

Mandatory information on data protection

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* Free telephone number from international and national landlines. Costs may be incurred for calls from other networks.

In connection with the managing of your securities account with the linked clearing/settlement account, we, Baader Bank Aktiengesellschaft, process personal data.

The protection of personal data is an issue that is important to us. We process personal data solely in accordance with the applicable legal data protection requirements, in particular the General Data Protection Regulation (**GDPR**) and the Federal Data Protection Act (**BDSG**).

Below you will find information about us and our data protection officer. In addition, we would like to give you an overview of how your personal data is processed and your rights in this regard.

Who is responsible for data processing?

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How can you contact our data protection officer?

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For what purposes do we process your personal data?

1. Opening and managing a securities account

We use your data for the processing of your application to open and then manage your securities account with the linked clearing/settlement account and for the execution of bank and/or securities transactions, particularly the execution of securities orders. Insofar as such orders are sent to us by another investment/securities service provider (e.g., your financial service provider), we receive from this provider personal data, including master data, authentication data, contact data, transaction data, tax data and also process your data in communicating with the other investment/securities service provider.

For this purpose, we process the following categories of data: opening application data (e.g., title, name, address data, contact data, nationality, information about your authentication/identification document, information about your reference account, information about your tax residence and church taxa and possibly information about another securities account and account holder), order data (e.g., payment orders), data from the fulfilment of our contractual obligations (e.g., payment transaction data, invoice/billing-related account data), communication data (e.g., information about contact channel, date, reason and outcome, (electronic) copies of correspondence).

The legal basis for this processing is Art. 6 para. 1 (b) GDPR (carrying out pre-contractual measures and performance of a contract).

2. Identifying our business partners

We process your data as part of our know your customer ("KYC") procedure, which serves to identify our customers. KYC is one of the most important principles of money laundering prevention. It includes the obligation to ascertain a customer's identity when establishing a business relationship. In addition, we process your identification data in order to prevent fraud. For this, we transmit your name, date of birth and address to Creditreform Boniversum GmbH, which uses this data to verify your identity.

For this purpose, we process the following categories of data: master data (e.g., name, function, company, industry sector) and KYC data (e.g., name, maiden name, place and date of birth, nationality, address, type of ID, ID number, issuing authority).

The legal basis for identification is Art. 6 para. 1 (c) GDPR (compliance with a legal obligation); in particular the Anti-Money Laundering Act (AMLA), as well as Art. 6 para. 1 (f) GDPR (protecting a legitimate interest balanced against safeguarding the fundamental rights and freedoms of the data subject). Our legitimate interest is knowing our contractual partner in order to prevent fraud.

For this purpose, we transmit your data to the identification service provider through which you are identified (e.g., ID Now GmbH, Deutsche Post AG, Creditreform Boniversum GmbH).

3. Carrying out a sanctioned party list screening to comply with legal obligations

We process your data when carrying out a sanctioned party list screening before concluding a banking contract. We are obliged to carry out a sanction list check for each business partner from whom/which we receive payments or to whom/which we make payments. Governments and international organizations maintain lists of individuals, entities and countries with whom/which doing business is illegal or possible only to a limited extent. If, after a comparison of your data with a publicly accessible so-called "terror list" such a sanctioned party list screening is positive, we are obliged to send your data to a competent authority for further clarification.

For this purpose, we process the following categories of data: master data (e.g., name), contact data (e.g., address, email address, telephone number, fax number and KYC data (e.g., name, place and date of birth, nationality, address, type of ID, ID number, issuing authority).

The legal basis for processing the data is Art. 6 para. 1 (c) GDPR (compliance with a legal obligation).

4. Cooperation with an external financial service provider

If you have opened a securities account with a settlement/clearing account in connection with the conclusion of a contract with an external financial service provider, we will, with your consent, transfer your data to the financial service provider and, in the case of a sub-authorization/sub-power of attorney, also to the sub-authorized entity, for the purpose of fulfilling the asset management contract by the financial service provider, and, in the case of a sub-authorization/sub-power of attorney, also by the sub-authorized company, as well as to you for review in your mailbox in the web portal of the financial service provider.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (e.g., content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), and payment data (e.g., date and payment amounts).

The legal basis for processing the data is Art. 6 para. 1 (a) GDPR (consent). You can revoke your consent at any time by email to service@baaderbank.de with effect for the future. In this case, however, the financial service provider will no longer be able to perform its financial services contract with you.

5. General customer service

We process your data to manage our contractual relationship with you, including communicating on contractual issues and handling customer service-related questions and complaints.

If you have consented, we will record conversations received by our general customer service for quality improvement and training purposes in customer service. If there is no recording because you do not give us the requested consent, we will document conversations in writing (telephone note) in order to be able to process your request or not have to repeatedly request necessary information during follow-up conversations. In addition, these written records enable us in case of doubt to prove that no investment advice or erroneous information has been given.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (e.g., content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), business-related data from the minutes of meetings and discussions with our business partners, which we prepare to manage business relationships, invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis for processing the data is Art. 6 para. 1 (a) GDPR (consent). You can revoke your consent at any time by email to service@baaderbank.de with effect for the future. The legal basis for other processing in the field of customer service is Art. 6 para. 1 (f) GDPR (protecting a legitimate interest balanced against safeguarding the fundamental rights and freedoms of the data subject). Our legitimate interest is to manage our relationship with you, to receive your complaints and inquiries and to be able to deal with them effectively.

6. Records on the trading desk

With regard to own-account transactions carried out at the trading desk and the provision of services relating to the acceptance, transmission and execution of client orders, we are legally obliged under the German Securities Trading Act (*WpHG*) to record the contents of telephone conversations and electronic communication for the purpose of preserving evidence. Such recordings include, in particular, those parts of telephone conversations and electronic communication in which the risks, earnings opportunities or the structure of financial instruments or investment services are discussed. We process your data even if the telephone conversation or electronic communication does not lead to the conclusion of such a transaction or the provision of such a service. You may object to the recording, but then the Bank cannot provide you with securities services initiated by telephone or electronic communication if they involve the acceptance, transmission and execution of customer orders.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (e.g., content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), business-related data from the minutes of meetings and discussions with our business partners, which we prepare to manage business relationships, invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis for processing the data is Art. 6 para. 1 (c) GDPR (compliance with a legal obligation pursuant to sect. 83 para 3 German Securities Trading Act).

7. Storage of evidence for the enforcement, exercise or defence of legal claims

We store your data so as to be able to use it as evidence as part of any establishment, exercise or defence of legal claims.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), KYC data (e.g., name, place and date of birth, nationality, address, type of ID, ID number, issuing authority), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (e.g., content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), minutes of meetings (business-related data from the minutes of meetings and discussions with our business partners, which we prepare to maintain business relationships), invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis is Art. 6 para. 1 (f) GDPR (protecting a legitimate interest balanced against safeguarding the fundamental rights and freedoms of the data subject). Our legitimate interest is the establishment, exercise or defence of legal claims.

8. Establishment, exercise or defence of legal claims, including collaboration with external lawyers/solicitors/attorneys

We process your data as part of any establishment, exercise or defence of legal claims. In doing so, we may also cooperate with external lawyers and, if necessary, transmit your data to courts and lawyers.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), KYC data (e.g., name, place and date of birth, nationality, address, type of ID, ID number, issuing authority), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (e.g., content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis is Art. 6 para. 1 (f) GDPR (protecting a legitimate interest balanced against safeguarding the fundamental rights and freedoms of the data subject). Our legitimate interest is the establishment, exercise or defence of legal claims.

9. Cooperation with external tax consultants, statutory auditors, regulatory authorities, courts and other public bodies to comply with legal obligations

We process your data as part of our coordination with external auditors and/or tax auditors to comply with our legal obligations (e.g., on the basis of the German Banking Act or tax laws as well as banking regulatory requirements). Furthermore, we process your data within the framework of the legally prescribed cooperation with supervisory authorities, courts and other public bodies. In order to fulfil our legal obligations, we are required to take appropriate measures to be able to provide information to the competent public authorities and must provide certain information in this regard.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), KYC data (e.g., name, place and date of birth, nationality, address, type of ID, ID number, issuing authority), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis for processing the data is Art. 6 para. 1 (c) GDPR (compliance with a legal obligation).

For this purpose, we transfer your data to the following recipients: tax advisors/consultants, auditors, regulatory authorities, courts and other public bodies and institutions (e.g., Deutsche Bundesbank, Federal Financial Supervisory Authority (BaFin), European Banking Authority, European Central Bank, tax authorities, Federal Central Tax Office).

10. Safeguarding the Bank's IT security

We process your data insofar as this is necessary to safeguard Baader Bank's IT security.

For this purpose, we process the following data categories: master data (e.g., name, function, company, industry sector), contact data (e.g., address, email address, telephone number, fax number), KYC data (e.g., name, place and date of birth, nationality, address, type of ID, ID number, issuing authority), bank details (e.g., account holder, banking institution, IBAN, BIC), communication data (content of communication, in particular via post, email, telephone, fax), contract data (e.g., transaction orders, contract changes, terminations), invoice data (e.g., data from invoices and payment reminders) and payment data (e.g., date and payment amounts).

The legal basis is Art. 6 para. 1 (f) GDPR (protecting a legitimate interest balanced against safeguarding the fundamental rights and freedoms of the data subject). Our legitimate interest is safeguarding Baader Bank's IT security.

Are you obliged to provide the data and what would be the consequences of failure to do so?

As part of our business relationship, you must provide the personal data that is required for the establishment, performance and termination of a business relationship, and/or that we are legally obliged to collect. Without this data, we will have to refuse the conclusion of a contract or the execution of an order or will no longer be able to perform an existing contract and may have to terminate it. Before establishing a business relationship, we are under anti-money laundering regulations in particular obliged to identify you on the basis of your personal identity card/passport and/or to carry out a sanctioned party list screening, and for this we need to collect your name, place of birth, date of birth, nationality and residential address. If you do not provide us with the necessary information and documents, we may not enter into the business relationship you have requested.

Is there automated decision-making?

We verify your identity upon conclusion of the contract. For this purpose, we use an identity service provider to check whether there are any doubts about the accuracy of the information about your identity. If this is the case, your application to start business with us will be automatically rejected. However, we will always give you the opportunity to express your views in order to protect your rights and interests.

Do we transmit data to countries outside the European Union and/or the European Economic Area?

We do not transmit your personal data to countries outside the European Union and/or the European Economic Area (so-called third countries).

How long do we store personal data?

In principle, we store personal data only for as long as it is necessary for the above-mentioned purposes. Depending on the type of data, there may be statutory retention obligations that make retention necessary, even if the actual processing purpose for which we collected the data has already been fulfilled. For documents relevant to commercial and tax law, statutory retention periods of six or ten years typically apply (sect. 147 Tax Code (Abgabenordnung (AO)), sect. 257 Commercial Code (Handelsgesetzbuch (HGB))).

Records of client orders (telephone conversations and electronic communication) made in connection with securities products are subject to storage periods of 5 years or on the instructions of the regulatory authority a maximum of 7 years (sect 83 para. 8 WpHG).

What rights do you have in relation to processing?

Right to object on grounds relating to your particular situation (Art. 21 para. 1 GDPR)

As a data subject, pursuant to Art. 21 para. 1 GDPR, you have the right to object at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6 (1) GDPR; this applies also to profiling based on these provisions.

In the event of an objection, we will no longer process the personal data unless we can demonstrate compelling protection-worthy grounds for the processing which override your interests, rights and freedoms as a data subject, or processing is necessary for the establishment, exercise or defence of legal claims.

As a data subject, you also have the following rights with regard to the processing of your personal data:

- Right of access by the data subject (Art. 15 GDPR)
- Right to rectification (Art. 16 GDPR)
- Right to erasure ('right to be forgotten') (Art. 17 GDPR)
- Right to restriction of processing (Art. 18 GDPR)
- Right to data portability (Art. 20 GDPR)
- Right to withdraw consent (Art. 7 para. 3 GDPR)
- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR)