



# Global Growth Basket (USD) Issue 27



## *Investment growth, well mapped.*

If you are looking for a **US Dollar investment** that tracks top performing global companies, make sure you're on the **right road**. Global Growth Basket (USD) offers investors **120% participation** in any positive index performance, plus **95% capital protection** in US Dollars at **maturity**.

**For use within an Offshore Linked Endowment Policy only**

Structured Solutions

[www.absa.co.za/ss](http://www.absa.co.za/ss)

# Introduction

Many investors would like to diversify their investment portfolios to benefit from the growth potential of global equity markets, but limit their risk of losing any of their capital. The Global Growth Basket (USD) (the 'Investment') offers you 95% capital protection of your US dollar ('USD') Investment Amount on maturity, plus uncapped participation in any positive index growth.

**The Investment is in the form of a Note issued by Absa Bank Limited ('Absa') off of our offshore Master Structured Notes Programme.**

## About the Investment

The Investment) is a five-year, USD, 95% capital-protected investment linked to an Index that tracks the performance of top performing offshore companies. The Investment is linked to the Credit Suisse Global Equity Multi-Factor 10% Risk Control (ER) Index (the 'Index').

### **After five years, you will receive back:**

After five years, if the Index return is positive, investors will receive their full Investment Amount back plus at least 120% participation in any Index growth. If the Index return is negative, up to 5% of their Investment Amount can be lost, but no more.

**How the Investment works and how you can access it are discussed in detail further on in this brochure and the investment schedule. Please read this brochure, the Investment Schedule and the Terms and Conditions carefully and make sure that you understand them before investing.**

## For whom is the Investment suitable?

### **This Investment may be suitable if you:**

- Want to invest in USD and have a the minimum lump sum required.
- Want to diversify your portfolio to currencies and markets outside of South Africa.
- Are attracted to the growth potential of global markets.
- Understand and are comfortable with the Index (please refer to 'About the Index' section in the brochure).
- Are able to commit your Investment Amount for five years.
- Do not want to risk more than 5% of your Investment Amount if you hold your Investment for the full term.
- Regard the terms governing the liquidity of the Investment and the policy as appropriate for you.

## How the Investment works

### **At the beginning of the Investment term ('Investment Start Date'), we record the following:**

The closing level of the Index on the Investment Start Date. This is called the 'Initial Index Level'.

### **Over the last six months of the Investment term, we record the following:**

- The closing level of the Index on a certain day each month (please refer to the Investment Schedule for specific dates).
- The arithmetic average of these seven readings is referred to as the 'Final Index Level'.

### **After five years, on the Maturity Date, we calculate the Index Performance:**

- The Index Performance is the difference between the Final Index Level and the Initial Index Level.
- In addition to the performance of the Index, the repayment of the Investment Amount and any return is subject to the ability of the Issuer to pay and any extraordinary market events that may have occurred (see 'Potential Risks' section in this brochure).

### **What you will receive on the maturity of your Investment:**

- If the Index Performance is zero, you will receive no additional returns, but you will receive your full USD Investment Amount back.
- If the Index Performance is negative, you will receive at least 95% of your USD Investment Amount back.
- If the Index Performance is positive, any returns are calculated by multiplying the Index Performance by the Participation Rate. The 'Participation Rate' is the percentage of any positive Index growth that your returns will be based upon.

**Please refer to the Investment Schedule for further information, specific dates and details on the Participation Rate.**

## Example return scenarios

The below scenarios are based on an Investment Amount of USD 100 000 and a Participation Rate of 120% in any positive Index growth and are for illustrative purposes only.

Investment Amount	Index Performance	Participation Rate	Investment return at Maturity	Amount Payable at Maturity
USD 100 000	60%	120%	172%	USD 172 000
USD 100 000	25%	120%	130%	USD 130 000
USD 100 000	5%	120%	106%	USD 106 000
USD 100 000	0%	120%	100%	USD 100 000
USD 100 000	-3%	120%	97%	USD 97 000
USD 100 000	-15%	120%	95%	USD 95 000

Source: Absa Corporate and Investment Bank, August 2021

## About the Index

### Background and investment rationale

Whilst the movement towards index investing has been growing globally since the 1970s, there is an increasingly popular form of index investing that trends away from viewing equities as a single source of risk and towards an approach that deconstructs the equity market into individual drivers of return (referred to as 'equity factor investing'). Equity factor investing aims to harness all the equity market rewarded risks, called 'equity risk premia' (or 'factors') and avoid unrewarded risks.

The ability of the investment management community to deliver consistently superior returns through stock-picking or market timing has been historically challenged by financial research. While outperforming the market has proved difficult, controlling risk (volatility) within a portfolio is achievable and has been a key focus of investors since the 2008 crisis and highlighted again in the COVID-19 crisis in early 2020.

By designing an Index with a combined factor and risk control (volatility management) approach, we believe this to be an attractive alternative to traditional actively managed and market cap-weighted index strategies.

### Index construction

The Credit Suisse Global Equity Multi-Factor 10% Risk Control (ER) Index consists of a long-only portfolio of global equities (the 'Equity Component', or 'Equity Portfolio') and US treasuries through futures and USD overnight cash (the "Fixed Income Component").

The Equity Component is rebalanced on a quarterly basis and selected from global developed equity markets, including the US, Europe and Australasia. This Equity Portfolio aims to maximise or minimise exposure to a range of five equity risk premia against a global equity benchmark, subject to a set of constraints such as liquidity. The objective of the portfolio is to outperform such benchmarks by delivering the purest risk factor exposure achievable with limited tracking error. The full equity portfolio methodology is available to you from your financial adviser.

Equity Risk Premia	What is it?	Optimisation
Value	Aims to measure the relative valuation of a given stock.	Find the best value stocks
Quality	Aims to measure the relative operational performance of a given stock.	Find the best quality stocks
Low Beta	Aims to measure the sensitivity of a given stock against market moves.	Find the lowest beta stocks
Momentum	Aims to capture the effects of relative stock price changes and earnings revisions.	Find the stocks with most momentum
Size	Aims to capture the stock market capitalization.	Find the best small cap stocks

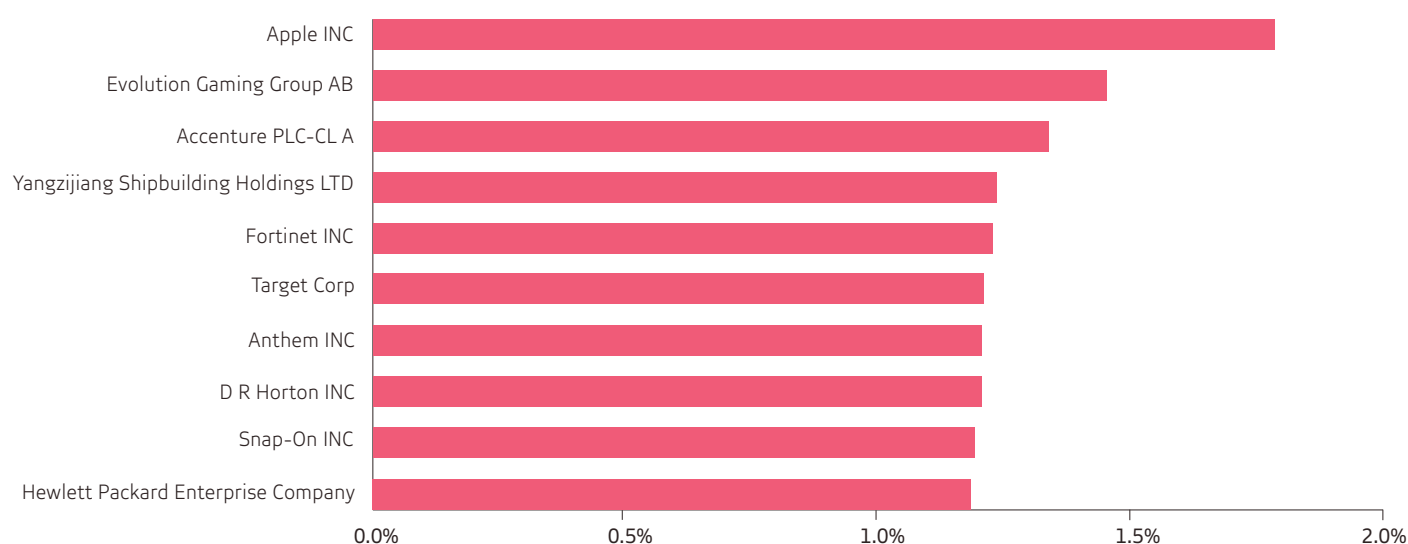
The Index has an embedded daily risk control mechanism that allocates between the Equity Portfolio and the Fixed Income Component. This mechanism aims to minimise drawdowns (or losses) in the Index by lowering allocation to the Equity Component as equities become volatile. As volatile markets have often historically been associated with negative equity performance (e.g. the 2008 financial crisis and the 2020 COVID-19 outbreak), the Index aims to reduce allocation to such assets when it is the most challenged.

In such periods, government bonds (seen as lower risk assets) tend to move in the opposite direction to equity markets. The Index aims to exploit this market phenomenon by also adding allocation to US treasuries when its correlation to the Equity Portfolio turns negative. The Index has a target volatility/risk control level set at 10%. The exposure to the Equity Portfolio and US treasuries will be adjusted daily based upon the observed volatility of the underlying equity markets.

Exposure to the Equity Portfolio will be based on its observed volatility. If its observed volatility is lower than 10%, the Index will allocate more than 100% to the Equity Portfolio, subject to a limit of 150%. Conversely, the Index will lower its exposure to the Equity Portfolio as its volatility increases. When observed correlation between US treasuries and the Equity Portfolio is deemed negative, the Index will increase exposure to the US treasuries, provided that the cumulative exposure between the Equity Portfolio and US treasuries is limited to 150%. The Index Factsheet provided by Credit Suisse illustrates this varying exposure over time very clearly.

## Index components

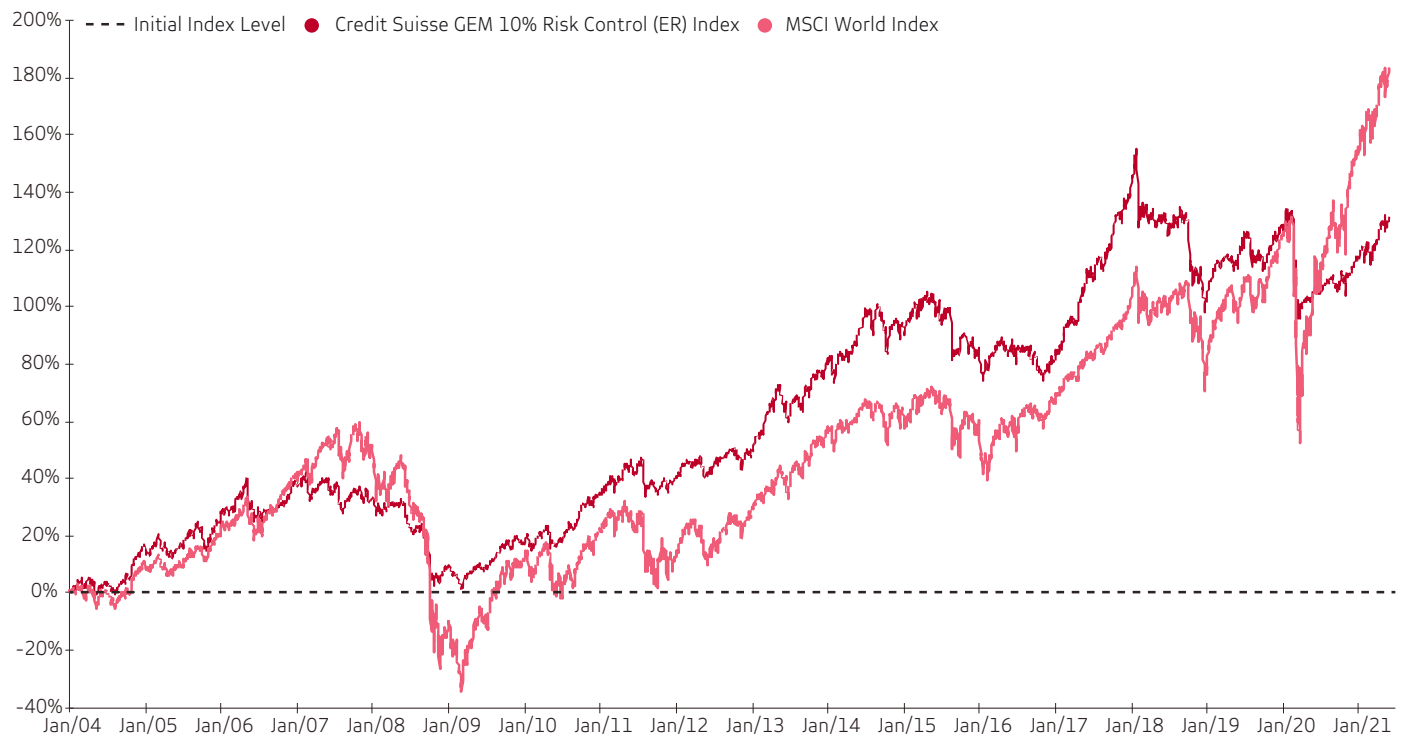
The Equity Component includes 140 to 155 stocks. The current top ten holdings are:



Source: Credit Suisse, July 2021

## Index performance

The chart below shows the rebased performance of the Index and a comparison with the MSCI World Index (market-cap weighted) Index from January 2004 to August 2021 and highlights that the indices may go down as well as up.



Source: Refinitiv, Absa Corporate and Investment Bank, August 2021. Index Launch Date, 20 April 2019.

Prior to Launch Date, the results do not represent those of actual trading as the Index did not exist. Statistical analysis is the result of back-tested simulated performance by means of a retroactive application of a model designed with a benefit of hindsight. There are frequently sharp differences between simulated performance results and the actual results subsequently achieved by any particular trading programme

## Conclusion

The Index aims to lessen the effect of downward market movements or losses and increase participation in upward market movements. However, returns from stock markets are uncertain and the strategy may underperform at times. Poor performance can be attributable to (1) risk premia underperformance relative to market cap weighted indices, or (2) periods where volatility remains high despite a rising equity market, and positive correlations between equity and US Treasuries.

The Index is calculated on an excess-returns basis and includes fees and adjustments; this is explained further on in the Index factsheets or methodology documents that can be found on our website or on request from Absa.

Note that the performance of the Index will determine whether you receive any additional return on the remaining half of your investment after five years. Also note that the Index only measures the prices of the stocks included and no allowance is made for dividends. Past performance of the Index is not a guide to its future performance.

## Access to your Investment

This Investment is aimed at investors who do not need access to their money during the investment term. You should be aware of the following:

- Any sale of your Investment before the Maturity Date is subject to normal market conditions (and the Issuer has the discretion to declare conditions as 'normal' or 'abnormal').
- 'Abnormal' market conditions may arise if market volatility increases significantly or if the liquidity of the underlying assets of the Investment becomes limited.

Please note that any withdrawals will be done at the prevailing market value of the Investment and any early withdrawal could result in you losing some or all of your Investment Amount.

No partial withdrawals are allowed. If you need to access your money, please contact the Administrator of your Investment, who will request the Issuer to redeem your Investment at the prevailing market value.

Any Investment proceeds due to you will be paid out within approximately seven business days after the early withdrawal or Maturity Date.

## Important information about the Investment

### About Absa the Issuer

Absa Bank Limited ('Absa') issues this Investment and provides the capital protection. In many respects we will also be providing the investment advice. The payments due to you depend on Absa Bank Limited being able to meet their obligations to you. If they cannot meet their obligations, you may lose some or all of your Investment Amount.

Banks and other issuers of investments are assigned credit ratings to indicate to investors how capable they are of meeting any payments due to holders of investments. (See 'Credit risk' section). Current credit ratings are detailed in the Investment Schedule.

Before making any investment decision, you should satisfy yourself that you fully understand the risks relating to the Investment and seek the necessary professional advice to make an informed decision.

### The Structured Products Programme

This Investment will be documented by way of an Applicable Pricing Supplement issued under the Issuers' USD1 Billion Master Structured Notes Programme dated 30 October 2019 (the 'Structured Products Programme') as approved by the Luxembourg Stock Exchange and used for the issuance of Notes and Certificates. The Applicable Pricing Supplement should be read together with the applicable Programme Memorandum (forming part of the Structured Products Programme) for the complete set of terms and conditions applicable to the securities described herein. Copies of the Structured Products Programme are available on the Issuers' website. All definitions used and not defined herein shall have the meaning defined in the Structured Products Programme.

# Your questions answered

## How can I invest?

You can speak to your financial adviser, who will help you make sure the Investment is suitable for you. Once you regard this investment proposition as suitable for you, you can complete the relevant application form and investment instruction with your financial adviser and submit it to the address on the forms.

## How can I monitor the performance of my Investment?

You will receive an investment confirmation soon after you have invested. We regularly make the performance fact sheets available on our financial adviser [website](#). You can obtain these by speaking to your financial adviser. You will also receive regular investment statements from the Administrator of your Investment. You can speak to your financial adviser if you have any questions.

## Is there any currency risk in the Investment?

No. Your Investment is made in USD and the Index is quoted in USD.

## Can I access my Investment before the Maturity Date if I need to?

The Investment is aimed at investors who do not need access to their money before the end of the five-year Investment term.

Because the Investment is held in a policy, there are restrictions on the number of withdrawals you can make during the first five years. Any early withdrawal will be based on the prevailing market value of the Investment. The market value will be calculated by the Issuer and paid to the Insurer. Please note that any such early withdrawal could result in you losing some or all of your Investment Amount.

## What happens to the Investment in the event of death?

In the event of death, the value of your Investment is the prevailing market value as calculated by the Issuer. Long-term insurance policy allow for estate planning and there may be benefits to consider from the estate planning options available if you invest via a policy.

## What happens at the end of the investment term?

After the Maturity Date, the Administrator will pay your capital and any returns within seven business days. You will be able to take your proceeds or may choose to invest in a new investment available at the time.

## What other documents should I have read before I invest/what are the transaction documents?

Please read and understand this brochure and Investment Schedule, which will help you understand the Investment in detail. This brochure represents what we at Absa believe to be the most relevant summary of the features and risks of the Investment, but is not intended to be the sole basis for any investment decision. You can access the pricing supplement on our [website](#) for information about the Investment.

## Is there a cooling-off period?

You are afforded a cooling off period by the Insurer from the Investment Start Date in which to change your mind about your Investment. If you change your mind within this period, we will sell the instruments at market value and pay you this plus any fees that have been included in the cost of the Investment. This value may be lower than your initial Investment Amount.

If you surrender your Investment after the Cooling-off Period, we will sell the instruments and pay you the current market value. Details on the exact length of the cooling off period are available from the relevant Insurer.

## What are the tax implications of the Investment?

Tax administration is taken care of within the policy on the investor's behalf. All USD returns earned will be taxed as capital gains at maturity, using the prevailing tax rates.

The tax implications of buying the Investment are complex, and the levels and basis of taxation may change during the Investment term.

Depending on the type of policy, insurance companies pay different rates of tax on investment returns. The effective tax rates may also differ between insurance companies, based on their level of expenses.

Any amendment to South African tax legislation, which changes the tax status of the policy or tax treatment thereof, may affect the surrender and maturity value. In such an event, the Insurer will have the right to adjust the benefit payable under this policy resulting from the amendment to such tax legislation.

For more details, please refer to your quotation.

## What are the potential risks associated with the Investment?

### Credit risk

This Investment is issued and the capital protection provided by Absa. The payments due to you depend on Absa being able to meet their obligations to you. If they cannot meet their obligations, you may lose some or all of your Investment Amount.

In the event of insolvency, all investors would rank as senior unsecured creditors. Senior unsecured creditors get paid first out of the company's other assets.

Financial institutions are rated to indicate to investors how capable they are of meeting any payment commitments. Credit ratings are assigned by two leading ratings agencies: Standard & Poor's and Moody's National. The highest ratings given by these agencies are AAA from Moody's National and AAA from S&P indicating, in their view, the least risky or most likely to meet payments when due. The lowest ratings that they give, denoting the riskiest or least likely to meet the payments, are C (Moody's National) and D (S&P).

The actual and perceived ability of the counterparty to make payments due to you in respect of the Investment, may affect the market value of your Investment.

Furthermore, if the counterparty fails to pay, you may get back less than is due to you or nothing at all.

Please refer to the Investment Schedule for Absa's current credit ratings

### Market risk

The value of the Investment on maturity depends on the level of the Index and the indices comprising the Index, but future performance of the Index cannot be guaranteed. The value of your Investment during the Investment term can change unpredictably because of:

- the performance of the Index and the indices comprising the Index; and/or
- external factors including financial, political and economic events and other market conditions; and/or
- sudden and unpredictable changes in interest rates.

### Adjustments risk

The terms of the Investment permit us to delay, reduce or withhold payments in certain circumstances. These provisions are not intended to circumvent what is legally due to you as an Investor, but rather to cover unforeseen events which may affect your return, such as:

- a suspension or a delay in calculating the level of an index or the price of any of the individual indices that make up an index;
- errors in calculating an index;
- changes in the way an index is calculated;
- an error in calculating the return itself.

While we will exercise due care and diligence in undertaking our responsibilities in relation to the Investment, the effects of the exceptional types of circumstances referred to in the above 'Adjustments' and 'Index risk' scenarios may decrease the value of your investment.



### Early redemption risk

Your Investment is designed to be held until maturity. If you redeem your Investment before the Maturity Date, you could lose some or all of your Investment Amount. Please refer to 'Can I access my Investment before the Maturity Date if I need to?'

### Index risk

While we do not expect this to happen, it is theoretically possible that, during the term of the Investment, any of the indices or the Index may cease to exist, cannot be calculated, is modified or cancelled. This is beyond our power and if it were to happen the level of the relevant index could fall. What this means is that you, as Investor, could lose some of your Investment Amount, especially where the Issuer is forced by events to mature the Investment early. We could look for a replacement index or try to calculate the index ourselves. We also have the right to redeem or cancel your Investment early. These circumstances could negatively impact the performance of your Investment.

The performance of indices is unpredictable and depends on:

- financial, political, economic and other events
- each underlying share or the Issuer's performance
- market position
- risk situation, and
- structure where applicable.

### Early termination and adjustment risk

Your Investment may be terminated before maturity if there are certain market disruptions or other extraordinary events.

Absa may also delay, reduce, adjust or withhold payment in certain circumstances. These provisions are only intended to cover unforeseen events beyond our control which may impact the Investment.

### Portfolio diversification risks

You should carefully consider the exposure that investing in this Investment would have on your overall investment portfolio.

### General risks

Other risks include the following, which could have an adverse effect on the value of your investment:

- Inflation could erode the real value of your Investment.
- Market disruptions could adversely affect the performance of your Investment.
- Settlement disruptions may mean delays or failure of payments or returns by the Issuer, your investment platform, clearing system or other third-party paying agents or intermediaries.
- Index returns could differ from the actual returns on the shares that make up an index. This is because the index may not take into account income or changes to its constituents over time, and fees and commissions may be deducted.
- An investment in an index may be taxed differently from a direct investment in the components of the same index.
- Absa action could mean that they change an index and adjust their composition or calculation methodology, or even suspend or cancel the index.
- Foreign exchange risk could positively or negatively impact any investment returns if you invest in an investment denominated in a currency other than your home currency or if the terms of the investment allow for conversion of your principal investment into another currency.
- Potential return/underperformance risk means that your returns could be less than if you invested in a deposit account or directly in the underlying assets to which the Investment is linked.

**The risks associated with this Investment are not limited to those described above, but these are the key risks. Before investing, you should satisfy yourself that you fully understand the risks and you should consult your own professional financial, tax and legal advisers where necessary.**

## Important information and disclaimer

**This document is for information purposes only.** All applications made by your investment platform to purchase an investment on your behalf require subsequent formal agreement by Absa, which will be subject to internal approvals and binding transaction documents.

**Advice.** This brochure and Investment Schedule do not constitute advice. Please consult your financial and tax adviser before investing.

**You have no claim against the underlying asset(s) to which the Investment is linked.** You will not have any recourse against any issuer, sponsor, manager, obligor or other connected person in respect of the indices.

**Regulatory disclosure.** Absa may disclose any information relating to your Investment that is required by regulators.

**Confidentiality.** This document is confidential. No part of it may be reproduced, distributed or transmitted without Absa's written permission.

**Copyright.** Copyright Absa Bank Limited, 2021 (all rights reserved).

**FAIS License Category:** Financial advisers need to be Fit and Proper for the following: Sub Category of Financial Product: Long-term insurance subcategory C.

### Investor Declaration

The Investor hereby confirms that they have read and understood the information contained in this Brochure.

Signed at

Investor full name

Signature of Investor (or duly authorised person/s for minor Investors)

Date (dd-mm-ccyy)

Signature of Contact Person or Legal Guardian

Date (dd-mm-ccyy)

Signature of authorised and mandated Financial Adviser

Date (dd-mm-ccyy)

# Contact us

## Investor

If you have any questions about this Investment or any other Absa investments, please contact your financial adviser.

## Financial advisers

Financial advisers please contact the Structured Products team directly:

**E** aiss@absa.africa

## Complaints

Please contact your financial adviser or our compliance officer on:

**T** +27 11 895 6263

**E** Mike.Pithey@absa.africa

15 Alice Lane, Sandton, 2196, Gauteng, South Africa.

## **Let us help structure and define your investment outcomes**

**Email us aiss@absa.africa**

## Legal disclaimer – Absa Bank Ltd

This brochure/document/material/report/communication/commentary ('this commentary') has been prepared by the corporate and investment banking division of Absa Bank Limited, a registered bank in the Republic of South Africa with company registration number 1986/004794/06 and with its registered office at Absa Towers East, 3rd Floor, 170 Main Street, Absa Towers West, 15 Troye Street, Johannesburg 2001, Republic of South Africa ('Absa'). Absa is regulated by the South African Reserve Bank. Absa has issued this commentary for information purposes only and you must not regard this as a prospectus for any security or financial product or transaction. Absa does not expressly, tacitly or by implication represent, recommend or propose that the securities and/or financial or investment products or services ('the products') referred to in this commentary are appropriate and/or suitable for your particular investment objectives or financial situation or needs. This commentary is not, nor is it intended to be, advice as defined and/or contemplated in the Financial Advisory and Intermediary Services Act, 37 of 2002 ('FAIS Act'), or any other financial, investment, trading, tax, legal, accounting, retirement, actuarial or other professional advice or service whatsoever ('advice'). You have to obtain your own advice prior to making any decision or taking any action whatsoever based hereon and Absa disclaims any liability for any direct, indirect or consequential damage or losses that you may suffer from using or relying on the information contained herein, even if notified of the possibility of such damage or loss and irrespective of whether or not you have obtained independent advice. This commentary is neither an offer to sell nor a solicitation of an offer to buy any of the products, which will always be subject to Absa's internal approvals and a formal agreement between you and Absa. Any pricing included in this commentary is only indicative and is not binding as such on Absa. All the risks and significant issues related to or associated with the products are not disclosed and therefore, prior to investing or transacting, you should fully understand the products and any risks and significant issues related to or associated with them. The products may involve a high degree of risk, including but not limited to, the risk of (a) low or no investment returns, (b) capital loss, (c) counterparty or issuer default, (d) adverse or unanticipated financial market fluctuations, (e) inflation and (f) currency exchange. The value of any product may fluctuate daily as a result of these risks. Absa does not predict actual results, performances and/or financial returns and no assurances, warranties or guarantees are given in this regard. The indicative summaries of the products provided here in may be amended, superseded or replaced by subsequent summaries without notice. The information, views and opinions expressed herein are compiled from or based on trade and statistical services or other third party sources believed by Absa to be reliable and are therefore provided and expressed in good faith. Absa gives no recommendation, guide, warranty, representation, undertaking or guarantee concerning the accuracy, adequacy and/or completeness of the information or any view or opinion provided or expressed herein. Any information on past financial returns, modelling or back-testing is no indication of future returns. Absa makes no representation on the reasonableness of the assumptions made within or the accuracy or completeness of any modelling or back-testing. All opinions, views and estimates are given as of the date hereof and are subject to change without notice. Absa expressly disclaims any liability for any damage or loss as a result of errors or omissions in the information, data or views contained or expressed herein even if notified of the possibility of such damage or loss. Absa does not warrant or guarantee merchantability, non-infringement of third party rights or fitness for a particular use and/or purpose. Absa, its affiliates and individuals associated with them may (in various capacities) have positions or deal in securities (or related derivative securities), financial products or investments identical or similar to the products. Absa intends to make this commentary available in South Africa to persons who are financial services providers as defined in the FAIS Act, as well as to other investment and financial professionals who have professional experience in financial and investment matters. You should contract and execute transactions through an Absa Bank Limited branch or affiliate in your home jurisdiction unless local regulations permit otherwise. Absa Bank Limited is a licensed financial services provider. Absa has taken no action that would permit a public offering of the products in any jurisdiction in which action for that purpose is required. The products will only be offered and the offering material will only be distributed in or from any jurisdiction in circumstances which will result in compliance with any applicable laws and regulations and which will not impose any obligation on Absa or any of its affiliates. In this commentary, reference is made to various indices. The publishers and sponsors of those indices ('the publishers and sponsors') do not endorse, sponsor or promote the products and make no warranty, guarantee, representation or other assurance (express, tacit or implied) relating to the indices. The publishers and sponsors make no warranties (including merchantability and fitness for purpose). The publishers and sponsors will not incur any liability in respect of any damage or loss that you may suffer as a result of investing in a product even if notified of the possibility of such damage or loss. The publishers and sponsors may amend the composition or calculation of indices and have no obligation to have regard to your or Absa's need in this regard. The information and views contained in this commentary are proprietary to Absa and are protected by copyright under the Berne Convention. In terms of the Copyright Act, 98 of 1978, as amended, no part of this commentary may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, electronic scanning, recording, or by any information storage or retrieval system, without the prior permission in writing of Absa. The illegal or attempted illegal copying or use of this information or views may result in criminal or civil legal liability.

Absa Bank Limited, Reg No 1986/004794/06, Authorised Financial Services Provider Registered Credit Provider Reg No NCRCP7

## Credit Suisse Global Equity Multi-Factor 10% Risk Control (ER) Index disclaimer

This disclaimer extends to Credit Suisse Global Equity Multi-Factor 10% Risk Control (ER) Index ('CS'), its affiliates or designates in any of its capacities. CS is the sponsor of the Index (the 'Index Sponsor'). The Index Sponsor also acts as the administrator of the Index for the purposes of the Benchmark Regulation (Regulation (EU) 2016/1011) (the 'BMR') (the 'Index Administrator'). The Index Rules and the Index Description are published by CS or its affiliates. CS is authorised by the Prudential Regulation Authority ('PRA') and regulated by the Financial Conduct Authority ('FCA') and the PRA. Notwithstanding that CS is so regulated, the rules of neither the FCA nor the PRA are incorporated into this document. The Index Administrator and Index Calculation Agent are part of the same group. CS or its affiliates may also offer securities or other financial products ('Investment Products') the return of which is linked to the performance of the Index. CS or its affiliates may, therefore, in each of its capacities face a conflict in its obligations carrying out such role with investors in the Investment Products. In addition, the Index Rules and the Index Description are not to be used or considered as an offer or solicitation to buy or subscribe for such Investment Products nor are they to be considered to be or to contain any advice or a recommendation with respect to such products. Before making an investment decision in relation to such products one should refer to the prospectus or other disclosure document relating to such products. The Index Rules and the Index Description are published for information purposes only and CS and its affiliates expressly disclaim (to the fullest extent permitted by applicable law and regulation except for where loss caused by the Fault of CS or its affiliates) all warranties (express, statutory or implied) regarding this document and the Index, including but not limited to all warranties of merchantability, fitness for a particular purpose of use and all warranties arising from course of performance, course of dealing or usage of trade and their equivalents under applicable laws of any jurisdiction unless losses result from the breach of such warranties where such losses are caused by the Fault of CS or its affiliates. 'Fault' means negligence, fraud or wilful default. CS is described as Index Administrator, Index Sponsor and Index Calculation Agent under the Index Rules. CS may transfer or delegate to another entity, at its discretion and in compliance with applicable law and regulation, some or all of the functions and calculations associated with the role of Index Administrator, Index Sponsor and Index Calculation Agent respectively under the Index Rules. CS as Index Administrator is the final authority on the Index and the interpretation and application of the Index Rules. CS as Index Administrator may supplement, amend (in whole or in part), revise or terminate these Index Rules in compliance with applicable law and regulation at any time. The Index Rules may change without prior notice. CS will apply the Rules in its discretion exercised in good faith and a commercially reasonable manner and (where there is a corresponding applicable regulatory obligation) shall act independently and honestly in its capacity as the Index Administrator and take into account whether fair treatment is achieved by any such exercise of discretion in accordance with its applicable regulatory obligations, and in doing so may rely upon other sources of market information. Neither CS as Index Administrator nor CS as Index Calculation Agent warrants or guarantees the accuracy or timeliness of calculations of Index values or the availability of an Index value on any particular date or at any particular time. Neither CS nor any of its affiliates (including their respective officers, employees and delegates) shall be under any liability to any party on account of any loss suffered by such party (however such loss may have been incurred) in connection with anything done, determined, interpreted, amended or selected (or omitted to be done, determined or selected) by it in connection with the Index and the Index Rules, unless such loss is caused by CS or any of its affiliates' Fault. Without prejudice to the generality of the foregoing and unless caused by CS or any of its affiliates' Fault, neither CS nor any of its affiliates shall be liable for any loss suffered by any party as a result of any determination, calculation, interpretation, amendment or selection it makes (or fails to make) in relation to the construction or the valuation of the Index and the application of the Index Rules and, once made, neither CS nor any of its affiliates shall be under any obligation to revise any calculation, determination, amendment, interpretation and selection made by it for any reason. Neither CS nor any of its affiliates makes any warranty or representation whatsoever, express or implied, as to the results to be obtained from the use of the Index, or as to the performance and/or the value thereof at any time (past, present or future). The strategy underlying the Index (the 'Index Strategy') is a proprietary strategy of the Index Administrator. The Index Strategy is subject to change at any time by the Index Administrator or otherwise as required by applicable law and regulations. Neither CS nor its affiliates shall be under any liability to any party on account of any loss suffered by such party, unless such loss is caused by CS or any of its affiliates' Fault in connection with any change in any such strategy, or determination or omission in respect of such strategy. Neither CS nor any of its affiliates is under any obligation to monitor whether or not an Index Disruption Event has occurred and shall not be liable for any losses unless caused by CS or any of its affiliates' Fault resulting from (i) any determination that an Index Disruption Event has occurred or has not occurred, (ii) the timing relating to the determination that an Index Disruption Event has occurred or (iii) any actions taken or not taken by CS or any of its affiliates as a result of such determination. Unless otherwise specified, CS shall make all calculations, determinations, amendments, interpretations and selections in respect of the Index. Neither CS nor any of its affiliates (including their respective officers, employees and delegates) shall have any responsibility for good faith errors or omissions in its calculations, determinations, amendments, interpretations and selections as provided in the Rules unless caused by CS or any of its affiliates' Fault. The calculations, determinations, amendments, interpretations and selections of CS shall be made by it in accordance with the Index Rules, acting in good faith and in a commercially reasonable manner and (where there is a corresponding applicable regulatory obligation) shall take into account whether fair treatment is achieved by any such calculation, determination, amendment, interpretation and selections in accordance with its applicable regulatory obligations (having regard in each case to the criteria stipulated herein and (where relevant) on the basis of information provided to or obtained by employees or officers of CS responsible for making the relevant calculations, determinations, amendments, interpretations and selections). For the avoidance of doubt, any calculations or determinations made by CS under the Index Rules on an estimated basis may not be revised following the making of such calculation or determination. No person may reproduce or disseminate the Index Rules, any Index Value and any other information contained in this document without the prior written consent of CS or its affiliates (where applicable). The Index Rules are not intended for distribution to, or use by any person in a jurisdiction where such distribution or use is prohibited by law or regulation. No one other than CS or its affiliates (where applicable) is permitted to use the Index Rules or any Index Value in connection with the writing, trading, marketing, or promotion of any financial instruments or products or to create any indices. These disclaimers are subject to mandatory provisions of applicable law and regulation which apply to the Index Administrator or the Index Calculation Agent and nothing in these disclaimers shall exclude or limit liability to the extent such exclusion or limitation is not permitted by such law or regulation. Save for the foregoing these disclaimers shall apply to the fullest extent permitted by applicable law and regulation. The Index Administrator may make any change or modification to the Index and/or the Index Rules which may be necessary or desirable for the purposes of ensuring compliance by the Index Administrator with its obligations under the BMR and any successor or additional benchmarks legislation or regulation applicable in the United Kingdom. The Index Rules shall be governed by and construed in accordance with English law. 'Credit Suisse', the Credit Suisse logo and 'Credit Suisse GEM 10% Risk Control (ER) Index' are trademarks or service marks or registered trademarks or registered service marks of Credit Suisse Group AG or one of its affiliates.