



LICENCE NO.	EMA/MC/001R1
TYPE	MARKET COMPANY
LICENSEE	ENERGY MARKET COMPANY PTE LTD
NOTIFICATION NO.	4

1. Pursuant to Section 12 of the Electricity Act (Cap. 89A), Energy Market Company Pte Ltd is hereby notified that the Conditions of the Market Company Licence (Licence No. EMA/MC/001R1) are modified as set out in paragraphs 2 through 4 below:

Modification of Condition 6: Non-discriminatory Access

2. Condition 6 is modified by substituting in its entirety with the following paragraphs:
- "1. The Licensee shall provide non-discriminatory access to persons similarly situated for services comprised within the authorised business.
 2. The Licensee shall have the rights to all information obtained by the Licensee in the operation and administration of any wholesale electricity market pursuant to Condition 2 ("Market Data").
 3. The Licensee shall provide non-discriminatory access in respect of the following information to any person who requests the same:
 - (a) Market Data; and
 - (b) any other information as may be required by the Authority.
 4. The Licensee may, subject to the Authority's approval and to such terms and conditions as may be imposed by the Authority in its approval, impose conditions or restrictions in relation to the use of specific Market Data by any third party.
 5. Nothing in this Condition shall apply to any:
 - (a) information which is owned by a third party or licensed to the Licensee;

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- (b) proprietary or confidential information which is owned by, licensed to or disclosed to the Licensee; or
- (c) works or intellectual property created or developed by the Licensee (either on its own or in collaboration with another party) from the information referred to in paragraph 2 of this Condition

(collectively, "Excluded Information") and the terms and conditions of access to and use of such Excluded Information may be determined by the Licensee, and/or the relevant owner or licensor of such Excluded Information, as the case may be.

- 6. The Authority may, on such terms as it may specify by written notice to the Licensee, waive or vary any requirement of this Condition for such period as the Authority may determine."

Modification of Condition 21: Confidential Information

- 3. Condition 21 is modified by substituting in its entirety with the following paragraphs:

"1. The Licensee shall take reasonable measures to ensure that all information received by it relating to the authorised business:

- (a) is kept confidential by the Licensee except as otherwise permitted by the Authority, this licence, any applicable code of practice or the market rules, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Licensee, or to an agent of Licensee that has agreed in writing to observe this requirement of confidentiality;

- (b) is not used by the Licensee for any purpose other than that for which it was provided or for a purpose permitted by this licence, any applicable code of practice or the market rules; and

- (c) subject to Condition 6, is not used by the Licensee for any commercial advantage in the provision of any service other than a service comprised in the authorised business.

- 2. The Licensee shall take such other action, including complying with restrictions upon the transfer, engagement, or re-engagement of employees, as the Authority may from time to time require to ensure that the information acquired by it in connection with the authorised business is, except as otherwise permitted by the Authority, this licence, any applicable code of practice or the market rules, kept confidential by the

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Licensee and not dealt with in a manner which may restrict, distort or prevent competition in any of the industries to which it provides its services.

3. The Licensee shall, if requested by the Authority, procure that a certificate is issued by its auditors, in such form as the Authority may require, which confirms that the Licensee is complying with the requirements of this Condition.
4. Nothing in this Condition shall be construed as requiring the Licensee to keep confidential any information that is or becomes generally and publicly available other than as a result of a breach by the Licensee of paragraph 1 or 2 of this Condition.”

Insertion of Condition 28: Equity Interest and Interest in Undertaking

4. The following Condition 28 is inserted immediately after Condition 27:

“1. The Licensee shall not permit or allow:

- (a) any equity interest in the Licensee; or
- (b) any interest in the undertaking of the Licensee.

to be created, acquired or disposed of without the prior written approval of the Authority.”

5. This Notification shall come into effect on the date set out below.



CHEE HONG TAT
Chief Executive
Energy Market Authority of Singapore

24 October 2014

