

Vivid Money GmbH
Special Terms and Conditions
Multi-Currency Trading Services

valid from 28 September 2023 (see below for terms applicable until such date)

1. Scope of application

- 1.1 These special terms and conditions ("**STC-Multi-Currency Trading**") apply to the business relation between the customer and Vivid as provider of a mobile application ("**Vivid App**") and a website www.vivid.money ("**Vivid Web**" - Vivid Web and Vivid App collectively referred to as "**Vivid Web + App**") and regulate the Multi-Currency Trading Services provided on the Vivid Web + App.
- 1.2 The STC-Multi-Currency Trading supplement the Vivid General Terms and Conditions ("**GTC**") and the Vivid Special Terms and Conditions Web + App ("**STC-Web + App**") and must be read together with the Vivid Special Terms and Conditions Bank Account Access Services ("**STC Bank Account**") and the Vivid Special Terms and Conditions Debit Card Access Services ("**STC-Debit Card**"). Terms not defined in the STC-Multi-Currency Trading shall have the meaning given to them in the GTC, the STC-Web + App or the STC Bank Account.

2. Multi-Currency Trading Services

- 2.1 Solaris maintains the foreign currency account(s) ("**Foreign Currency Account(s)**") for the customer. The foreign currencies offered by Solaris are set out in the frontend in your Vivid App and in this document: <https://mobile-static-prod.px019.net/docs/vividmoney/en-de/currencies.pdf>.
- 2.2 A Foreign Currency Account can be used for (i) buying and selling the respective currency against Euro and keeping such foreign currency amounts on the respective account, (ii) transactions with a Supercard connected to the Pocket of the Foreign Currency Account, (iii) transferring funds in the foreign currency to other customers of Vivid who have a Foreign Currency Account in the same currency but (iv) cannot be used for making or receiving SEPA or other transfers.
- 2.3 Vivid is not involved in the brokering of transactions involving the purchase and sale of foreign currencies to these Foreign Currency Accounts ("**Multi-Currency Trading Services**"); this brokering service is classified as investment brokering (*Anlagevermittlung*) pursuant to the German Banking Act (*Kreditwesengesetz*) and is provided by Vivid Money B.V., a group company that is regulated by the Dutch financial supervisory authority. The customer needs to onboard to Vivid Money B.V. to use these services and is required to have a separate contract with Vivid Money B.V.
- 2.4 Vivid solely prepares, transmits and processes the respective orders regarding payment transactions in foreign currency to Solaris under the STC Bank Account and STC Debit Card.
- 2.5 **IMPORTANT:** Without successful registration with Vivid Money B.V. for the Multi-Currency Trading Services, the user cannot make any purchases or sales of foreign currencies from their Foreign Currency Account. Any existing foreign currency balances can only be used to make

card transactions and make transfers to other Vivid customers in such foreign currency.

3. Processing of Customer Orders in relation to Vivid Multi-Currency Trading Services

The customer will enter into a separate legal relationship with Solaris in relation to the Multi-Currency accounts. For details regarding Customer Order Processing Conditions in relation to the Vivid Multi-Currency Trading Services please refer to Solaris Special Terms and Conditions for the Foreign Currency Accounts, the Special Conditions for the Vivid Money Account, the List of Prices and Services and Annex Prices for Special Services in relation to Vivid Money which are all available at <https://www.solarisgroup.com/de/customer-information/spain/de-iban/spanish/> (or for customers of Solaris SE Sucursal en España: <https://www.solarisgroup.com/de/customer-information/spain/es-iban/english/>) and www.vivid.money.

4. Exchange rates

The exchange rate will be displayed in the Vivid App before the exchange is being executed. Please refer to the Solaris Special Terms and Conditions for Foreign Currency Accounts regarding the determination of the exchange rate.

5. Tax

Solaris and Vivid will apply the German regulations on retentions, which on the execution date implies that it will not withhold any tax on multi-currency transactions. Customers should be aware that gains arising from multi-currency transactions may be subject to taxation in accordance with the applicable tax regulations.

Vivid Special Terms and Conditions

Multi-Currency Trading Services

valido antes que 28 septiembre 2023

1. Scope of application

1.1 These special terms and conditions ("**STC-Multi-Currency Trading**") apply to the business relation between the customer and Vivid as provider of a mobile application ("**Vivid App**") and a website www.vivid.money ("**Vivid Web**" - Vivid Web and Vivid App collectively referred to as "**Vivid Web + App**") and regulate the Multi-Currency Trading Services provided by Vivid.

1.2 In Germany Vivid is registered as tied agent of Solarisbank, a CRR credit institution supervised by the German Federal Financial Supervisory Authority (BaFin) and the European Central Bank (ECB), within the meaning of sec. 2, para. 10, of the German Banking Act (Kreditwesengesetz).

Note: Services may also be offered to Spanish customers by Solarisbank AG via the Spanish Branch of Solarisbank AG, Solarisbank AG Sucursal en España. This applies to customers who have received a Spanish IBAN. The tied agent relationship with Solarisbank AG, Germany, is not relevant for customers of Solarisbank AG Sucursal en España.

1.3 The STC-Multi-Currency Trading supplement the Vivid General Terms and Conditions ("**GTC**") and the Vivid Special Terms and Conditions Web + App ("**STC-Web + App**") and must be read together with the Vivid Special Terms and Conditions Bank Account Access Services ("**STC Bank Account**") and the Vivid Special Terms and Conditions Debit Card Access Services ("**STC-Debit Card**"). Terms not defined in the STC-Multi-Currency Trading shall have the meaning given to them in the GTC, the STC-Web + App or the STC Bank Account.

2. Multi-Currency Trading

2.1 Vivid, on behalf of Solarisbank and in its capacity as a tied agent, brokers transactions involving the purchase and sale of foreign currencies ("**Multi-Currency Trading Services**"). Vivid further prepares, transmits and processes the respective orders regarding payment transactions in foreign currency to Solarisbank. Further details on the Multi-Currency Trading Services can be found in Solarisbank's Special Terms and Conditions for Foreign Currency Accounts, which are available at <https://www.solarisbank.com/customer-information/> and www.vivid.money.

2.2 Solarisbank keeps the foreign currency account(s) ("**Foreign Currency Account(s)**") for the customer. The foreign currencies offered by Solarisbank are set out in the frontend in your Vivid App and in this document: <https://mobile-static-prod.px019.net/docs/vividmoney/en-de/currencies.pdf>.

2.3 A Foreign Currency Account can be used for (i) buying and selling the respective currency against Euro and keeping such foreign currency amounts on the respective account, (ii) transactions with a Supercard connected to the Pocket of the Foreign Currency Account, (iii) transferring funds in the foreign currency to other customers of Vivid who have a Foreign Currency Account in the same currency but (iv) cannot be used for making or receiving SEPA or other transfers.

3. Vivid acting as outsourced services provider of Solarisbank

- 3.1 Multi-Currency Trading Services are to be classified as investment broking (*Anlagevermittlung*) pursuant to the German Banking Act (*Kreditwesengesetz* - "**KWG**").
- 3.2 Vivid is not licensed to provide banking business or financial services pursuant to the KWG and provides Multi-Currency Trading Services therefore exclusively as outsourced services provider in the name of, for the account of and under the full liability of Solarisbank.
- 3.3 Solarisbank will assume civil liability to the customer in respect of Vivid's activity as an outsourced services provider for the Multi-Currency Trading Services. The customer may hence bring any claims on account of breaches of duty relating to Vivid's brokerage services for the Multi-Currency Trading Services directly against Solarisbank.

Note: Services may also be offered to Spanish customers by Solarisbank AG via the Spanish Branch of Solarisbank AG, Solarisbank AG Sucursal en España. This applies to customers who have received a Spanish IBAN. The tied agent relationship with Solarisbank AG, Germany, is not relevant for customers of Solarisbank AG Sucursal en España.

4. Access to Vivid Multi-Currency Trading Services

- 4.1 Following Registration and receipt of a confirmation in accordance with section 4.4 STC-Web + App the customer will be given the opportunity to select Vivid Multi-Currency Trading Services (which can only be selected together with Vivid Bank Account Access Services).
- 4.2 Access to the Vivid Multi-Currency Trading Services requires the customer to comply with the registration procedure ("**Vivid Multi-Currency Trading Registration**") as set forth in the STC-Web + App.
- 4.3 By completing the Vivid Multi-Currency Trading Registration the customer makes a binding offer
 - (a) to Solarisbank for entering into a contract on the use of Foreign Currency Account(s) on the basis of the "Special Terms and Conditions for Foreign Currency Accounts" by Solarisbank (available at: <https://www.solarisbank.com/customer-information/>), and
 - (b) to Vivid for entering into a contract on the use of the Vivid Multi-Currency Trading Services on the basis of the Vivid TC.
- 4.4 If the offer is accepted, Vivid will send a confirmation to the Customer Email Address as a consequence of which the customer shall be entitled to use the Vivid Multi-Currency Trading Services.
- 4.5 The customer will enter into a separate legal relationship with Solarisbank in relation to the Vivid Multi-Currency Trading Services. This legal relationship is governed by the Solarisbank Special Terms and Conditions for the Foreign Currency Accounts, which are available at <https://www.solarisbank.com/en/informazioni-clienti> (or for customers of Solarisbank AG Sucursal en España: <https://solarisbank.com/customer-information/>) and www.vivid.money.

5. Processing of Customer Orders in relation to Vivid Multi-Currency Trading Services

For details regarding Customer Order Processing Conditions in relation to the Vivid Multi-Currency Trading Services please refer to the List of Prices and Services which can be found under <https://www.solarisbank.com/customer-information/> and www.vivid.money.

6. Exchange rates

The exchange rate will be displayed in the Vivid App before the exchange is being executed. Please refer to the Solarisbank Special Terms and Conditions for Foreign Currency Accounts regarding the determination of the exchange rate.

7. Tax

Solarisbank and Vivid will apply the German regulations on retentions, which on the execution date implies that it will not withhold any tax on multi-currency transactions. Customers should be aware that gains arising from multi-currency transactions may be subject to taxation in accordance with the applicable tax regulations.