Supplementary privacy notice for the election of the Exchange Council of Eurex Deutschland

Under this supplementary privacy notice, the **Exchange Council Election Committee** (hereinafter "**We**" or "**Us**") informs you how we process your personal data. Personal data means any information relating to you, your employees or other individuals (hereinafter "personal data").

Deutsche Börse AG's privacy notice is available online at https://www.deutsche-boerse.com/dbg-en/meta/privacy-notice.

1. **Our name and contact details and the contact details of our data protection officer**
   As the Election Committee, we are responsible for the election of the Exchange Council of Eurex Deutschland which is operated by Eurex Frankfurt, a fully-owned affiliate of Deutsche Börse AG. Our contact details are as follows: Office of the Election Committee, Mergenthalerallee 61, 65760 Eschborn, Germany, tel. +49-(0) 69-2 11-1 31 77, e-mail: boersenratswahl@deutsche-boerse.com.

   The contact details of our (deputy) data protection officer are as follows:
   - **Data Protection Officer of Eurex Deutschland and its respective exchange bodies,** Mergenthalerallee 61, 65760 Eschborn, Germany, dataprotection@deutsche-boerse.com, Tel. +49-(0) 69-2 11-13 840 40.

2. **Purpose, Categories of Personal Data, Sources and Legal Basis**
   Based on section 6 paragraph 1 lit. c of the GDPR, we process the following categories of personal data about you, your employees or other data subjects for the following purposes. We received the personal data listed in section 2 in the course of communicating and fulfilling the purposes stated therein.

   2.1 **Nominations:** Authorised representatives of a company nominate a representative - eligible in accordance with section 11 of the Exchange Regulation - in a specific voter group. In this context, we process the following personal data:
   - Name of the company, place, date, signature of authorised representative, if necessary signature of second authorised representative; title,
   - first and last name of the representative/the representatives.

   In addition, the nominated candidate agrees to stand for election and confirms that he/she has completed and submitted all necessary documents and that no circumstances are known that would preclude his/her eligibility to stand for election. The following personal data of the nominated candidate is collected for this purpose: Title, first and last name, place, date, signature and the information specified in section 2.3.

Please send the excerpts from the criminal registers, or, alternatively, an official certificate of good conduct, or alternatively, an affidavit directly to the following address:

Mr Armin Winterhoff
Head of Division Exchange Supervisory Authority
Ministry of Economics, Energy, Transport and Housing – State of Hessen
Kaiser-Friedrich-Ring 75
65185 Wiesbaden
Germany

Your personal data is processed on the basis of legal provisions, namely section 10 (3) sentence 2 in conjunction with section 1 (2) of the Exchange Regulation of the Federal State of Hesse (*Börsenverordnung*, "BörsVO").

2.2 Candidacy and ballot: Your personal data (title, first and last name, company) is published on the ballot that is provided to companies entitled to vote. Your personal data is processed on the basis of legal provisions, namely section 12 (1) of the German Stock Exchange Act (*Börsengesetz*, "BörsG") and section 14 (2) BörsVO.

2.3 Suitability assessment of the nominated candidate: We process your personal data in connection with an assessment of your suitability, i.e., your expertise, skills, experience, honesty, integrity and impartiality. The personal data (inter alia name, address, nationality, curriculum vitae, criminal record) is collected from the fields in the form. The personal data is processed on the basis of legal provisions, specifically Article 45 (2) in conjunction with (9) of Directive 2014/65/EU (MiFID II), Section 5 of the Guidelines on the management body of market operators and data reporting services providers (ESMA70-154-271) and section 13 (2) in conjunction with section 4b (2) BörsG and its implementation in section 10 (3) sentence 2 BörsVO in conjunction with section 1 (2) BörsVO.

The Election Committee performs the suitability assessment (section 7 BörsVO) within the scope of the statutory powers under section 10 (3) BörsVO. The personal data specified in 2.3 is provided to the Exchange Supervisory Authority in accordance with section 10 (3) sentence 2 BörsVO in conjunction with section 1 (2) BörsVO and section 4 (2) no. 2 BörsG. The Exchange Supervisory Authority is authorized to make further enquiries regarding your reliability and suitability according to sections 13 (3) in conjunction with section 4b (1) and (2) no.2 BörsG and section 3 (1) no.1 BörsG.

2.4 **Participation in the Exchange Council election as a voter:** In order for you to participate in the election, we include your company on the list of the companies eligible to vote. These lists of voters are made available for inspection in accordance with section 12 (2) BörsVO. As an authorised voter of a company eligible to vote, you must assure us that you are actually eligible to vote. For this purpose, we record your first and last name, company, place, date and signature. If you vote in the election, we record the fact that you voted. You cannot be identified based on your ballot. Your identification data will be used only to record your one-time vote. Your personal data is processed on the basis of legal provisions, namely section 12 (1) in conjunction with section 13 BörsVO.

2.5 **Election record, election results and publication:** A record of the election in accordance with section 16 BörsVO documents the persons who have been elected. The election results will be published pursuant to section 17 BörsVO in the "Börsen-Zeitung" as official stock exchange gazette chosen by us. The composition of the Exchange Council (including first and last name, position within the company, company and voting group) will also be published on the website of Deutsche Börse. Your personal data is processed on the basis of the aforementioned legal provisions.

3. Automatic case-by-case decisions

We do not make any automatic decisions that are based solely on automated processing, including profiling, that could have a material adverse effect on you, legal or otherwise.

4. Disclosure of personal data to third parties

We will not disclose your personal data to third parties unless such disclosure is permitted by law or you have provided your express consent.

To fulfil our tasks according to the stock exchange law, we use selected service providers (processors) and vicarious agents for the categories listed below who have access to your personal data to the extent necessary and who can use that access to process our requests. If such service providers gain access to your personal data and are domiciled in countries whose data security laws provide a security level that does not comply with the protection level of your country of residence, we shall take measures to ascertain suitable and appropriate guarantees for the alternative protection of your personal data.

We may provide your personal data to the relevant authorities, provided this is required by law (e.g., Stock Exchange Act or Securities Trading Act). We may also transfer your personal data if a criminal offence or an act of fraud is suspected. In this case, we are permitted to transfer your personal data to law enforcement authorities.

Otherwise, your personal data is stored exclusively in the database and on the servers of Deutsche Börse AG or those of our processors.

Under these conditions, the following entities may be the recipients of your personal data:

- Public authorities and institutions where there is a legal or official obligation to do so (e.g., Exchange Supervisory Authority)
- Other companies and service providers (processors)/vicarious agents in the following categories:
    - Print service providers
    - Börsen-Zeitung as stock exchange gazette
    - Providers of the online platform

5. Retention periods

The amount of time your personal data is retained depends on the purpose of the processing. We will retain personal data in accordance with section 2 for (i) as long as necessary for the purpose and/or (ii) as required by applicable statutory retention periods. We will retain the personal data you provide for as long as our business or administrative relationship with you or your company continues, and for as long as required by law.

6. Rights of the data subjects (including right to object)

In accordance with the applicable data protection law, you have the right

- to demand access to your personal data or that it be rectified and/or erased,
- to demand that the processing of your personal data be restricted,
- to inform Us that you do not wish to receive any marketing material, and
- (under certain circumstances) to demand that certain personal data be transferred to you or third parties, which you may request by contacting Us using the above contact information.

Furthermore, you have the right at any time to object to the processing of your personal data for the purposes of our legitimate interests. For more information about our legitimate interests, please see section 2.

If the processing of personal data is based on your consent, you may withdraw your consent without this affecting the lawfulness of processing based on consent before its withdrawal. In order to exercise your rights as a data subject, please contact Us as described in section 1 above.

You may lodge a complaint about our processing of your personal data or a possible violation of applicable data protection laws with a supervisory authority, in particular in the member state of your habitual residence, place of work or place of the alleged infringement.

Our responsible data protection authority is: Der Hessische Datenschutzbeauftragte, Postfach 3163, 65021 Wiesbaden, Germany, poststelle@datenschutz.hessen.de, tel.: +49 611 1408 -0, fax +49 611 1408-611.

Dated: August 2019

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