### **FINAL TERMS**

Final Terms dated: 16 June 2023

### **HSBC** Bank plc

(A company incorporated in England with registered number 14259; the liability of its members is limited)

### Programme for the Issuance of Notes and Warrants

#### Issue of

EUR 2,500,000 Automatic Early Redemption Index-Linked Notes due June 2026 linked to a Basket of Indices

### **PART A - CONTRACTUAL TERMS**

This document constitutes the final terms (the "**Final Terms**") relating to the issue of the Tranche of Notes described herein and must be read in conjunction with the Base Prospectus dated 24 June 2022 as supplemented from time to time (the "**Base Prospectus**"). The Base Prospectus is a base prospectus in accordance with Art. 35 para. 1 of the Financial Services Act ("**FinSA**") and has been evaluated and approved pursuant to Art. 51 et seq. of the FinSA and Art. 59 et seq. of the Financial Services Ordinance ("**FinSO**") by the reviewing body SIX Exchange Regulation AG ("**Reviewing Body**"). Terms used herein shall be deemed to be defined as such for the purposes of the terms and conditions of the Notes (the "**Conditions**") set forth in the Base Prospectus. The Alternative Note General Conditions do not apply to the Notes.

Except as disclosed in these Final Terms and the Base Prospectus, there has been no significant change in the financial or trading position of the Issuer and its subsidiary undertakings since 31 December 2022.

Full information on the Issuer and the offer of the Notes is only available on the basis of the combination of these Final Terms and the Base Prospectus. The Base Prospectus is available for viewing at HSBC Bank plc, 8 Canada Square, London E14 5HQ, United Kingdom and <a href="www.hsbc.com">www.hsbc.com</a> (please follow the links to 'Investors', 'Fixed income investors' 'Issuance programmes') and copies may be obtained from HSBC Bank plc, 8 Canada Square, London E14 5HQ, United Kingdom.

The Base Prospectus does not comprise (i) a prospectus for the purposes of Regulation (EU) 2017/1129 as it forms part of domestic law by virtue of the European Union (Withdrawal) Act 2018, as amended, (the "EUWA") (the "UK Prospectus Regulation") or (ii) a base prospectus for the purposes of Regulation (EU) 2017/1129 (as amended, the "EU Prospectus Regulation"). The Base Prospectus has been prepared solely with regard to Notes that are not to be admitted to listing or trading on any regulated market for the purposes of Directive 2014/65/EU (as amended, "MiFID II") or Regulation (EU) No 600/2014 as it forms part of domestic law by virtue of the EUWA ("UK MiFIR") and not to be offered to the public in the United Kingdom (the "UK") (other than pursuant to one or more of the exemptions set out in Section 86 of the Financial Services and Markets Act 2000 (as amended, the "FSMA")) or a Member State of the European Economic Area (other than pursuant to one or more of the exemptions set out in the Prospectus Regulation).

The Notes do not constitute a collective investment scheme as defined in the Federal Collective Investment Schemes Act ("CISA") and are therefore neither governed by the CISA nor subject to supervision by the Swiss Financial Market Supervisory Authority ("FINMA"). Accordingly, Noteholders do not have the benefit of the specific investor protection provided under the CISA. Noteholders bear the issuer risk.

It is advisable that investors considering acquiring any Notes understand the risks of transactions involving the Notes and it is advisable that they reach an investment decision after carefully considering, with their financial, legal, regulatory, tax, accounting and other advisers, the suitability of the Notes in light of their particular circumstances (including without limitation their own

financial circumstances and investment objectives and the impact the Notes will have on their overall investment portfolio) and the information contained in the Base Prospectus and these Final Terms. Investors should consider carefully the risk factors set forth under "Risk Factors" in the Base Prospectus.

1	Issuer:		HSBC Bank plc		
2	Tranche number:		1		
3	Currency:				
	(i)	Denomination Currency:	Euro ("EUR")		
	(ii)	Settlement Currency:	EUR		
4	Aggregat	te Principal Amount:			
	(i)	Series:	EUR 2,500,000		
	(ii)	Tranche:	EUR 2,500,000		
5	Issue Prio	ce:	100 per cent. of the Aggregate Principal Amount		
6	(i)	Denomination(s): (Condition 2)	EUR 1,000		
	(ii)	Calculation Amount:	The Denomination		
	(iii)	Aggregate Outstanding Nominal Amount Rounding:	Not applicable		
7	(i)	Issue Date:	16 June 2023		
	(ii)	Interest Commencement Date:	Not applicable		
	(iii)	Trade Date:	9 June 2023		
8	Maturity Date: (Condition 7(a))		16 June 2026, subject to early redemption on an Automatic Early Redemption Date (see paragraph 35(iii) below) and adjusted in accordance with the Following Business Day Convention.		
9	Change of	of interest or redemption basis:	Not applicable		
PROVISIONS RELATING TO INTEREST (IF ANY) PAYABLE					
10	Fixed Rate Note provisions: (Condition 4)		Not applicable		
11	Floating Rate Note provisions: (Condition 5)		Not applicable		
12	Zero Coupon Note provisions: (Condition 6)		Not applicable		
13	Equity-/Index-Linked Interest Note and other variable-linked interest Note provisions:		Not applicable		

### PROVISIONS RELATING TO REDEMPTION

14 Issuer's optional redemption (Call Option): Not applicable

(Condition 7(c))

Noteholder's optional redemption (Put Option): Not applicable

(Condition 7(d))

16 Final Redemption Amount of each Note: See paragraph 17 below

(Condition 7(a))

linked:

17 Final Redemption Amount of each Note in cases where the Final Redemption Amount is Equity-Linked, Index-Linked or other variable-

Applicable

(i) Index/formula/other variable:

The Basket as defined in paragraph 31(i) below

(ii) Provisions for determining Final Redemption Amount where calculated by reference to Equity/ Index and/or formula and/or other variable:

Unless previously redeemed or purchased and cancelled, if the Calculation Agent determines that:

- WO<sub>final</sub> is greater than or equal to 100.00%, the Issuer shall redeem the Notes by paying on the Maturity Date an amount in cash in the Settlement Currency in respect of each Note (of the Calculation Amount) determined by the Calculation Agent in accordance with the following formula:

Calculation Amount  $\times$  132.10%

- WO<sub>final</sub> is less than 100.00% and a Barrier Event has not occurred, the Issuer shall redeem the Notes by paying on the Maturity Date an amount in cash in the Settlement Currency in respect of each Note (of the Calculation Amount) determined by the Calculation Agent in accordance with the following formula:

Calculation Amount × 100%

- WO<sub>final</sub> is less than 100.00% and a Barrier Event has occurred, the Issuer shall redeem the Notes by paying on the Maturity Date an amount in cash in the Settlement Currency in respect of each Note (of the Calculation Amount) determined by the Calculation Agent in accordance with the following formula:

Calculation Amount  $\times \frac{WO_{final}}{Strike}$ 

Where:

"Barrier Event" means an event which will be deemed to have occurred if the level of any Index<sub>i</sub> as determined by the Calculation Agent on the relevant Exchange (or, with respect to a Multiple Exchange Index, the official level of such Index as calculated and published by the Index Sponsor) as of any time during the Barrier Period, is less than or equal to the Barrier Level.

"Barrier Level" means, with respect to an Index<sub>i</sub>, the level specified as such in Annex 1 with respect to such Index.

"Barrier Period" means the period from, and including, the Strike Date to, and including, the Valuation Date.

"Strike" means 100.00%.

"WO<sub>final</sub>" means, in respect of the Valuation Date, the lowest performance (expressed as a percentage) among the Indices as determined by the Calculation Agent in accordance with the following formula:

$$\min_{i=1\text{to}3} \left[ \frac{S_{\text{final}}^{i}}{S_{0}^{i}} \right]$$

Where:

"i" means each Index in the Basket, 1 to 3.

"S<sup>i</sup>final" means, in respect of an Index<sub>i</sub> and the Valuation Date, the Final Index Level (as defined in paragraph 31(vii) below) of such Index.

"S<sup>i</sup><sub>0</sub>" means, in respect of an Index<sub>i</sub>, the Initial Index Level (as defined in paragraph 31(vi) below) of such Index.

(iii) Provisions for determining Final Redemption Amount where calculation by reference to Equity/ Index and/or formula and/or other variable is impossible or impracticable or otherwise disrupted:

See adjustment provisions specified in paragraphs 31(x) and 31(xii) below.

(iv) Minimum Final Redemption
Amount:

Not applicable

(v) Maximum Final Redemption Amount:

132.10 per cent. of the Calculation Amount (per Calculation Amount)

18 Instalment Notes: Not applicable

(Condition 7(a))

### 19 Early Redemption: Applicable (i) Early Redemption Amount (upon Fair Market Value redemption for taxation reasons or illegality): (Conditions 7(b) or 7(f)) (ii) Early Redemption Amount (upon Fair Market Value redemption following an Event of Default): (Condition 11) (iii) Early Redemption Amount (upon Fair Market Value following redemption an Disruption Event or a Benchmark Trigger Event): (Condition 9(e)(Y) or 15A) Other redemption provisions: Not applicable (iv) GENERAL PROVISIONS APPLICABLE TO THE NOTES 20 Form of Notes: Bearer Notes (Condition 2(a)) 21 New Global Note: No 22 If issued in bearer form: Applicable Initially represented by a Temporary (i) Temporary Global Note Global Note or Permanent Global Note: (ii) Temporary Global Note exchangeable Yes. Temporary Global Note exchangeable for for Permanent Global Note and/or Permanent Global Note which is exchangeable for **Definitive Notes:** Definitive Notes only in the limited circumstances (Condition 2(a)) specified in the Permanent Global Note. (iii) Permanent Global Note exchangeable Yes at the option of the Issuer in circumstances where the Issuer would suffer material disadvantage following a change of law or regulation:

(v) Talons for future Coupons to be Not applicable attached to Definitive Notes:

Coupons to be attached to Definitive

(iv)

Notes:

Exchange Date for exchange of Temporary Not earlier than 40 days after the Issue Date Global Note:

Not applicable

24	If issued	in registered form:	Not applicable	
25	Payment (Condition			
	(i)	Relevant Financial Centre Day:	Euro Business Day	
	(ii)	Payment of Alternative Payment Currency Equivalent:	Not applicable	
	(iii)	Conversion provisions:	Not applicable	
	(iv)	Underlying Currency Pair provisions:	Not applicable	
	(v)	Price Source Disruption:	Not applicable	
	(vi)	EM Price Source Disruption:	Not applicable	
	(vii)	LBMA Physical Settlement provisions:	Not applicable	
	(viii)	Physical Settlement provisions:	Not applicable	
26	Redenom		Not applicable	
27	Other terms:		The Business Centre for the purposes of "Business Day" is: Euro Business Day.	
PROVISIO	NS APPL	ICABLE TO INDEX-LINKED NOT	ES, EQUITY-LINKED NOTES	
28	Physical Delivery:		Not applicable	
29	Provision	ns for Equity-Linked Notes:	Not applicable	
30	Additional Notes:	al provisions for Equity-Linked	Not applicable	
31	Provision	ns for Index-Linked Notes:	Applicable	
	(i)	Index(ices):	The Indices comprising the basket (the "Basket") specified in Annex 1.	
	(ii)	Index Sponsor:	With respect to each $Index_i$ , the entity specified as such in Annex 1.	
	(iii)	Index Rules:	Not applicable	
	(iv)	Exchange(s):	With respect to each Index <sub>i</sub> , each exchange or quotation system specified as such in Annex 1.	
	(v)	Related Exchange(s):	With respect to each Index <sub>i</sub> , All Exchanges.	
	(vi)	Initial Index Level:	With respect to each $Index_i$ , the level specified as such in Annex 1.	
	(vii)	Final Index Level:	The definition in Condition 21(a) applies.	

(viii) Strike Date: 9 June 2023

(ix) Reference Level: Not applicable

(x) Adjustments to Indices: Condition 21(f) applies

(xi) China Connect Underlying: No

(xii) Additional Disruption Event: The following Additional Disruption Events

apply:

Change in Law, Hedging Disruption, Increased

Cost of Hedging

(xiii) Index Substitution: Not applicable

(xiv) Alternative Pre-nominated Index: Not applicable

32 Valuation Date(s): 9 June 2026, subject to postponement in accordance

with Condition 21(e).

Specified Maximum Number of The definition in Condition 21(a) applies

Disrupted Days:

 Number of local banking days for the purpose of postponing Disrupted Day Related Payment Dates pursuant to

Condition 21(e):

33 Valuation Time: The definition in Condition 21(a) applies

34 Averaging Dates: Not applicable

35 Other terms or special conditions relating to Applicable

Index-Linked Notes or Equity-Linked Notes:

(i) Knock-in Event: Not applicable

(ii) Knock-out Event: Not applicable

(iii) Automatic Early Redemption Event: Applicable – an Automatic Early Redemption

Event occurs if, in the determination of the Calculation Agent, WO<sub>j</sub> (as defined below) is greater than or equal to the Automatic Early Redemption Level as of any Automatic Early

Redemption Valuation Date.

Where:

"WO<sub>j</sub>" means, in respect of an Automatic Early Redemption Valuation Date, the lowest performance (expressed as a percentage) among the Indices as determined by the Calculation Agent in

accordance with the following formula:

$$\min_{i=1\text{to}3} \left[ \frac{S_j^i}{S_0^i} \right]$$

Where:

"i" means each Index in the Basket, 1 to 3.

" $S_j^i$ " means, in respect of an Index $_i$  and an Automatic Early Redemption Valuation Date, the level of such Index as determined by the Calculation Agent the relevant Exchange (or, with respect to a Multiple Exchange Index, the official closing level as of the Valuation Time of such Index as calculated and published by the Index Sponsor) as of the Valuation Time on such date.

"S<sup>i</sup><sub>0</sub>" means, in respect of an Index<sub>i</sub>, the Initial Index Level of such Index (as specified in the paragraph 31(vi) above).

- Automatic Early Redemption Valuation Date

Each date specified as such in Annex 2 ("j" ranking from 1 to 11) (each an "Automatic Early Redemption Valuation Date<sub>j</sub>").

Each Automatic Early Redemption Valuation Date shall be subject to postponement in accordance with Condition 21(e) as if each reference to "Valuation Date" in such Condition was deemed to be a reference to the "Automatic Early Redemption Valuation Date".

- Automatic Early Redemption Level:

Each level specified as such in Annex 2 (each an "**Automatic Early Redemption Level**<sub>j</sub>") ("j" ranking from 1 to 11)

- Automatic Early Redemption Date:

Each date specified as such in Annex 2 (each an "Automatic Early Redemption Date<sub>j</sub>") ("j" ranking from 1 to 11), subject to adjustment in accordance with the Following Business Day Convention

- Automatic Early Redemption Amount:

The definition in Condition 21(a) applies

- Automatic Early Redemption Rate:

Each percentage specified as such in Annex 2 (each an "Automatic Early Redemption Rate<sub>j</sub>") ("j" ranking from 1 to 11)

 Accrued interest payable on Automatic Early Redemption: No, interest does not accrue

(iv) Interest Adjustment

Not applicable

# DISTRIBUTION

36	(i)	If syndicated, names of Relevant Dealer(s):	Not applicable		
	(ii)	If syndicated, names of other Dealers:	Not applicable		
37	Prohibit	ion of Sales to EEA Retail Investors:	Not applicable		
38	Prohibit	ion of Sales to UK Retail Investors:	Not applicable		
39	Selling 1	restrictions:	TEFRA D Rules		
	United S	States of America:	Notes may not be offered or sold within the United States of America or to, or for the account or the benefit of, a U.S. Person (as defined in Regulation S).		
			40-day Distribution Compliance Period: Not applicable		
40	_	ion(s) from requirements under ion (EU) 2017/1129 (as amended, the ospectus Regulation"):	The offer is addressed to investors who will acquire Notes for a consideration of at least EUR 100,000 (or equivalent amount in another currency) per investor for each separate offer.		
41	domesti	ion(s) from requirements under ion (EU) 2017/1129 as it forms part of a law by virtue of the EUWA (the "UK etus Regulation"):	The offer is addressed to investors who will acquire Notes for a consideration of at least EUR 100,000 (or equivalent amount in another currency) per investor for each separate offer.		
42	Addition consider		The Notes are not Section 871(m) Notes for the purpose of Section 871(m).		
43	Addition	nal selling restrictions:	Not applicable		

# CONFIRMED HSBC BANK PLC

The str
Balajee Swaminathan
By: Authorised Signatory
Date:

### **PART B - OTHER INFORMATION**

### 1 LISTING

(i) Listing: Not applicable

(ii) Admission to trading: Not applicable

(iii) Estimated total expenses of Not applicable

admission to trading:

### 2 RATINGS

Ratings: The Notes are not rated

# OPERATIONAL INFORMATION

3 ISIN Code: XS2631420713

4 Common Code: 263142071

5 CUSIP: Not applicable

**6** Valoren Number: 126560804

7 SEDOL: Not applicable

8 WKN: Not applicable

9 Other identifier / code: Not applicable

10 Type: The Notes are categorised as Express

Certificates (1260) in accordance with the Swiss Derivative Map of the Swiss

Structured Products Association.

11 Level of capital protection, where applicable. Not applicable

Additional information on the underlying(s)

for Notes on equity or debt securities, where

applicable

Not applicable

Additional information on the underlying(s)

for Notes on collective investment schemes,

where applicable

Not applicable

**14** Additional Information on the underlying(s)

for Notes on indices, where applicable:

Please refer to item 31 above. The Indices are price indices. Further information on the Indices is available at:

www.spglobal.com www.stoxx.com www.six-group.com

Additional information on the underlying(s) for Notes on baskets of underlying(s), where applicable:

	Index		
1	S&P 500 Index		
2 EURO STOXX 50 Index			

3 SMI Index
-------------

The Initial Index Level of the Indices is specified in Annex 1. Each Index has equal weighting in the Basket and the performance of the Notes will be determined by the worst performing amongst them.

16	Intended to be held in a manner which would allow Eurosystem eligibility:	Not applicable	
17	Any clearing system(s) other than Euroclear and Clearstream, Luxembourg and the relevant identification number(s):	None	
18	Delivery:	Delivery against payment	
19	Settlement procedures:	Medium Term Note	
20	Additional Paying Agent(s) (if any):	None	
21	Common Depositary:	HSBC Bank plc	
22	Calculation Agent:	HSBC Bank plc	
23	Offer Price:	Issue Price	
24	Total amount of the issue/offer:	2,500 Notes will be issued and the criterion/condition for determining the final amount of Notes will be investor demand. A copy of these Final Terms will be published and filed with SIX Exchange Regulation AG. The public offer of the Notes is permitted in Switzerland.	
25	The time period, including any possible amendments, during which the offer will be open:	The Notes will be publicly offered during the period from and including 31 May 2023 until and including 9 June 2023 (the "Offer Period"). The Issuer reserves the right for any reason to close the time period early.	
26	Conditions to which the offer is subject:	The Issuer may close the Offer Period prior to 9 June 2023 if the Notes are fully subscribed before such date	
27	Description of the application process:	A prospective investor should contact their financial adviser, bank or financial intermediary during the Offer Period. A prospective investor will subscribe for the Notes in accordance with the arrangements existing between such financial adviser, bank or financial intermediary and its customer relating to the subscription of securities	

generally and not directly with the Issuer.

Persons interested in purchasing Notes should contact their financial adviser. If an investor in any jurisdiction other than Switzerland wishes to purchase Notes, such investor should (a) be aware that sales in the relevant jurisdiction may not be permitted; and (b) contact its financial adviser, bank or financial intermediary for more information

**28** Details of the minimum and/or maximum amount of application:

Minimum of EUR 1,000 (except for distribution in the European Economic Area or United Kingdom where the offer is only addressed to investor who will acquire at least EUR 100,000 (or equivalent amount in another currency) per investor for each separate offer).

29 Details of the method and time limits for paying up and delivering of the securities:

Prospective investors will be notified by their financial adviser, bank or financial intermediary of their allocations of Notes and the settlement arrangements in respect thereof. The Notes will be issued on the Issue Date on a delivery versus payment basis.

30 Procedure for exercise of any right of preemption, negotiability of subscription rights and treatment of subscription rights not exercised: Not applicable

Amount of any expenses and taxes specifically charged to the subscriber or purchaser:

Not applicable

# ANNEX 1

(This annex forms part of the Final Terms to which it is attached)

# <u>Information in relation to underlying Indices</u>

"i"	Index	Bloomberg Ticker	Index Sponsor	Exchange	Initial Index Level	Barrier Level
1	S&P 500 Index	SPX	Standard & Poor's Corporation	The Index is a  Multiple Exchange  Index	4298.86	2364.3730
2	EURO STOXX 50 Index	SX5E	STOXX Ltd	The Index is a  Multiple Exchange  Index	4289.79	2359.3845
3	SMI Index	SMI	SIX Swiss Exchange AG	SWX	11254.42	6189.9310

# ANNEX 2

(This annex forms part of the Final Terms to which it is attached)

"j"	Automatic Early Redemption Valuation Date <sub>j</sub>	Automatic Early Redemption Date <sub>j</sub>	Automatic Early Redemption Level <sub>j</sub>	Automatic Early Redemption Rate <sub>j</sub>
1	11 Sep 2023	18 Sep 2023	100.00%	102.675%
2	11 Dec 2023	18 Dec 2023	100.00%	105.350%
3	11 Mar 2024	18 Mar 2024	100.00%	108.025%
4	10 Jun 2024	17 Jun 2024	100.00%	110.700%
5	09 Sep 2024	16 Sep 2024	100.00%	113.375%
6	09 Dec 2024	16 Dec 2024	100.00%	116.050%
7	10 Mar 2025	17 Mar 2025	100.00%	118.725%
8	10 Jun 2025	17 Jun 2025	100.00%	121.400%
9	09 Sep 2025	16 Sep 2025	100.00%	124.075%
10	09 Dec 2025	16 Dec 2025	100.00%	126.750%
11	09 Mar 2026	16 Mar 2026	100.00%	129.425%

### ANNEX 3

(This annex forms part of the Final Terms to which it is attached)

# **INDEX DISCLAIMER**

### STATEMENTS REGARDING S&P 500 INDEX

The "S&P 500® Index" is a product of S&P Dow Jones Indices LLC or its affiliates ("SPDJI") and has been licensed for use by Issuer. S&P®, S&P 500®, US 500, The 500, iBoxx®, iTraxx® and CDX® are trademarks of S&P Global, Inc. or its affiliates ("S&P"); Dow Jones® is a registered trademark of Dow Jones Trademark Holdings LLC ("Dow Jones"). It is not possible to invest directly in an index. The Notes are not sponsored, endorsed, sold or promoted by SPDJI, Dow Jones, S&P, any of their respective affiliates (collectively, "S&P Dow Jones Indices"). S&P Dow Jones Indices does not make any representation or warranty, express or implied, to the Notesholders or any member of the public regarding the advisability of investing in securities generally or in the Notes particularly or the ability of the S&P 500® Index to track general market performance. Past performance of an index is not an indication or guarantee of future results. S&P Dow Jones Indices' only relationship to the Issuer with respect to the S&P 500® Index is the licensing of the Index and certain trademarks, service marks and/or trade names of S&P Dow Jones Indices and/or its licensors. The S&P 500® Index is determined, composed and calculated by S&P Dow Jones Indices without regard to the Issuer or the Notes. S&P Dow Jones Indices has no obligation to take the needs of the Issuer or the Noteholders into consideration in determining, composing or calculating the S&P 500® Index. S&P Dow Jones Indices has no obligation or liability in connection with the administration, marketing or trading of the Notes. There is no assurance that investment products based on the S&P 500® Index will accurately track index performance or provide positive investment returns. S&P Dow Jones Indices LLC is not an investment adviser, commodity trading advisory, commodity pool operator, broker dealer, fiduciary, "promoter" (as defined in the Investment Company Act of 1940, as amended), "expert" as enumerated within 15 U.S.C. § 77k(a) or tax advisor. Inclusion of a security, commodity, crypto currency or other asset within an index is not a recommendation by S&P Dow Jones Indices to buy, sell, or hold such security, commodity, crypto currency or other asset, nor is it considered to be investment advice or commodity trading advice.

S&P DOW JONES INDICES DOES NOT GUARANTEE THE ADEQUACY, ACCURACY, TIMELINESS AND/OR THE COMPLETENESS OF THE S&P 500® INDEX OR ANY DATA RELATED THERETO OR ANY COMMUNICATION, INCLUDING BUT NOT LIMITED TO, ORAL OR WRITTEN COMMUNICATION (INCLUDING ELECTRONIC COMMUNICATIONS) WITH RESPECT THERETO. S&P DOW JONES INDICES SHALL NOT BE SUBJECT TO ANY DAMAGES OR LIABILITY FOR ANY ERRORS, OMISSIONS, OR DELAYS THEREIN. S&P DOW JONES INDICES MAKES NO EXPRESS OR IMPLIED WARRANTIES, AND EXPRESSLY DISCLAIMS ALL WARRANTIES, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE OR AS TO RESULTS TO BE OBTAINED BY THE ISSUER, THE NOTEHOLDERS, OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE S&P 500® INDEX OR WITH RESPECT TO ANY DATA RELATED THERETO. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT WHATSOEVER SHALL S&P DOW JONES INDICES BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, TRADING LOSSES, LOST TIME OR GOODWILL, EVEN IF THEY HAVE BEEN ADVISED OF THE POSSIBLITY OF SUCH DAMAGES, WHETHER IN CONTRACT, TORT, STRICT LIABILITY, OR OTHERWISE. S&P DOW JONES INDICES HAS NOT REVIEWED, PREPARED AND/OR CERTIFIED ANY PORTION OF, NOR DOES S&P DOW JONES INDICES HAVE ANY CONTROL OVER, THE ISSUER'S PRODUCT REGISTRATION STATEMENT, PROSPECTUS OR OTHER OFFERING MATERIALS. THERE ARE NO THIRD-PARTY BENEFICIARIES OF ANY AGREEMENTS OR ARRANGEMENTS BETWEEN S&P DOW JONES INDICES AND THE ISSUER, OTHER THAN THE LICENSORS OF S&P DOW JONES INDICES.

#### STATEMENTS REGARDING THE SMI® INDEX

SIX Index AG and its licensors ("**Licensors**") have no relationship to the Issuer, other than the licensing of the SMI<sup>®</sup> Index and the related trademarks for use in connection with the Notes.

### SIX Index AG and its Licensors do not:

- sponsor, endorse, sell or promote the Notes.
- recommend that any person invest in the Notes or any other securities.
- have any responsibility or liability for or make any decisions about the timing, amount or pricing of the Notes.
- have any responsibility or liability for the administration, management or marketing of the Notes.
- consider the needs of the Notes or the owners of the Notes in determining, composing or calculating the SMI<sup>®</sup> Index or have any obligation to do so.

# SIX Index AG and its Licensors give no warranty, and exclude any liability (whether in negligence or otherwise), in connection with the Notes or its performance.

SIX Index AG does not assume any contractual relationship with the purchasers of the Notes or any other third parties.

## Specifically,

- SIX Index AG and its Licensors do not give any warranty, express or implied, and exclude any liability for:
- The results to be obtained by the Notes, the owner of the Notes or any other person in connection with the use of the SMI<sup>®</sup> Index and the data included in the SMI<sup>®</sup> Index;
- The accuracy, timeliness, and completeness of the SMI® Index and its data;
- The merchantability and the fitness for a particular purpose or use of the SMI® Index and its data;
- The performance of the Notes generally.
- SIX Index AG and its Licensors give no warranty and exclude any liability, for any errors, omissions
  or interruptions in the SMI<sup>®</sup> Index or its data;
- Under no circumstances will SIX Index AG or its Licensors be liable (whether in negligence or otherwise) for any lost profits or indirect, punitive, special or consequential damages or losses, arising as a result of such errors, omissions or interruptions in the SMI® Index or its data or generally in relation to the Notes, even in circumstances where SIX Index AG or its Licensors are aware that such loss or damage may occur.

The licensing Agreement between the Issuer and SIX Index AG is solely for their benefit and not for the benefit of the owners of the Notes or any other third parties.

# STATEMENTS REGARDING THE EURO STOXX 50® INDEX

The EURO STOXX 50® Index (the "**Index**") is the intellectual property (including registered trademarks) of STOXX Ltd., Qontigo Index GmbH, or their licensors, and is used under a license. The Notes are neither sponsored nor promoted, distributed or in any other manner supported by STOXX Ltd., Qontigo Index GmbH or their licensors, research partners or data providers and STOXX Ltd., Qontigo Index GmbH and their licensors, research partners or data providers do not give any warranty, and exclude any liability (whether in negligence or otherwise) with respect thereto generally or specifically in relation to any errors, omissions or interruptions in the Index or its data.