



# Listing of Copper Grade-A Brands

## Guidance Notes for Applicant Producers



## **Listing of Copper – Grade A Brands Guidance Notes for Applicant Producers**

1. Copper producers wishing to apply for LME brand registration will only be considered provided that they satisfy the following criteria (the “Core Listing Requirements”):
  - i) The producer has been in business for at least 12 months.
  - ii) The production plant has been in production for a minimum of 12 months or, if in the opinion of the LME Copper Committee, adequate production capacity utilisation and satisfactory quality has been achieved at an earlier date.
  - iii) The production plant has the capacity to produce a minimum of 15,000mt per annum of Grade A copper cathodes.
2. The producer is required to choose a Category 1-5 Member to process their brand application (see Rulebook Part 7, Rule 1) on their behalf. Thereafter, all correspondence will be via the selected Member Company. A list of Category 1-5 Members expressing a general willingness to assist producers list their brands can be found here <https://www.lme.com/en/Physical-services/Brands>.
3. Production from more than one production plant must be separately listed. Each production plant must have a different brand name.
4. Producers will be required to comply with the LME’s Responsible Sourcing Policy.
5. The application is in two stages and all documentation must be submitted in English.
6. The LME and LMEC reserve the right to discuss without restriction, any information provided with any regulatory body; any third party provider of KYC, screening or other monitoring services; or any other persons or organisations, as the LME/LMEC may in their absolute discretion decide, and to make such other enquiries as they think fit (including using the information provided by the producer in such enquires).
7. Payment of the brand listing fee is required at Stage One of the application process. The fee is US\$65,000 plus UK VAT and is non-refundable<sup>1</sup>.

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<sup>1</sup> Value Added Tax (VAT): Under current UK legislation, the LME understands that LME members established in the UK submitting applications for their own production operations or for third party producers must pay UK VAT to the LME at the ruling rate at the time of application, regardless of domicile of the producer. LME members should only on-charge UK VAT to producers established in the UK. LME members not established in the UK making applications do not have to pay UK VAT to the LME regardless of the location of the production operations. This information is for guidance only and relevant parties should always seek their own advice in relation to tax matters. The LME will have no liability for reliance on the above.



## Stage One

The producer is to supply the following information in a letter on their headed notepaper addressed to the LME (the “Application Letter”)<sup>2</sup>:

1. The name of the LME Member processing their application.
2. The full name and address of the producer to be listed by the LME.
3. Brief details of the history of the producer.
4. Details of the ownership of the producer.
5. The address of the production plant.
6. The first date of production of the plant.
7. The name of the brand subject of the application.
8. The first date of production from which the producer guarantees the brand as meeting specification.
9. The design capacity.
10. The current annualised use of capacity.
11. The monthly production figures for the previous 12 months.
12. The brand name for any non-Grade A copper cathodes not recycled in the production plant which must differ from the brand name used for the application.
13. The names of three testers the producer intends to use for testing (Stage Two). The testers must be from the list of LME Approved Testers of Copper provided at the end of the Guidance Notes. The producer will need to provide evidence of the testers’ willingness to test with their application<sup>3</sup>.

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<sup>2</sup> The Application Letter must be signed and dated. The signatory should state their position within the producer company.

<sup>3</sup> The Copper Committee will provide approval of the nominated testers as part of Stage Two.



The following information (the “Additional Listing Requirements”) is to be provided by attachments to the covering Application Letter:

- A. The following financial information:
  - (i) The latest three consecutive profitable externally audited financial statements of the producer, where available;
  - (ii) In the event that the producer cannot provide three consecutive profitable externally audited financial statements, the parent company of the producer must provide three consecutive profitable externally audited financial statements and a signed Letter of Support<sup>4</sup> regarding the financial position of the producer<sup>5</sup>;
  - (iii) Confirmation there has been no restructuring of the producer over the last three years and there is no ongoing restructuring; and
  - (iv) Evidence that the capital net worth of the producer<sup>6</sup> is a minimum of US\$2 million.
- B. A copy of the incorporation certificate of the producer.
- C. Photographs of the cathode and of strapped bundles (side and top profile), including close up of clips stating the brand name or of the brand name continuously marked on the straps. It must be clear from the photographs that the copper is strapped in two dimensions.
- D. A sample clip or section of strap showing the brand name.
- E. Drawings of the cathode and a bundle showing all dimensions in mm and weighs in kg and including how many cathodes in a bundle. The following statements must be added to the drawings;
  - (i) Each bundle is securely strapped in two dimensions with material protected against corrosion and of sufficient strength and fixing to permit safe handling by fork lift truck without bundle distortion and breakage;
  - (ii) The bundle size and shape is suitable for safe and secure stacking; and
  - (iii) The bundle assembly and security is such that on removing the security straps it remains an integral free standing bundle.
- F. Each bundle must have the producer, production date and reference stated on the bundle either by indelible markings or durable plasticised label. Provide a sample if used.
- G. A Letter of Undertaking dated and signed on behalf of the producer<sup>7</sup>.
- H. An outline of the production process including a process flow diagram.

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<sup>4</sup> In accordance with the form appended to these Guidance Notes.

<sup>5</sup> The LME reserves the right to require a signed Letter of Support from the parent company of a producer in such circumstances regarding the financial position of the producer as it, in its absolute discretion, considers appropriate.

<sup>6</sup> The capital net worth of the producer shall be determined on the basis of the permanent capital plus additional capital disallowables. In particular, permanent capital shall be issued and fully paid ordinary shares, issued and fully paid preference shares, share premium and other reserves not available for distribution. A deficit in reserves available for distribution will be deducted when calculating permanent capital. Additional capital shall be considered other equity reserves (distributable or otherwise) and profit and loss reserves. Further, disallowable items are considered intangible fixed assets such as goodwill, development costs etc, investments in subsidiaries and/or other group companies.

<sup>7</sup> In accordance with the form appended to these Guidance Notes.



- I. A production site plan/diagram.
- J. A paper detailing the sampling and analytical process and advising if any aspect of this work is outsourced. Show the detection levels used for determining impurities.
- K. Analysis data for the previous three months for all grades produced at the plant reporting all elements of BS EN 1978:2022 specification of Cathode Designation Cu-Cath-1. The detection limits used for each element are to be tabled. Explanations are to be given if any element is not assessed batch by batch.
- L. A list of names of Continuous Cast Copper Rod (CCR) mills that you have supplied in the last 12 months and confirmation that you have no objection to the LME approaching the named mills for comments on the applicant brand.
- M. A copy of the current ISO 9001 Certificate, or, alternatively, that of ISO/TS 16949.
- N. Fulfilment of the Responsible Sourcing requirements<sup>8</sup>.
  - (i) Evidence of compliance with one of the 4 LME Tracks:
    - a. Either a Standard Audit report (as per Track A);
    - b. or an Audit Report of the LME Red Flag Assessment (as per Track B) if no OECD Red Flags are identified;
    - c. or an LME RFA (as per Track C) if no OECD Red Flags are identified;
    - d. or the LME Secondary Material Sourcing Attestation Form (as per Track D) if the producer sources 100% secondary material.
  - (ii) A copy of ISO 14001 Certificate or equivalent.
  - (iii) A copy of ISO 45001 Certificate or equivalent.

**It is the producer's responsibility to ensure that the information in their application complies with Part 6 of the LME Rulebook – Special Contract Rules for Copper – Grade A and to ensure that no testing takes place until approval to do so is given by the LME.**

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<sup>8</sup> For a more detailed understanding of the Responsible Sourcing requirements, please see the [LME Policy on Responsible Sourcing of LME Listed Brands](https://www.lme.com/en-GB/About/Responsibility/Responsible-sourcing) and the dedicated webpage: <https://www.lme.com/en-GB/About/Responsibility/Responsible-sourcing>.



## Stage Two

On receipt of all information in Stage One, the next steps are as follows:

1. The LME will request such additional information as required.
2. The producer will be informed of the testing programme which is normally three separate quotas of 200mt (produced at approximately intervals) to each tester<sup>9</sup>.
3. The LME reserves the right to require that Random Selection is utilised for testing. This requires that the cathodes for testing are selected at random by an LME Listed Sampler and Assayer (LSA) at the expense of the producer.
4. The LME will write directly to the testers advising them of their nomination and requirements for testing.
5. Testing shall be in accordance with LME procedures and instructions. The testers selected to evaluate the brand shall be expected to undertake thorough sampling of wire-rod and ensure that there is no contamination from other cathode brands melted immediately prior or immediately following the applicant brand. Complete chemical analysis for all specified elements together with spiral elongation (SEN) and AR values and measurement of electrical conductivity will be required. Testing is to be completed within three months of the arrival of each lot at the testers' site. On completion of testing, test reports are required to be provided to the LME.
6. The producer is required to provide the LME with their analysis for the production batches that are sent to each nominated tester.
7. The LME reserves the right to require testing to be extended, if in its sole opinion, such action is necessary for evaluation of the brand. The tester to carry out any additional quality testing will be chosen by the LME. Any additional or extended testing will be for the cost of the producer.
8. The producer and/or LME Member will be responsible for making the testing arrangements with the testers.
9. Subject to the receipt of satisfactory reports from the testers and any need to invoke clause 7 above, the LME Copper Committee will make a recommendation to the LME Executive Committee that the brand should be listed as suitable for delivery against the Copper Grade A contract.
10. The LME reserves the right to audit any producers' operations at any time prior to or post listing of a brand for verification of any aspect of the listing process at the cost of the producer.
11. From time to time the LME will request producers of a listed brand(s) re-affirm the undertakings originally given at the time of listing. Failure to comply with the undertakings or supply evidence of continuing compliance with all listing requirements and Part 6 and Part 7 of the LME's Rules and Regulations may result in the delisting of the brand(s). If the producer fails to notify the LME promptly of any change in the information supplied with the original application, or if any such changes, are in the LME's view material, then the LME's Executive Committee may suspend or delist the brand.
12. The listing of any brand is also subject to the provisions of Rules 3 to 7 of Part 7 of the LME's Rules and Regulations.

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<sup>9</sup>The testing programme is subject to change at the discretion of the LME and Copper Committee.



## Draft of Producer's Letter of Undertaking - Copper

**This letter must be issued by the applicant producer on headed paper, signed and dated and show the signatory's position.**

London Metal Exchange  
Physical Operations Department  
10 Finsbury Square  
London  
EC2A 1AJ  
UK

*(INSERT DATE)*

In consideration of the LME maintaining our Copper Grade A *(insert brand name)* Brand in its list of brands deliverable in fulfilment of its Copper Grade A Contract.

1. We *(insert company name)* undertake that the quality of our Copper Grade A brand *(insert brand name)* produced at *(insert name and address of smelter)* will meet with the requirements of the LME Contract for Copper Grade A conforming with the BS EN 1978:2022 Cathode Grade Designation Cu-CATH-1 and its quality will be maintained in accordance with the lots supplied for testing.
2. We also undertake that any complaints we may receive with regard to the quality will be investigated without any restriction on the period within which such a claim may be made.
3. We undertake that we will not attempt to restrict *(insert brand name)* brand from being delivered against the LME Grade A Copper Contract.
4. We further undertake that any change in ownership, financial status, production practice or any other material circumstance will be advised to the LME without delay and to comply with Rules 3 to 7 inclusive of Part 7, of the Rules and Regulations of the LME, any amendments thereto and any Notices issued by the LME [and communicated to us by fax or post or e-mail to the above address]. We fully understand that the LME has the full right to require re-evaluation of the brand of cathodes the subject of this letter if, in its sole opinion, the LME decides that there is any material change to the listing conditions and/or any subsequent changes in our production process post-listing.
5. This letter of undertaking shall be governed by English law. The courts of England shall have non-exclusive jurisdiction to settle any disputes in relation to this letter of undertaking.

Yours sincerely

Signature.....

Name.....

Company Name.....

Position in company.....



## Draft of Parent Company's Letter of Support

This letter must be issued by the applicant producer's parent company on headed paper, signed and dated and show the signatory's position.

London Metal Exchange  
Physical Operations Department  
10 Finsbury Square  
London  
EC2A 1AJ  
UK

(INSERT DATE)

In consideration of *(insert applicant producer's name)*'s application for the listing of *(insert brand name)* by the LME, in its list of brands deliverable in fulfilment of the LME's Copper – Grade A contract, we, *(insert parent company's name)*, undertake that *(applicant producer's name)* is of good financial standing.

We acknowledge that as *(insert applicant producer's name)* has not produced *(insert brand name)* for a period of three years, *(insert applicant producer's name)* is currently unable to satisfy the financial criteria in full for LME brand registration. As *(insert parent company's name)* is the *(insert description of the corporate relationship i.e. majority shareholder)* of *(insert applicant producer's name)*, we can confirm that we support *(insert applicant producer's name)*'s application and that we will provide financial support to *(insert applicant producer's name)* where such support may be required in order to ensure that *(insert applicant producer's name)* remains of good financial standing.

We further undertake that *(insert applicant producer's name)* will inform the LME without delay of any change in its ownership, financial status, production practice or any other material circumstances that may affect the good financial standing or reputation of *(insert applicant producer's name)* and/or *(insert brand name)*.

This letter of support shall be governed by English law. The courts of England shall have non-exclusive jurisdiction to settle any disputes in relation to this letter of support.

Yours sincerely

Signature.....

Name.....

Company Name.....

Position in company.....





## Strapping Specifications

Steel strapping for all metals.

Polyester strapping for primary aluminium, aluminium alloy, tin, lead and zinc ingots

Strap	Size	Average Strength (newtons)	Applied Tension (newtons)	Joint	Joint Strength	Working Range Elongation
Polyester	15.6mm x 0.9mm	6000	3500	Metal seal	60%	2-3.5%
Polyester	15.6mm x 0.9mm	6000	2500	Friction	80%	2-3.5%
Steel	19mm x 0.63mm	12000	7000	Seal-less	80%	0.1-0.3%
Steel	19mm x 0.63mm	12000	5000	Metal seal	80%	0.1-0.3%

Polyester strapping upgrade for copper and nickel cathodes

Strap	Size	Average Strength (newtons)	Applied Tension (newtons)	Joint	Joint Strength	Working Range Elongation
Polyester	19.0mm x 1.0mm	1000	3500	Metal seal	60%	2-3.5%
Polyester	19.0mm x 1.0mm	1000	2500	Friction	80%	2-3.5%

Securing of straps

Tool	Strap material	Joint type	Maximum applied tension (newtons)	Joint strength
Manual	Polyester	Metal seal	3500	60%
Pneumatic	Polyester	Friction weld	2500	80%
Pneumatic	Steel	Seal-less	7000	80%
Manual	Steel	Metal seal	5000	60%



## LME Approved Testers for Copper – Grade A Brand Applications

Belgium	Contact
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China (continued)	Contact
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