

## **Terms and conditions**

### **Accessing the BlueEarth Website**

By accessing this website (the "Website"), the pages contained on it, and the information and material contained or described herein (together the "Information"), you acknowledge your agreement with, and understanding of, the following terms and conditions of use (the "Terms").

### **Purpose of Information**

The Information has been prepared solely for purposes of information. Under no circumstances should the Information be used or considered as an offer to sell or the invitation or solicitation of an offer to buy any product or service offered by Blue Earth Capital AG including its affiliates and its and their directors, officers, advisors and employees ("BlueEarth"). The Information is in summary form for convenience of presentation and it should not be relied upon as such.

### **Exclusion of liability**

BlueEarth does not give any representation or warranty as to the accuracy, reliability, timeliness or completeness of the Information, nor as to the appropriateness of the Information for any use which any individual user may choose to make of it and accepts no responsibility for updating any part of the Information. BlueEarth does not accept any liability for any error, omission or misrepresentation in relation to the Information or for any loss, damage, cost or expense (whether direct, indirect, consequential or otherwise) suffered by the individual user of this Information or any other person as a result of any use of the Website or reliance upon any information or statement of any kind contained herein. The information and opinions are provided by BlueEarth for informational purposes only and are subject to change without notice.

### **Use of the Website / Use of Information**

The individual user shall not use the Website in any way that is fraudulent or unlawful. The Information is not intended for distribution to, or use by, any person or entity in any jurisdiction or country where such distribution or use would be contrary to law or regulation.

### **Past performance / Forward-looking statements**

Nothing herein shall be relied upon as a promise or representation as to past or future performance. There is no guarantee that any targets will be achieved. The Website may contain forward-looking

statements. Forward-looking statements are subject to various risks and uncertainties. Accordingly, there are or will be important factors that could cause actual outcomes or results to differ materially from those indicated in these statements. BlueEarth undertakes no obligation to publicly update or review any forward-looking statement, whether as a result of new information, future developments or otherwise.

### **Risk warnings**

Financial instruments are always associated with risks. Any discussion of risks on the Website should not be regarded as a disclosure of all risks or a complete discussion of the risks, which are mentioned. You acknowledge that investments in BlueEarth products may give rise to substantial risks and may not be available or suitable for all investors. Investors may not recover their amount invested in any kind of financial instrument and investment product, including BlueEarth products. Prices and values of and income from any BlueEarth product or any other kind of financial instrument or investment product mentioned in the Website may rise and fall at any time. Past performance of investments is not indicative, nor a guarantee, for future performance, and BlueEarth makes no representation or warranty, express or implied, regarding future performance of any investment. All transactions and investments referenced on the Website are included as representative transactions or investments and do not necessarily reflect overall performance or a balanced portfolio. You acknowledge and accept that if you rely on any content of the Website, you do so at your sole discretion and you are solely responsible for any decisions you might take based on the content of the Website.

### **Internet security**

When accessing the Website individual users should be aware that the internet is generally not regarded as a secure environment, and that data sent via the internet can be accessed by unauthorized third parties, potentially leading to disclosures, changes in content or technical failures. Data sent via the internet may be transmitted across international borders even though both sender and receiver are located in the same country. BlueEarth does not accept any responsibility or liability for the security of data whilst in transit via the internet.

### **Links**

The Website may contain certain links. Activating links on the Website may cause individual users to leave the Website. Such links are provided solely for individual users' convenience and information. BlueEarth has not reviewed any of the websites linked with or connected to the Website and using links on or to the Website is at each individual user's own risk.

### **Jurisdiction and Governing Law**

BlueEarth reserves the right, in its sole discretion, to amend the Terms at any time without prior notice. Any dispute arising out of or in connection with the Website shall be subject to Swiss law (excluding conflict of laws provisions), and shall, subject to appeal, exclusively be referred to the competent courts of Baar (Canton of Zug), Switzerland.

### **Important information to investors based in Switzerland about Blue Earth Capital AG and its product offering**

Blue Earth Capital AG is fully owned by Blue Earth Foundation, a "Stiftung" under Swiss law. The registered office and headquarters of Blue Earth Capital AG are at Neuhofstrasse 4, 6340 Baar.

Blue Earth Capital AG is a financial intermediary offering and promoting products managed or advised by Blue Earth Capital AG or an affiliated company directly or indirectly controlled by, or, under common control with, Blue Earth Capital AG (together 'BlueEarth Entities' or 'BlueEarth').

Blue Earth Capital AG is located at Neuhofstrasse 4, 6340 Baar, Switzerland

Phone: +41 41 784 60 00

E-mail: [info@blueearth.capital](mailto:info@blueearth.capital)

#### Representative in Switzerland

In Switzerland, all funds offered by Blue Earth Capital AG are represented by ACOLIN Fund Services AG, located at Leutschenbachstrasse 50, CH-8050 Zürich. The basic documents of the funds as well as the annual and, if applicable, semi-annual reports may be obtained free of charge from the representative and Blue Earth Capital AG.

#### Paying Agent in Switzerland

The paying agent offered by Blue Earth Capital AG is Credit Suisse (Switzerland) AG, located at Paradeplatz 8, CH-8001 Zurich.

#### Satisfaction

We aim to achieve high quality and to honor our promises. If you as a Client are not entirely satisfied with the services of Blue Earth Capital AG, we want to hear from you. Please contact your relationship manager via telephone or in writing.

If a complaint you may have is not handled to your satisfaction, please reach out to Blue Earth Capital AG's ombudsman's office to inquire about and/or initiate a mediation procedure:

Verein Ombudsstelle Finanzdienstleister (OFD)

Bleicherweg 10

CH-8002 Zürich

Phone: +41 44 562 05 25

E-mail: ombudsmann@ofdl.ch

Financial services

Blue Earth Capital AG provides the following financial services to its clients relating to financial instruments (products) managed or advised by BlueEarth Entities:

- receipt and transmission of orders;
- acquisition or disposal of financial instruments; and
- transaction-based investment advice.

Each of the above services is considered a financial service according to article 3 lit. c of the Financial Services Act ('Financial Service').

**Please note that Blue Earth Capital AG does not provide Financial Services to retail clients.**

### **Important information for investors in Germany and the EU**

Blue Earth Capital (EU) GmbH acts as a tied agent in the context of investment brokerage of financial instruments pursuant to Section 2 clause 2 no. 3 of the German Securities Institutions Act (Wertpapierinstitutsgesetz, "WpIG") exclusively for the account and under the liability of the securities institution AHP Capital Management GmbH, Weißfrauenstraße 12 to 16, 60311 Frankfurt am Main, Germany. Further information on the investment services offered may be found here. Distribution of financial instruments in the European Economic Area is conducted exclusively by Blue Earth Capital (EU) GmbH as a tied agent of AHP Capital Management GmbH.



This document is subject to regular review and may change.

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