

General Terms and Conditions for the “Registry pursuant to the Capital Markets Model Case Act”

Cases as of 01 September 2024

The following General Terms and Conditions relate to publications that are to be made pursuant to the Capital Markets Model Case Act [*Kapitalanleger-Musterverfahrensgesetz - KapMuG*] and pursuant to the Directive Concerning the Model Case Registry Pursuant to the Capital Markets Model Case Act [*Musterverfahrensregisterverordnung - MuRegV*]. The Directive addresses details about the **Model Case Registry** (formerly also referred to as the Complaints Registry) operated by Bundesanzeiger Verlag GmbH, hereinafter referred to as the “Operator”.

1. Authentication of Entities Obligated to Publish

Prior to initial publication in the Model Case Registry, in addition to registration, written authentication of the competent court, hereinafter referred to as the “Entity Obligated to Publish”, with the Operator is required. Details of this process can be found on the website www.publikations-plattform.de, hereinafter referred to as the “Service Platform”.

a) Authentication

The documents required to authenticate the Entity Obligated to Publish are to be sent to the Operator at the following address:

Bundesanzeiger Verlag GmbH
Gerichtlicher Teil
Amsterdamer Straße 192
50735 Cologne

and/or

by fax to: +49(0)221/97668-160

b) Changes

The Operator is to be notified in writing of any changes relating to the authentication of the Entity Obligated to Publish. Corresponding documents for this are available on the Service Platform. Same are to be sent to the Operator at the address listed under 1a).

c) Business hours

The Operator’s business hours of 8:00 a.m. to 6:00 p.m. on publication days of the Bundesanzeiger are applicable to the processing of documents. If same-day processing is required, the documents must be received by the Operator by no later than 12:00 noon at +49(0)221/97668-160. Business hours in deviation from this, e.g. on Christmas Eve, New Year’s Eve and customary holidays, are announced on the Internet.

2. Publication texts

Data must be transmitted over the Internet via the Service Platform.

a) Web forms (input forms)

Input forms are available for the announcement of model case applications pursuant to Section 4 KapMuG.

b) Authorised data formats

Unless the web form (input form) is used, announcements are accepted as MS Word documents (DOCX) from Microsoft Office 2007 (version 12) and as RTF documents.

Only company logos or information graphics, such as charts and figures that illustrate the content of the publication, are accepted as graphics.

The transmitted data formats must meet the following technical specifications in particular:

aa) For MS-Word; RTF

Electronic documents must be legible, clearly structured and organised and generated using the respective Office functions. Transmitted files may contain only content that is intended for publication. The

following requirements are to be complied with:

- Continuous texts are to be generated with the respective text functions.
- Tables are to be generated with the table functions. The respective Office table function is to be used. Horizontal and vertical alignments must be unambiguous. Cells should not be merged.

Transmitted documents may not contain the following:

- Integrated text boxes
- Active content, such as macros, dynamic fields, links, formulas, etc.
- Hidden content or content that is not visible in the 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-changes mode or with unaccepted changes
- Content in headers and/or footers
- Tables that were created with tabs or with spaces
- Tables containing very complex continuous texts

bb) For graphics and objects

In general, the content described under 2b) is accepted for publication as graphics. The following requirements are to be complied with:

- Graphics/objects must be embedded in the publication text
- Graphics are to be delivered as gif, jpeg or png files
- Graphics must be delivered in black and white or RGB colours
- Graphics that are optimised for screen display
- Graphics with dimensions not exceeding: Pixels: 899 wide x 549 high

Graphics may not contain the following:

Graphics may not solely contain text that is considered to be a substitute for the publication text.

3. Depiction and design

The transmitted texts are considered by the Operator to be a paper original, which is published as delivered and not specially proofread by the Operator.

For the purposes of comparability of information and rational work processes, all publications are published solely in the fonts and designs customary and uniform at the Bundesanzeiger for the individual areas and sections on the Internet. Proof copies are not sent.

There is no obligation to return or retain transmitted data, data storage media, or documents that are not intended for publication or do not conform to the technical requirements. Publication orders whose contents violate statutes, official regulations or standards of public decency are not processed.

4. Publication fees/invoicing

Disclosures in the Model Case Registry are subject to a fee. Details can be found in the current price list on the website "www.bundesanzeiger.de". Invoices are generally sent electronically to the e-mail address provided when the order is placed.

5. Corrections by the Operator

If, despite all care, errors are made in the announcement, these will be corrected upon request through a corrective text prepared by the Operator. There is no claim to complete repetition of a publication or to a price abatement.

6. Dates, deadlines and legal requirements

a) Publication times

The Bundesanzeiger is published regularly from Monday to Friday, with the exception of public holidays. Publication times in deviation from this, e.g. on Christmas Eve and New Year's Eve, are announced on the Service Platform. Publication usually takes place from 3 p.m. on the day of publication.

b) Announcements pursuant to 2a) (transmission via web form)

The publication of model case applications takes place on the publication days of the Bundesanzeiger between 8 a.m. and 6 p.m., usually within 15 minutes of transmission.

aa) Corrections

Corrections are to be ordered by the court. The correction procedure made available on the Service Platform is to be used for this purpose. The conditions for new publications apply to corrections.

bb) Order changes/cancellations prior to publication

Order changes and cancellations are not generally possible.

c) Announcements pursuant to 2b) (transmission of files)

For time-sensitive publications, data transmission must be concluded no later than 2 p.m. on the day of transmission, in order to be able to publish them on the second-following publication day of the Bundesanzeiger. This period may be abbreviated only in very limited cases of exception and after prior coordination with the Operator. Other transmission deadlines apply for very sizeable documents (e.g. MS Word of 25 pages or more). These are to be coordinated with the Operator on a case-by-case basis.

aa) Corrections

Corrections are to be ordered by the court. The correction procedure made available on the Service Platform is to be used for this purpose. The conditions for new publications apply to corrections.

bb) Order changes/cancellations prior to publication

Order changes and cancellations are generally possible and subject to a fee. The flat rates for changes and cancellations can be found in the current price list on the website "www.bundesanzeiger.de".

7. Model Case Registry Directive - MuRegV

Furthermore, the Operator points out that the Model Case Registry is kept pursuant to the Directive Concerning the Model Case Registry Pursuant to the Capital Markets Model Case Act.

8. Liability

The Operator assumes no liability for the defective transmission of data. The Operator is not liable in the event of the transmission of data not meeting deadline or form requirements. In all other respects, the Operator's liability is limited to wilful misconduct or gross negligence, unless the matter involves a breach of duties whose fulfilment is necessary to facilitate proper performance of the contract and on whose adherence the other party is normally entitled to rely (cardinal duties). Liability is limited to compensation for typically foreseeable damage. The aforementioned limitation of liability applies mutatis mutandis to the Operator's statutory representatives, employees, and other persons used to perform an obligation (Erfüllungs- und/oder Verrichtungsgelhilfen).

9. Applicable language version

Insofar as terms and conditions or information on the Operator's websites are made available in a variety of language, the German version is in each case solely applicable, particularly with respect to the interpretation of the wording used. Other language versions (translations) are to be understood merely as a service provided by the Operator.

10. German law/publisher/place of fulfilment/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 Operator is a business person, a legal entity under public law or a special fund under public law, the place of fulfilment and jurisdiction shall be Berlin for both parties.

**Additional information is available on
"www.bundesanzeiger.de" and
"www.publikations-plattform.de".**

