



Confidentiality statement for mandatories and other third parties

Pursuant to the legal and contractual duty to maintain secrecy, the undersigned is required to maintain confidentiality concerning facts he or she discovers or is made aware of that are not generally known in whose confidentiality there is a legitimate interest and whose confidentiality SIX Group Ltd and its subsidiaries ("SIX") explicitly or implicitly desire.

- **Bank client confidentiality** covers all facts ensuing from the business relationship between a bank (SIX SIS Ltd or SIX x-clear Ltd) and its clients. Particularly, the bank client confidentiality includes the mere fact that a business relationship exists.
- **Exchange confidentiality** covers all facts ensuing from the business relationship between a stock exchange (SIX Swiss Exchange Ltd, SIX Structured Products Exchange Ltd) and its participants, issuers and clients.
- **Business confidentiality** covers all information concerning the subject, content and function of the technological and software based tools and facilities of SIX and the commercial and legal organization and execution of all types of transactions of SIX.

Individually or cumulatively, violations of the duty to maintain secrecy may constitute breaches of bank client confidentiality, exchange confidentiality, industrial and business secrecy, the Swiss data protection act or the laws against insider trading or industrial espionage. The relevant legal provisions are reproduced subsequently to this confidentiality statement.

- Mandatories of SIX and other third parties may use data subject to **bank client confidentiality or exchange confidentiality as well as to business confidentiality** only for contract-related reasons and impart it to their employees only in accordance with the need-to-know principle. The undersigned is required to extend the duties set out in this confidentiality statement to the relevant employees.
- **Data may only be passed on to foreign countries** after prior consent by SIX is given.

In case of breach of this confidentiality statement, contractual penalties, if agreed upon, as well legal sanctions may be imposed.

The undersigned is explicitly advised that the duty to maintain secrecy extends without limitation beyond the end of his or her work for SIX. The undersigned hereby confirms that he or she has taken note of, understood and accepted the legal duty to maintain secrecy and the duty of care.

Place, date	Company	Name	Signature(s)



Legal Foundations

<p>Banking Secrecy (Banks and Savings Banks Act; BSBA)</p>	<p>Stock Exchange Secrecy (Stock Exchange Act; SESTA)</p>
<p>Art. 47 Banking Secrecy</p> <p>¹ Whosoever intentionally:</p> <p>a. discloses a secret which has been confided to him in his capacity as an organ, employee, mandatory or liquidator of a stock exchange or a securities dealer, as an organ or employee of an auditing company, or of which he has become aware in any such capacity;</p> <p>b. attempts such breach of professional secrecy by inducement shall be punished by imprisonment of up to three years or pecuniary penalty.</p> <p>² Whosoever acts negligently shall be punished with a fine of up to CHF 250,000.</p> <p>³ In the event of a repeat breach within five years of the legally binding conviction, the pecuniary penalty shall amount to at least 45 daily rates.</p> <p>⁴ Whosoever breaches professional secrecy after termination of office or his employment, shall nevertheless remain liable to punishment.</p> <p>⁵ The federal and cantonal provisions relating to the duty to testify and the duty to provide information to the authorities remain reserved.</p> <p>⁶ The cantons shall be responsible for the prosecution and adjudication of any breaches of this provision. The general provisions of the Swiss Penal Code shall apply.</p>	<p>Art. 43 Breach of professional secrecy</p> <p>1 Whosoever intentionally:</p> <p>a. discloses a secret which has been confided to him in his capacity as an organ, employee, mandatory or liquidator of a stock exchange or a securities dealer, as an organ or employee of an auditing company, or of which he has become aware in any such capacity;</p> <p>b. attempts such breach of professional secrecy by inducement shall be punished by imprisonment of up to three years or pecuniary penalty.</p> <p>² Whosoever acts negligently shall be punished with a fine of up to CHF 250,000.</p> <p>³ In the event of a repeat breach within five years of the legally binding conviction, the pecuniary penalty shall amount to at least 45 daily rates.</p> <p>⁴ Whosoever breaches professional secrecy after termination of office or his employment, shall nevertheless remain liable to punishment.</p> <p>⁵ The federal and cantonal provisions relating to the duty to testify and the duty to provide information to the authorities remain reserved.</p> <p>⁶ The cantons shall be responsible for the prosecution and adjudication of any breaches of this provision. The general provisions of the Swiss Penal Code shall apply.</p>
<p>Criminal Provision Against Insider Trading (Federal Act on Stock Exchanges and Securities Trading; SESTA)</p>	<p>Business Secrecy (Swiss Penal Code; PC)</p>
<p>Art. 40 Exploitation of Insider Information</p> <p>¹ Whosoever as a body or a member of a managing or supervisory body of an issuer or of a company controlling or controlled by him or her, or as a person who due to his or her holding or activity has legitimate access to insider information, is liable to imprisonment of up to three years or a fine if he or she gains a pecuniary advantage for him- or herself or for another with insider information by:</p> <p>a. exploiting it to acquire, sell securities admitted to trading on a stock exchange or an institution which is similar to an exchange in Switzerland or to use financial instruments derived from such securities;</p> <p>b. disclosing it to another;</p> <p>c. exploiting it to recommend to another to acquire or sell securities admitted to trading on a stock exchange or an institution which is similar to an exchange in Switzerland or to use financial instruments derived from such securities.</p> <p>² Whosoever through activities as detailed in para. 1 gains a pecuniary advantage of more than one million Swiss Francs is liable to imprisonment of up to five years or a fine.</p> <p>³ Whosoever gains a pecuniary advantage for him- or herself or for another by exploiting insider information disclosed to them by a person as detailed in para. 1 or acquired through a crime or an offence to acquire or sell securities admitted to</p>	<p>Art. 162 Violation of Manufacturing or Business Secrets</p> <p>Whosoever discloses a business secret that he or she had a legal or contractual duty to keep confidential,</p> <p>whosoever exploits the disclosure for his or her own benefit or for the benefit of someone else,</p> <p>shall be punished upon application by imprisonment of up to three years or by a fine.</p>



<p>trading on a stock exchange or an institution which is similar to an exchange in Switzerland or to use financial instruments derived from such securities is liable to a imprisonment of up to one year or a fine.</p> <p>⁴ Whosoever does not belong to the persons referred to in para.s 1-3 yet who gains a pecuniary advantage for him- or herself or for another by exploiting insider information to acquire or sell securities admitted to trading on a stock exchange or an institution which is similar to an exchange in Switzerland or to use financial instruments derived from such securities is liable to a fine.</p>	
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Economic Intelligence Service (Swiss Penal Code; PC)	Data Secrecy (Data Protection Act; DPA)
<p>Art. 273 Economic Intelligence Service</p> <p>Whosoever uncovers an industrial or business secret in order to make it accessible to a foreign government office, organisation or private company or its agents,</p> <p>whosoever makes an industrial or business secret accessible to a foreign government office, organisation or private company or its agents,</p> <p>shall be punished by imprisonment of up to three years or by a fine or, in severe cases, by imprisonment of no less than a year. Imprisonment may be combined with a fine.</p>	<p>Art. 35 Breach of professional confidentiality</p> <p>¹ Anyone who without authorisation wilfully discloses confidential, sensitive personal data or personality profiles that have come to their knowledge in the course of their professional activities where such activities require the knowledge of such data is, on complaint, liable to a fine.</p> <p>²The same penalties apply to anyone who without authorisation wilfully discloses confidential, sensitive personal data or personality profiles that have come to their knowledge in the course of their activities for a person bound by professional confidentiality or in the course of training with such a person.</p> <p>³The unauthorised disclosure of confidential, sensitive personal data or personality profiles remains an offence after termination of such professional activities or training.</p>