

Appendix 1 to the TRICE® Reporting Agreement

Guide for Reporting Parties

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1 Introduction

In accordance with the "Reporting Agreement" (TRICE® Agreement), Deutsche Börse transmits data for the Reporting Party to the German Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht* - BaFin) in accordance with section 9 of the German Securities Trading Act (*Wertpapierhandelsgesetz* - WpHG) and/or to the French Financial Markets Authority (*Autorité des Marchés Financiers* - AMF) in accordance with articles 315-46 to 315-48 of its General Regulation (*règlement général*) and its application instructions 2007/06 (*instruction d'application*). In accordance with section 2 of the Agreement in conjunction with Appendix 2 "Schedule of Services", the Reporting Party may commission Deutsche Börse with the provision of various services in the context of reporting requirements. Deutsche Börse offers individual reporting procedures (section 2) as well as retransfer of outsourced reporting records (section 4). This Appendix 1 constitutes an important component of the Agreement and describes in particular the individual reporting procedures and the additional rights and obligations of the Parties beyond those contained in the TRICE® Agreement.

2 Reporting procedures

The Reporting Party can commission Deutsche Börse to transmit reporting records to BaFin on the basis of the following reporting procedures: TRICE® Online (section 2.1), TRICE® File transfer (section 2.2), broker reporting from XONTRO (section 2.3) and automatic generation of reporting records (section 2.4). Reporting records may only be transmitted to AMF based on automatic generation of reporting records (section 2.4). It is the Reporting Party's responsibility to provide the data in all reporting procedures. Deutsche Börse checks the data for plausibility only, with a particular view to formal accuracy in relation to the prescribed structure of the reporting record. In compliance with statutory requirements, upon request, Deutsche Börse supplements all data records sent by the Reporting Party with the information provided by Wertpapier-Mitteilungen (WM-Datenservice).

2.1 TRICE® Online

TRICE® Online enables the Reporting Party to enter data records manually into the recording system provided by Deutsche Börse. The data recorded via TRICE® Online is subject to a plausibility check immediately after entry, and if it passes, it is included in the TRICE® report batch. The Reporting Party can change, delete, reactivate or cancel a data record.

2.1.1 Entering data

The Reporting Party can enter the data records via an IBM-3270 emulation or Internet front-end.

a) TRICE® Online via IBM-3270 emulation

TRICE® Online via IBM-3270 emulation includes the following transaction features:

- Capturing, processing, deleting, reactivating, displaying and printing data records
- Displaying and printing Third Party reports
- Displaying IDs (e.g. CBF account numbers, bank sort codes, member IDs)

b) TRICE® Online via Internet front-end

TRICE® Online via Internet front-end includes the following functions:

- Capturing, processing, deleting, reactivating and displaying data records
- Displaying IDs (e.g. CBF account numbers, bank sort codes, member IDs)

2.1.2 Changing data in a data record

The Reporting Party can make retroactive changes to data in a data record which has already been entered, provided that it has not yet been transferred to BaFin.

2.1.3 Deleting and reactivating data records

The Reporting Party can delete a data record which has already been entered, provided that it has not yet been transferred to BaFin. The deleted data record can be reactivated up to the point at which it would have been transferred to BaFin (hypothetical transfer; section 3.1); the reporting record will not be irrevocably deleted in the TRICE® system until the time of the hypothetical transfer to BaFin.

2.1.4 Cancellation

The Reporting Party can cancel reporting records which have already been transferred to BaFin. Cancellation of a reporting record has no connection with the statutory reporting deadline; it is also possible after this deadline. There are two cancellation alternatives:

a) Cancellation with reference to the original reporting record (short cancellation)

The Reporting Party can cancel a reporting record which has not yet been removed from the TRICE® system (Removal, section 4) by accessing the original reporting record and entering a cancellation date. Changes to the data record are not possible. In this case, only one reporting record will be stored in the TRICE® report batch. The Reporting Party can remove the cancellation date from the reporting record until the date of transfer to BaFin.

b) Cancellation without reference to the original reporting record (long cancellation)

If the reporting record has already been removed from the TRICE® system (section 4), the Reporting Party can cancel the transaction by extending the entire data record of the original transaction to include the cancellation date.

2.1.5 Compression of customer and securities account ID

The Reporting Party can indicate in TRICE® Online that Deutsche Börse is to compress the reported customer or securities account ID into an 8-digit format.

2.1.6 TRICE® Online hours

TRICE® Online is available to Reporting Parties on all days on which a regulated market (exchange) is open for trading in Germany, from 6 a.m. to 10 p.m. (operating hours) with monthly average availability of 99%. Maintenance work is done outside of these hours. In the event that maintenance work is necessary during operating hours, Deutsche Börse will inform the Reporting Party in adequate time.

2.2 TRICE® File transfer

Using TRICE® File transfer, the Reporting Party can transfer data to Deutsche Börse in the SWIFT-based format prescribed by Deutsche Börse or converted to ASCII format in a file (report file). Deutsche Börse provides immediate confirmation to the Reporting Party when it receives a report file. This confirmation includes the time and date of receipt of the report file.

Received report files are processed at the following times:			
6 a.m.	8 a.m.	9 a.m.	10 a.m.
1.45 p.m.	3 p.m.	4.30 p.m.	5.30 p.m.
6.30 p.m.	7.30 p.m.	9 p.m.	

Processing involves exclusively a plausibility check of the data records provided and transferred to Deutsche Börse by the Reporting Party. If the data records are found to be implausible, an error message will be generated. The Reporting Party receives an answer file immediately after each processing. The answer file may contain responses to multiple report files from one Reporting Party. The initial record, final record and transfer number included enable differentiation between the various report files. The answer file includes a list of any error messages. If no error messages are listed for a data record in the answer file, this means that the data record has been included in the TRICE® record batch. The Reporting Party can correct data records which are reported as faulty (section 2.2.3).

All data records can be viewed in TRICE® Online. The Reporting Party must have commissioned Deutsche Börse to provide TRICE® Online in addition to TRICE® File transfer in order to use this function and the TRICE® Online functions described in more detail below TRICE® File transfer. If it has not commissioned Deutsche Börse with the provision of TRICE® Online, it is the Reporting Party's responsibility if, in particular, reporting records deemed faulty are not transferred to BaFin.

2.2.1 Changing and deleting data records

Data records which the Reporting Party has sent to Deutsche Börse via TRICE® File transfer can be changed or deleted retroactively.

a) Deleting in TRICE® File transfer

The Reporting Party cannot change individual data records in TRICE® File transfer, and only delete them provided that they have not already been transferred to BaFin. In order to delete a data record, the Reporting Party has to send a data record to Deutsche Börse containing the date of receipt of report file (date of original message) and the input sequence number (ISN) of the data record to be deleted, with the additional information that this data record is to be deleted. The data record cannot be reactivated following deletion.

Changing and deleting in TRICE® Online

The Reporting Party can change and/or delete individual data records which it has sent to Deutsche Börse via TRICE® File transfer using TRICE® Online. Sections 2.1.2 and 2.1.3 apply accordingly.

2.2.2 Cancellation

The Reporting Party can cancel reporting records which have already been transferred to BaFin using TRICE® Online. Section 2.1.4 applies accordingly.

2.2.3 Correcting faulty content of reporting records

The Reporting Party can correct data records which are reported as faulty in the answer file. This correction can only be made using TRICE® Online. Section 2.1. applies accordingly.

2.2.4 Compression of customer and securities account ID

The Reporting Party can indicate in TRICE® File transfer that Deutsche Börse is to compress the reported customer or securities account ID into an 8-digit format.

2.2.5 TRICE® File transfer hours

Data records can be transferred to Deutsche Börse using TRICE® File transfer 24 (twenty-four) hours a day, 7 (seven) days a week. Average availability is 99%. In the event that maintenance work is necessary, Deutsche Börse will inform the Reporting Party in adequate time.

2.3 Broker reporting from Xontro

The Reporting Party can only commission Deutsche Börse via the Xontro procedure if it is a broker active on a German stock exchange. Deutsche Börse generates the broker reports for the transactions which the Reporting Party has entered in the "Tagesbestand Makler" section (daily amount of brokered transactions) of the Xontro system. Deutsche Börse checks the generated data for plausibility only. The Reporting Party cannot change, delete, reactivate or cancel the reporting record. The reporting records can only be viewed in TRICE® Online if the Reporting Party has commissioned Deutsche Börse to provide TRICE® Online access in addition to the Xontro procedure.

2.4 Automatic generation of reporting records

Automatic generation of reporting records is only possible for transactions that the Reporting Party has concluded

- § in electronic trading on the Frankfurt Stock Exchange (regulated market),
- § in electronic trading on the Frankfurt Stock Exchange (Deutsche Börse AG open market),
- § on the Scoach Europa AG open market for trading with structured products on the Frankfurt Stock Exchange and/or
- § on Eurex Deutschland

and/or that the Reporting Party has entered in the OTC function of the electronic trading system of the Frankfurt Stock Exchange and/or Eurex.

Deutsche Börse generates data records from the data entered by the Reporting Party in to the FWB electronic trading system and/or the Eurex Deutschland trading system, and includes them in the TRICE® report batch at the end of trading each trading day. Deutsche Börse checks the data for plausibility only. Deutsche Börse transmits the data records to BaFin and/or AMF depending on the terms agreed with the Reporting Party. This may, depending on the terms agreed, involve Deutsche Börse generating all required data records from transactions entered by the Reporting Party into the electronic trading system of the Frankfurt Stock Exchange or the Eurex® trading system using its Eurex® or Xetra® member ID.

Deutsche Börse does not break the data records down according to the (terminal) location of entry, and is not obliged to check whether the data records are to be reported to a supervisory authority other than BaFin or AMF.

The Reporting Party must have also commissioned Deutsche Börse to provide TRICE® Online in addition to the automatic generation of reporting records in order to view the data records as well as to use the TRICE® Online functions described more closely below. If it has not also commissioned Deutsche Börse with the provision of TRICE® Online, it is the Reporting Party's responsibility if, in particular, reporting records deemed faulty are not transferred to BaFin.

2.4.1 The Reporting Party's reporting obligations

a) Reports to BaFin and/or AMF

The Reporting Party is obliged to notify Deutsche Börse of whether it is to transfer the automatically generated data records to BaFin and/or AMF.

b) Reports for customer or own account transactions

The Reporting Party is obliged to notify Deutsche Börse of whether it is to generate data records for the Reporting Party's customer and/or own account transactions.

c) Indication of data records to be generated

The Reporting Party must notify Deutsche Börse of which data records are to be generated.

aa) Reports to BaFin (regulated and open markets)

If the Reporting Party has commissioned Deutsche Börse to report data records to BaFin, it is obliged to indicate whether Deutsche Börse is to generate data records for transactions concluded

i) on Eurex Deutschland and/or

ii) on the FWB Frankfurt Stock Exchange (regulated market) in “structured products (Scoach®)” in the Xetra Backend Frankfurt 2 and/or

iii) on the Frankfurt Stock Exchange (regulated market) in securities excepting “structured products (Scoach®)” in the Xetra Backend Frankfurt 2 and/or

iv) on the Frankfurt Stock Exchange (regulated market) in all securities (including structured products) in the Xetra Backend Frankfurt 2 and/or

v) on the Frankfurt Stock Exchange (regulated market) in the “Xetra International Market” and/or

vi) on the Frankfurt Stock Exchange (regulated market) in the Xetra Backend Frankfurt 1 (“Xetra®”)

[ii) to vi) either individually or together will be hereinafter referred to as “Xetra-Segment”].

If the Reporting Party has commissioned Deutsche Börse to report transactions from a Xetra® segment, Deutsche Börse will additionally automatically generate and report all data records from transactions in “pure” open market securities which the Reporting Party has concluded (depending on the terms agreed either customer or own account transactions) on “the Deutsche Börse AG open market on the FWB (DBAG open market)” and/or on the “Scoach Europa AG open market in structured products on the FWB (Scoach open market)” in the relevant Xetra® segment.

If the Reporting Party is based in Germany and subject to reporting requirements (“Domestic Reporting Party”) and has commissioned Deutsche Börse to report transactions that it has concluded in Xetra®, (Xetra Frankfurt Backend 1, Xetra Frankfurt Backend 2 and/or “Xetra International Market”) Deutsche Börse automatically also generates all data records for off-exchange customer and/or own account transactions subject to reporting requirements (depending on the terms agreed) which the Reporting Party has entered into the OTC function of the FWB’s electronic trading system.

If the Reporting Party has commissioned Deutsche Börse to report transactions concluded on Eurex Deutschland, Deutsche Börse will automatically also generate and report all data records for Domestic Reporting Parties for off-exchange customer and/or own account transactions subject to reporting requirements (depending on the terms agreed) which the Reporting Party has entered into the Eurex® trading system (Eurex® OTC function).

bb) Reports to AMF (regulated market)

If the Reporting Party has commissioned Deutsche Börse to report data records to AMF, it is obliged to indicate whether data records are to be generated for transactions concluded on Eurex Deutschland and/or transactions concluded on the FWB (regulated market) in “Xetra® International Markets” and/or transactions in “Xetra®” in Backend Frankfurt Xetra 1. Generating data records for transactions concluded in the Frankfurt Stock Exchange (regulated market) in the Xetra Backend Frankfurt 2 is not possible. The Reporting Party is also obliged to provide the 11-character bank identifier code (BIC) in accordance with AMF requirements. Deutsche Börse checks the BIC for plausibility only.

No automatic reporting for "pure open market securities".

If the Reporting Party has commissioned Deutsche Börse to generate data records for and report transactions concluded in the Frankfurt Stock Exchange (regulated market), Deutsche Börse will automatically also generate and report all data records for off-exchange customer and/or own account transactions subject to reporting requirements (depending on the terms agreed) which the Reporting Party has entered into the Xetra® OTC function. Off-exchange transactions entered in the Eurex® OTC function will not be reported.

- cc) Reporting only "pure" open market securities to BaFin
The Reporting Party can commission Deutsche Börse to generate, and report to BaFin, reporting records only for transactions in "pure" open market securities which were concluded on the DBAG open market and/or on the Scoach open market. The Reporting Party is obliged to provide the information under 2.4.1. b) and 2.4.1. c) aa) sentence 1 accordingly.

2.4.2 Customer or securities account identification for reports to BaFin

When reporting customer transactions to BaFin, the Reporting Party has a statutory obligation in accordance with section 9 WpHG to provide customer or securities account ID.

If the Reporting Party trades on the FWB (regulated market) on the DBAG Open Market, on the Scoach® Open Market and/or on the Eurex Germany solely from locations outside Germany (remote member), customer or securities account identification can be provided as follows:

- § If a domestic customer of the Reporting Party is not subject to the reporting requirements under section 9 WpHG, the Reporting Party is obliged to provide the customer's securities account or customer identification. If a foreign customer of the Reporting Party is not subject to the reporting requirements under section 9 WpHG, the Reporting Party can, notwithstanding sentence 1, provide "U/AUSLAND" as identification.
- § If the customer of the Reporting Party is subject to the reporting requirements under section 9 WpHG, its official ID must be provided (member ID, bank sort code, CBF account number, BIC code or BaFin ID).

- a) Providing customer or securities account identification when entering an order

If the Reporting Party provides customer or securities account identification when entering the order, and if this passes the plausibility check, the corresponding reporting record will be included in the TRICE® report batch.

- b) Providing erroneous/invalid customer or securities account identification when entering an order

If the Reporting Party provides customer or securities account identification when entering the order which the plausibility check shows to be erroneous, Deutsche Börse will transfer the erroneous reporting record to the TRICE® Online system. The Reporting Party can correct the customer or securities account identification the following day in TRICE® Online; no other data field can be changed. If the customer or securities account identification remains erroneous after such correction, the data record will not be transferred to BaFin. The erroneous data record will remain in the TRICE® Online system until removal (section 4). If the customer or securities account identification passes the plausibility check after such correction, the data record will be transferred to BaFin that very day.

- c) Providing no customer or securities account identification when entering an order

If the Reporting Party indicates a customer transaction when entering an order, but does not provide customer or securities account identification, the TRICE® system will generate the default code "U/AUSLAND". The data record will then be included in the TRICE® report batch. If the default code "U/AUSLAND" does not meet the statutory requirements, the Reporting Party can correct it the following day in TRICE® Online. Deutsche Börse will send the data record to BaFin regardless of whether the Reporting Party has made a correction or not. The Reporting Party is responsible for any reporting records transferred with an erroneous customer or securities account identification.

d) Changing customer or securities account identification

The Reporting Party can change or delete the customer or securities identification on the trading day following the day the transaction is concluded (following day) until the data record is transferred to BaFin. This can only be done via TRICE® Online.

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2.4.3 Deleting/reactivating data records

The automatic generation of reporting records allows the Reporting Party which has commissioned Deutsche Börse to transfer reporting records to BaFin to delete and reactivate the generated reporting records the following day in TRICE® Online.

3 General

3.1 Reporting procedure to BaFin and/or AMF (end-of-day processing)

TRICE® end-of-day processing begins at 10 p.m. on exchange trading days in Germany. This involves Deutsche Börse preparing the data records entered (TRICE® Online) or transferred (TRICE® File transfer) by the Reporting Party, or generating data records (broker reporting from Xontro and/or automatic generation of reporting records). Data records generated using the Xontro procedure, cancelled data records and data records with a statutory same-day reporting deadline are transferred to BaFin and/or AMF that day in the reporting record format prescribed by law. All other data records will be transferred to BaFin and/or AMF the following day. Data records with error status in the TRICE® system will not be transferred until they have been corrected. If the Reporting Party does not correct the erroneous data record, it will not be transferred.

3.2 Supplementing master data when reporting to BaFin

Deutsche Börse adds certain fields required by law (master data) in all reporting records sent to BaFin, which were either non contained in the data records transferred to Deutsche Börse by the Reporting Party or which were not completed by the Reporting Party. Deutsche Börse adds the following master data information, provided by WM-Datenservice:

- § The CFI code (WM field GD685)
- § Each German or international securities identification number (WKN or ISIN) is supplemented by the other number through WSS (i.e. WKN supplemented by ISIN and vice versa).
- § The country where the transaction was concluded is derived from the stock exchange code.
- § WM and WSS stock exchange codes are converted into MIC codes (ISO 10383)
- § The name of the security
- § The underlying (only for financial instruments tradable on Eurex Deutschland)
- § The multiplier (only for financial instruments tradable on Eurex Deutschland)
- § The currency of the securities account (only in TRICE® Online)
- § The unit of quotation (only in TRICE® Online)

4 Removal of reporting records

On the first Friday of every month, Deutsche Börse removes all reporting records from the TRICE® system which are older than 3 (three) months measured from the day of receipt at Deutsche Börse. Notwithstanding sentence 1, the applicable date for reporting records which are transferred to Deutsche Börse using TRICE® File transfer is the date on which the data record was generated. Reporting records can no longer be viewed or cancelled (short cancellation) after they have been removed from the TRICE® system.

The Reporting Party can instruct Deutsche Börse to provide it with reporting records which have been removed in accordance with sentences 1 and 2 (removed reporting records) on a disk, CD-ROM, via Internet and/or file transfer. This service is only available for reporting records transmitted to Deutsche Börse using TRICE® Online or TRICE® File transfer.

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