

## FINAL TERMS

Final Terms dated: 4 October 2024

### 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

**2,500 (USD 2,500,000) Airbag Notes due October 2027 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 21 June 2024 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 position of the Issuer and its subsidiary undertakings since 30 June 2024.

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 [www.hsbc.com](http://www.hsbc.com) (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 base 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 Article 1(4) of the EU 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) Settlement Currency: United States dollars ("USD")
  - (ii) Denomination Currency: Settlement Currency
4. Aggregate Principal Amount:
  - (i) Series: 2,500 Notes (USD 2,500,000)
  - (ii) Tranche: 2,500 Notes (USD 2,500,000)
5. Issue Price: USD 1,000 per Note
6. (i) Denomination(s): USD 1,000  
(Condition 2)
  - (ii) Calculation Amount: The Denomination
  - (iii) Aggregate Outstanding Nominal Amount Rounding: Not applicable
7. (i) Issue Date: 7 October 2024
  - (ii) Interest Commencement Date: Not applicable
  - (iii) Trade Date: 30 September 2024
8. Maturity Date: 7 October 2027, adjusted in accordance with Following Business Day Convention  
(Condition 7(a))
9. Change of interest or redemption basis: Not applicable

**PROVISIONS RELATING TO INTEREST (IF ANY) PAYABLE**

10. Fixed Rate Note provisions: Not applicable  
(Condition 4)
11. Floating Rate Note provisions: Not applicable  
(Condition 5)
12. Zero Coupon Note provisions: Not applicable  
(Condition 6)
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))

15. Noteholder's optional redemption (Put Option):  
(Condition 7(d)) Not applicable
16. Final Redemption Amount of each Note:  
(Condition 7(a)) See paragraph 17 below
17. Final Redemption Amount of each Note in cases where the Final Redemption Amount is Equity-Linked, Index-Linked, Inflation Rate-Linked or other variable-linked: Applicable
- (i) Index/formula/other variable: The Basket as defined in paragraph 31(i)
- (ii) Provisions for determining Final Redemption Amount where calculated by reference to Index and/or formula and/or other variable; Unless the Notes have been previously redeemed, or purchased and cancelled in accordance with the Conditions, if the Calculation Agent determines that:

- **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 x

$$[100\% + \max(\text{Rebate}; \text{Basket}_{\text{final}} - \text{Strike})]$$

- **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:

$$\text{Calculation Amount} \times (\text{WO}_{\text{final}} / \text{Strike})$$

Where:

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

$$\sum_{i=1}^N W_i \times \frac{S_{\text{final}}^i}{S_{\text{initial}}^i}$$

"**Barrier Event**" means an event which will be deemed to have occurred if, in respect of the Valuation Date, the Final Index Level of any Index<sub>i</sub> is, as determined by the Calculation Agent, less than or equal to the Barrier Level of such Index.

"**Barrier Level**" means, in respect of an Index<sub>i</sub>, 65.00 per cent. of the Initial Index Level of such Index.

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

"N" means the total number of Indices in the Basket, 3.

"Rebate" means 16.80 per cent.

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

"Strike" means 100.00 per cent.

"W<sub>i</sub>" means, in respect of an Index<sub>i</sub>, the percentage weighting specified for such Index in Annex 1.

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

$$\min_{i=1 \text{ to } N} \left( \frac{S_{\text{final}}^i}{S_{\text{initial}}^i} \right)$$

- |       |   |  |
|-------|---|--|
| (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). |
| 18.   | Instalment Notes:<br>(Condition 7(a))   | Not applicable   |
| 19.   | Early Redemption:   |  |
| (i)   | Early Redemption Amount (upon redemption for taxation reasons or illegality):<br>(Condition 7(b)) or 7(f)   | Fair Market Value  |
| (ii)  | Early Redemption Amount (upon redemption following an Event of Default):<br>(Condition 11)  | Fair Market Value  |
| (iii) | Early Redemption Amount (upon   | Fair Market Value  |

redemption following an FX Disruption Event or a Benchmark Trigger Event):  
(Condition 9(e)(Y) or 15A)

- (iv) Other redemption provisions: Not applicable

**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
- (i) Initially represented by a Temporary Global Note or Permanent Global Note: Temporary Global Note
- (ii) Temporary Global Note exchangeable for Permanent Global Note and/or Definitive Notes: Yes. Temporary Global Note exchangeable for a Permanent Global Note which is exchangeable for Definitive Notes only in limited circumstances specified in the Permanent Global Note  
(Condition 2(a))
- (iii) Permanent Global Note exchangeable at the option of the Issuer in circumstances where the Issuer would suffer material disadvantage following a change of law or regulation: Yes
- (iv) Coupons to be attached to Definitive Notes: Not applicable
- (v) Talons for future Coupons to be attached to Definitive Notes: Not applicable
23. Exchange Date for exchange of Temporary Global Note: Not earlier than 40 days after the Issue Date
24. If issued in registered form: Not applicable
25. Payments: (Condition 9)
- (i) Relevant Financial Centre Day: New York

	(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)	LBMA Physical Settlement provisions:	Not applicable
	(vii)	Physical Settlement provisions:	Not applicable
26.		Redenomination: (Condition 10)	Not applicable
27.		Other terms:	The Business Centre(s) for the purposes of the definition of "Business Day" is : New York.

#### PROVISIONS APPLICABLE TO INDEX-LINKED NOTES, EQUITY-LINKED NOTES

28.		Physical Delivery:	Not applicable
29.		Provisions for Equity-Linked Notes:	Not applicable
30.		Additional provisions for Equity-Linked Notes:	Not applicable
31.		Provisions for Index-Linked Notes:	Applicable
	(i)	Index(ices):	Each Index specified as such in Annex 1 (the " <b>Basket</b> ")
	(ii)	Index Sponsor:	In respect of an Index, the entity specified as such in Annex 1
	(iii)	Index Rules:	Not applicable
	(iv)	Exchange(s):	In respect of an Index, the exchange or quotation system specified as such in Annex 1
	(v)	Related Exchange(s):	In respect of an Index, All Exchanges
	(vi)	Initial Index Level:	The definition in Condition 22(a) applies, the level in respect of an Index being the level specified as such in Annex 1
	(vii)	Final Index Level:	The definition in Condition 22(a) applies
	(viii)	Strike Date:	30 September 2024
	(ix)	Reference Level:	Not applicable
	(x)	Adjustments to Indices:	Condition 22(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): 30 September 2027
- Specified Maximum Number of Disrupted Days: The definition in Condition 22(a) applies
  - Number of local banking days for the purpose of postponing Disrupted Day Related Payment Dates pursuant to Condition 22(e): 3
33. Valuation Time: The definition in Condition 22(a) applies
34. Averaging Dates: Not applicable
35. Other terms or special conditions relating to Index-Linked Notes or Equity-Linked Notes: Not applicable

#### DISTRIBUTION

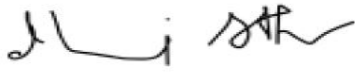
36. (i) If syndicated, names of Relevant Dealer(s): Not applicable
- (ii) If syndicated, names of other Dealers (if any): Not applicable
37. Prohibition of Sales to EEA Retail Investors: Not applicable
38. Prohibition of Sales to UK Retail Investors: Not applicable
39. Selling restrictions: TEFRA D Rules
- United 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. Exemption(s) from requirements under Regulation (EU) 2017/1129 (as amended, the "**EU Prospectus 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. Exemption(s) from requirements under Regulation (EU) 2017/1129 as it forms part of domestic law by virtue of the EUWA (the "**UK Prospectus 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. Additional U.S. federal income tax considerations: The Notes are not Section 871(m) Notes for the purpose of Section 871(m).

43. Additional selling restrictions: Not applicable



**CONFIRMED**

**HSBC BANK PLC**



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 admission to trading: | Not applicable |

### **2. RATINGS**

- |          |                          |
|----------|--------------------------|
| Ratings: | The Notes are not rated. |
|----------|--------------------------|

### **OPERATIONAL INFORMATION**

- |     |  |   |
|-----|--|---|
| 3.  | ISIN Code:   | XS2906207597  |
| 4.  | Common Code:   | 290620759   |
| 5.  | CUSIP:   | Not applicable  |
| 6.  | Valoren Number:  | 137031922   |
| 7.  | SEDOL:   | Not applicable  |
| 8.  | WKN:   | Not applicable  |
| 9.  | Other identifier / code:   | Not applicable  |
| 10. | Type:  | The Notes are categorised as Bonus Certificate (1320) in accordance with the Swiss Derivative Map of the Swiss Structured Products Association. |
| 11. | Level of capital protection, where applicable.   | Not applicable  |
| 12. | Additional information on the underlying(s) for Notes on equity or debt securities, where applicable     | Not applicable  |
| 13. | 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 paragraph 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

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

<b>i</b>	<b>Index</b>
<b>1</b>	S&P 500 Index
<b>2</b>	EURO STOXX 50 Index
<b>3</b>	SMI Index

The Initial Index Level of each Index<sub>i</sub> in the Basket is specified in Annex 1.  
Each Index has equal weighting in the Basket.

The performance of the Notes will be determined by the worst performing Index in the Basket and will not take into account the performance of the other Indices.

16. Intended to be held in a manner which would allow Eurosystem eligibility: No

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 Depository: HSBC Bank plc

22. Calculation Agent: HSBC Bank plc

#### **TERMS AND CONDITIONS OF THE OFFER**

23. Offer Price: Issue Price

24. Total amount of the issue/offer: 2,500 Notes will be issued. 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 period from (and including) 17 September 2024 to (and including) the Strike Date (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 the Strike Date 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. An 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 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 USD 1,000 (except for distribution in the European Economic Area or the United Kingdom where the offer is only addressed to investors who will acquire at least EUR 100,000 (or equivalent amount in another currency) per investor for each separate offer) and no maximum applicable. |
| 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 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 pre-emption, negotiability of subscription rights and treatment of subscription rights not exercised: | Not Applicable   |
| 31. | 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)*

"i"	Index	Bloomberg Ticker	Index Sponsor	Exchange	Initial Index Level	W <sub>i</sub>
1	S&P 500 Index	SPX	S&P Dow Jones Indices LLC	Multiple Exchange Index	5762.48	33.33%
2	EURO STOXX 50 Index	SX5E	STOXX Ltd	Multiple Exchange Index	12168.87	33.33%
3	SMI Index	SMI	SIX Swiss Exchange AG	SWX	5000.45	33.33%

## ANNEX 2

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

### INDEX DISCLAIMER(S)

#### 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 Noteholders 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 advisor, 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 POSSIBILITY 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 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.

## 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® 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® 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® Index and the data included in the SMI® 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® 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.