

Privacy Statement

Clearing Members,
Clearing Clients,
Clearing Agents and
Cooperation Partners

CCP Austria Abwicklungsstelle für Börsengeschäfte GmbH (hereinafter referred to as "CCPA") takes the protection of your personal data very seriously and takes this into account in all business processes. We therefore process your personal data in accordance with the statutory data protection regulations, in particular the General Data Protection Regulation ("GDPR")¹ and the Austrian Data Protection Act ("DPA").

In this privacy statement, we would like to inform you about the nature, scope and purposes of the processing and use of your personal data by CCPA in connection with the provision of services as a central counterparty.

1 Controller

The controller within the meaning of the GDPR and the DPA is CCPA.

Address: Strauchgasse 1-3, 1010 Vienna

Tel: +43 1 533 22 44 2887

Email: office@ccpa.at

Website: <https://www.ccpa.at/>

2 Personal data

Personal data is any information relating to an identified or identifiable natural person (so-called "data subject"). Examples include name, address, email address, IP address, telephone number, date of birth, age, gender or national insurance number. There are also special categories of personal data (so-called "sensitive data"). The GDPR defines this as, for example, health data or data in connection with criminal proceedings. The processing of personal data (e.g. the collection, retrieval, use, storage or transfer) always requires a legal basis or your consent.

3 Data subjects

For the operation of CCPA and the provision of services as a central counterparty for clearing members, clearing clients, and clearing agents (hereinafter referred to as "clearing participants") on both the securities and electricity markets, if applicable, it is necessary that CCPA also processes personal data of natural persons. This includes the processing of personal data voluntarily provided by clearing participants (e.g., names, email addresses etc. of natural persons attributable to clearing participants) as well as data that is collected due to the business relationship. In addition, it is essential for CCPA to work together with other companies in order to facilitate business operations (so-called "co-operation partners"). These include, in particular, payroll accounting and tax consulting companies, law firms, ICT and other service providers of CCPA, financial market and energy market infrastructures, as well as other service providers and co-operation partners of CCPA who are neither employees of CCPA nor merely website or fan page visitors. This therefore affects the following persons in particular:

- ♦ Employees of clearing participants or persons attributable to them (Group 1);

¹ Regulation (EU) 2016/679.

- ◆ Employees of service providers and co-operation partners of CCPA (Group 2);
- ◆ other natural persons who do not fall under any other category (Group 3).

4 Categories of personal data concerned

Both for the conclusion of the clearing agreements, all associated agreements, and co-operation agreements as well as for the corresponding fulfilment, it is necessary for the clearing participants and co-operation partners to provide us with personal data, which we subsequently process. Failure to provide the personal data would mean that the contract with the respective clearing participants or co-operation partners could not be concluded.

Personal data that we may process from Group 1 are:

- ◆ Name,
- ◆ Title,
- ◆ Date of birth,
- ◆ Telephone number and electronic addresses,
- ◆ Address,
- ◆ Position at the clearing participant and other related personal data,
- ◆ Data in connection with clearing training,
- ◆ other data that clearing participants voluntarily disclose to CCPA as part of the contractual relationship.

Personal data that we may process from Group 2 are:

- ◆ Name,
- ◆ Title,
- ◆ Date of birth,
- ◆ Telephone number and electronic addresses,
- ◆ Address,
- ◆ Position at the co-operation partner and other related personal data,
- ◆ Data in connection with the activities of the co-operation partner,
- ◆ other data that co-operation partners voluntarily disclose to CCPA as part of the contractual relationship.

Personal data that we may process from Group 3 are:

- ◆ Name,
- ◆ Email address,
- ◆ Telephone number,
- ◆ other personal data provided by the data subject.

Under no circumstances, however, are data subjects or legal entities obliged to provide us with data that is not relevant or legally required for the fulfilment of the contractual relationship. However, they can voluntarily and independently disclose the aforementioned data and consent to us processing it. Data subjects have the right to withdraw their consent at any time without this having any detrimental consequences for them.

We also only process sensitive data within the meaning of Art 9 GDPR (e.g., health data, religion, trade union membership, etc.) on the basis of express consent or due to a legal obligation.

5 Automated decision-making in accordance with Art 22 GDPR

CCPA does not use automated decision-making in accordance with Art 22 GDPR.

6 Legal basis for data processing

CCPA collects and processes your personal data only if a legal basis within the meaning of Art 6 (1) GDPR is fulfilled. Your data is processed in particular based on the following legal bases:

6.1 Consent – Art 6 (1) lit. a) GDPR

This data is processed on the basis of your consent, provided that you explicitly give it. Sensitive data (within the meaning of Art 9 GDPR) that you may disclose to CCPA will also be processed on the basis of consent. The scope and purposes of the processing depend on the underlying declaration of consent. You can revoke your consent at any time with effect for the future by notifying CCPA of the revocation by telephone on +43 1 533 22 44 2887, by email to office@ccpa.at or by post to CCPA, Strauchgasse 1-3, 1010 Vienna, Austria.

6.2 For the fulfilment of a contract – Art 6 (1) lit. b) GDPR

All processing that CCPA carries out in connection with the fulfilment of a contract is based on the legal basis of Art 6 (1) lit. b) GDPR. This also includes data that CCPA processes on the basis of pre-contractual obligations.

6.3 Legal obligations – Art 6 (1) lit. c) GDPR

If CCPA is subject to a legal obligation that requires the processing of personal data, Art 6 (1) lit. c) GDPR serves as the legal basis. This includes, for example, processing obligations under EMIR and retention obligations under tax or company law.

6.4 Legitimate interest – Art 6 (1) lit. f) GDPR

If the processing of personal data is necessary to safeguard a legitimate interest of CCPA or a third party, Art 6 (1) lit. f) GDPR serves as the legal basis. A legitimate interest of CCPA is in particular:

- (i) to ensure the operation and management of the CCPA systems, website and fan pages;
- (ii) to be able to conduct direct marketing and report on events at CCPA;
- (iii) to ensure network and data security, but only to the extent that our legitimate interest is consistent with applicable law and the rights and freedoms of data subjects;
- (iv) to assert, exercise or defend legal claims.

7 Disclosure of your personal data to third parties

Due to the current complexity of certain data processing procedures, it has become essential to provide certain services with the assistance of third parties. For this purpose, CCPA uses external service providers, e.g., for IT systems and processing facilities, to whom your data is made available for this purpose. These service providers are processors within the meaning of Art 28 GDPR, who are contractually obliged to treat your data confidentially and to process your data only within the scope of their service provision. These processors include the following in particular:

- ◆ Accountant and tax consultant
- ◆ ICT third-party service providers
- ◆ Courts, if applicable
- ◆ Legal representative
- ◆ Tax office
- ◆ Banks involved in the financial settlement of trading transactions
- ◆ Internal audit and auditors
- ◆ Financial Market Authority (FMA), Austrian National Bank (OeNB) and European Securities and Markets Authority (ESMA) for the exercise of their supervisory powers

The potential recipient of your personal data may be located outside the European Union or may process your personal data there. The level of data protection in other countries may not be the same as in Austria. However, CCPA will only transfer your personal data to countries that have an adequate level of data protection according to the EU Commission. Alternatively, CCPA takes measures to ensure that all recipients have an adequate level of data protection, such as the conclusion of agreements within the meaning of the standard contractual clauses (Implementing Decision (EU) 2021/914).

As a controller, CCPA also transmits personal data to the corresponding recipients of CCPA's services as the central counterparty, who are themselves controllers within the meaning of the GDPR. This is done on the legal basis of contract fulfilment vis-à-vis clearing participants and the legitimate interest.

Under certain circumstances, CCPA may be legally obliged to disclose your data to, for example, supervisory authorities and law enforcement agencies. However, this is only to the extent necessary to prevent and/or detect fraud and other criminal offences or to ensure network and data security.

8 Storage of your data and data security

Appropriate organisational and technical precautions are taken to protect your personal data. These precautions relate in particular to protection against unauthorised, unlawful or even accidental access, processing, loss, use and manipulation of your personal data. Notwithstanding our endeavours to maintain an appropriately high level of due diligence at all times, it cannot be ruled out that information that you disclose to CCPA via the Internet may be viewed and used by other persons. Please note that we therefore accept no liability whatsoever for the disclosure of information due to errors in data transmission not caused by CCPA and/or unauthorised access by third parties (e.g., cyber-attacks).

Your personal data will be processed as long as this is necessary to fulfil contractual or legal obligations (such as corporate retention obligations), to defend against any liability claims and for the duration of the declaration of consent. Thereafter, data is deleted or anonymised in such a way that it can no longer be linked to a specific

person. CCPA ensures that your personal data is treated in accordance with this privacy statement for the entire period.

Data is stored for the duration of the entire business relationship and beyond in accordance with the statutory retention and documentation obligations. These result from, among other things:

- ◆ Federal Fiscal Code (BAO)
- ◆ Regulation (EU) No. 648/2012 on OTC derivatives, central counterparties, and trade repositories (EMIR)
- ◆ Stock Exchange Act 2018 (BörseG 2018)
- ◆ Austrian Commercial Code (UGB)

Our declared aim is to take all necessary technical and organisational measures to ensure the security of data processing and to process your personal data in such a way that it is protected against access by unauthorised persons. In addition, we improve the security of your data by using risk-minimising measures and preventive safeguards.

9 Your data protection rights

As a data subject under the GDPR, you have the following rights, among others: the right of access to your stored personal data and information about its origin, recipients, and the purpose of data processing. You also have the right to rectify inaccurate personal data and to have incomplete personal data completed by CCPA, as well as to have your personal data deleted and to restrict the processing of your personal data. You may also request that your personal data provided to CCPA be made available to you in a structured, commonly used and machine-readable format or that it be transferred to another controller.

When processing your personal data on the basis of legitimate interests pursuant to Art 6 (1) sentence 1 lit. f) GDPR, you have the right to object to the processing of your personal data pursuant to Art 21 GDPR, provided that there are reasons for this arising from your particular situation.

Any questions or requests for information, deletion, correction, objection and/or data transfer can be sent to the email address office@ccpa.at or by post to the following address: CCP Austria Abwicklungsstelle für Börsengeschäfte GmbH, Strauchgasse 1-3, 1010 Vienna, Austria.

If you are of the opinion that the processing of your personal data by CCPA violates the applicable data protection law or your data protection claims have been violated in any other way, you have the option of complaining to the competent supervisory authority. In Austria, the data protection authority (www.dsb.gv.at) is responsible for this.

10 Changes to the privacy statement

CCPA reserves the right to adapt this privacy statement, if necessary, for example due to technical developments or legal changes, or to update it in connection with the offer of new services or products. The updated privacy statement will be published on the website <https://www.ccpa.at>. We therefore ask you to check the relevant page regularly.

Current status: May 2024