



## Compliance report 2023

### Fluxys LNG SA

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## 1. Introduction and legal framework

The ministerial decision on 23 February 2010 confirmed Fluxys LNG SA as the operator of LNG facilities as set out in article 8 of the law of 12 April 1965 concerning the transmission of gaseous and other products by pipelines (the Gas Act). In the context of these regulated activities, Fluxys LNG SA is subject to certain obligations, including in the Gas Act, that are an application of the following fundamentals:

1. remaining impartial when treating grid users and/or categories of grid users;
2. transparency in providing services and information to grid users; and
3. respecting confidentiality with respect to commercial data.

In accordance with the legal provisions, the compliance officer reports within the framework of his mandate on compliance with the Commitments Program as explained in Article 8/3 § 5 of the Gas Act.

*“§ 5 Where appropriate, the Corporate Governance Committee is charged with the following tasks:*

*3° monitor the application of the provisions of this article, assess their effectiveness with regard to the objectives of independence and impartiality of the network operators as defined in the code of conduct and report annually to the Commission. ”*

### 1.1 Compliance report 2022

In accordance with the provisions of the Code of Conduct, a report was submitted to CREG as of 27<sup>th</sup> February 2023 on compliance of Fluxys LNG SA employees' with the aforementioned obligations during 2022. This report is also published on the Fluxys LNG SA website.

### 1.2 Compliance report 2023

This report was drawn up to the best of our ability, based on information supported by own controls testing performed and on information provided by the various responsible stakeholders. Given the latter, we can conclude that Fluxys LNG SA's employees complied with the Commitments Programme in 2023.

### **2. Confidentiality requirement**

Several guidelines and procedures are in place at Fluxys LNG SA to ensure that customer data is treated in a confidential way.

In 2023, new members of staff were given access via the intranet to the Code of Ethics. Staff employment contracts also contain a confidentiality clause relating to sensitive commercial information.

In 2023 awareness campaigns on e-mail phishing has been organised again. The employees were targeted with false e-mails. These campaigns aim to test their vulnerability for password theft or for opening suspicious files sent by email.

Based on the controls testing performed and based upon the information provided to us, we can confirm that the Code of Conduct's requirements on transparency have been respected.

### **3. Transparency requirement**

Fluxys LNG SA must ensure that the rules and procedures on governing access to the LNG facilities and the rules on providing non-confidential information to all market players in the same clear and transparent manner, are respected.

Fluxys LNG SA achieves this in practice by issuing publications and providing information on its website and by organizing targeted information meetings with all stakeholders.

One market consultations have been organized in 2023.

In addition, reports on market consultations are submitted to the CREG, who includes these as annexes to its decisions.

Based on the controls testing performed and based upon the information provided to us, we can confirm that the Code of Conduct's requirements on transparency have been respected.

### **4. Non-discrimination requirement**

Fluxys LNG SA conducts an active policy to rule out any discrimination against users, that meets the requirements of objectivity and reasonableness.

Among other things, this is done by the way that the various services and proposed contract amendments are put at disposal of the market players.

Based on the controls testing performed and the information provided to us, we can confirm that in 2023:

- the standard LNG contracts are used. Within these standard contracts no deviations have been noted;
- no special signed documents, annexes, side-letters and commitments have been signed by Fluxys LNG SA in addition to the standard contract and the associated subscription forms.

### **5. Complaints**

In 2023 no complaints were received about discriminatory, non-transparent or non-confidential users' treatment.

### **6. Audit activities**

The audit plan 2023 has been carried out.

Brussels, February 15<sup>th</sup> 2024

Cleo Vercraeye

Compliance Officer Fluxys LNG SA