendment of an EFET document, and upload them to the EDRS website. Any ratification letter requires wet signatures as a condition of validity. Digital signatures are not acceptable for use in the EDRS-process. EDRS admins will then review the ratification letters within 48 hours (excluding weekends and public holidays) and, once accepted, publish them on the EDRS Platform. Existing agreements shall be deemed modified as if the parties had signed a bilateral agreement with each other.

For whom is it intended?

The EDRS Platform is to be used by all parties having previously signed an EFET document to which an amendment will be required, for example counterparties to the EFET General Agreement Concerning the Delivery and Acceptance of Natural Gas and/or Electricity (“General Agreements”), any Appendix to such General Agreements or to any amended versions hereto.

The EDRS Platform is limited for change processes for EFET documentation only.

How can I access the EDRS Platform?

The EDRS Platform can be accessed via <http://edrs.efet.org/users/>. When starting to use the platform, please read carefully the [Website Terms of Use](#), [Privacy and Cookie Policy](#) and the [Description of EDRS platform](#). All mentioned documents can be equally found on the welcome page of EDRS.

How can I register to become a user?

For detailed step-by-step information on the registration process, please consult the [EDRS Process Flowchart](#).

How can I change my user details?

You can change the information provided at the registration by clicking on your e-mail right on top of the EDRS-screen.

Are there any fees associated with the use of the EDRS Platform?

No. The EDRS services are provided for free to the trading community, until further notice.

What documents are there available for online ratification via EDRS Platform?

Documents made available on the EDRS Platform and open for online ratification via EDRS are documents listed on the <https://edrs.efet.org/> website. EFET excludes any liability for the list of documents for execution to be complete or be up to-date. EDRS users should check each and every document upon its completeness and correctness.

Documents could, for example, consist of a new version of any appendix to an EFET General Agreement, or the E-Notice Agreement allowing for contractual change to be exchanged by e-mail.

Why is there a deadline for submission of the published ratification letters?

The letters are open for ratification until the set deadlines, which can be subject to a change, e.g. when future system changes at the national gas hub will require another update of the respective EFET documentation.

There are no set-deadlines for E-Notice Agreements.

How do I ratify a document?

For detailed step-by-step information on the ratification process, please refer to the [EDRS Process Flowchart](#).

What happens once I upload a ratified letter or E-Notice Agreement?

Upon its submission to the website, the uploaded ratification letter is first checked by the EDRS administrators. The EDRS administrators will check the uploaded ratification letter for the following only:

- (i) all the required information has been completed;

- (ii) the uploaded document is readable, contains the full document (i.e. the PDF file is complete and there are no missing pages), and does not contain extraneous material;
- (iii) the document is signed (the use of wet signatures is required for any ratification)

This checking process may take up to 48 hours (excluding weekends and public holidays).

If there are no issues, the ratification letter will be approved and published on the EDRS Platform, along with the name of the ratifying party and the date at which the ratification letter was accepted by the EDRS admins.

If there is any issue which may impact the validity of the ratification letter or E-Notice Agreement, the EDRS administrators will contact the EDRS-user and guide the EDRS-user through the steps to make corrections and successfully complete the process (the issue may be an incomplete form or similar).

Who can view the ratified letters or E-Notice Agreement?

The ratified letters can be viewed by all users in the same process as they were uploaded to the EDRS Platform.

Can a previously approved and published ratification letter/ E-Notice Agreement be subsequently removed?

EDRS administrator may remove from the EDRS Platform any published ratification letter(s) or E-Notice Agreement if there is reasonable evidence that the ratification letter(s) are the result of fraud, contains virus, or appears to be the result of other criminal activity. Before any published ratification letter(s) is removed, the EDRS admins will as soon as possible use all reasonable efforts to notify the relevant ratifying parties and take appropriate actions in conjunction with the relevant parties.

What is the effect of the publication of ratification letters on the EDRS Platform?

In agreeing to use the EDRS Platform and in submitting ratification letters through the system, in the relevant ratification letter the parties will each have appointed EFET as their respective authorised agent for receipt of contractual declarations vis-à-vis and on behalf of the other parties to each agreement.

Does the ratification via EDRS Platform fulfil the requirement of amendments being made in writing and signed by both parties?

§ 23 Section 3 of the General Agreements regarding the amendments to existing agreements provides for a formal requirement that “*any amendments or additions to this “General Agreement” shall be made only in writing and signed by both Parties*”. The first requirement is fulfilled as the parties can amend an agreement by written instrument through the online platform, which facilitates the exchange of letters through EFET as agent.

In respect of the requirement that the amendments should be signed by both parties, this is also fulfilled as the parties will sign their respective ratification letters.

For more detailed information on the effectiveness of the EDRS Platform under German law, please see also the [Legal note on the effectiveness of the EDRS Platform under German law](#).

What should I do if I encounter a problem with the EDRS Platform?

In case of any troubles with the use of the EDRS Platform, please get in touch with the admins at edrsAdmin@efet.org.