

# INDEX GUIDELINE

AKTIONÄR Top 10 Oil Basket

Version 1.1

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## INTRODUCTION

This document (the “**Guideline**”) is to be used as a guideline with regard to the composition, calculation and maintenance of the AKTIONÄR Top 10 Oil Basket (the “**Index**”). Any changes made to the Guideline are initiated by the Committee specified in Section 1.6. The Index is owned by Börsenmedien AG and is administered, calculated and published by Solactive AG. As of January 1, 2020, Solactive AG assumes the role as administrator (the “**Index Administrator**”) under the Regulation (EU) 2016/1011 (the “**Benchmark Regulation**” or “**BMR**”) for the Index. The name “Solactive” is trademarked.

The Guideline and the policies and methodology documents referenced herein contain the underlying principles and rules regarding the structure and operation of the Index. Solactive AG does not offer any explicit or tacit guarantee or assurance, neither pertaining to the results from the use of the Index nor the Index value at any certain point in time nor in any other respect. Solactive AG strives to the best of its ability to ensure the correctness of the calculation. There is no obligation for Solactive AG – irrespective of possible obligations to issuers – to advise third parties, including investors and/or financial intermediaries, of any errors in the Index. The publication of the Index by Solactive AG does not constitute a recommendation for capital investment and does not contain any assurance or opinion of Solactive AG regarding a possible investment in a financial instrument based on this Index.



# 1 INDEX SPECIFICATIONS

- > The AKTIONÄR Top 10 Oil Basket is an Index of Börsemedien AG and is administered, calculated and distributed by Solactive AG.
- > The Index intends to track the price movements of a portfolio containing 10 chosen stocks.
- > The Index is a Net Total Return.
- > The Index is published in EUR.
- > A management fee of 0.8% p.a. (accrued on a daily basis) is deducted from the Index level.

## 1.1 SHORT NAME AND ISIN

The Index is distributed under ISIN: DE000SLA6242; the WKN is: SLA624. The Index is published on Reuters under the code: .DATOPOIL and on Bloomberg under the code: DATOPOIL Index.

## 1.2 INITIAL VALUE

The Index is based on 100 at the close of trading on the start date, September 28, 2018.

## 1.3 DISTRIBUTION

The Index is published on the website of the Index Administrator ([www.solactive.com](http://www.solactive.com)) and is, in addition, available via the price marketing services of Boerse Stuttgart GmbH and is distributed to all affiliated vendors. Each vendor decides on an individual basis as to whether it will distribute/display the Index via its information systems.

## 1.4 PRICES AND CALCULATION FREQUENCY

The price of the Index is calculated on each Business Day based on the prices on the respective Exchanges on which the Index Components are listed. The most recent prices of all Index Components are used. Prices of Index Components not listed in the Index Currency are translated using spot foreign exchange rates quoted by Reuters. Should there be no current price available on Reuters, the most recent price or the Trading Price on Reuters for the preceding Trading Day is used in the calculation. The daily Index Closing Level is calculated using Reuters/WMCO closing spot rates as at 4pm London time.

The Index is calculated every Business Day from 9:00 a.m. to 10:50 p.m., CET. In the event that data cannot be provided to Reuters or to the pricing services of Boerse Stuttgart GmbH, the Index cannot be distributed.



## 1.5 WEIGHTING

On the Start Date the Index Components of the Index have the initial weights specified in Section 2.1.

## 1.6 OVERSIGHT

A Committee composed of staff from Solactive AG and its subsidiaries (the "Committee" or the "Index Committee") is responsible for decisions regarding any amendments to the rules of the Index. Any such amendment, which may result in an amendment of the Guideline, must be submitted to the Committee for prior approval and will be made in compliance with the Methodology Policy, which is available on the Index Administrator's website: <https://www.solactive.com/documents/methodology-policy/>.

## 1.7 PUBLICATION

All specifications and information relevant for calculating the Index (e.g. notices, amendments to the Guideline) are made available on the Index Administrator's website: <https://www.solactive.com/news/announcements/>.

## 1.8 HISTORICAL DATA

Historical data will be maintained from the launch of the Index on September 28, 2018. Historical data from January 1, 2020, will be recorded in accordance with Article 8 of the BMR.

## 1.9 LICENSING

Licenses to use the Index as the underlying value for derivative instruments are issued to stock exchanges, banks, financial services providers and investment houses by Solactive AG.



## 2 COMPOSITION OF THE INDEX

### 2.1 SELECTION OF THE INDEX COMPONENTS

The composition of the Index (each an “**Index Component**”) is based on the following securities:

Security Name	Security RIC	Index Weighting
BP PLC	BP.L	10.00%
CONOCOPHILLIPS	COP.N	10.00%
CHEVRON CORP	CVX.N	10.00%
ENI SPA	ENI.MI	10.00%
OCCIDENTAL PETROLEUM CORP	OXY.N	10.00%
PETROLEO BRASILEIRO S.A.-ADR	PBR.N	10.00%
ROYAL DUTCH SHELL PLC ORD A	RDSa.AS	10.00%
REPSOL SA	REP.MC	10.00%
TOTAL SA	TOTF.PA	10.00%
EXXON MOBIL CORP	XOM.N	10.00%

### 2.2 ORDINARY ADJUSTMENT

The AKTIONÄR Top 10 Oil Basket is a static Index. No ordinary rebalancing will take place.

### 2.3 EXTRAORDINARY ADJUSTMENT

Under certain circumstances, an adjustment of the Index may be necessary. Such adjustment has to be made if an Extraordinary Event (as specified in Section 4 below) in relation of an Index Component occurs. Such adjustment may have to be done in relation to an Index Component and/or may also affect the number of Index Component and/or the weighting of certain Index Component and will be made in compliance with Section 2 of the Solactive Equity Index Methodology, which is incorporated by reference and available on the Index Administrator's website: <https://www.solactive.com/documents/equity-index-methodology/>.

The Index Administrator will announce the Index adjustment giving a notice period of at least two Trading Days (with respect to the affected Index Component) on the Index Administrator's website under the Section “Announcements”, which is available at <https://www.solactive.com/news/announcements/>. The Index adjustments will be implemented on the effective day specified in the respective notice.



## 3 CALCULATION OF THE INDEX

### 3.1 INDEX FORMULA

The Index Value on a Business Day at the relevant time is calculated in accordance with the following formula:

$$Index_t = \sum_{i=1}^n \frac{(x_{i,t} \times p_{i,t} \times f_{i,t})}{D_t}$$

With:

- $x_{i,t}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t$
- $p_{i,t}$  = Price of Index Component  $i$  on Trading Day  $t$
- $f_{i,t}$  = Foreign exchange rate to convert the Price of Index Component  $i$  on Trading Day  $t$  into the Index Currency
- $D_t$  = Divisor on Trading Day  $t$

The initial Divisor on the Start Date is calculated according to the following formula:

$$D_t = \frac{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t})}{100}$$

On each subsequent Calculation Date which is not an Index Rebalancing Date the Index Value is adjusted for a management fee, which is reflected in the adjustment of the Divisor in accordance with the formula below:

$$D_t = D_{t-1} / (1 - \frac{MF}{365} \times DCF)$$

With:

- $x_{(i,t)}$  = Number of Total Shares of the Index Component  $i$  on Trading Day  $t$
- $p_{(i,t)}$  = Price of Index Component  $i$  on Trading Day  $t$
- $f_{(i,t)}$  = Foreign exchange rate to convert the Price of Index Component  $i$  on Trading Day  $t$  into the Index Currency
- $D_t$  = Divisor on Trading Day  $t$
- $MF$  = Management fee in percent per annum, i.e. 0.8 %
- $DCF$  = Day count fraction, number of calendar days between Business Day  $t-1$  (excluded) and Business



Day  $t$  (included)

After the close of trading on each Adjustment Day  $t$ , the new Divisor is calculated as follows:

$$D_{t+1} = \frac{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t+1})}{Index_t}$$

This Divisor is valid starting the immediately following Business Day.

## 3.2 ACCURACY

- > The value of the Index will be rounded to two decimal places.
- > Divisors will be rounded to six decimal places.

## 3.3 ADJUSTMENTS

Indices need to be adjusted for systematic changes in prices once these become effective. This requires the new Number of Index Shares of the affected Index Component and the Divisor to be calculated on an ex-ante basis.

The Index is adjusted for distributions, capital increases and stock splits.

This procedure ensures that the first ex quote can be properly reflected in the calculation of the Index. This ex-ante procedure assumes the general acceptance of the Index calculation formula as well as open access to the parameter values used. The calculation parameters are provided by the Index Administrator.

## 3.4 DIVIDENDS AND OTHER DISTRIBUTIONS

Dividend payments and other distributions are included in the Index. They cause an adjustment of the Divisor. The new Divisor is calculated as follows:

$$D_{t+1} = D_t \times \frac{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t}) - (x_{i,t} \times y_{i,t} \times g_{i,t})}{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t})}$$

With:

- $x_{i,t}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t$
- $y_{i,t}$  = Distribution of Index Component  $i$  with ex-date  $t + 1$  multiplied by the Dividend Correction Factor
- $p_{i,t}$  = Price of Index Component  $i$  on Trading Day  $t$





- $f_{i,t}$  = Foreign exchange rate to convert the Price of Index Component  $i$  on Trading Day  $t$  into the Index Currency  
 $g_{i,t}$  = Foreign exchange rate to convert the amount of the distribution of Index Component  $i$  on Trading Day  $t$  into the Index Currency  
 $D_t$  = Divisor on Trading Day  $t$   
 $D_{t+1}$  = Divisor on Trading Day  $t + 1$

## 3.5 CORPORATE ACTIONS

### 3.5.1 Principles

Following the announcement by an issuer of Index Components of the terms and conditions of a corporate action, the Index Administrator determines whether such corporate action has a dilutive, concentrative or similar effect on the price of the respective Index Component.

If this should be the case, the Index Administrator shall make the necessary adjustments that are deemed appropriate in order to take into account the dilutive, concentrative or similar effect and shall determine the date on which this adjustment shall come into effect.

Amongst other things, the Index Administrator can take into account the adjustment made by an Affiliated Exchange as a result of the corporate action with regard to option and futures contracts on the respective share traded on this Affiliated Exchange.

### 3.5.2 Capital increases

In the case of capital increases with ex-date  $t + 1$ , the Index is adjusted as follows:

$$x_{i,t+1} = x_{i,t} \times \frac{1 + B}{1}$$

With:

- $x_{i,t}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t$   
 $x_{i,t+1}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t + 1$   
 $B$  = Shares received for every share held

$$p_{i,t+1} = \frac{p_{i,t} + s \times B}{1 + B}$$

With:

- $p_{i,t}$  = Price of Index Component  $i$  on Trading Day  $t$   
 $p_{i,t+1}$  = Hypothetical price of Index Component  $i$  on Trading Day  $t + 1$   
 $s$  = Subscription Price in the Index Component currency



$B$  = Shares received for every share held

$$D_{t+1} = D_t * \frac{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t}) + \sum_{i=1}^n [(x_{i,t+1} \times p_{i,t+1} \times f_{i,t}) - (x_{i,t} \times p_{i,t} \times f_{i,t})]}{\sum_{i=1}^n (p_{i,t} \times f_{i,t} \times x_{i,t})}$$

With:

$x_{i,t}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t$

$x_{i,t+1}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t + 1$

$p_{i,t}$  = Price of Index Component  $i$  on Trading Day  $t$

$p_{i,t+1}$  = Hypothetical price of Index Component  $i$  on Trading Day  $t + 1$

$f_{i,t}$  = Foreign exchange rate to convert the Price of Index Component  $i$  on Trading Day  $t$  into the Index Currency

$D_t$  = Divisor on Trading Day  $t$

$D_{t+1}$  = Divisor on Trading Day  $t + 1$

### 3.5.3 Share splits

In the case of share splits with ex-date on Trading Day  $t + 1$ , it is assumed that the prices change in ratio of the terms of the split. The new Number of Index Shares is calculated as follows:

$$x_{i,t+1} = x_{i,t} \times B$$

With:

$x_{i,t}$  = Number of Index Shares of the affected Index Component on Trading Day  $t$

$x_{i,t+1}$  = Number of Index Shares of the affected Index Component on Trading Day  $t + 1$

$B$  = Shares after the share split for every share held before the split

### 3.5.4 Stock distributions

In the case of stock distributions with ex-date on Trading Day  $t + 1$ , it is assumed that the prices change according to the terms of the distribution. The new Number of Index Shares is calculated as follows:

$$x_{i,t+1} = x_{i,t} \times (1 + B)$$

With:

$x_{i,t}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t$

$x_{i,t+1}$  = Number of Index Shares of the Index Component  $i$  on Trading Day  $t + 1$

$B$  = Shares received for every share held



## 3.6 MISCELLANEOUS

### 3.6.1 Recalculation

The Index Administrator makes the greatest possible efforts to accurately calculate and maintain the Index. However, errors in the determination process may occur from time to time for variety reasons (internal or external) and therefore, cannot be completely ruled out. The Index Administrator endeavors to correct all errors that have been identified within a reasonable period of time. The understanding of "a reasonable period of time" as well as the general measures to be taken are generally depending on the underlying and is specified in the Solactive Correction Policy, which is incorporated by reference and available on the Index Administrator's website: <https://www.solactive.com/documents/correction-policy/>.

### 3.6.2 Market Disruption

In periods of market stress the Index Administrator calculates the Index following predefined and exhaustive arrangements as described in the Solactive Disruption Policy, which is incorporated by reference and available on the Index Administrator's website: <https://www.solactive.com/documents/disruption-policy/>. Such market stress can arise due to a variety of reasons, but generally results in inaccurate or delayed prices for one or more Index Components. The determination of the Index may be limited or impaired at times of illiquid or fragmented markets and market stress.



## 4 DEFINITIONS

The "**Index Component**" is each share currently included in the Index.

The "**Total Shares**" are in respect of an Index Component and any given Business Day the number or fraction of shares included in the Index. It is calculated for any Index Component as the ratio of (A) the Percentage Weight of an Index Component multiplied by the Index value and the Divisor and (B) its Trading Price (converted into the Index Currency according to the principles laid out in Section 1.4 of this document).

The "**Percentage Weight**" of an Index Component is the ratio of its Trading Price multiplied by its Number of Shares divided by the Index value and the Divisor.

The "**Dividend Correction Factor**" is calculated as 1 minus the applicable withholding tax rate and/or other applicable tax rate currently prevalent in the respective country.

In particular, an "**Extraordinary Event**" is

- > a Merger
- > a Takeover Bid
- > a Delisting
- > the Nationalization of a company
- > Insolvency.

The Trading Price for this Index Component on the day the event came into effect is the last available market price for this Index Component quoted on the Exchange on the day the event came into effect (or, if a market price is not available for the day the event came into effect, the last available market price quoted on the Exchange on a day specified as appropriate by the Index Administrator) as determined by the Index Administrator, and this price is used as the Trading Price of the particular Index Component until the end of the day on which the composition of the Index is next set.

In the event of the Insolvency of an issuer of an Index Component, the Index Component shall remain in the Index until the next Adjustment Day. As long as a market price for the affected Index Component is available on a Business Day, this shall be applied as the Trading Price for this Index Component on the relevant Business Day, as determined in each case by the Index Administrator. If a market price is not available on a Business Day the Trading Price for this Index Component is set to zero. The Committee may also decide to eliminate the respective Index Component at an earlier point in time prior to the next Adjustment Day. The procedure in this case is identical to an elimination due to an Extraordinary Event.

An Index Component is "**delisted**" if the Exchange announces pursuant to the Exchange regulations that the listing of, the trading in, or the issuing of public quotes on the Index Component at the Exchange has ceased immediately or will cease at a later date, for whatever reason (provided the Delisting is not because of a Merger or a Takeover Bid), and the Index Component is not immediately listed, traded or quoted again on an exchange, trading or listing system, acceptable to the Index Administrator.

"**Insolvency**" occurs with regard to an Index Component if (A) all shares of the respective issuer must be transferred to a trustee, liquidator, insolvency administrator or a similar public officer as result of



voluntary or compulsory liquidation, insolvency or winding-up proceedings or comparable proceedings affecting the issuer of the Index Components or (B) the holders of the shares of this issuer are legally enjoined from transferring the shares.

A "**Takeover Bid**" is a bid to acquire, an exchange offer, or any other offer or act of a legal person that results in the related legal person acquiring as part of an exchange or otherwise more than 10% and less than 100% of the voting shares in circulation from the issuer of the Index Component or the right to acquire these shares, as determined by the Index Administrator based on notices submitted to public or self-regulatory authorities or other information considered by the Index Administrator to be relevant.

With regard to an Index Component, a "**Merger**" is

- (i) a change in the security class or a conversion of this share class that results in a transfer or an ultimate definite obligation to transfer all the shares in circulation to another legal person,
- (ii) a merger (either by acquisition or through forming a new structure) or a binding obligation on the part of the issuer to exchange shares with another legal person (except in a merger or share exchange under which the issuer of this Index Component is the acquiring or remaining company and which does not involve a change in security class or a conversion of all the shares in circulation),
- (iii) a takeover offer, exchange offer, other offer or another act of a legal person for the purposes of acquiring or otherwise obtaining from the issuer 100% of the shares issued that entails a transfer or the irrevocable obligation to transfer all shares (with the exception of shares that are held and controlled by the legal person), or
- (iv) a merger (either by acquisition or through forming a new structure) or a binding obligation on the part of the issuer of the share or its subsidiaries to exchange shares with another legal person, whereby the issuer of the share is the acquiring or remaining company and it does not involve a change in the class or a conversion of the all shares issued, but the shares in circulation directly prior to such an event (except for shares held and controlled by the legal person) represent in total less than 50% of the shares in circulation directly subsequent to such an event.

The "**Merger Date**" is the date on which a Merger is concluded or the date specified by the Index Administrator if such a date cannot be determined under the law applicable to the Merger.

"**Nationalization**" is a process whereby all shares or the majority of the assets of the issuer of the shares are nationalized or are expropriated or otherwise must be transferred to public bodies, authorities or institutions.

The "**Exchange**" is, in respect of the Index and every Index Component, the respective primary exchange where the Index Component has its primary listing. The Committee may decide to declare a different stock exchange the "Exchange" for trading reasons, even if the company is only listed there via a Stock Substitute.

A "**Stock Substitute**" includes in particular, American Depositary Receipts (ADR) and Global Depositary Receipts (GDR).



With regard to an Index Component (subject to the provisions given above under "Extraordinary Events") the "**Trading Price**" in respect of a Trading Day is the closing price on this Trading Day determined in accordance with the Exchange regulations. If the Exchange has no closing price for an Index Component, the Index Administrator shall determine the Trading Price and the time of the quote for the share in question in a manner that appears reasonable to it.

A "**Trading Day**" is in relation to the Index or an Index Component a Trading Day on the Exchange (or a day that would have been such a day if a market disruption had not occurred), excluding days on which trading may be ceased prior to the normal Exchange closing time. The Index Administrator is ultimately responsible as to whether a certain day is a Trading Day with regard to the Index or an Index Component or in any other connection relating to this document.

The "**Index Administrator**" is Solactive AG or any other appropriately appointed successor in this function. The "**Index Currency**" is EUR.

A "Business Day" is a day when New York Stock Exchange is open for trading.

A "**Market Disruption Event**" occurs if

1. one of the following events occurs or exists on a Trading Day prior to the opening quotation time for an Index Component:
  - A) trading is suspended or restricted (due to price movements that exceed the limits allowed by the Exchange or an Affiliated Exchange, or for other reasons):
    - 1.1. across the whole Exchange; or
    - 1.2. in options or futures contracts on or with regard to an Index Component or an Index Component that is quoted on an Affiliated Exchange; or
    - 1.3. on an Exchange or in a trading or quotation system (as determined by the Index Administrator) in which an Index Component is listed or quoted; or
  - B) an event that (in the assessment of the Index Administrator) generally disrupts and affects the opportunities of market participants to execute on the Exchange transactions in respect of a share included in the Index or to determine market values for a share included in the Index or to execute on an Affiliated Exchange transaction with regard to options and futures contracts on these shares or to determine market values for such options or futures contracts.
2. trading on the Exchange or an Affiliated Exchange is ceased prior to the "**Normal Exchange Closing Time**", which is the time at which the Exchange or an Affiliated Exchange is normally closed on working days without taking into account after-hours trading or other trading activities carried out outside the normal trading hours. An exception to this classification as a Market Disruption Event is where the early cessation of trading is announced by the Exchange or Affiliated Exchange on this Trading Day at least one hour before
  - 2.1. the actual closing time for normal trading on the Exchange or Affiliated Exchange on the Trading Day in question or, if earlier.



- 2.2. the closing time (if given) of the Exchange or Affiliated Exchange for the execution of orders at the time the quote is given.
3. a general moratorium is imposed on banking transactions in the country in which the Exchange is resident if the above-mentioned events are material in the assessment of the Index Administrator, whereby the Index Administrator makes its decision based on those circumstances that it considers reasonable and appropriate.



## 5 MISCELLANEOUS

### 5.1 CHANGES IN CALCULATION METHOD

The application by the Index Administrator of the method described in this document is final and binding. The Index Administrator shall apply the method described above for the composition and calculation of the Index. However, it cannot be excluded that the market environment, supervisory, legal, financial or tax reasons may require changes to be made to this method. The Index Administrator may also make changes to the terms and conditions of the Index and the method applied to calculate the Index that it deems to be necessary and desirable in order to prevent obvious or demonstrable error or to remedy, correct or supplement incorrect terms and conditions. The Index Administrator is not obliged to provide information on any such modifications or changes. Despite the modifications and changes, the Index Administrator will take the appropriate steps to ensure a calculation method is applied that is consistent with the method described above.

### 5.2 DISCRETION

Any discretion which may need to be exercised in relation to the determination of the Index or any other relevant decisions in relation to the Index shall be made in accordance with strict rules regarding the exercise of discretion or expert judgement.

### 5.3 METHODOLOGY REVIEW

The methodology of the Index is subject to regular review, at least annually. In case a need of a change of the methodology has been identified within such review (e.g. if the underlying market or economic reality has changed since the launch of the Index, i.e. if the present methodology is based on obsolete assumptions and factors and no longer reflects the reality as accurately, reliably and appropriately as before), such change will be made in accordance with the Solactive Methodology Policy, which is incorporated by reference and available on the Index Administrator's website: <https://www.solactive.com/documents/methodology-policy/>.

Such change in the methodology will be announced on the Index Administrator's website under the Section "[Announcement](https://www.solactive.com/news/announcements/)", which is available at <https://www.solactive.com/news/announcements/>. The date of the last amendment of this Index is contained in this Guideline.

### 5.4 TERMINATION

The Index Administrator makes the greatest possible efforts to ensure the resilience and continued integrity of its indices over time. Where necessary, the Index Administrator follows a clearly defined and transparent procedure to adapt Index methodologies to changing underlying markets (see Section 5.3 "Methodology Review") in order to maintain continued reliability and comparability of the indices.





Nevertheless, if no other options are available the orderly cessation of the Index may be indicated. This is usually the case when the underlying market or economic reality, which an index is set to measure or to reflect, changes substantially and in a way not foreseeable at the time of inception of the index, the index rules, and particularly the selection criteria, can no longer be applied coherently or the index is no longer used as the underlying value for financial instruments, investment funds and financial contracts.

The Index Administrator has established and maintains clear guidelines on how to identify situations in which the cessation of an index is unavoidable, how stakeholders are to be informed and consulted and the procedures to be followed for a termination or the transition to an alternative index. Details are specified in the Solactive Termination Policy, which is incorporated by reference and available on the Index Administrator's website: <https://www.solactive.com/documents/termination-policy/>.

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