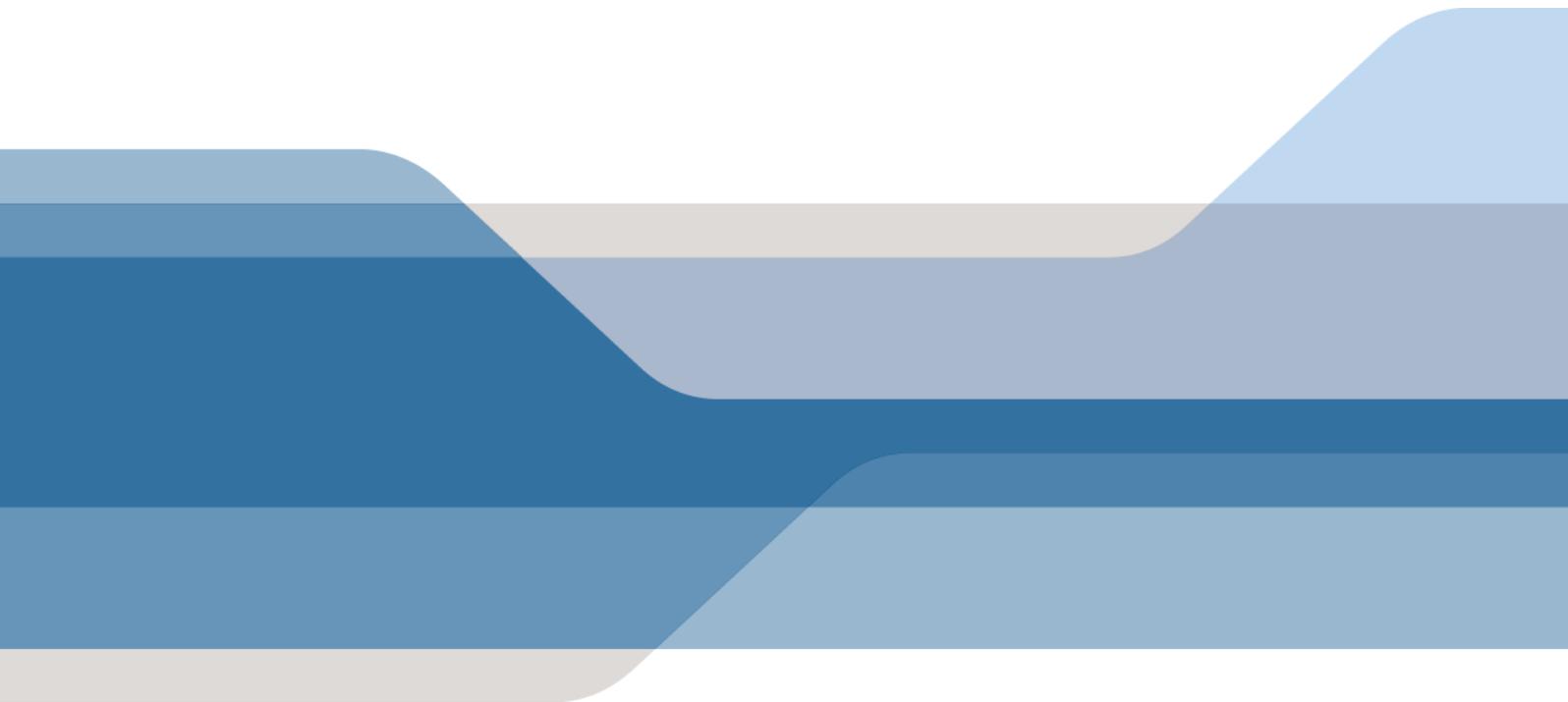


Annual Report 2009

SIX x-clear Ltd
Brandschenkestrasse 47
CH-8002 Zurich



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Annual report of SIX x-clear Ltd

Extensive network in the European market

In a challenging market environment, SIX x-clear is strengthening its position in European cross-border securities settlement by connecting with a number of foreign trading platforms. This has led to a substantial increase in the number of clearing transactions. Business income came under pressure due to a reduction in tariffs, smaller trading volumes and low interest rates, resulting in a decrease of 28.0% to CHF 13.9 million.

A far-reaching transformation is currently taking place in the post-trading business in Europe. Changes to the regulatory framework have led to the opening of markets and the establishment of new trading platforms. This provides SIX x-clear with an opportunity to significantly increase its customer base and to expand the international network.

Expansion of clearing activities

SIX x-clear's business income decreased from CHF 19.3 million in the previous year to CHF 13.9 million. This can be put down to the new pricing structure with reduced tariffs which was introduced at the beginning of the year as well as lower interest income as a result of the generally lower interest rates. As a result of the link-ups to new trading platforms, the number of clearing transactions effected via SIX x-clear increased from 25.4 million to 33.4 million. The non-recurring additional costs resulting from these link-ups could not be compensated due to the decline in business income. Factoring out project costs, the operating income can be deemed satisfactory. The positive financial result is attributable to the dissolution of provisions for tax reasons.

Thanks to its sound capital resources, SIX x-clear was once again awarded a peak rating of Prime 1 for short-term deposits and Aa1 for long-term deposits by Moody's in 2009. This served to confirm the valuations of the previous years.

International initiatives

After the London Stock Exchange (LSE) introduced SIX x-clear as a second central counterparty at the end of 2008, many additional stock exchange organizations and multilateral trading facilities (MTFs) followed suite: NYFIX, Equiduct, Liquidnet, CHI-X, BATS, Nasdaq OMX Europe, Turquoise and Nasdaq OMX all reached corresponding agreements with SIX x-clear during the course of 2009. Measured by the number of linked trading platforms, SIX x-clear is well on the way to positioning itself as one of Europe's most important providers. SIX x-clear has opened a branch office in Stockholm which will improve customer proximity in the Scandinavian markets.

Focusing on implementation

SIX x-clear aims to significantly increase the international clearing volume by connecting to additional European exchanges and MTFs as part of the interoperability efforts it is undertaking together with other CCPs. The company's international expansion is expected to generate a marked increase in clearing volumes in 2010. Despite low interest rates, an increase in revenue is expected, provided securities markets remain stable. A drive for increased regulation of the infrastructure sector is expected within the EU in the course of 2010. The interoperability guidelines for clearing organizations will duly have an impact on business development. Together with domestic and foreign stakeholders, SIX x-clear is involved at an international level in the lobbying process concerning the regulatory framework.

Balance sheet of SIX x-clear as at 31 December 2009

(CHF 1,000)	31.12.2008	31.12.2009
Assets		
Liquid funds	–	–
Due from banks	135,353	114,952
Due from clients	2,003	254
Participations	4	4
Accrued income and prepaid expenses	176	42
Other assets	11,345	5,811
Total assets	148,876	121,063
Due from qualified participants (indirect)	59	52
Due from qualified participants (direct)	135	133
Due from affiliated companies (banks)	119,175	105,874
Due from affiliated companies (clients)	1,868	79
Liabilities		
Due to banks	71,810	55,960
Due to clients	1,632	122
Prepaid expenses and deferred income	5,270	4,020
Other liabilities	12,214	6,015
Valuation adjustments and provisions	7,776	4
Share capital	30,000	30,000
General legal reserves	6,000	6,360
Free reserves	6,500	13,500
Profit carried forward from previous year	478	313
Annual profit	7,194	4,769
Total liabilities and equity	148,876	121,063
Due to qualified participants (indirect)	–	46
Due to qualified participants (direct)	–	–
Due to affiliated companies (banks)	1,035	33
Due to affiliated companies (clients)	1,591	77
Off-balance sheet transactions		
Irrevocable commitments	2	2
Equity derivatives		
Contract volumes	3,602,650	4,293,586
Positive replacement values	37,578	25,285
Negative replacement values	37,584	25,124

Income statement 2009 of SIX x-clear

(CHF 1,000)	2008	2009
Interest and discount income	4,765	136
Interest expenses	– 237	– 65
Net interest income	4,528	71
Commission income from securities and investment transactions	7,480	2,890
Commission income from clearing transactions	7,146	8,145
Commission expenses	– 137	– 688
Net commission and services business income	14,489	10,347
Net trading income	– 1,182	637
Other ordinary income ¹	1,503	2,839
Other ordinary expenses	– 35	–
Net other income	1,468	2,840
Business income	19,303	13,893
Personnel expenses	– 3,583	– 4,769
Operating expenses ²	– 5,283	– 10,014
Total operating expenses	– 8,865	– 14,783
Gross income	10,438	– 890
Depreciation on fixed assets	–	–
Valuation adjustments, provisions and losses	– 1,223	–
Subtotal	9,215	– 890
Extraordinary income	–	7,672
Extraordinary expenses	–	–
Taxes	– 2,021	– 2,014
Annual profit	7,194	4,769
Appropriation of disposable profit		
Profit carried forward from previous year	478	312
Profit at the General Meeting¹ s disposal	7,672	5,081
Allocation to general legal reserves	– 360	–
Allocation to free reserves	– 7,000	–
Dividend	–	–
Profit carried forward	312	5,081

¹ Incl. Group-internal services worth CHF 2.835 m (previous year: CHF 1.497 m).

² Incl. Group-internal services worth CHF 5.759 m (previous year: CHF 4.523 m).

Annex to the financial statements 2009

1 Notes on business activities and workforce

1.1 General

SIX x-clear operates as an international central counterparty (CCP) in securities trading. After the London Stock Exchange (LSE) introduced SIX x-clear as a second central counterparty at the end of 2008, many additional stock exchange organizations and multilateral trading facilities (MTFs) followed suite: NYFIX, Equiduct, Liquidnet, CHI-X, BATS, Nasdaq OMX Europe, Turquoise and Nasdaq OMX all reached corresponding agreements with SIX x-clear during the course of 2009.

Furthermore, SIX x-clear assumes the role of a center of competence in the field of risk management for the Securities Services division. As a licensed bank under Swiss law, SIX x-clear is supervised by FINMA. Based on the National Bank Law, SIX x-clear is also supervised by the Swiss National Bank with respect to systemic risks. The Financial Services Authority (UK) granted SIX x-clear the status of a Recognised Overseas Clearing House (ROCH).

At the end of 2009, SIX x-clear had a full-time equivalent workforce of 17 people (in 2008: 12).

1.2 Outsourcing

Wherever possible, SIX x-clear uses the services of other affiliated companies of SIX Group.

SIX x-clear has outsourced securities settlement within the Group, i.e. the settlement of CCP transactions has been assigned to its affiliate SIX SIS Ltd. The outsourced tasks include proper settlement of trades as well as monitoring thereof and the respective securities repositioning. The service provider SIX SIS is also a regulated bank supervised by FINMA.

SIX x-clear outsourced the operation and maintenance of the computer center to SIX Group Services. This outsourcing arrangement is governed by Service Level Agreements in compliance with FINMA regulations. Staff members of SIX Group Services are obligated to maintain banking secrecy.

1.3 Risk management

1.3.1 General

As a part of SIX Group, SIX x-clear is an important pillar of the Swiss financial center, laying great emphasis on reliability and security, and thus creating the trust that is essential for the financial center's smooth functioning. The Board of Directors of SIX Group is responsible for risk. Internal control over the risk situation is in the hands of the Risk Committee of the Board of Directors of SIX Group. The Board of Directors of SIX Group approves the risk policy and delegates risk management tasks.

Overall responsibility for risk management lies with the members of the Group Executive Board of SIX Group, which is supported at Group level by the specialized units Corporate Development (for strategic risks), Corporate Security Officer (for security risks) and Compliance Officer as well as the Finance & Risk division. SIX Group's risk control measures are executed by the Chief Risk Officer of SIX Group, who is independent of the line. Risk management and controlling are monitored by the internal auditors.

The management of specific risks faced by SIX x-clear is assumed by senior executives of the Securities Services division. Risk controlling tasks specific to SIX x-clear are assigned to the Risk Controlling unit of the Securities Services division. For this purpose, the risk management instruments are continually enhanced and adjusted.

1.3.2 Risk policy

The scope of SIX x-clear risk policy is determined by the risk policy of SIX Group, in which the principles and philosophy applied to various risks are set out. The risk policy precisely defines organization, structures, competencies, and responsibilities and provides the basis for dealing with different kinds of risk as well as outlining the readiness to assume risk. Thus, the risk policy constitutes the central framework for regulations and directives of the individual companies and for the risk categories.

1.3.3 Risk groups

1.3.3.1 Strategic risk and project risk

Strategic risks and project risks arise both from the implementation of SIX Group's strategy and from the implementation of the strategies of the individual subsidiaries. They are the responsibility of the Group Executive Board as well as of the Executive Boards of the subsidiaries.

Strategic risks and projects risks are not directly quantified; the risk profiles of the individual SIX Group companies are, however, reviewed semi-annually.

1.3.3.2 Reputational risk

Reputational risk involves the risk of SIX Group's or one of its subsidiaries' reputation being tarnished. As reputational risk is inherent in business activities, reputational risk management mainly consists of ensuring competency, integrity, responsibility as well as compliance in business activities at a group level. Reputational risk management includes all operational and strategic management instruments of SIX Group, in particular financial reporting, monitoring of performance key figures as well as studies on customer and staff satisfaction. Reputational risks are not directly quantified either.

1.3.3.3 Counterparty risk (default risk, credit risk)

Credit risk, counterparty risk or default risk is defined as the danger of a loss caused by a counterparty not fulfilling its contractual obligations, i.e. a counterparty or a country becoming insolvent. This includes settlement risk or the risk of the counterparty becoming insolvent at the time when the transaction is settled.

SIX Securities Group applies a conservative risk and credit policy. New members of SIX x-clear have to meet strict regulatory standards. Inadequately regulated and supervised market participants, or institutions not subject to money laundering monitoring, are not admitted.

Although the members of SIX x-clear have sole responsibility for investments, SIX Group has defined certain country limits to ensure appropriate risk monitoring.

The exposure to uncovered credit risk towards the London Clearing House is secured.

SIX Group is linked online/real-time with SIX Swiss Exchange as well as with the SIC/euroSIC systems. The system of real-time settlement of irreversible transactions on the basis of simultaneous delivery versus payment, which has been in operation for several years, offers the best guarantee of eliminating settlement risk.

SIX x-clear avails of a system for the internal monitoring of cluster risks.

In 2005, SIX Group decided to calculate the capital adequacy requirements for credit risks using the Swiss standard approach in accordance with Basel II. The changeover to the Swiss standard approach was implemented as at 1 January 2007.

1.3.3.4 Non counterparty-related risk

Non counterparty-related risk is defined as the danger of a loss due to value changes or liquidation of assets that are not related to a specific counterparty. This category includes positions that concern the actual infrastructure for the business activities. In particular, it includes office buildings, sundry tangible assets, software as well as other assets subject to depreciation.

Non counterparty-related risks are accounted for through adequate depreciation as well as insurances. In particular, software is written off in full in the production year, respectively in the purchase year.

1.3.3.5 Market risk

Market risk is the risk of a loss due to value fluctuations of a position triggered by a change of the underlying factors (e.g. equity or commodity prices, exchange rates and interest rates as well as their respective volatilities).

As central counterparty, SIX x-clear applies the following multi-level risk management techniques in order to minimize market risk due to unsettled transactions: Regular evaluations of positions at the latest quotation, rules for the prevention and coverage of possible losses, application of margin requirements for actual changes in value (variation margin) and possible future price fluctuations (initial margin) as well as a default fund contributed by the participants. Furthermore, the Default Fund is mutualized and participants are under the duty to make additional contributions (margin calls). Risks resulting from inter-CCP transactions with LCH are covered by a guarantee issued by a top-rated bank.

1.3.3.5.1 Risk of interest rate fluctuations

SIX Group does not engage in credit transactions or in major mid-term or long-term fixed interest transactions. Consequently, SIX Group is not exposed to any significant risk of interest rate fluctuations.

1.3.3.5.2 Foreign currency risk

In principle, SIX Group does not hold any foreign currency for its own account outside of OECD member states. Moreover, all receivables from and liabilities towards participants and custodians are matched by currency. Currency risks are generally limited to the net amounts from interest received and paid, commissions and fees.

1.3.3.5.3 Price risk in trading portfolio

SIX x-clear does not maintain any securities trading portfolios.

1.3.3.6 Operational risks

According to Basel II, operational risk is defined as "the risk of loss resulting from inadequate or failed internal processes, people and systems or from external events". The definition also covers all legal risks, including fines from supervisory bodies and settlements. Strategic risks and reputational risks, however, are excluded.

Operational risk management is a task assumed at all management levels. Operational risks are mainly limited by means of internal regulations and directives on organization and control. Additionally, it is mandatory to identify, assess and manage them continually. For this purpose, business process risks are systematically assessed by the internal Group audit department and adequate measures are elaborated. What is more, SIX Group maintains a loss and risk database reflecting the risk categories defined by

Basel II to systematically identify any risks in processes and to collect data to minimize losses in all business areas as much as possible.

Together with the legal department, the compliance function ensures that the business activities of SIX Group observe the current rules and regulations as well as the financial intermediaries' general obligation to exercise due diligence. These entities are responsible for implementing the requirements and developments defined by supervisory bodies, the legislator, the jurisdiction and other relevant institutions. Furthermore, they ensure the adjustment of internal rules and directives to changing legal provisions and the observance thereof.

The risk inherent in the reliance on information technology is addressed by SIX Group by means of business continuity planning in line with customary industry practice and measures to reduce the probability of such failures occurring, inter alia by maintaining an IT backup center. Appropriate steps on the part of outsourcing partners are subject to contractual agreements. In addition, SIX Group is supervised by the Swiss National Bank due to special legislation in this respect.

Since 1 January 2007, operational risks have been backed with capital according to the basic indicator approach under Basel II.

In accordance with Rz 7 – 11 of FINMA-RS 08/22, SIX x-clear meets the requirements for partial disclosure.

Capital on 31 December 2009 (in CHF m):

Eligible capital

	2008	2009
Eligible capital:	43.0	54.9
Total required capital:	5.8	5.0
thereof for credit risks:	3.0	2.4
thereof for non counterparty-related risks:	–	–
thereof for market risks:	0.3	0.1
thereof for operational risks:	2.5	2.5

2 Principles of accounting and valuation

2.1 General principles

The bookkeeping, balance and valuation comply with the provisions of the Swiss Code of Obligations, the Swiss Federal Law on Banks and Savings Banks and the accounting guidelines of the Swiss Financial Market Supervisory Authority (FINMA-RS 08/2). The financial statement reporting date is 31 December. Transactions are entered according to the principle of settlement date accounting whereas for balancing trade date accounting is applied. Detail positions reported under a specific balance sheet item are valued individually.

2.2 Conversion of foreign currencies

Transactions in foreign currency are posted at the current exchange rates. Balance sheet items in foreign currencies are translated into Swiss francs at the exchange rates applicable on the balance sheet date. Exchange rate gains or losses are credited or debited to the income statement.

Exchange rate

Currency	USD	EUR	GBP	JPY	HKD	CAD
Unit	1	1	1	100	100	1
Exchange rates as at 31.12.2009	1.03	1.49	1.66	1.118	13.29	0.98
as at year-end 2008	1.06	1.49	1.53	1.17	13.64	0.87

2.3 Liquid funds, money market claims, borrowed funds

These items are shown in the balance sheet at their nominal value.

2.4 Receivables from and liabilities towards banks and clients

Receivables and liabilities in CHF are shown at their nominal values. Risks arising in respect of customer claims are taken into account in the balance sheet item "Valuation adjustments and provisions." Predictable risks of loss are accounted for through individual valuation adjustments and latent risks through flat-rate valuation adjustments calculated on the basis of clearly defined rates. Claims from and liabilities towards banks arise mainly from clearing activities as CCP.

2.5 Lending and repurchase transactions in securities

In accordance with the new accounting guidelines, the substance over form principle is applied to lending and repurchase activities with securities. Thus, non-monetary values are shown in the balance sheet of the party delivering these values.

2.6 Securities lending and borrowing transactions

SIX Group division lends and borrows non-monetary instruments such as money market papers or securities for its own account and risk (principal status). Basically, SIX x-clear only engages in trading book transactions, exclusively assuming the role of borrower at SIX SIS. Liabilities arising from the

borrowing of non-monetary instruments are valued at market price. Lending transactions in securities or money market papers are treated like repo transactions, provided they are covered by cash collateral and are subject to daily margining. Lending transactions in securities that are not covered by cash collateral are not included in the balance sheet, but shown in the Annex. Fees paid and received are shown under commission income rather than interest income.

2.7 Repurchase and reverse repurchase transactions (Repo)

SIX x-clear does not engage in any Repo or Reverse Repo transactions.

2.8 Pension fund liabilities

Liabilities towards the internal pension fund as at 31 December 2009 amount to TCHF 31 (in 2008: TCHF 23). SIX Group offers defined contribution plans.

2.9 Information on off-balance sheet transactions

Off-balance sheet transactions requiring disclosure concern derivative financial instruments. There are no contingent liabilities.

SIX Group engages in transactions involving derivative financial instruments for its own account only to a very limited extent and for the sole purpose of hedging.

The positive and negative replacement values as well as the respective contract volumes are spot transactions of SIX x-clear which were outstanding at year-end.

2.10 Valuation adjustments and provisions

2.10.1 Valuation adjustments and provisions for default risks (counterparty, customer and country risk)

Allowance is made for individual risks predictable on the balance sheet date by means of individual valuation adjustments and provisions based on the accounting principle of prudence.

Acute and latent default risks are to be evaluated individually and the decrease in value calculated therewith is to be accounted for under the relevant asset item.

2.11 Amended principles of accounting and valuation

The provisions set up to cover latent operational risks were fully reversed.

3 Balance sheet information

3.1 Other assets and other liabilities

	Other assets		Other liabilities	
	Previous year	31.12.2009	Previous year	31.12.2009
Replacement values	11,331,102	5,684,740	11,310,481	5,684,740
Pre-tax charge, withholding tax	423	–		
Unilaterally performed trades			484,558	36,433
Difference in replacement value from unilaterally performed trades	–	–	20,622	–
Unilaterally performed trades (settlement in foreign currency)	8,853	125,946	308,399	138,460
Value added tax			3,837	99,159
Settlement account			–	–
Short-term liabilities social insurance	–	–	86,265	56,409
Total other assets and other liabilities	11,340,378	5,810,686	12,214,161	6,015,202

3.2 Assets pledged or assigned as cover for liabilities

To meet the margin requirements of LCH, SIX x-clear pledged Swiss government bonds with a nominal value of CHF 49 m by means of an irregular lien.

	Previous year		31.12.2009	
	Amount due or book value	Liabilities of which claimed	Amount due or book value	Liabilities or claimed liabilities respectively
(CHF 1,000)				
Due from banks	3,873	–	–	–
Due from banks (affiliated companies)	119,175	1,056	105,874	33
Total	123,049	1,056	105,874	33

3.3 Lending and repurchase transactions in securities

(CHF 1,000)	Previous year	31.12.2009
Fair value of securities received in securities lending	1,056	732
thereof: those for which the right to sell or pledge was granted without restriction	1,056	732
thereof: resold or repledged securities	1,056	732

All credit balances on custody and money accounts with SIX SIS according to the Pledge Agreement and the supplementary contract for the broker line facility. These are mainly cash balances.

3.4 Valuation adjustments and provisions

	Balance at year-end 2008	Desig- nated uses	Recoveries, interest at risk, currency differences	New amounts charged to income statement	Credited to income statement	Balance at year-end 2009
(CHF 1,000)						
Value adjustments and provisions for:						
Operational risks	7,672	–	–	–	– 7,672	–
Social security stop-gap benefit	–	–	–	4	–	4
Other risks fluctuation reserve	–	–	–	–	–	–
Retention	104	– 133	–	37	– 8	–
Total valuation adjustments and provisions	7,776	– 133	–	41	– 7,680	4

3.5 Company capital and shareholders holding more than 5% of all voting rights

	Previous year			31.12.2009		
	Total nominal value (CHF m)	Quantity	Capital entitled to dividends (CHF m)	Total nominal value (CHF m)	Quantity	Capital entitled to dividends (CHF m)
Registered shares	30	30,000	30	30	30,000	30
Share capital	30	30,000	30	30	30,000	30
Company capital	30	30,000	30	30	30,000	30

All registered shares, and thus all voting rights (1 share = 1 vote), are held by the parent company, SIX Securities Group Ltd.

3.6 Statement of equity

Equity at the beginning of the year under review	(CHF 1,000)
Paid-in capital	30,000
General legal reserves	6,000
Free reserves	6,500
Disposable profit	7,673
Total capital and reserves at the beginning of 2009 (prior to appropriation of profit)	50,173
Annual profit	4,769
Total capital and reserves at the end of 2009 (prior to appropriation of profit)	54,941
Thereof:	
Paid-in capital	30,000
General legal reserves	6,360
Free reserves	13,500
Disposable profit	5,081

3.7 Claims from and liabilities towards affiliated companies

(CHF 1,000)	Previous year	31.12.2009
Due from affiliated companies	121,094	105,953
Due to affiliated companies	29,238	110

3.8 Transactions with associated persons

The same services are provided and the same conditions are applied to associated persons as to third parties.

4 Information on the income statement

4.1 Net trading income

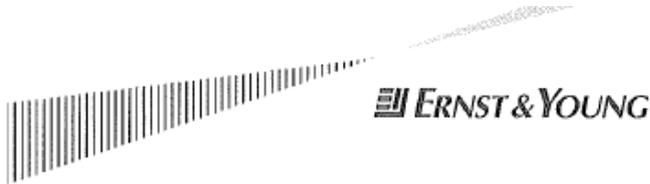
(CHF 1,000)	Previous year	31.12.2009
Income from forex transactions	- 1,182	637
Total	- 1,182	637

5 Additional information

5.1 Contingent liabilities

	Previous year	31.12.2009
Joint liability from consolidated value-added tax filing status	p.m.	p.m.

The annex to the consolidated financial statements of SIX Securities Group Ltd, which are based on the true and fair view principle, contains additional information.



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To the General Meeting of
SIX x-clear Ltd, Zurich

Zurich, 5 March 2010

Report of the statutory auditor on the financial statements

As statutory auditor, we have audited the accompanying financial statements of SIX x-clear Ltd, which comprise the balance sheet, income statement and notes, for the year ended 31 December 2009. The prior period financial statements were audited by another auditor whose report dated 25 March 2009, expressed an unqualified opinion on those financial statements.

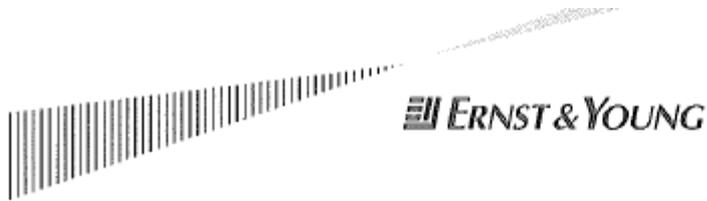
Board of Directors' responsibility

The Board of Directors is responsible for the preparation of the financial statements in accordance with the requirements of Swiss law and the company's articles of incorporation. This responsibility includes designing, implementing and maintaining an internal control system relevant to the preparation of financial statements that are free from material misstatement, whether due to fraud or error. The Board of Directors is further responsible for selecting and applying appropriate accounting policies and making accounting estimates that are reasonable in the circumstances.

Auditor's responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Swiss law and Swiss Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers the internal control system relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control system. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



Opinion

In our opinion, the financial statements for the year ended 31 December 2009 comply with Swiss law and the company's articles of incorporation.

Report on Other Legal Requirements

We confirm that we meet the legal requirements on licensing according to the Auditor Oversight Act (AOA) and independence (article 728 CO) and that there are no circumstances incompatible with our independence.

In accordance with article 728a paragraph 1 item 3 CO and Swiss Auditing Standard 890, we confirm that an internal control system exists, which has been designed for the preparation of financial statements according to the instructions of the Board of Directors.

We further confirm that the proposed appropriation of available earnings complies with Swiss law and the company's articles of incorporation. We recommend that the financial statements submitted to you be approved.

Ernst & Young Ltd

Iqbal Khan
Licensed audit expert
(Auditor in charge)

Pascal Berli
Licensed audit expert

Corporate bodies

SIX x-clear Ltd

Board of Directors

Prof. Dr. Peter Gomez

Dr. Urs Rügsegger

Thomas Zeeb

Chairman of the Board of Directors

Member of the Board of Directors

Member of the Board of Directors

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