



## Trader's Declaration of Consent and Data Protection Clause

### 1. Declaration of Consent

I. Trader hereby declares having read the Rule Book for the trading venue of SIX Repo Ltd and its implementing provisions, the Rules of Procedure, the Rules of Arbitration, the List of Charges of the Regulatory Bodies of the Regulatory Board, the SIX Group Ltd Rules of Organization for the Regulatory Bodies of the Group's trading venues, the SIX Group Ltd Rules for the Appeals Board, as well as the List of Trading Charges and general explanations and technical guidelines on Participant's connection to the platform of SIX Repo Ltd and on the organization of trading (hereinafter "Legal Basis"). The trader hereby expressly acknowledges the Legal Basis as binding for its legal relationships with SIX Exchange Regulation Ltd, the other SIX Group Ltd regulatory bodies (currently: the Regulatory Board, Sanctions Commission, the Appeals Board, the Court of Arbitration), and with SIX Repo Ltd, which are in charge of registering the Trader to the trading venue and monitoring the performance of the obligations associated with registering to the trading venue.

II. Trader hereby acknowledges the following Arbitration Clause in connection with the aforementioned Legal Basis:

In accordance with the applicable SIX Group Ltd rules, and those of the Regulatory Board, all disputes with SIX Exchange Regulation Ltd will be settled exclusively and finally by a Court of Arbitration once any internal proceedings have been exhausted first as required by the SIX Group Ltd rules and those of the Regulatory Board. The version of the Rules of Arbitration in force at the time the Notice of Arbitration is served to the preceding instance shall apply. Part three of the Swiss Civil Procedure Code (CPC; SR 272) will apply to the arbitration proceedings. Chapter 12 of the Swiss Code on Private International Law Act (CPIL; SR 291) is hereby excluded. The jurisdiction of the ordinary court to order interim measures in accordance with Art. 374 CPC is also hereby excluded from the time the Court of Arbitration is constituted. The Court of Arbitration shall in principle consist of three members. However, the parties to the arbitration may agree that the Court of Arbitration shall consist of only one member. The members of the Court of Arbitration shall be appointed in accordance with the Rules of Arbitration. The seat of the arbitration is Zurich.

III. Trader Acknowledgement that Zurich is the **exclusive place of jurisdiction** for all proceedings and disputes with SIX Repo Ltd in connection with the aforementioned Legal Basis (**place of jurisdiction clause**).

IV. Trader hereby acknowledges that the latest version of the Legal Basis will be authoritative in relation to its legal relationships with SIX Exchange Regulation Ltd, the other SIX Group Ltd regulatory bodies, and with SIX Repo Ltd, once any amendments or supplements to the Legal Basis have been published and displayed, within a reasonable period prior to taking effect, on the websites of the trading venue and SIX Exchange Regulation Ltd.

V. Trader acknowledges that Trader's consent to the latest version of the Legal Basis is a prerequisite for maintenance of Trader's registration with the trading venue.



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- VI. Trader hereby acknowledges that any and all references and electronic links within the Legal Basis (hereinafter jointly referred to as "References"), including those stating "See also:", to various other legal documents and other information do not form part of the respective regulations. These are simply references to aid use of the Legal Basis. No liability is assumed for the completeness of such references.
- VII. Trader hereby acknowledges that the German version of the Legal Basis will take precedence over the English version in the case of discrepancies.
- VIII. Trader hereby acknowledges that Swiss law alone will apply with exclusion of the Swiss Code on Private International Law Act of 18 December 1987 (CPIL, SR 291).

### 2. Data Protection Clause

Trader consents to the following

- I. based on the Trading Rules, its implementing provisions, and any supplementary agreements based thereon, SIX Exchange Regulation Ltd will process Trader's personal data (contact data) if the participant has signed up Trader with the trading venue of SIX Group Ltd for purposes of registration. SIX Exchange Regulation Ltd only processes such personal data for the purposes of applying the Trading Rules, its implementing provisions, and any supplementary agreements based on the Trading Rules. In particular, SIX Exchange Regulation Ltd may use this personal data as contact information for maintenance of the respective business relationship and for promotional information about products and services related to the Trading Rules or respective supplementary agreement. SIX Exchange Regulation Ltd may forward personal data to other SIX Group companies in Switzerland and abroad for these purposes. Additional information about data protection can be found on the SIX Exchange Regulation Ltd website (<https://www.six-exchange-regulation.com/en/services/gdpr/customer-information-on-data-protection.html>).
- II. The participant may also forward Trader's data to SIX Exchange Regulation Ltd if so required by the applicable laws or regulations (legitimate interest).
- III. If required by the applicable laws or regulations (legitimate interest), SIX Exchange Regulation Ltd may process Trader's data, use it in the context of an investigation or sanctions procedure, and disclose such data to third parties (e.g. to trading surveillance departments, the Swiss Financial Market Supervisory Authority FINMA, prosecution authorities or courts).
- IV. If required by the applicable laws or regulations (legitimate interest), SIX Exchange Regulation Ltd may take notes on telephone conversations (summary of the conversation and contact details of Trader in question) pursuant to legal or regulatory requirements (legitimate interests). The respective data may be used during an investigation or sanctions procedure or disclosed to third parties (e.g. to trading surveillance departments, the Swiss Financial Market Supervisory Authority FINMA, prosecution authorities or courts).



**Trader's Declaration of Consent and Data Protection Clause**

Trader declares his/her agreement with the Declaration of Consent (i.e. the Legal Basis and Arbitration Clause) and the Data Protection Clause.

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(Place, date)	Name of Trader	Signature
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SIX Exchange Regulation Ltd declares its agreement with the arbitration clause set out above and the choice of applicable law pursuant to para. VIII

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(Place, date)	Name and Position	Signature
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(Place, date)	Name and Position	Signature
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SIX Repo Ltd declares its agreement with the place of jurisdiction clause set out above and the choice of applicable law pursuant to para. VIII.

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(Place, date)	Name and Position	Signature
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(Place, date)	Name and Position	Signature
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Please send the signed Participant's Declaration of Consent back to **SIX Repo Ltd, P.O. Box, 8021 Zurich**