

# General Terms and Conditions for paid publications of Netto-Leerverkaufspositionen [net short selling positions] in the "Bundesanzeiger" [German Federal Gazette]

The following General Terms and Conditions refer to publications of Netto-Leerverkaufspositionen in the Bundesanzeiger.

## 1. Identification of the holder of the position and a contact person

The operator of the Bundesanzeiger, the Bundesanzeiger Verlag GmbH, hereinafter referred to as Operator, requires identification, including power of attorney, during business hours, before first publication. Details in respect of this process may be found on the website [www.publikations-plattform.de](http://www.publikations-plattform.de), hereinafter referred to as service platform.

### a) Identification

The identification of the holder of the position or a third party assigned by him, as well as the contact person, takes place in the course of registration via the service platform.

The service platform has relevant identification documentation for already existing user accounts. The documentation shall be submitted to the Operator at the following address:

Bundesanzeiger Verlag GmbH

Team Investment Publications

PO box 10 05 34

50445 Cologne

or

faxed to: +49(0)221/97668-206

### b) Power of attorney

The documentation for granting of power of attorney is available during registration via the service platform.

Documentation relevant to existing user accounts is available on the service platform.

The letter of attorney shall be submitted to the Operator at the above address (see 1a) in writing.

### c) Changes

The Operator shall be informed in writing of changes in respect of identification or authorisation. Relevant documentation may be found on the service platform. The documentation shall be sent to the Operator at the address under 1a).

### d) Business hours

The Operator's business hours from 8:00 to 18:00 on Bundesanzeiger publication days apply to processing of documentation in respect of identification and power of attorney.

For publication on the same day, the Operator must receive the required documentation as per 1a) and 1b) no later than 12:00 at +49(0)221/97668-206.

Business hours deviating from this, e.g. Christmas Eve, New Year's Eve and customary holidays, will be announced in the Internet.

## 2. Submission of publication content

The data must be submitted via the electronic ordering procedure made available on the Internet service platform.

Graphics and embedded objects such as company insignia or informative graphs such as charts or illustrations cannot be accepted.

## 3. Presentation and designs

The Operator accepts transmitted publication content as original manuscripts for publication as submitted. For reasons of comparability of information and of rational working processes, all publication content will be published in the Internet using exclusively the Operator's standard fonts and designs for the specific fields and categories. No proof sheets will be dispatched.

The Operator is under no obligation to return or store transmitted data, data carriers and documents that are clearly not intended for publication or that do not comply with the submission formats.

Publication orders with content violating laws, official regulations or moral standards shall not be executed.

Publication content and design are shown in the Bundesanzeiger under <https://www.bundesanzeiger.de/nlp/>.

## 4. Publication fees / (electronic) invoicing

Disclosures in the Bundesanzeiger are fee-bearing. Details can be found in the relevant valid price list on the website <https://www.bundesanzeiger.de>. Invoices are generally sent electronically to the e-mail address given in the order, unless a hard copy invoice is requested.

## 5. Corrections / deletions of past publications

### a) Corrections

The correction procedure provided on the service platform shall be applied if the content of a net short selling position must be corrected due to incorrect information. A form may in addition be submitted to the Operator at +49(0)221/97668-206.

The publication fees mentioned under 4) are applicable to corrections.

### b) Deletions

Publications in the Bundesanzeiger may strictly be neither cancelled nor reversed partially or fully in any way. Deletions or partial deletions are therefore basically not possible, including in cases of publications exceeding the mandatory.

## 6. Schedules/deadlines

### a) Publication times

Publication in the Bundesanzeiger is generally between 8:00 and 16:00 on trading days pursuant to § 30 WpHG [*Securities Trade Act*].

Any deviating publication times, e.g. on Christmas Eve and New Year's Eve, will be announced in the Internet.

### b) Data delivery and publication time

Data transmission must be completed by 15:30 to ensure publication of the transmitted content on the same trading day.

### c) Cancellation

Orders already placed cannot be cancelled.

## 7. Liability

The Operator accepts no responsibility for errors in transmitted publication content. The Operator accepts no liability unless publication content and/or documents are transmitted as scheduled and/or in the proper form as per 1a) and/or 1b).

The liability of the Operator shall for the rest be limited to intent and gross negligence, except in case of breach of obligations cardinal to proper performance of the agreement and which the other party to the agreement

may expect to be routinely complied with (cardinal obligations). Liability shall be limited to remediation of typically foreseeable damage. The above limitation of liability shall also apply mutatis mutandis to legal representatives, employees and other vicarious agents and/or assistants of the Operator.

#### **8. Controlling language version**

Insofar as the publisher's websites carry the terms and conditions or other information in various language versions, only the respective German version shall be deemed valid, in particular for the interpretation and analysis of the formulations in use. Other language versions (translations) must be regarded purely as a service the publisher has chosen to provide.

#### **9. German Law / Publisher / Place of Fulfillment / Jurisdiction**

Only the German law applies.

The "Bundesanzeiger" is a publication of the Federal Ministry of Justice, headquartered in Berlin.

In the event that the contractual partner of the publishing house is a business person, a legal entity under public law or special fund under public law, the place of fulfillment and jurisdiction shall be Berlin for both parties.

