

Privacy Notice

for the Exchange and the Exchange Bodies of the Eurex Deutschland

With this privacy notice the Exchange and the Exchange Bodies of the Eurex Deutschland (hereinafter referred to as "We" or "Us") will inform you how we process your personal data. Personal data is any information that affects you, your employees or other individuals (hereinafter: "Personal Data").

1. Our name and contact details as well as that of our data protection officer

We are the Eurex Deutschland and its Exchange Bodies Management Board (Geschäftsführung), Exchange Council (Börsenrat), Trading Surveillance Office (Handelsüberwachungsstelle), Disciplinary Committee (Sanktionsausschuss), Börsenplatz 4, 60313 Frankfurt am Main, Tel. +49-(0) 69-2 11-0, e-mail: info@eurexgroup.com.

The contact details of our data protection officer and the representative are:

Data Protection Officer of the Eurex Deutschland and its exchange bodies,
Mergenthalerallee 61, 65760 Eschborn, Germany,
dataprotection@eurexchange.com, Tel + 49- (0) 69-2 11-13 840.

2. Purposes, categories of personal data, sources and legal bases

We process the following categories of personal data of your employees, your customers or other data subjects for the following purposes. We may have obtained the personal data listed in Section 2 from the following non-public sources: 1. Administrative procedures, 2. Contracts and 3. Communication within the context of 1. and 2.

2.1 Admission to participation in exchange trading: We process your personal data in order to admit you to participate in exchange trading or to exclude you from it if this is necessary. Your personal data is processed on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR).

2.2 Operation of the Exchange EDP: Your personal data contained in log files or security reports (e.g. IP address, user ID, location and time of access) are used to identify intruders, protect the system, monitor and logging. Processing takes place on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR), namely Section 5 Paragraph 4 and 4a of the German Exchange Act and Article 32 GDPR to fulfill our legal obligation, to implement technical and organizational measures to guarantee a secure data processing.

2.3 Monitoring of trading participants: The Trading Surveillance Office, as an independent exchange body, monitors exchange trading and transaction processing and carries out the necessary investigations in the event of violations. As part of this, the trading behavior of exchange participants is also monitored. Any data can be

transferred to another exchange in accordance with the statutory provisions if this is necessary to perform the tasks. In the event of irregularities, the Trading Surveillance Office informs the management board of the exchange of the Eurex Deutschland and the Exchange Supervisory Authority (Börsenaufsicht). Processing takes place on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR), namely Section 7 Paragraph 1 German Exchange Act.

- 2.4 Sanctions:** The Disciplinary Committee of the Eurex Deutschland punishes violations of trading participants against exchange regulations. Personal data of the trading participant can be processed as part of these procedures. Processing takes place on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR), namely Section 22 German Exchange Act.
- 2.5 List of listed Trading Participants:** We keep a list of the admitted trading participants according to 2.1, which is regularly transmitted to the Exchange Supervisory Authority. The processing takes place on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR), namely Section 19 Paragraph 11 German Exchange Act.
- 2.6 Access to the Exchange EDP:** To enable access to the Exchange EDP, trading participants are assigned individual user IDs and passwords that guarantee the integrity and confidentiality of the systems. Processing takes place on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR), namely Section 5 Paragraph 4 and 4a of the German Exchange Act and Article 32 GDPR to fulfil our legal obligation, to implement technical and organizational measures to guarantee a secure data processing.
- 2.7 Admission to visit the exchange:** We process your personal data in order to allow you to visit the premises of the Eurex Deutschland (without the right to participate in trading) or to exclude it if this is necessary. Your personal data is processed on the basis of legal provisions (Art. 6 Para. 1 lit. c GDPR).
- 2.8 Telephone recording:** In order to fulfil our legal task of ensuring the orderly trading and processing of exchange transactions, we record incoming and outgoing calls for certain telephone connections as announced by the circulars. This personal data is only used for the aforementioned purposes. In such cases, data collected can be passed on to the bodies named in Section 10 Paragraph 1 Sentence 3 German Exchange Act, insofar as knowledge of this data is necessary for these bodies to perform their tasks. The records will be deleted after ten years at the latest. The processing of your personal data is necessary for the performance of our task in the public interest (Art. 6 Para. 1 lit. e GDPR in conjunction with German Exchange Act and Exchange Rules of the Eurex Deutschland). You have the right to object to the processing of your personal data at any time for reasons that arise from your particular situation (Art. 21 Para. 1 GDPR).
- 2.9 Recording and reporting of transactions:** As the operator of the trading venue, we keep the relevant data on all orders for financial instruments that are communicated via the respective system available to the responsible authorities for at least five years. The records contain the relevant data that represent the characteristics characteristic

of the order, including those that link an order to the resulting transaction or transactions and the details thereof in accordance with Article 26 paragraphs 1 and 3 Regulation (EU) No. 600/2014 are transmitted. The processing takes place on the basis of legal regulations (Art. 6 Para. 1 lit. c GDPR), namely Article 25 Paragraph 2 Regulation (EU) No. 600/2014.

- 2.10 Settlement and clearing of transactions:** Pursuant to Section 20 Paragraph 1 of the Exchange Rules for Eurex Deutschland the netting of rights and liabilities (settlement) of transactions concluded at Eurex Deutschland shall be executed by Eurex Clearing AG. The fulfilment of the transactions concluded at Eurex Deutschland shall be carried out by Clearstream Banking AG, SIX SIS AG, Euroclear UK & Ireland. The Management Board of Eurex Deutschland shall define for each derivative transaction via which institute it can be settled. The processing takes place on the basis of legal regulations (Art. 6 Para. 1 lit. c GDPR).
- 2.11 Contact:** We process your personal data (such as name, email or telephone number), which you provide to us when you may contact us, especially via hotlines, to answer and process your request. The legal basis of processing your personal data is our legitimate interests (Art. 6 Para. 1 lit. f GDPR) in answering your request.
- 2.12 Member administration:** We process your personal data (such as name, address or position) if you are a member of an exchange body, e.g. in the Exchange Council, in the Disciplinary Committee, in the Trading Surveillance Office or in the management board. The processing takes place on the basis of contracts (Art. 6 Para. 1 lit. b GDPR) or legal provisions (Art. 6 Para. 1 lit. c GDPR).
- 2.13 Market Makers; Designated Sponsors; Best Services Provider; Specialists:** Personal data can be processed as part of the commissioning and monitoring of trading participants to whom certain functions are assigned during exchange trading. The processing takes place on the basis of contracts (Art. 6 Para. 1 lit. b GDPR) or legal provisions (Art. 6 Para. 1 lit. c GDPR).

3. Automated individual decisions

We do not make automatic decisions that are based solely on automated processing, including profiling, and that have a legal negative impact on you or could significantly affect you in a similar manner.

4. Disclosure of personal data to third parties

Any transfer of Personal Data that you provide to us to EU service providers (e.g. for purposes of IT hosting, operation, visitor management and support), is based on prior signed data processing agreements according to GDPR requirements.

If we transfer Personal Data that you provide to us to third parties that are located outside the European Union (e.g. in the US), We use so-called EU Model Clauses (see EU Model Clauses under http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm) or use other appropriate

safeguards if there is no adequacy decision by the European Commission for such country.

We may transfer your Personal Data to public authorities where this is required by the applicable law (e.g. the German Exchange Act (Börsengesetz) or the German Securities Trading Act (Wertpapierhandelsgesetz). A transfer of your Personal Data is also permitted if there is a suspicion of a criminal offence or the abuse of our services. In this event, we shall be entitled to transfer your Personal Data to the criminal prosecution authority.

5. Retention periods

The retention period of personal data depends on the purpose of the processing. We will collect personal data in accordance with no. 2. as long as (i) as required for the respective purpose and / or (ii) according to the applicable statutory retention periods. We keep the personal data provided by you for as long as necessary to carry out our business or administrative relationship with you or your company, plus the retention periods that are required by law (e.g. due to tax regulations).

6. Rights of the individual (including the right to object)

According to the applicable data protection law, you have the right:

- To request information, correction and / or deletion of your personal data
- to request the restriction of the processing of your personal data
- tell us that you do not want to receive promotional information; and
- (under certain circumstances) to request that certain personal data be transferred to you or to third parties, which you can initiate by contacting us under the above-mentioned contact information.

Furthermore, you have the right to object to us at any time that your personal data will be processed for the purposes of our legitimate interests. You can find more information on these legitimate interests in Section 2.

Insofar as the processing of personal data is based on your consent, you are entitled to withdraw your consent without this affecting the lawfulness of our previously based processing. To exercise the rights of the data subject, you can contact us, as set out in Section 1 above.

You can lodge a complaint with a data protection authority about our processing of your personal data or a possible violation of applicable data protection laws, in particular in the EU member state in which you have your regular residence or work or in which data protection law has been violated.

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.

Date: January 2020

Version: 1.1