

RULES FOR CLIENT CATEGORY DETERMINATION

If the Clients use the investment or ancillary services provided by the Bank, the Bank shall classify the Client as a Retail Client, Professional Client or Eligible Counterparty in accordance with these Client Category Determination Rules (hereinafter the Rules). All definitions used in the Rules shall be understood as defined in the Agreement for Provision of Investment Services Agreement (hereinafter referred to as the Agreement).

CLIENT CATEGORIES AND SAFEGUARDS APPLICABLE TO THEM

- 1.1. **Professional Clients:** the Clients who are considered Professional Clients without separate recognition under the Law on Markets in Financial Instruments of the Republic of Lithuania (hereinafter referred to as "the Law") or Clients who may be recognized as such under the Law according to certain criteria.
- 1.2. **Professional clients without separate recognition:**
 - 1.2.1. Licensed and / or otherwise supervised entities operating in financial markets - credit institutions, brokerage firms, other licensed and / or supervised financial institutions, insurance companies, collective investment undertakings and their management companies, pension funds and their management companies, local firms trading in stock exchange commodities and commodity derivatives and other institutional investors. Professional Clients referred to in this Clause shall include entities licensed and / or supervised by Member States of the European Union and third parties;
 - 1.2.2. Large companies that meet at least 2 of the following criteria:
 - the value of the assets recorded in the balance sheet is at least EUR 20 million;
 - net sales revenue is at least EUR 40 million;
 - equity is at least EUR 2 million;
 - 1.2.3. National and regional governments, public debt management entities, central banks, the World Bank, the International Monetary Fund, the European Central Bank, the European Investment Bank and other similar international and cross-border institutions;
 - 1.2.4. Other institutional investors whose main area of activity is investment in financial instruments, including entities engaged in asset investing or other financing transactions.
- 1.3. A person may be recognized as a Professional Client by the Bank upon written request of the Client if he or she meets at least 2 of the following criteria:
 - During the last four quarters of the year the Client has on average 10 large deals in the relevant market each quarter;
 - The Client's portfolio of financial instruments, including monetary funds and financial instruments, exceeds EUR 500 thousand;
 - The Client has been or was professionally employed in the financial sector for at least one year in a position requiring knowledge of the services or transactions to be provided to the Client.
- 1.4. Professional clients without separate recognition shall not be subject to investor protection measures provided for in Articles 29 (except Paragraphs 5 to 8), 30, 33 and 34 (1) of the Law, unless otherwise agreed between the Bank and the Client.
- 1.5. The Professional Clients referred to in item 1.3 of the Rules may be exempted from all or part of the investor protection measures provided for in Articles 29 (except Paragraphs 5 to 8), 30, 33 and 34 (1) of the Law provided that:
 - 1.5.1. The Professional Client has stated to the Bank in writing or by any other means acceptable to the Bank that he wishes to be recognized as a Professional Client - either for all services and transactions concluded or only for certain types of services and transactions or transactions or financial instruments;
 - 1.5.2. The Bank has given a clear written notice to the Client which investor protection measures are not applicable to him;
 - 1.5.3. The Client, in a document separate from the Agreement, has confirmed in writing that he / she is aware and aware of the consequences of waiving certain investor protection measures.
- 1.6. The Bank, upon discontinuing the application of some investor protection measures to the Client, shall make sure that the Client complies with the requirements for the Professional Client category provided in the Rules.
- 1.7. A person recognized as a Professional Client may be exempted from any of the investor protection measures under item 1.3 of the Rules only if the Bank, having assessed the Client's knowledge, skills and experience and having regard to the nature of the services or transactions to be concluded, is reasonably aware that the Client can make investment decisions independently and competently and assess the risks involved. Persons recognized as Professional Clients shall be deemed not to have the same knowledge and experience as Professional Clients without separate recognition specified in the Rules.
- 1.8. The Professional Client has the right to request a higher level of protection of the Client's interests.
- 2.1. **Eligible Counterparties:** Clients who meet the criteria for Eligible Counterparty under the Law. Eligible counterparties shall be the following:
 - 2.1.1. Brokerage companies;
 - 2.1.2. Credit institutions;
 - 2.1.3. Insurance companies;
 - 2.1.4. Harmonized undertakings for collective investment and their management companies;
 - 2.1.5. Pension funds and their management companies;
 - 2.1.6. Other financial institutions, their governments and their authorized entities dealing with public debt

management at national level, as well as central banks and cross-border organizations licensed or supervised within the legislation of the European Union or within national legislation of the Member States.

- 2.2. The Bank, when executing orders on behalf of the Clients and / or concluding transactions at its own expense, and / or accepting and transmitting Clients' Orders, transacts or mediates transactions with Eligible Counterparties in violation of Articles 29 (except paragraphs 5-8), 30, 33 and the obligations set out in Articles 34 and 34 (1) in respect of transactions concluded and ancillary services directly connected with those transactions.
- 2.3. The assignment of a Client to the Eligible Counterparty shall not exclude the right of that Client to apply to him or her for all measures of protection of non-professional investors, including those set forth in Articles 29, 30, 31 and 33 and 34 (1) and (2). Such a request may be of a general nature.
- 2.4. Where the counterparties to the proposed transaction fall within different jurisdictions, the Bank shall recognize the status of such entities as determined by the law of the Member State in which the counterparty is incorporated.
- 2.5. Entities from third countries may also be recognized as eligible counterparties if they perform similar functions and / or carry out activities like those referred to in item 2.1 of the Rules.
- 3.1. **Retail clients:** All other Clients using investment or ancillary services who are not qualified as a Professional Client or Eligible Counterparty.
- 3.2. Retail clients are subject to the highest level of investor interest protection, i.e. all investor protection measures provided for in the Law and its specifications in legislation.

PROCEDURE FOR CLIENT CATEGORY DETERMINATION

4. The Bank employee shall collect information on the Client's or potential Client's status, knowledge, experience, skills and other criteria provided by the Law and these Rules by means of a prepared questionnaire and / or other means. Based on the information collected, verified and analyzed, the Bank employee shall classify the Client as a Retail Client, Professional Client or Eligible Counter Party in accordance with the criteria established in the Rules.
5. Information on assignment of the Client to a particular category is specified in the special part of the Agreement signed by the Bank and the Client.
6. Prior to classifying the Client as a Professional Client without separate recognition under item 1.2 of the Rules, the Bank shall notify him in advance that the Client is considered a Professional Client based on information available to the Bank and will not be subject to any investor protection measures unless otherwise agreed between the Bank and the Client. If the Client can be considered as a Professional Client according to item 1.2 of the Rules, and it agrees to this by signing Appendix 19 to the Procedure for Providing

Investment Services to Clients, he shall be classified as a Professional Client.

7. The Bank shall determine the category of Professional Client for the Client in accordance with item 1.3 of the Rules only upon the Client's request. In such a case the Bank must make sure that the Client meets the criteria provided for in item 1.3 of the Rules. The Bank shall have the right to request the Client to submit documents supporting the fulfilment of the specified criteria. If the Client confirms in writing that he / she is satisfied with the Professional Client's wish to be recognized as a Professional Client, the Bank employee shall classify him / her as a Professional Customer.
8. If the Client does not meet the criteria of the Professional Client category or qualifies as a Professional Client but does not agree to be considered a Professional Client, then the Client is classified as a Retail Client and is subject to the highest level of his/her interest protection.
9. The Bank shall determine the Eligible Counterparty Category for the Client only upon the Client's own request to be assigned to this category. Prior to entering a transaction with the Client recognized as an Eligible Counterparty or mediating such a transaction, the Bank shall obtain clear confirmation from the counterparty in the Agreement concluded with the Client that it agrees to be considered an Eligible Counterparty. Such consent may be of a general nature or adjusted to the respective transactions. Client's consent shall be deemed to be expressly stated when he/she signs the Agreement, which provides that he/she shall be classified as an Eligible Counterparty. If the Client can be considered an Eligible Counterparty but the Client does not agree, he/she shall be classified by the Bank's employee as a Professional Client which ensures a higher degree of protection of interests to the Client.
10. If the Client cannot be classified as an Eligible Counterparty or a Professional Client in accordance with the information provided, it shall be classified as a Retail Client and shall be subject to the highest level of interest protection.
11. The Client must inform the Bank if the information based on which the Client was assigned to a particular category change. In this case, the Client category shall be changed upon signing the amendment to the Agreement. When the Bank becomes aware that the Client no longer meets the conditions under which he/she has been recognized as a Professional, all Retail Client protection measures shall apply, and the Bank shall inform the Client thereof.
12. The Client shall be entitled to request a higher level of protection of his/her interests than provided for in the respective Client category or to change the category assigned to him/her.