

LME POLICY REGARDING THE APPROVAL OF WAREHOUSES, REVISED 1 APRIL 2014

A) Warehouse companies

Warehouse companies will be considered for listing in an existing or new location subject to completion of a warehouse agreement application form supported by evidence of insurance, capital adequacy and other documents as detailed by the LME from time to time. Inspection of premises offered for warehousing to the LME will take place prior to any listing to ensure they suit the logistical nature of the location as required by the LME. The LME will state its needs in this respect when sending the applicant the application form.

B) Warehouses

1. Road connection to major highways is mandatory.
2. Rail loading facilities adjacent to the warehouses will be required if, in the opinion of the LME, this service is routinely required by the metals trade. Warehouses without direct rail connections in such locations may be considered for listing if it can be demonstrated that adequate shuttle services to the rail head are provided by the warehouse company at its own cost and risk.
3. Water loading facilities adjacent to the warehouse or otherwise will be treated in the same way as rail.

The LME, respecting such confidentiality as it deems necessary and appropriate, will undertake its own enquiries, as it sees fit, from its members/trade entities etc. to evaluate any applications prior to submission to EXCOM for consideration.

C) Common standards of working practices and facilities for warehouses

1. For each 2500m² of space (not including open storage compounds for steel) there must be access by means of an operational door for vehicle loading/unloading, with a minimum of 2 doors per warehouse.
2. The minimum daily delivery tonnage must be in accordance with the tables below. Where the delivery requests exceed the minimum daily delivery tonnage for the capacity on the table below, the LME will regard the standard as applying over the number of days necessary to complete the deliveries, as per the table (e.g. if the requests for the delivery of 2000 tonnes apply to a warehouse's location capacity of 2500 sq. metres, the standard would be to deliver in 3 days with no reference to the performance on any one of those days). The LME would, however, expect the warehouse company to act reasonably when allocating the tonnage delivered out in each of those days.



warehouse company's authorised space per location, in m ² (excluding steel storage facilities)	minimum daily delivery tonnage for all metals (excluding cobalt, RMC and steel)
2,500	800 tonnes
5,000	1,200 tonnes
7,500	1,500 tonnes

The above table applies to all companies who are storing up to 300,000 metric tonnes of metal. For companies who are storing 300,000 metric tonnes and above the following table is applicable

warehouse company's tonnage stored per location (excluding steel)	minimum daily delivery tonnage for all metals (excluding cobalt, RMC and steel)
300,000 tonnes to 599,999 tonnes	2,000 tonnes
600,000 tonnes to 899,999 tonnes	2,500 tonnes
900,000 tonnes and over	3,000 tonnes

NB: The daily delivery tonnage is for deliveries out only and does not include deliveries in.

3. Where a warehouse company's tonnage stored increases beyond any of the 300,000, 600,000 or 900,000 tonnes thresholds, the applicable revised minimum daily delivery tonnage shall have effect from the date which is 30 days from the date the threshold is passed. This will allow the warehouse company to implement the necessary scheduling changes in order to meet the increased minimum daily delivery tonnage. However, where a warehouse company's tonnage stored falls beneath any of the 300,000, 600,000 or 900,000 tonnes thresholds, a warehouse company will still be required to deliver out all outstanding deliveries scheduled on or prior to the date the tonnage falls beneath such threshold.
4. In addition to the daily rates stipulated above and below, a warehouse company in any location who satisfies the following conditions:-
 - (a) the warehouse company has scheduled delivery out commitments of 30,000 metric tonnes or more; and
 - (b) a minimum of 30,000 metric tonnes of those scheduled commitments are for one metal (the "dominant metal");shall be required to deliver out a minimum of 500 metric tonnes per day in that location of metals other than the dominant metal, provided that such deliveries are requested.
5. In addition to the daily rates stipulated above and below, warehouse companies delivering out the minimum rates stipulated above and below will be required to deliver out an additional, combined tonnage of tin or nickel, or a combination of



both metals, in order to ensure that at least 60 tonnes of these metals is being delivered out each day. For the avoidance of doubt, the extra 60 tonnes would only be required to be delivered out if the warehouse company had reached its minimum daily load out rate (whether or not the requirement in paragraph 4 above has been triggered) and not delivered out 60 tonnes per day of tin and/or nickel as part of these deliveries.

6. The daily delivery out rate does not include deliveries out for cobalt and roasted molybdenum concentrate (RMC). Any deliveries out for either of these metals must be in addition to the rates stipulated in the above table.
7. The daily delivery out rate does not include deliveries out for steel billet. For each location in which it is licensed to store steel billet, a warehouse company must load out in accordance with the minimum requirements stipulated in the tables below, provided demand is present.

warehouse company's authorised space per location, in m ² (steel storage facilities only)	minimum daily delivery tonnage for steel
2,500	800 tonnes
5,000	1,200 tonnes
7,500	1,500 tonnes

The above table applies to all companies who are storing up to 300,000 metric tonnes of steel. For companies who are storing 300,000 metric tonnes and above the following table is applicable:

warehouse company's tonnage stored per location (steel only)	minimum daily delivery tonnage for steel
300,000 tonnes to 599,999 tonnes	2,000 tonnes
600,000 tonnes to 899,999 tonnes	2,500 tonnes
900,000 tonnes and over	3,000 tonnes

8. In addition to the daily rates stipulated above, an "Affected Warehouse" shall be required to comply with the Linked Load-In and Load-Out Requirements set out in Section F below. However, the Board, acting reasonably in its sole discretion, shall have the power to disapply such Requirements on a per-case basis. The LME will agree with Affected Warehouses queue scheduling and how this will be monitored.
9. The LME recognises that it may not be possible to achieve exactly the same delivery rates if delivery into containers, vans or railcars is required. In assessing a warehouse company's performance, the circumstances will be taken into account.



10. Once all formalities permitting delivery have been completed the warehouse shall prioritise all requests for deliveries out on the basis of 48 hours notice and strictly in the order in which they are received, unless the Warrant holders seeking cancellation agree otherwise.
11. In addition to their rent and FOT charges, warehouse companies are also required to supply the LME with a comprehensive set of charges for delivery out of warranted metal and will undertake to immediately advise the LME of any changes thereto. Warehouse companies are also required to submit to the LME compulsory port tariffs for the import and export of metal.
12. There should be no charges above the FOT for returning the metal to the warehouse companies approved and nominated loading berths within the location where the LME discerns a need for such transportation; the unloading of such metal from the truck being for the receiver's account.
13. Similarly there should be no charges above the FOT for returning metal to the nearest railhead where the LME discerns a need for such transportation.
14. Warehouse Companies are reminded that, in general, the daily delivery tonnages set out in this policy are minimum delivery out requirements, not minimum scheduling requirements. However, metals owners are also reminded of their obligations in respect of observing reasonable logistical arrangements in respect of metal collection. In particular, in the event that no metal owner wishes to avail themselves of a delivery slot offered on a reasonable basis, a warehouse operator will be permitted to count the tonnage which would have been delivered in that slot towards delivery out.

With the exception of the FOT charge and port tariffs for the export of metal the warehouse company may not impose any compulsory additional charges when delivering metal out.

D) Continued compliance with the LME policy for warehouses

1. In the event that an existing approved warehouse/warehouse company does not appear to meet the LME's criteria, there will be an initial consultation with the warehouse company concerned.
2. If the warehouse company can demonstrate that it will upgrade facilities or work practices to meet the LME's new standards, the LME will consider the appropriate amount of time to allow for such a process. Warehouses could, for example, be given, say, 6-12 months to upgrade their facilities or relocate to a more suitable building within the location, but this would be determined on a case by case basis, according to the circumstances.
3. If after consultation the warehouse company is unwilling or unable to upgrade its facilities or work practices to meet the LME's standards, the LME retains the right to restrict the capacity of that warehouse company in that location or even delist it. In particular, if a warehouse company fails to comply with the



Linked Load-In and Load-Out Requirements per Section F, then the Board may (among other actions) restrict the ability of that warehouse company to create warrants in that location until load-in and load-out are brought into alignment pursuant to the requirements.

4. Prior to implementation, the LME would give the necessary notice of any action to be taken to the warehouse company and allow for formal representations to be made.

E) Review of LME policy for warehouses

This policy will be reviewed at least on a biennial basis

F) Linked Load-In and Load-Out Requirements

1 Principle

The general principle of this requirement is to link load-in and load-out for Warehouses with queues of greater than 50 calendar days.

2 Definitions

A Warehouse is all of the LME-licensed storage facilities operated by a particular warehousing company in a particular LME good delivery location.

In relation to a particular Warehouse, a Business Day is any day on which that particular Warehouse is operating and subject to the current LME minimum load-out requirement.

The Preliminary Calculation Period shall be the period between 1 July 2013 and 31 March 2014, inclusive.

The First Calculation Period shall be the period between 1 April 2014 and 30 June 2014, inclusive.

Each subsequent Calculation Period shall be the three months immediately following the preceding Calculation Period. By way of example, the Second Calculation Period shall be the period between 1 July 2014 and 30 September 2014, inclusive (being the three months immediately following the First Calculation Period).

The Preliminary Discharge Period, which will apply in relation to the Preliminary Calculation Period, will be the three month period between 1 May 2014 and 31 July 2014, inclusive.

For each subsequent Calculation Period, the related Discharge Period (i.e. the period during which the Cumulative Incremental Load-Out Requirement calculated in accordance with paragraph 4 below must be met) shall be the three month period starting on the date one calendar month following the end of that Calculation Period.



By way of example, the First Discharge Period shall be the period between 1 August 2014 and 31 October 2014, inclusive (being the three month period starting on the date one calendar month following the end of the First Calculation Period).

In relation to a particular Warehouse on any given Business Day, the Normal Daily Minimum Load-Out Rate is the amount of metal required to be loaded out according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt:

- a) The basis for determining the Normal Daily Minimum Load-Out Rate shall be Section C of this Policy set out above.
- b) If, on the Business Day in question, a warehouse is required to make an additional load-out of non-dominant metal (pursuant to paragraph 4 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- c) If, on the Business Day in question, a warehouse is required to make an additional load-out of nickel and tin (pursuant to paragraph 5 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- d) Load-out of cobalt and roasted molybdenum concentrate (RMC) (paragraph 6 of Section C above) and steel billet (paragraph 7 of Section C above) will not be counted towards the Normal Daily Minimum Load-Out Rate, given that these metals are treated separately for the purposes of warehouse load-out rates.

Re-warranted Metal is metal in respect of which a warrant has been cancelled, but has not been loaded out of the Warehouse (due to the presence of a queue or other operational constraint), and in respect of which the metal owner has requested that the Warehouse issues a new warrant (and hence reverses the original request to deliver out that metal).

3 Affected Warehouses

On any given Business Day, an Affected Warehouse is a Warehouse with a queue of greater than 50 calendar days. Queue lengths will continue to be measured and reported to the LME by warehouse operators, with the LME continuing to exercise oversight in respect of such measurements. For the avoidance of doubt, to the extent that a Warehouse has scheduled deliveries pursuant to any Cumulative Incremental Load-Out Requirement arising per this Notice, then the queue length may take into account such incremental scheduled deliveries.

4 Calculating the Cumulative Incremental Load-Out Requirement

Each Warehouse shall maintain the calculation of its Cumulative Incremental Load-Out Requirement. At the start of each Calculation Period, the Cumulative Incremental Load-Out Requirement shall be set to zero.



- a) During the Preliminary Calculation Period, on each Business Day, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal)

less

*the **higher of** (i) the Normal Daily Minimum Load-Out Rate, and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question – provided that, for the purposes of (ii), load-out in excess of the Normal Daily Minimum Load-Out Rate which is made to compensate for a shortfall in load-out on a previous or subsequent Business Day (due, inter alia, to scheduling variations within a single load-out request per paragraph 2 of Section C above) shall not count towards the actual amount of metal loaded-out of the Warehouse*

On the final Business Day of the Preliminary Calculation Period, a Warehouse shall establish whether it is an Affected Warehouse at the end of that Business Day. If (i) the Warehouse is not an Affected Warehouse, or (ii) the calculated Cumulative Incremental Load-Out Requirement is less than or equal to zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period shall be set to zero, and no additional load-out requirements will hence be incurred during the Preliminary Discharge Period. If (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period must be satisfied by the Warehouse during the Preliminary Discharge Period as set out in paragraph 5 below.

- b) During the First Calculation Period, and each subsequent Calculation Period, a Warehouse shall measure its Cumulative Load-In (as defined in accordance with the paragraph below) and Cumulative Normal Minimum Load-Out (as defined in accordance with the paragraph below). Both quantities will be set to zero at the beginning of the Calculation Period.

For each Business Day during the Calculation Period, the Cumulative Load-In will be increased by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal)

For each Business Day during the Calculation Period, the Cumulative Normal Minimum Load-Out will be increased by the Normal Daily Minimum Load-Out Rate for the Business Day in question

At the end of the Calculation Period, and if the Warehouse has been an Affected Warehouse on any Business Day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as:



0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus

the Total Load-In above the Total Normal Minimum Load-Out

For the avoidance of doubt, if the Warehouse has not been an Affected Warehouse on any day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be zero in respect of that Calculation Period.

5 Discharging the Incremental Load-Out Requirement

At the end of each Calculation Period, the then current Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Discharge Period associated with the Calculation Period having just concluded, provided load-out demand is present.

During the associated Discharge Period, the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement, in addition to its load-out obligations according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt, the Warehouse will not be held to any particular daily incremental load-out rate – however, in aggregate over the course of the Discharge Period, the full Cumulative Incremental Load-Out Requirement must be satisfied.

6 A worked example of the calculation

This worked example is provided for illustrative purposes only and should not be relied upon for any reason.

- a) Consider a notional Warehouse with stocks of 2,000,000 tonnes of a single metal. Pursuant to the LME Policy Regarding the Approval of Warehouses, revised 1 April 2013, the Normal Daily Minimum Load-Out Rate is 3,000 tonnes per Business Day. Consider further that the Warehouse chooses to load-out precisely its Normal Daily Minimum Load-Out Rate (3,000 tonnes) on each Business Day.
- b) Consider that, of the Warehouse's stocks, 1,000,000 tonnes are represented by cancelled metal. Assuming that owners of all of the cancelled metal have completed the necessary formalities, then the Warehouse's load-out queue will hold 1,000,000 tonnes of metal. At a load-out rate of 3,000 tonnes per Business Day, the queue length will be:

$$\begin{aligned} & 1,000,000 \text{ tonnes} / 3,000 \text{ tonnes per Business Day} \\ & = 333.3 \text{ Business Days} \\ & = 465.3 \text{ calendar days (assuming all weekdays are Business Days)} \end{aligned}$$



For the avoidance of doubt, in practice, the queue length will be determined by the Warehouse concerned on the basis of schedules provided to metal owners.

- c) Consider that the Warehouse places on-warrant a constant amount of 3,100 tonnes per Business Day. Consider also that, on each Business Day, warrant holders cancel an amount of 3,000 tonnes of metal (thus balancing the delivery out of 3,000 tonnes per Business Day, resulting in a constant queue length until such time as the Cumulative Incremental Load-Out Requirement comes into effect). There is assumed to be no re-warranting of metal in this scenario.
- d) At the start of the Preliminary Calculation Period (1 July 2013), the Cumulative Incremental Load-Out Requirement is zero.

On each day during the Preliminary Calculation Period, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal) (3,100 tonnes)

less

*the **higher of** (i) the Normal Daily Minimum Load-Out Rate (3,000 tonnes), and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question (also 3,000 tonnes)*

= 3,100 tonnes – 3,000 tonnes = 100 tonnes

- e) At the end of the Preliminary Calculation Period (31 March 2014), and assuming that each weekday during the Preliminary Calculation Period is a Business Day for the Warehouse (resulting in a total of 196 Business Days during the Preliminary Calculation Period), then the Cumulative Incremental Load-Out Requirement will total 19,600 tonnes.

Given that, per (c) above, the queue will have retained a constant length, the queue length at the end of the Preliminary Calculation Period will remain at 465.3 calendar days. On this basis, the queue length is greater than 50 days, and the Warehouse is hence an Affected Warehouse at the end of the Preliminary Calculation Period.

Given that, on the final Business Day of the Preliminary Calculation Period, (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Preliminary Discharge Period.

- f) During the Preliminary Discharge Period (1 May 2014 to 31 July 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the Preliminary Calculation Period (19,600 tonnes in total



over the course of the Preliminary Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day.

- g) At the start of the First Calculation Period (1 April 2014), the Cumulative Incremental Load-Out Requirement is set to zero, as are the Cumulative Load-In and Cumulative Normal Minimum Load-Out.

On each day during the First Calculation Period, the Cumulative Load-In will be increased by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal) – in this case 3,100 tonnes.

On each day during the First Calculation Period, the Cumulative Normal Minimum Load-Out will be increased by the Normal Daily Minimum Load-Out Rate for the Business Day in question – in this case 3,000 tonnes.

- h) At the end of the First Calculation Period (30 June 2014), and assuming that each weekday during the First Calculation Period is a Business Day for the Warehouse (resulting in a total of 65 Business Days during the First Calculation Period), then the Cumulative Load-In will total 201,500 tonnes, and the Cumulative Normal Minimum Load-Out will total 195,000 tonnes.

On the basis that the Warehouse has been an Affected Warehouse for at least one Business Day during the First Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as follows:

0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus

the Total Load-In above the Total Normal Minimum Load-Out

$$\begin{aligned} &= 0.5 \times 195,000 + (201,500 - 195,000) = 97,500 + 6,500 \\ &= 104,000 \text{ tonnes} \end{aligned}$$

- i) During the First Discharge Period (1 August 2014 to 31 October 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the First Calculation Period (104,000 tonnes in total over the course of the First Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day, provided load-out demand is present.
- j) This process continues through the Second Calculation Period (and associated Second Discharge Period), Third Calculation Period (and associated Third Discharge Period) and so on, until such time as the Warehouse ceases to be an Affected Warehouse.

**LME POLICY REGARDING THE APPROVAL OF WAREHOUSES,
REVISED 1 APRIL 20132014**

(Comparison to version of Policy currently in place)

A) Warehouse companies

Warehouse companies will be considered for listing in an existing or new location subject to completion of a warehouse agreement application form supported by evidence of insurance, capital adequacy and other documents as detailed by the LME from time to time. Inspection of premises offered for warehousing to the LME will take place prior to any listing to ensure they suit the logistical nature of the location as required by the LME. The LME will state its needs in this respect when sending the applicant the application form.

B) Warehouses

1. Road connection to major highways is mandatory.
2. Rail loading facilities adjacent to the warehouses will be required if, in the opinion of the LME, this service is routinely required by the metals trade. Warehouses without direct rail connections in such locations may be considered for listing if it can be demonstrated that adequate shuttle services to the rail head are provided by the warehouse company at its own cost and risk.
3. Water loading facilities adjacent to the warehouse or otherwise will be treated in the same way as rail.

The LME, respecting such confidentiality as it deems necessary and appropriate, will undertake its own enquiries, as it sees fit, from its members/trade entities etc. to evaluate any applications prior to submission to EXCOM for consideration.

C) Common standards of working practices and facilities for warehouses

1. For each 2500m² of space (not including open storage compounds for steel) there must be access by means of an operational door for vehicle loading/unloading, with a minimum of 2 doors per warehouse.
2. The minimum daily delivery tonnage must be in accordance with the tables below. Where the delivery requests exceed the minimum daily delivery tonnage for the capacity on the table below, the LME will regard the standard as applying over the number of days necessary to complete the deliveries, as per the table (e.g. if the requests for the delivery of 2000 tonnes apply to a warehouse's location capacity of 2500 sq. metres, the standard would be to deliver in 3 days with no reference to the performance on any one of those days). The LME



would, however, expect the warehouse company to act reasonably when allocating the tonnage delivered out in each of those days.

warehouse company's authorised space per location, in m ² <u>(excluding steel storage facilities)</u>	minimum daily delivery tonnage for all metals (excluding cobalt, <u>RMC and RMC)steel)</u>
2,500	800 tonnes
5,000	1,200 tonnes
7,500	1,500 tonnes

The above table applies to all companies who are storing up to 300,000 metric tonnes of metal. For companies who are storing 300,000 metric tonnes and above the following table is applicable

warehouse company's tonnage stored per location <u>(excluding steel)</u>	minimum daily delivery tonnage for all metals (excluding cobalt, <u>RMC and RMC)steel)</u>
300,000 tonnes to 599,999 tonnes	2,000 tonnes
600,000 tonnes to 899,999 tonnes	2,500 tonnes
900,000 tonnes and over	3,000 tonnes

NB: The daily delivery tonnage is for deliveries out only and does not include deliveries in.

3. Where a warehouse company's tonnage stored increases beyond any of the 300,000, 600,000 or 900,000 tonnes thresholds, the applicable revised minimum daily delivery tonnage shall have effect from the date which is 30 days from the date the threshold is passed. This will allow the warehouse company to implement the necessary scheduling changes in order to meet the increased minimum daily delivery tonnage. However, where a warehouse company's tonnage stored falls beneath any of the 300,000, 600,000 or 900,000 tonnes thresholds, a warehouse company will still be required to deliver out all outstanding deliveries scheduled on or prior to the date the tonnage falls beneath such threshold.
4. In addition to the daily rates stipulated ~~in the tables above~~ and below, a warehouse company in any location who satisfies the following conditions:-
 - (a) the warehouse company has scheduled delivery out commitments of 30,000 metric tonnes or more; and
 - (b) a minimum of 30,000 metric tonnes of those scheduled commitments are for one metal (the "dominant metal");shall be required to deliver out a minimum of 500 metric tonnes per day in that location of metals other than the dominant metal, provided that such deliveries are requested.



5. In addition to the daily rates stipulated in the tables above and paragraph 4 above below, warehouse companies delivering out the minimum rates stipulated above and below will be required to deliver out an additional, combined tonnage of tin or nickel, or a combination of both metals, in order to ensure that at least 60 tonnes of these metals is being delivered out each day. For the avoidance of doubt, the extra 60 tonnes would only be required to be delivered out if the warehouse company had reached its minimum daily load out rate (whether or not the requirement in paragraph 4 above has been triggered) and not delivered out 60 tonnes per day of tin and/or nickel as part of these deliveries.
6. The daily delivery out rate does not include deliveries out for cobalt and roasted molybdenum concentrate (RMC). Any deliveries out for either of these metals must be in addition to the rates stipulated in the above table.

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7. The daily delivery out rate does not include deliveries out for steel billet. For each location in which it is licensed to store steel billet, a warehouse company must load out in accordance with the minimum requirements stipulated in the tables below, provided demand is present.

<u>warehouse company's authorised space per location, in m² (steel storage facilities only)</u>	<u>minimum daily delivery tonnage for steel</u>
<u>2,500</u>	<u>800 tonnes</u>
<u>5,000</u>	<u>1,200 tonnes</u>
<u>7,500</u>	<u>1,500 tonnes</u>

The above table applies to all companies who are storing up to 300,000 metric tonnes of steel. For companies who are storing 300,000 metric tonnes and above the following table is applicable:

<u>warehouse company's tonnage stored per location (steel only)</u>	<u>minimum daily delivery tonnage for steel</u>
<u>300,000 tonnes to 599,999 tonnes</u>	<u>2,000 tonnes</u>
<u>600,000 tonnes to 899,999 tonnes</u>	<u>2,500 tonnes</u>
<u>900,000 tonnes and over</u>	<u>3,000 tonnes</u>

8. In addition to the daily rates stipulated above, an "Affected Warehouse" shall be required to comply with the Linked Load-In and Load-Out Requirements set out in Section F below. However, the Board, acting reasonably in its sole discretion, shall have the power to disapply such Requirements on a per-case basis. The LME will agree with Affected Warehouses queue scheduling and how this will be monitored.



- | 9. The LME recognises that it may not be possible to achieve exactly the same delivery rates if delivery into containers, vans or railcars is required. In assessing a warehouse company's performance, the circumstances will be taken into account.
- | 810. Once all formalities permitting delivery have been completed the warehouse shall prioritise all requests for deliveries out on the basis of 48 hours notice and strictly in the order in which they are received, unless the Warrant holders seeking cancellation agree otherwise.
- | 911. In addition to their rent and FOT charges, warehouse companies are also required to supply the LME with a comprehensive set of charges for delivery out of warranted metal and will undertake to immediately advise the LME of any changes thereto. Warehouse companies are also required to submit to the LME compulsory port tariffs for the import and export of metal.
- | 4012. There should be no charges above the FOT for returning the metal to the warehouse companies approved and nominated loading berths within the location where the LME discerns a need for such transportation; the unloading of such metal from the truck being for the receiver's account.
- | 4413. Similarly there should be no charges above the FOT for returning metal to the nearest railhead where the LME discerns a need for such transportation.
- | 4214. Warehouse Companies are reminded that, in general, the daily delivery tonnages set out in this policy are minimum delivery out requirements, not minimum scheduling requirements. However, metals owners are also reminded of their obligations in respect of observing reasonable logistical arrangements in respect of metal collection. In particular, in the event that no metal owner wishes to avail themselves of a delivery slot offered on a reasonable basis, a warehouse operator will be permitted to count the tonnage which would have been delivered in that slot towards delivery out.

With the exception of the FOT charge and port tariffs for the export of metal the warehouse company may not impose any compulsory additional charges when delivering metal out.

| **D) Continued compliance with the LME policy for warehouses**

1. In the event that an existing approved warehouse/warehouse company does not appear to meet the LME's criteria, there will be an initial consultation with the warehouse company concerned.
2. If the warehouse company can demonstrate that it will upgrade facilities or work practices to meet the LME's new standards, the LME will consider the appropriate amount of time to allow for such a process. Warehouses could, for example, be given, say, 6-12 months to upgrade their facilities or relocate



to a more suitable building within the location, but this would be determined on a case by case basis, according to the circumstances.

3. If after consultation the warehouse company is unwilling or unable to upgrade its facilities or work practices to meet the LME's standards, the LME retains the right to restrict the capacity of that warehouse company in that location or even delist it. In particular, if a warehouse company fails to comply with the Linked Load-In and Load-Out Requirements per Section F, then the Board may (among other actions) restrict the ability of that warehouse company to create warrants in that location until load-in and load-out are brought into alignment pursuant to the requirements.
4. Prior to implementation, the LME would give the necessary notice of any action to be taken to the warehouse company and allow for formal representations to be made.

E) Review of LME policy for warehouses

This policy will be reviewed at least on a biennial basis

F) Linked Load-In and Load-Out Requirements

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The general principle of this requirement is to link load-in and load-out for Warehouses with queues of greater than 50 calendar days.

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Each subsequent Calculation Period shall be the three months immediately following the preceding Calculation Period. By way of example, the Second Calculation Period shall be the period between 1 July 2014 and 30 September 2014, inclusive (being the three months immediately following the First Calculation Period).



The Preliminary Discharge Period, which will apply in relation to the Preliminary Calculation Period, will be the three month period between 1 May 2014 and 31 July 2014, inclusive.

For each subsequent Calculation Period, the related Discharge Period (i.e. the period during which the Cumulative Incremental Load-Out Requirement calculated in accordance with paragraph 4 below must be met) shall be the three month period starting on the date one calendar month following the end of that Calculation Period. By way of example, the First Discharge Period shall be the period between 1 August 2014 and 31 October 2014, inclusive (being the three month period starting on the date one calendar month following the end of the First Calculation Period).

In relation to a particular Warehouse on any given Business Day, the Normal Daily Minimum Load-Out Rate is the amount of metal required to be loaded out according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt:

- a) The basis for determining the Normal Daily Minimum Load-Out Rate shall be Section C of this Policy set out above.
- b) If, on the Business Day in question, a warehouse is required to make an additional load-out of non-dominant metal (pursuant to paragraph 4 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- c) If, on the Business Day in question, a warehouse is required to make an additional load-out of nickel and tin (pursuant to paragraph 5 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- d) Load-out of cobalt and roasted molybdenum concentrate (RMC) (paragraph 6 of Section C above) and steel billet (paragraph 7 of Section C above) will not be counted towards the Normal Daily Minimum Load-Out Rate, given that these metals are treated separately for the purposes of warehouse load-out rates.

Re-warranted Metal is metal in respect of which a warrant has been cancelled, but has not been loaded out of the Warehouse (due to the presence of a queue or other operational constraint), and in respect of which the metal owner has requested that the Warehouse issues a new warrant (and hence reverses the original request to deliver out that metal).

3 Affected Warehouses

On any given Business Day, an Affected Warehouse is a Warehouse with a queue of greater than 50 calendar days. Queue lengths will continue to be measured and reported to the LME by warehouse operators, with the LME continuing to exercise oversight in respect of such measurements. For the avoidance of doubt, to the



extent that a Warehouse has scheduled deliveries pursuant to any Cumulative Incremental Load-Out Requirement arising per this Notice, then the queue length may take into account such incremental scheduled deliveries.

4 Calculating the Cumulative Incremental Load-Out Requirement

Each Warehouse shall maintain the calculation of its Cumulative Incremental Load-Out Requirement. At the start of each Calculation Period, the Cumulative Incremental Load-Out Requirement shall be set to zero.

a) During the Preliminary Calculation Period, on each Business Day, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal)

less

the higher of (i) the Normal Daily Minimum Load-Out Rate, and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question – provided that, for the purposes of (ii), load-out in excess of the Normal Daily Minimum Load-Out Rate which is made to compensate for a shortfall in load-out on a previous or subsequent Business Day (due, inter alia, to scheduling variations within a single load-out request per paragraph 2 of Section C above) shall not count towards the actual amount of metal loaded-out of the Warehouse

On the final Business Day of the Preliminary Calculation Period, a Warehouse shall establish whether it is an Affected Warehouse at the end of that Business Day. If (i) the Warehouse is not an Affected Warehouse, or (ii) the calculated Cumulative Incremental Load-Out Requirement is less than or equal to zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period shall be set to zero, and no additional load-out requirements will hence be incurred during the Preliminary Discharge Period. If (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period must be satisfied by the Warehouse during the Preliminary Discharge Period as set out in paragraph 5 below.

b) During the First Calculation Period, and each subsequent Calculation Period, a Warehouse shall measure its Cumulative Load-In (as defined in accordance with the paragraph below) and Cumulative Normal Minimum Load-Out (as defined in accordance with the paragraph below). Both quantities will be set to zero at the beginning of the Calculation Period.



For each Business Day during the Calculation Period, the Cumulative Load-In will be increased by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal)

For each Business Day during the Calculation Period, the Cumulative Normal Minimum Load-Out will be increased by the Normal Daily Minimum Load-Out Rate for the Business Day in question

At the end of the Calculation Period, and if the Warehouse has been an Affected Warehouse on any Business Day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as:

0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus

the Total Load-In above the Total Normal Minimum Load-Out

For the avoidance of doubt, if the Warehouse has not been an Affected Warehouse on any day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be zero in respect of that Calculation Period.

5 Discharging the Incremental Load-Out Requirement

At the end of each Calculation Period, the then current Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Discharge Period associated with the Calculation Period having just concluded, provided load-out demand is present.

During the associated Discharge Period, the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement, in addition to its load-out obligations according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt, the Warehouse will not be held to any particular daily incremental load-out rate – however, in aggregate over the course of the Discharge Period, the full Cumulative Incremental Load-Out Requirement must be satisfied.

6 A worked example of the calculation

This worked example is provided for illustrative purposes only and should not be relied upon for any reason.

- a) Consider a notional Warehouse with stocks of 2,000,000 tonnes of a single metal. Pursuant to the LME Policy Regarding the Approval of Warehouses, revised 1



April 2013, the Normal Daily Minimum Load-Out Rate is 3,000 tonnes per Business Day. Consider further that the Warehouse chooses to load-out precisely its Normal Daily Minimum Load-Out Rate (3,000 tonnes) on each Business Day.

- b) Consider that, of the Warehouse's stocks, 1,000,000 tonnes are represented by cancelled metal. Assuming that owners of all of the cancelled metal have completed the necessary formalities, then the Warehouse's load-out queue will hold 1,000,000 tonnes of metal. At a load-out rate of 3,000 tonnes per Business Day, the queue length will be:

$$\begin{aligned} & \underline{1,000,000 \text{ tonnes} / 3,000 \text{ tonnes per Business Day}} \\ & \underline{= 333.3 \text{ Business Days}} \\ & \underline{= 465.3 \text{ calendar days (assuming all weekdays are Business Days)}} \end{aligned}$$

For the avoidance of doubt, in practice, the queue length will be determined by the Warehouse concerned on the basis of schedules provided to metal owners.

- c) Consider that the Warehouse places on-warrant a constant amount of 3,100 tonnes per Business Day. Consider also that, on each Business Day, warrant holders cancel an amount of 3,000 tonnes of metal (thus balancing the delivery out of 3,000 tonnes per Business Day, resulting in a constant queue length until such time as the Cumulative Incremental Load-Out Requirement comes into effect). There is assumed to be no re-warranting of metal in this scenario.
- d) At the start of the Preliminary Calculation Period (1 July 2013), the Cumulative Incremental Load-Out Requirement is zero.

On each day during the Preliminary Calculation Period, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal) (3,100 tonnes)

less

*the **higher of** (i) the Normal Daily Minimum Load-Out Rate (3,000 tonnes), and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question (also 3,000 tonnes)*

$$\underline{= 3,100 \text{ tonnes} - 3,000 \text{ tonnes} = 100 \text{ tonnes}}$$

- e) At the end of the Preliminary Calculation Period (31 March 2014), and assuming that each weekday during the Preliminary Calculation Period is a Business Day for the Warehouse (resulting in a total of 196 Business Days during the Preliminary Calculation Period), then the Cumulative Incremental Load-Out Requirement will total 19,600 tonnes.



Given that, per (c) above, the queue will have retained a constant length, the queue length at the end of the Preliminary Calculation Period will remain at 465.3 calendar days. On this basis, the queue length is greater than 50 days, and the Warehouse is hence an Affected Warehouse at the end of the Preliminary Calculation Period.

Given that, on the final Business Day of the Preliminary Calculation Period, (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Preliminary Discharge Period.

f) During the Preliminary Discharge Period (1 May 2014 to 31 July 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the Preliminary Calculation Period (19,600 tonnes in total over the course of the Preliminary Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day.

g) At the start of the First Calculation Period (1 April 2014), the Cumulative Incremental Load-Out Requirement is set to zero, as are the Cumulative Load-In and Cumulative Normal Minimum Load-Out.

On each day during the First Calculation Period, the Cumulative Load-In will be increased by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal) – in this case 3,100 tonnes.

On each day during the First Calculation Period, the Cumulative Normal Minimum Load-Out will be increased by the Normal Daily Minimum Load-Out Rate for the Business Day in question – in this case 3,000 tonnes.

h) At the end of the First Calculation Period (30 June 2014), and assuming that each weekday during the First Calculation Period is a Business Day for the Warehouse (resulting in a total of 65 Business Days during the First Calculation Period), then the Cumulative Load-In will total 201,500 tonnes, and the Cumulative Normal Minimum Load-Out will total 195,000 tonnes.

On the basis that the Warehouse has been an Affected Warehouse for at least one Business Day during the First Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as follows:

0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus



the Total Load-In above the Total Normal Minimum Load-Out

$$\begin{aligned} &= 0.5 \times 195,000 + (201,500 - 195,000) = 97,500 + 6,500 \\ &= 104,000 \text{ tonnes} \end{aligned}$$

- i) During the First Discharge Period (1 August 2014 to 31 October 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the First Calculation Period (104,000 tonnes in total over the course of the First Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day, provided load-out demand is present.
- j) This process continues through the Second Calculation Period (and associated Second Discharge Period), Third Calculation Period (and associated Third Discharge Period) and so on, until such time as the Warehouse ceases to be an Affected Warehouse.

**LME POLICY REGARDING THE APPROVAL OF WAREHOUSES,
REVISED [~~Date of final Board approval of proposal in Notice 13/XXX : AXXX :
WXXX, if forthcoming~~]¹ APRIL 2014**

[\(Comparison to version of Policy set out in Consultation Notice\)](#)

A) Warehouse companies

Warehouse companies will be considered for listing in an existing or new location subject to completion of a warehouse agreement application form supported by evidence of insurance, capital adequacy and other documents as detailed by the LME from time to time. Inspection of premises offered for warehousing to the LME will take place prior to any listing to ensure they suit the logistical nature of the location as required by the LME. The LME will state its needs in this respect when sending the applicant the application form.

B) Warehouses

1. Road connection to major highways is mandatory.
2. Rail loading facilities adjacent to the warehouses will be required if, in the opinion of the LME, this service is routinely required by the metals trade. Warehouses without direct rail connections in such locations may be considered for listing if it can be demonstrated that adequate shuttle services to the rail head are provided by the warehouse company at its own cost and risk.
3. Water loading facilities adjacent to the warehouse or otherwise will be treated in the same way as rail.

The LME, respecting such confidentiality as it deems necessary and appropriate, will undertake its own enquiries, as it sees fit, from its members/trade entities etc. to evaluate any applications prior to submission to EXCOM for consideration.

C) Common standards of working practices and facilities for warehouses

1. For each 2500m² of space (not including open storage compounds for steel) there must be access by means of an operational door for vehicle loading/unloading, with a minimum of 2 doors per warehouse.
2. The minimum daily delivery tonnage must be in accordance with the tables below. Where the delivery requests exceed the minimum daily delivery tonnage for the capacity on the table below, the LME will regard the standard as applying over the number of days necessary to complete the deliveries, as per the table (e.g. if the requests for the delivery of 2000 tonnes apply to a warehouse's location capacity of 2500 sq. metres, the standard would be to deliver in 3 days



with no reference to the performance on any one of those days). The LME would, however, expect the warehouse company to act reasonably when allocating the tonnage delivered out in each of those days.

warehouse company's authorised space per location, in m ² (<u>excluding steel storage facilities</u>)	minimum daily delivery tonnage for all metals (excluding cobalt, <u>RMC</u> and <u>RMC</u> steel)
2,500	800 tonnes
5,000	1,200 tonnes
7,500	1,500 tonnes

The above table applies to all companies who are storing up to 300,000 metric tonnes of metal. For companies who are storing 300,000 metric tonnes and above the following table is applicable

warehouse company's tonnage stored per location (<u>excluding steel</u>)	minimum daily delivery tonnage for all metals (excluding cobalt, <u>RMC</u> and <u>RMC</u> steel)
300,000 tonnes to 599,999 tonnes	2,000 tonnes
600,000 tonnes to 899,999 tonnes	2,500 tonnes
900,000 tonnes and over	3,000 tonnes

NB: The daily delivery tonnage is for deliveries out only and does not include deliveries in.

3. Where a warehouse company's tonnage stored increases beyond any of the 300,000, 600,000 or 900,000 tonnes thresholds, the applicable revised minimum daily delivery tonnage shall have effect from the date which is 30 days from the date the threshold is passed. This will allow the warehouse company to implement the necessary scheduling changes in order to meet the increased minimum daily delivery tonnage. However, where a warehouse company's tonnage stored falls beneath any of the 300,000, 600,000 or 900,000 tonnes thresholds, a warehouse company will still be required to deliver out all outstanding deliveries scheduled on or prior to the date the tonnage falls beneath such threshold.
4. In addition to the daily rates stipulated ~~in the tables above~~ and below, a warehouse company in any location who satisfies the following conditions:-
 - (a) the warehouse company has scheduled delivery out commitments of 30,000 metric tonnes or more; and
 - (b) a minimum of 30,000 metric tonnes of those scheduled commitments are for one metal (the "dominant metal");shall be required to deliver out a minimum of 500 metric tonnes per day in that location of metals other than the dominant metal, provided that such deliveries are requested.



5. In addition to the daily rates stipulated in the tables above and paragraph 4 above below, warehouse companies delivering out the minimum rates stipulated above and below will be required to deliver out an additional, combined tonnage of tin or nickel, or a combination of both metals, in order to ensure that at least 60 tonnes of these metals is being delivered out each day. For the avoidance of doubt, the extra 60 tonnes would only be required to be delivered out if the warehouse company had reached its minimum daily load out rate (whether or not the requirement in paragraph 4 above has been triggered) and not delivered out 60 tonnes per day of tin and/or nickel as part of these deliveries.
6. The daily delivery out rate does not include deliveries out for cobalt and roasted molybdenum concentrate (RMC). Any deliveries out for either of these metals must be in addition to the rates stipulated in the above table.

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7. The daily delivery out rate does not include deliveries out for steel billet. For each location in which it is licensed to store steel billet, a warehouse company must load out in accordance with the minimum requirements stipulated in the tables below, provided demand is present.

<u>warehouse company's authorised space per location, in m² (steel storage facilities only)</u>	<u>minimum daily delivery tonnage for steel</u>
<u>2,500</u>	<u>800 tonnes</u>
<u>5,000</u>	<u>1,200 tonnes</u>
<u>7,500</u>	<u>1,500 tonnes</u>

The above table applies to all companies who are storing up to 300,000 metric tonnes of steel. For companies who are storing 300,000 metric tonnes and above the following table is applicable:

<u>warehouse company's tonnage stored per location (steel only)</u>	<u>minimum daily delivery tonnage for steel</u>
<u>300,000 tonnes to 599,999 tonnes</u>	<u>2,000 tonnes</u>
<u>600,000 tonnes to 899,999 tonnes</u>	<u>2,500 tonnes</u>
<u>900,000 tonnes and over</u>	<u>3,000 tonnes</u>

8. In addition to the daily rates stipulated above, an "Affected Warehouse" shall be required to comply with the Linked Load-In and Load-Out Requirements set out in Section F below. However, the Board, acting reasonably in its sole discretion, shall have the power to disapply such Requirements on a per-case basis. The LME will agree with Affected Warehouses queue scheduling and how this will be monitored.



- | ~~89~~. The LME recognises that it may not be possible to achieve exactly the same delivery rates if delivery into containers, vans or railcars is required. In assessing a warehouse company's performance, the circumstances will be taken into account.
- | ~~910~~. Once all formalities permitting delivery have been completed the warehouse shall prioritise all requests for deliveries out on the basis of 48 hours notice and strictly in the order in which they are received, unless the Warrant holders seeking cancellation agree otherwise.
- | ~~1011~~. In addition to their rent and FOT charges, warehouse companies are also required to supply the LME with a comprehensive set of charges for delivery out of warranted metal and will undertake to immediately advise the LME of any changes thereto. Warehouse companies are also required to submit to the LME compulsory port tariffs for the import and export of metal.
- | ~~1112~~. There should be no charges above the FOT for returning the metal to the warehouse companies approved and nominated loading berths within the location where the LME discerns a need for such transportation; the unloading of such metal from the truck being for the receiver's account.
- | ~~1213~~. Similarly there should be no charges above the FOT for returning metal to the nearest railhead where the LME discerns a need for such transportation.
- | ~~1314~~. Warehouse Companies are reminded that, in general, the daily delivery tonnages set out in this policy are minimum delivery out requirements, not minimum scheduling requirements. However, metals owners are also reminded of their obligations in respect of observing reasonable logistical arrangements in respect of metal collection. In particular, in the event that no metal owner wishes to avail themselves of a delivery slot offered on a reasonable basis, a warehouse operator will be permitted to count the tonnage which would have been delivered in that slot towards delivery out.

With the exception of the FOT charge and port tariffs for the export of metal the warehouse company may not impose any compulsory additional charges when delivering metal out.

D) Continued compliance with the LME policy for warehouses

1. In the event that an existing approved warehouse/warehouse company does not appear to meet the LME's criteria, there will be an initial consultation with the warehouse company concerned.
2. If the warehouse company can demonstrate that it will upgrade facilities or work practices to meet the LME's new standards, the LME will consider the appropriate amount of time to allow for such a process. Warehouses could, for example, be given, say, 6-12 months to upgrade their facilities or relocate to a more suitable building within the location, but this would be determined on a case by case basis, according to the circumstances.



3. If after consultation the warehouse company is unwilling or unable to upgrade its facilities or work practices to meet the LME's standards, the LME retains the right to restrict the capacity of that warehouse company in that location or even delist it. In particular, if a warehouse company fails to comply with the Linked Load-In and Load-Out Requirements per Section F, then the Board may (among other actions) restrict the ability of that warehouse company to create warrants in that location until load-in and load-out are brought into alignment pursuant to the requirements.
4. Prior to implementation, the LME would give the necessary notice of any action to be taken to the warehouse company and allow for formal representations to be made.

E) Review of LME policy for warehouses

This policy will be reviewed at least on a biennial basis

F) Linked Load-In and Load-Out Requirements

1 Principle

The general principle of this requirement is to link load-in and load-out for Warehouses with queues of greater than 10050 calendar days.

2 Definitions

A Warehouse is all of the LME-licensed storage facilities operated by a particular warehousing company in a particular LME good delivery location.

In relation to a particular Warehouse, a Business Day is any day on which that particular Warehouse is operating and subject to the current LME minimum load-out requirement.

The Preliminary Calculation Period shall be the period between ~~the date of this Notice~~ (1 July 2013) and 31 March 2014, inclusive.

The First Calculation Period shall be the period between 1 April 2014 and 30 June 2014, inclusive.

Each subsequent Calculation Period shall be the three months immediately following the preceding Calculation Period. By way of example, the Second Calculation Period shall be the period between 1 July 2014 and 30 September 2014, inclusive (being the three months immediately following the First Calculation Period).

The Preliminary Discharge Period, which will apply in relation to the Preliminary Calculation Period, will be the three month period between 1 May 2014 and 31 July 2014, inclusive.



For each subsequent Calculation Period, the related Discharge Period (i.e. the period during which the Cumulative Incremental Load-Out Requirement calculated in accordance with paragraph 4 below must be met) shall be the three month period starting on the date one calendar month following the end of that Calculation Period. By way of example, the First Discharge Period shall be the period between 1 August 2014 and 31 October 2014, inclusive (being the three month period starting on the date one calendar month following the end of the First Calculation Period).

In relation to a particular Warehouse on any given Business Day, the Normal Daily Minimum Load-Out Rate is the amount of metal required to be loaded out according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt:

- a) The basis for determining the Normal Daily Minimum Load-Out Rate shall be Section C of this Policy set out above.
- b) If, on the Business Day in question, a warehouse is required to make an additional load-out of non-dominant metal (pursuant to paragraph 4 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- c) If, on the Business Day in question, a warehouse is required to make an additional load-out of nickel and tin (pursuant to paragraph 5 of Section C above), such additional load-out will be counted towards the Normal Daily Minimum Load-Out Rate for the Business Day in question.
- d) Load-out of cobalt and roasted molybdenum concentrate (RMC) (paragraph 6 of Section C above) and steel billet (paragraph 7 of Section C above) will not be counted towards the Normal Daily Minimum Load-Out Rate, given that these metals are treated separately for the purposes of warehouse load-out rates.

Re-warranted Metal is metal in respect of which a warrant has been cancelled, but has not been loaded out of the Warehouse (due to the presence of a queue or other operational constraint), and in respect of which the metal owner has requested that the Warehouse issues a new warrant (and hence reverses the original request to deliver out that metal).

3 Affected Warehouses

On any given Business Day, an Affected Warehouse is a Warehouse with a queue of greater than ~~100~~50 calendar days. Queue lengths will continue to be measured and reported to the LME by warehouse operators, with the LME continuing to exercise oversight in respect of such measurements. For the avoidance of doubt, to the extent that a Warehouse has scheduled deliveries pursuant to any Cumulative Incremental Load-Out Requirement arising per this Notice, then the queue length may take into account such incremental scheduled deliveries.

4 Calculating the Cumulative Incremental Load-Out Requirement



Each Warehouse shall maintain the calculation of its Cumulative Incremental Load-Out Requirement. At the start of each Calculation Period, the Cumulative Incremental Load-Out Requirement shall be set to zero.

- a) During the Preliminary Calculation Period, on each Business Day, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal)

less

*the **higher of** (i) the Normal Daily Minimum Load-Out Rate, and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question – provided that, for the purposes of (ii), load-out in excess of the Normal Daily Minimum Load-Out Rate which is made to compensate for a shortfall in load-out on a previous or subsequent Business Day (due, inter alia, to scheduling variations within a single load-out request per paragraph 2 of Section C above) shall not count towards the actual amount of metal loaded-out of the Warehouse*

On the final Business Day of the Preliminary Calculation Period, a Warehouse shall establish whether it is an Affected Warehouse at the end of that Business Day. If (i) the Warehouse is not an Affected Warehouse, or (ii) the calculated Cumulative Incremental Load-Out Requirement is less than or equal to zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period shall be set to zero, and no additional load-out requirements will hence be incurred during the Preliminary Discharge Period. If (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement for the Preliminary Calculation Period must be satisfied by the Warehouse during the Preliminary Discharge Period as set out in paragraph 5 below.

- b) During the First Calculation Period, and each subsequent Calculation Period, ~~for each Business Day that a Warehouse is an Affected Warehouse, the Cumulative Incremental Load-Out Requirement shall be increased by:~~ a Warehouse shall measure its Cumulative Load-In (as defined in accordance with the paragraph below) and Cumulative Normal Minimum Load-Out (as defined in accordance with the paragraph below). Both quantities will be set to zero at the beginning of the Calculation Period.

~~0.5 multiplied by the~~ For each Business Day during the Calculation Period, the Cumulative Load-In will be increased by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question, ~~up to and including the~~ (which, for the avoidance of doubt, shall not include Re-warranted Metal)



For each Business Day during the Calculation Period, the Cumulative Normal Minimum Load-Out will be increased by the Normal Daily Minimum Load-Out Rate for the Business Day in question

At the end of the Calculation Period, and if the Warehouse has been an Affected Warehouse on any Business Day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as:

0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus

the amount of new metal placed on warrant in the Warehouse on the Business Day in question, Total Load-In above the Total Normal Daily Minimum Load-Out Rate

For the avoidance of doubt, if the Warehouse has not been an Affected Warehouse on any day during that Calculation Period, then the Cumulative Incremental Load-Out Requirement will be zero in respect of that Calculation Period.

5 Discharging the Incremental Load-Out Requirement

At the end of each Calculation Period, the then current Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Discharge Period associated with the Calculation Period having just concluded, provided load-out demand is present.

During the associated Discharge Period, the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement, in addition to its load-out obligations according to the LME requirements in force prior to the adoption of this Notice. For the avoidance of doubt, the Warehouse will not be held to any particular daily incremental load-out rate – however, in aggregate over the course of the Discharge Period, the full Cumulative Incremental Load-Out Requirement must be satisfied.

6 A worked example of the calculation

This worked example is provided for illustrative purposes only and should not be relied upon for any reason.

- a) Consider a notional Warehouse with stocks of 2,000,000 tonnes of a single metal. Pursuant to the LME Policy Regarding the Approval of Warehouses, revised 1 April 2013, the Normal Daily Minimum Load-Out Rate is 3,000 tonnes per Business Day. Consider further that the Warehouse chooses to load-out precisely its Normal Daily Minimum Load-Out Rate (3,000 tonnes) on each Business Day.
- b) Consider that, of the Warehouse's stocks, 1,000,000 tonnes are represented by



cancelled metal. Assuming that owners of all of the cancelled metal have completed the necessary formalities, then the Warehouse's load-out queue will hold 1,000,000 tonnes of metal. At a load-out rate of 3,000 tonnes per Business Day, the queue length will be:

$$\begin{aligned} & 1,000,000 \text{ tonnes} / 3,000 \text{ tonnes per Business Day} \\ & = 333.3 \text{ Business Days} \\ & = 465.3 \text{ calendar days (assuming all weekdays are Business Days)} \end{aligned}$$

For the avoidance of doubt, in practice, the queue length will be determined by the Warehouse concerned on the basis of schedules provided to metal owners.

- c) Consider that the Warehouse places on-warrant a constant amount of 3,100 tonnes per Business Day. Consider also that, on each Business Day, warrant holders cancel an amount of 3,000 tonnes of metal (thus balancing the delivery out of 3,000 tonnes per Business Day, resulting in a constant queue length until such time as the Cumulative Incremental Load-Out Requirement comes into effect). There is assumed to be no re-warranting of metal in this scenario.
- d) At the start of the Preliminary Calculation Period (1 July 2013), the Cumulative Incremental Load-Out Requirement is zero.

On each day during the Preliminary Calculation Period, the following value will be added to the Cumulative Incremental Load-Out Requirement:

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question (which, for the avoidance of doubt, shall not include Re-warranted Metal) (3,100 tonnes)

less

the higher of (i) the Normal Daily Minimum Load-Out Rate (3,000 tonnes), and (ii) the actual amount of metal loaded-out of the Warehouse on the Business Day in question (also 3,000 tonnes)

$$= 3,100 \text{ tonnes} - 3,000 \text{ tonnes} = 100 \text{ tonnes}$$

- e) At the end of the Preliminary Calculation Period (31 March 2014), and assuming that each weekday during the Preliminary Calculation Period is a Business Day for the Warehouse (resulting in a total of 196 Business Days during the Preliminary Calculation Period), then the Cumulative Incremental Load-Out Requirement will total 19,600 tonnes.

Given that, per (c) above, the queue will have retained a constant length, the queue length at the end of the Preliminary Calculation Period will remain at 465.3 calendar days. On this basis, the queue length is greater than ~~100~~50 days, and the Warehouse is hence an Affected Warehouse at the end of the Preliminary Calculation Period.



Given that, on the final Business Day of the Preliminary Calculation Period, (i) the Warehouse is an Affected Warehouse, and (ii) the calculated Cumulative Incremental Load-Out Requirement is greater than zero, then the Cumulative Incremental Load-Out Requirement must be satisfied by the Warehouse during the Preliminary Discharge Period.

- f) During the Preliminary Discharge Period (1 May 2014 to 31 July 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the Preliminary Calculation Period (19,600 tonnes in total over the course of the Preliminary Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day.
- g) At the start of the First Calculation Period (1 April 2014), the Cumulative Incremental Load-Out Requirement is set to zero, as are the Cumulative Load-In and Cumulative Normal Minimum Load-Out.

On each day during the First Calculation Period, the ~~following value will be added to the Cumulative Incremental Load-Out Requirement (on the assumption that the Warehouse's queue is such that it remains an Affected Warehouse):~~

Load-In will be increased

0.5 multiplied by the amount of new metal placed on-warrant in the Warehouse on the Business Day in question, up to and including the (which, for the avoidance of doubt, shall not include Re-warranted Metal) – in this case 3,100 tonnes.

On each day during the First Calculation Period, the Cumulative Normal Daily Minimum Load-Out Rate (3,000 tonnes)

plus

the amount of new metal placed on-warrant in the Warehouse on the Business Day in question, above will be increased by the Normal Daily Minimum Load-Out Rate (100 tonnes, i.e. 3,100 tonnes placed on-warrant, less for the Normal Daily Minimum Load-Out Rate of Business Day in question – in this case 3,000 tonnes).

$$\begin{aligned} &= (0.5 \times 3,000 \text{ tonnes}) + 100 \text{ tonnes} = 1,500 \text{ tonnes} + 100 \text{ tonnes} \\ &= 1,600 \text{ tonnes} \end{aligned}$$

- h) At the end of the First Calculation Period (30 June 2014), and assuming that each weekday during the First Calculation Period is a Business Day for the Warehouse (resulting in a total of 65 Business Days during the First Calculation Period), then the Cumulative ~~Incremental Load-Out Requirement will total 104~~ Load-In will total 201,500 tonnes, and the Cumulative Normal Minimum Load-Out will total 195,000 tonnes.

On the basis that the Warehouse has been an Affected Warehouse for at least one Business Day during the First Calculation Period, then the Cumulative Incremental Load-Out Requirement will be calculated as follows:



0.5 multiplied by the Total Load-In, up to and including the Total Normal Minimum Load-Out

plus

the Total Load-In above the Total Normal Minimum Load-Out

$$\begin{aligned} &= 0.5 \times 195,000 + (201,500 - 195,000) = 97,500 + 6,500 \\ &= 104,000 \text{ tonnes} \end{aligned}$$

- i) During the First Discharge Period (1 August 2014 to 31 October 2014), the Warehouse will be required to load-out the Cumulative Incremental Load-Out Requirement relating to the First Calculation Period -(104,000 tonnes in total over the course of the First Discharge Period), in addition to its Normal Daily Minimum Load-Out Rate of 3,000 tonnes per Business Day, provided load-out demand is present.
- j) This process continues through the Second Calculation Period (and associated Second Discharge Period), Third Calculation Period (and associated Third Discharge Period) and so on, until such time as the Warehouse ceases to be an Affected Warehouse.