

General Terms and Conditions for deposition at a fee of annual financial statements documentation against payment (micro enterprises)

The following General Terms and Conditions are applicable to the deposition of annual financial statements documentation for micro enterprises (§ 267a HGB [*German Commercial Code*]) submitted to the Bundesanzeiger Verlag GmbH as operator of the Bundesanzeiger [*German Federal Gazette*], hereinafter referred to as Operator.

1. Scope

For the annual financial statement documentation of a micro enterprise as per § 267 a HGB, the legal representatives can also meet the disclosure obligations under §§ 325 HGB by submitting the balance sheet to the Bundesanzeiger electronically as per § 326 Para. 2, § 8 b Para. 3 (1) HGB and issuing a deposition order for permanent deposition in the company register. After checking in accordance with § 329 HGB, the Bundesanzeiger will transmit the balance sheet to the company register as required under § 8 b Para. 3 (1) HGB.

2. Deposition

Deposition shall be electronically with the Operator via www.publikations-plattform.de, hereinafter referred to as service platform.

In the interest of long-term archiving, comparability of information and rational working processes, the annual financial statements documentation is stored in the standard structured Operator data format. The Operator deems the transmitted data as original documents which are not proofread, with the content filed as submitted.

The Company or its assigned Deposition third party shall always receive confirmation of filed documentation, for retrieval in their user access service platform.

3. Submission formats

a) Web form (input form)

An input form for deposition is available to Companies or their assigned third party. According to the clauses 3b)3bb), it is possible to transmit a company logo as a graphic file.

b) Electronic data formats

Unless the web form (input form) is used, all depositions with electronic data formats MS Word (documents from Microsoft Office 2000 Version 9 upward), RTF, MS Excel (from Microsoft Office 2000 Version 9 upward), PDF and also XML/XBRL data ("XML/XBRL format") created based on Operator-specific XSD is accepted.

Only company insignia or information graphics such as charts or illustrations, illustrating the content,

The transmitted data formats shall specifically meet the following technical requirements:

aa) for MS Word; MS Excel; RTF

Electronic documents must be legible, clearly structured and make use of the relevant Office functionality. Transmitted files may contain only content intended for deposition.

- Scanned documents are treated as paper documents in terms of processing and deposition fees.

The following prerequisites shall be met:

- Continuous text must be created using the relevant text functions.
- Tables shall be created using the table function. The relevant Office table function shall be used. Horizontal and vertical assignments must be clear. Merged cells should be avoided. In balance sheets, assets and liabilities should be arranged one below the other.

The transmitted documents shall not contain the following:

- Integrated text fields
- Active content such as Macros, dynamic fields, links, formulas etc.
- Hidden content or content not visible in Office view such as additional documents or data sheets, hidden columns and rows in tables etc.
- Write, document or password protection of any kind
- Word and RTF documents with multiple columns
- Documents in track change mode or with open changes
- Content in the header and/or footer
- Tables created with tabs or spaces
- Tables containing very complex continuous text.

bb) for graphics and objects

The contents described under 3a) and b) will in principle be acceptable as graphics for deposition.

The following prerequisites shall be met:

- Graphics/objects shall be embedded in the text (MS Word, RTF, MS Excel and PDF documents) or transmitted as separate files in web form or together with XML/XBRL documents in an order.
- Graphics shall be provided as gif-, jpeg- or png files
- Graphics shall be delivered in black and white or RGB colours – graphics optimised for screen presentation
- Graphics with maximum dimensions
- pixels: 599 width x 549 height
- Graphics shall not contain the following:
- Graphics shall not exclusively contain text considered replacement for the deposition.

cc) for PDF documents

PDF documents shall be clearly legible, printable and reproducible. The PDF document shall contain the entire text for deposition. The PDF document cannot be transmitted as an electronic order in combination with other data formats.

- Scanned documents are treated as paper documents in terms of processing and deposition fees.

The following prerequisites apply:

- Safety options shall be deactivated
- Documents shall not be encrypted
- Java Script is not allowed
- Forms are not allowed
- It must be possible to print the document in DIN A4 portrait or landscape format, with the following dimensions:

Maximum height:	297 mm
Minimum height:	279.4 mm
Maximum width:	216 mm
Minimum width:	210 mm

- Documents shall be limited to 10 MB maximum

c) Paper documents

Only print-ready, clearly legible typewritten documents or error-free DIN A4 or DIN A3 printed text will be accepted as printing material for deposition.

Graphics shall be submitted in black and white and as reproducible vector or raster graphics templates.

Paper documents are strictly not accepted for deposition of annual financial statements documentation for micro enterprises. Submission shall be exclusively electronic – see 2.

There is no obligation to return or store transmitted data, data carriers and documents that are clearly not intended for deposition or that do not comply with the submission formats. Deposition requests with content in breach of laws, official regulations or moral standards shall not be executed.

4. Deposition fees / (electronic) invoicing

The deposition of annual financial statements documentation is subject to a fee. 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.

5. Corrections / supplements

Corrections and supplements shall be on instruction of the Company or the assigned third party. The correction procedure provided on the service platform shall to this end be applied.

6. Corrections / deletions by the Operator

- a) Should errors occur with electronic storage despite due diligence, these will be remedied upon request by way of corrected text as compiled by the Operator. There shall be no claim to complete replacement of a deposition or to a price discount.
- b) Improper use of disclosure exemptions in connection with a deposition results in no proper disclosure of the annual financial statement. However, the improperly filed annual financial statement remains in the Company Register until such time as proper disclosure of the annual financial statement has been made to the Bundesanzeiger by the company or a third party engaged to do so. The fee charged for the deposition is not reimbursed to the customer.

7. Schedules / deadlines

a) Deposition

On schedule submission of the documents and a deposition request shall suffice to satisfy statutory disclosure deadlines.

b) Order amendment / cancellation

Order changes are possible at a fee.

You may, at a fee, cancel your order for deposition in the company register before 14:00 on the day scheduled for entry in the company register, see Point 8.

The procedure is described in detail on the service platform.

c) Option: Deposition order

A deposition order of a micro enterprise for deposition in the company register cannot thereafter be changed to an order for publication in the Bundesanzeiger. Exercising the option of exercising the statutory right to choose as per § 326 Para. 2 HGB by publishing in the Bundesanzeiger shall be final.

Submission of the documentation instructs the operator of the Bundesanzeiger to perform the checks and controls to the extent legally provided for.

§§ 329 Para. 1 to 4 HGB shall apply. Should there be reasons to suspect that such deposition abused the simplified disclosure option, then the Bundesanzeiger may, as per statutory provisions in § 329 Para. 2 HGB, demand additional information and shall, failing this, be obligated to notify the Federal Office of Justice as per §§ 329 Para. 4, together with § 329 Para. 2 Clause 2 HGB.

Notification as per § 326 Para. 2 Clause 3 HGB by a micro enterprise that it does not exceed two of the three relevant properties as given in § 267a Para. 1 HGB for closing dates pursuant to § 267 Para. 4 HGB, shall leave the provision under § 329 Para. 2 Clause 1 HGB unaffected.

8. Entry in the Company Register

Annual accounting documents submitted for deposition are not accessible via the Bundesanzeiger; information is available upon request, via the Company Register.

9. Liability

The Operator does not accept responsibility for incorrectly submitted annual financial statements documentation for Deposition. The Operator shall not be liable if documents are not transmitted as scheduled and in the proper form. 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 replacement of typically foreseeable damage. The above liability limitation shall also mutatis mutandis apply to legal representatives, employees and other vicarious agents and/or assistants of the Operator.

10. 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.

11. German Law / Publisher / Place of Fulfilment / Jurisdiction

Only the German law applies.

The "Bundesanzeiger" is a publication of the Federal Ministry of Justice and Consumer Protection, 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 fulfilment and jurisdiction shall be Berlin for both parties.