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§ 10 Inclusion Application

- (1) Participant Inclusion has to be applied for in writing. The Applicant has to indicate company and office of the Participant as well as issuer and category of the securities to be included. DBAG is authorized to require additional information in the application.
- (2) The application shall contain all supporting documents required for verification of the inclusion prerequisites (§§ 9 Paragraph 1 and ~~34~~, 11 to 13). Other supporting documents shall be submitted to DBAG upon request.
- (3) In deviation to Paragraph 1 Clause 1, DBAG may determine that the application for inclusion shall be made in writing. Irrespective of the form of application, DBAG may decide that certain information shall be submitted electronically and in a specific file format.
- (4) Unless inclusion prerequisites are proven within a term of 12 months after submission of the application for inclusion, the application shall be deemed to have been withdrawn.

[...]

§ 20 Specialists; Specialists for Shares and Certificates Representing Shares

- (1) For each securities which ~~are~~ is traded in the trading model of Continuous Auction with Specialist, DBAG shall, respectively on basis of a written agreement, commission a participants according to § 2 Paragraph 2, such participants having access to the electronic trading system, with the assumption of the specialist duties according to the Trading Regulation for the Regulated Unofficial Market. § 149 Paragraph 2 Clause 3 and 4, Paragraph 4 and 5 Exchange Rules shall apply accordingly. For Specialists for shares and certificates representing shares, §§ 149 Paragraph 2 Clause 3 and 4, Paragraph 4 Clause 1 and Paragraph 5 and 149 a Paragraph 4 Exchange Rules shall apply accordingly.
- (2) The specialists shall assume the duties according to Paragraph 1 for the securities included in the agreement. Provided it is necessary for maintaining an orderly exchange trading, the specialists are, upon request by DBAG, obligated to assume the duties for additional securities. A right to assume duties for specific securities does not exist.
- (3) DBAG shall record and document if and to which extent the specialists perform their duties according to the Trading Regulation for the Regulated Unofficial Market. It may publish the relevant data on its website under www.deutsche-boerse.com, to the extent this is required in order to inform the trading participants. DBAG may interdict in whole or in part the activities of the specialists, provided the prerequisites for their commissioning have not existed or have ceased to exist retroactively or if the specialists do not perform their duties incumbent upon them pursuant to the Trading Regulation for the Regulated Unofficial Market in an orderly way.

§ 21 **Best ~~Executors~~Service Provider**

- (1) DBAG shall determine the securities for which a ~~Best execution-Service~~ Best execution-Service can be carried out. It shall, respectively on basis of a written agreement for these securities, commission participants according to § 2 Paragraph 2, such participants having access to the electronic trading system, with assumption of the duties as ~~Best Executor-Service Provider~~ Best Executor-Service Provider according to the Trading Regulation for the Regulated Unofficial Market; § 147 Paragraph 2 Clause 3 and 4, Paragraph 5 Exchange Rules apply accordingly.
- (2) Best ~~Service Provider Executors~~ Service Provider Executors are obligated to immediately notify DBAG of the conclusion of an agreement on the transfer of orders by another participant according to § 2 Paragraph 2 for Best ~~Execution-Service~~ Execution-Service. DBAG determines at which point in time the transfer of orders may follow thereupon.
- (3) DBAG shall collect and document if and to which extent the Best ~~Service Providers Executors~~ Service Providers Executors fulfil their duties according to the Trading Regulation for the Regulated Unofficial Market. DBAG may in whole or in part prohibit the activity of Best ~~Service Providers Executors~~ Service Providers Executors provided the prerequisites for their commissioning have not existed or have ceased to exist retroactively or if Best ~~Service Providers Executors~~ Service Providers Executors do not fulfil their duties in accordance with the Trading Regulation for the Regulated Unofficial Market in an orderly way.

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Deutsche Börse AG

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