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Data Protection Compliance Statement for Börse Berlin Equiduct Trading Participation Documentation (ETPD)

(Privacy Notice)

This document demonstrates our commitment to protecting the privacy and security of personal information. It contains information regarding how we collect and use personal data or personal information in accordance with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

Pursuant to that legislation, when processing data we will:

- Process it fairly, lawfully and in a clear, transparent way
- Ensure it is correct and up to date
- Process it in a way that ensures it will not be lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate)

This data protection compliance statement (privacy notice) applies to current and former Participants or Potential Participants as determined on an Equiduct Trading Participation Documentation (ETPD) and all directly associated forms.
Admission to trading is granted by a one-sided public law act of Börse Berlin and accompanied by an agreement between the participant and Börse Berlin AG.

Börse Berlin AG, in turn outsources the administration of the ETPD to EASDAQ N.V and Equiduct Systems Limited.

Börse Berlin AG, EASDAQ N.V and Equiduct Systems Limited, are collectively referred to as "Equiduct".

Name	Registered Address	Registration Number	Contact Details
Börse Berlin Börse Berlin AG	Kurfürstendamm 129 D 10711, Berlin, Germany	Amtsgericht Berlin (Charlottenburg) HRB 74261	Tel: 0049 30 311 091 23 Email: Friederike.vonhofe@boerse-berlin.de
EASDAQ N.V.	Lei 19/11 B-3000 Leuven, Belgium	BE 0455 240 893	Tel: +44 (0)203 595 1500 Email: matt.stupple@equiduct.com
Equiduct Systems Limited	100 Bishopsgate, London, EC2N 4AG United Kingdom	02937847	Tel: +44 (0)203 595 1500 Email: matt.stupple@equiduct.com

Börse Berlin, Börse Berlin AG, EASDAQ N.V. and Equiduct Systems Limited are ***"joint data controller".*** This means that they together are responsible for determining the purpose and means of processing personal data.

Details of the information we will hold

The list below identifies the kind of data that we will hold (As required in ETPD):

Personal Data	Where required in ETPD
Name, email address, job title and telephone number	Disaster Recovery Contacts - List of contacts at all clients/service providers for use during an emergency situation.
Name, email address, job title and telephone number	Admission Document - Section 2
Trader name	Admission Document - Section 4
contact name, telephone number and signature	Admission Document - Schedule A - Mail Authority
contact name and telephone number, name and first name of the "nominate person", position, maiden name and signature	Admission Document - Schedule B - Nominated Person
contact name, telephone number, e-mail address; name and first name of trader, maiden name, Date of birth, Practical experience, Exam certificates, Possible CV or references and signature	Admission Document - Schedule C - Exchange Trader
contact name, telephone number and signature	Admission Document - Schedule D
contact name, telephone number and signature	Admission Document - Schedule E
contact name, telephone number and signature	Admission Document - Schedule F.1 - Stamp Duty Relief
contact name, telephone number and signature	Admission Document - Schedule F.2
contact name, position, telephone number	Telephone Contact List -
contact name, position, telephone number	Onboarding Request Form -

It is not intended to hold any personal data which falls within the scope of "special categories" of more sensitive personal information.

Method of collection of personal data

The required personal information is obtained through the application and completion process of the ETPD.

This personal data will be supplied directly by the Participant, through completion of the required order form by the Participant. "Nominated Persons" and "Exchange Trader" are aware of this as they have to sign the forms relating to them.

Data may be collected during the course of the membership of your company with us to enable the continuation and further development of our service.

This personal data is kept as follows:

- In dedicated server, in the form of the full ETPD as a pdf
- The signed paper version is kept in the participant file
- Contact details will be stored by employees of EQUIDUCT, and will only be used for purposes of administering the ETPD.

Processing information about you

EQUIDUCT will only administer personal information in accordance with the lawful bases for processing. At least one of the following reasons as defined in the GDPR will apply when we process personal data:

- Consent: You have given clear consent for us to process your personal data for a specific purpose.
- Contract: The processing is necessary for a contract we have with your company, or because we have asked your company to take specific steps before entering into a contract.
- Legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations).
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
- Legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests.

Lawful basis for processing your information

EQUIDUCT consider that the basis for which we will process the data contained in the list above (see section above - details of information we will hold) is necessary for the

performance of the contract with Börse Berlin AG and a legal obligation Börse Berlin has to comply with the German Exchange Act as well as MiFIR and MiFID II.

Sharing Data

- Admissions Depart – So as to admit your company to trading
- **Market Control Department** – So as to facilitate agreement compliance and service updates
- **Technology Department** – So as to facilitate technical continuance and service adjustments
- **Business Development Department** – So as to facilitate service quality and enhancements
- **Finance Department** – So as to facilitate the billing of licensees by Börse Berlin AG, as part of the services Equiduct Systems Limited are engaged to provide to Börse Berlin AG.
- **Management Team** in case of a problem escalation.

It may be necessary for us to share your ETPD data with a third party or third-party service provider (including, but not limited to, contractors, agents or other associated/group companies). Data sharing may arise due to a legal obligation, as part of the performance of a contract or in situations where there is another legitimate interest (including a legitimate interest of a third party) to do so.

The list below identifies which activities are carried out by third parties on our behalf:

- IT services
- Legal advisors
- Security
- Financial Auditors
- Email providers
- Supervisory Authorities
- Investigators and Public Prosecutors

Personal data may be shared with 3rd parties in the following circumstances:

- in the process of regular reporting activities,
- ith regards to a business or group reorganisation, sale or restructure,
- in relation to the maintenance support and/or hosting of data
- to adhere with a legal or contractual obligation
- in the process of obtaining advice and help in order to adhere with legal obligations
- to ensure the company meets any regulatory requirements

If any personal data is shared, we expect third parties to adhere and comply with the GDPR and protect any ETPD data that they process.

We do not anticipate that we will transfer data outside the EEA.

Data security

EQUIDUCT takes the security of all the data we hold very seriously. As part of our commitment to protecting the security of any data we process, we have put the following measures in place:

- **Equiduct Systems Limited** – Data Protection Policy
- **Equiduct Systems Limited Staff Handbook** – 'Information & Technology Security Code of Conduct'
- **BSX** - Data Protection Policy Incl. Employee commitment on Data Protection

In addition, we have put further security measures in place to avoid data from being accessed, damaged, interfered with, lost, damaged, stolen or compromised. In cases of a breach, or suspected breach, of data security you will be informed, as will any appropriate regulator, in accordance with our legal obligations.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

We make use of S/MIME certificates in our email system, which offer outbound email Verification and the facility to receive Encrypted messages.

Our internal policies guide all staff and the use of these tools appropriately on an assessment of the nature of personal data being communicated.

Data retention

We anticipate that EQUIDUCT will retain ETPD data as part of the administration process for no longer than is necessary for the purpose for which it was collected.

All information in connection with the admission of trading participants is also used for criminal prosecution, in particular for monitoring of market abuse. The duration of the data storage therefore depends on the limitation periods of the Criminal Code and is 10 years. The period begins with the revocation of admission as a trading participant for all personal data or with the withdrawal from the company of the trading participant for individual persons.

At the end of the retention period, upon conclusion of any contract we may have with your company, or until we are no longer legally required to retain it, it will be reviewed and deleted, unless there is some special reason for keeping it. Occasionally, we may continue to use data without further notice to you. This will only be the case where any such data is anonymised and you cannot be identified as being associated with that data.

Your rights in relation to your data

EQUIDUCT will commit to ensure that any data we process is correct and up to date. It is your obligation to make us aware of any changes to your personal information.

You have the:

Right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice.

Right to request access. You have the right to access the data that we hold on you. To do so, you should make a subject access request

Right to request correction. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.

Right to request the restriction of processing. You have the right to ask us to stop the processing of data of your personal information. We will stop processing the data (whilst still holding it) until we have ensured that the data is correct. Under certain circumstances we might need to pause our services to you until the Data has been corrected

Right to request the transfer. You have the right to request the transfer of your personal information to another party.

The following right does not apply:

Right to object to the inclusion of any information. In situations where we are relying on a legitimate interest (or those of a third party) you have the right to object to the way we use your data where we are using it. Under certain circumstances this might result in a cancellation of our services in line with the agreed cancelation period.

Right to portability. You may transfer the data that we hold on you for your own purposes.

Right to request erasure. If you would like us to stop processing your data, you have the right to ask us to delete data from our systems, which is not needed for legal, tax or regulatory purposes, where you believe there is no reason for us to continue processing it.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent but we might under certain circumstances need to cancel the Participant Agreement with your company in line with the agreed cancelation period and withdraw the admission of your company to participate in trading.

However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact Börse Berlin AG.

Consequences of your failure to provide personal information

If you neglect to provide certain information when requested, it may affect our ability to enter into or continue the ETPD contract with your company, and it may prevent us from complying with our legal obligations.

Change of purpose for processing data

EQUIDUCT commit to only process your personal information for the purposes for which it was collected, except where we reasonably consider that the reason for processing changes to another reason and that reason is consistent with the original basis for processing. Should we need to process personal information for another reason, we will inform you of this and advise you of the lawful basis upon which we will process.

Important note: We may process your personal information without your knowledge or consent, in compliance with the above rules (see above section - **lawful basis for processing your personal information**).

In the event that your company applies for admission to participate in trading, any information already collected may be processed further in accordance with our data protection policy, a copy of which will be provided to you on request.

Questions or Complaints

Should you have any questions regarding this statement, please contact Data Protection Officer on dataprotectionofficer@equiduct.com

The supervisory authority in the UK for data protection matters is the **Information Commissioner (ICO).** If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

ICO Helpline: 0303 123 1113

https://ico.org.uk/concerns/

OR

The supervisory authority in Berlin, Germany for data protection matters is the Berliner Beauftragte für Datenschutz und Informationsfreiheit if you think your data protection rights have been breached in any way by us, you are able to make a complaint to the:

Berliner Beauftragte für Datenschutz und Informationsfreiheit.
Alt-Moabit 59-61
10555 Berlin
Tel.: +49 (0)30 13889-0
Fax: +49 (0)30 2155050
E-Mail: mailbox@datenschutz-berlin.de

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