

NYSE Euronext
US – EU Safe Harbor Privacy Statement

NYSE Euronext is committed to preserving personal privacy. As part of that commitment, NYSE Euronext adheres to the Safe Harbor Principles administered by the United States Department of Commerce in consultation with the European Commission with respect to personal information within the scope of this Statement. For more information about the Safe Harbor Principles, please visit the U.S. Department of Commerce website at <http://www.export.gov/safeharbor/>.

Scope

This Statement applies to all personal information received by NYSE Euronext in the United States from the European Economic Area including, but not limited to, personal information collected in the context of the employment relationship of employees at NYSE Euronext's European subsidiaries.

Definitions

“Agent” means any third party that processes, collects, or uses personal information pursuant to the instructions of, and solely for the benefit of, NYSE Euronext, or to which NYSE Euronext discloses personal information for use on its behalf.

“NYSE Euronext” means NYSE Euronext and its United States subsidiaries.

“Personal information” means information that identifies or reasonably may identify a natural person. Personal information does not include anonymized information or aggregate information to the extent an individual's identity cannot reasonably be derived from such information. In addition, NYSE Euronext reserves all rights to use public information or information as to which an individual has given explicit consent for use, consistent with the Safe Harbor Principles.

“Sensitive personal information” means personal information that reveals a natural person's race, ethnic origin, political opinions, religious or philosophical beliefs, criminal record, or trade union membership, or that concerns a natural person's sex life or health.

Privacy Principles

The privacy principles in this Statement are based on and shall be interpreted in a manner not inconsistent with the Safe Harbor Principles.

Notice

NYSE Euronext will notify individuals about the purposes for which it collects their personal information and the types of third parties to which it may disclose their personal information. NYSE Euronext will provide such notice when individuals are first asked to provide their personal information or as soon as reasonably practicable thereafter, and before NYSE Euronext uses or discloses the information for a purpose other than for which it was collected.

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Choice

NYSE Euronext will offer individuals the choice to opt out of having their personal information disclosed to a third party that is not an agent or used for a purpose other than for which it was collected originally.

To the extent required by the Safe Harbor Principles, NYSE Euronext will offer individuals the choice to opt in to having their sensitive personal information disclosed to a third party that is not an agent or used for a purpose other than for which it was collected originally.

Onward Transfer

NYSE Euronext will obtain reasonable assurances from its agents that they will safeguard personal information collected by NYSE Euronext consistently with this Statement and the Safe Harbor Principles. Examples of appropriate assurances may include (1) a contract obliging the agent to afford a level of protection to the personal information that is at least equivalent to the Safe Harbor Principles, (2) Safe Harbor certification by the agent, or (3) the agent being subject to EU Directive 95/46/EC or other law providing an adequate level of privacy protection.

Access

Upon an individual's request, NYSE Euronext will offer individuals reasonable access to their personal information and will afford individuals a reasonable opportunity to correct, amend, or delete inaccurate information. If an employee of NYSE Euronext or of its European subsidiaries would like to access personal information maintained by NYSE Euronext, the employee should make a written request to his or her local human resources representative. For security purposes, the individual may need to provide NYSE Euronext with various pieces of personal information to process the request. NYSE Euronext may limit or deny access to personal information where providing such access would be unreasonably burdensome or expensive under the circumstances or as otherwise permitted by the Safe Harbor Principles.

Security

NYSE Euronext will take reasonable measures including technical, physical, and administrative measures and training, as appropriate, to protect personal information from loss, misuse, and unauthorized disclosure, access, alteration, and destruction. NYSE Euronext safeguards information according to established security standards and periodically assesses new technology for methods of protecting information. However, NYSE Euronext cannot guarantee the security of personal information.

Data Integrity

NYSE Euronext will take reasonable measures to ensure that personal information is relevant for its intended use, reliable for its intended use, accurate, complete, and current.

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Enforcement and Dispute Resolution

NYSE Euronext will conduct periodic assessments to confirm the accuracy of, and verify its adherence to, this Statement. NYSE Euronext will investigate suspected infractions and will take all appropriate action.

Any questions, concerns, or complaints concerning the collection and use of personal information by NYSE Euronext should be directed to its Global Legal Department at the address given below. NYSE Euronext will conduct a reasonable investigation of and will attempt to resolve any complaints in accordance with the principles contained in this Statement. For complaints that cannot be resolved between NYSE Euronext and the complainant, NYSE Euronext agrees to participate in the dispute resolution procedures of the panel established by the European Data Protection Authorities to resolve disputes pursuant to the Safe Harbor Principles.

Limitations

NYSE Euronext's adherence to the Safe Harbor Principles may be limited by any applicable legal, regulatory, ethical, or public interest consideration, and as expressly permitted or required by any applicable law, rule, or regulation. Examples of such limitations include (1) exceptions to the opt-in requirements for sensitive personal information permitted by Commission Decision 2000/520/EC of 26 July 2000, (2) exceptions on access as permitted by Safe Harbor Principles, or (3) limitations under applicable European Economic Area member state directives. NYSE Euronext also may disclose personal information reasonably related to the sale or disposition of all or part of its business.

Internet Privacy

NYSE Euronext maintains a distinct Internet Privacy Policy governing the privacy of information collected by NYSE Euronext online through its United States site. The Internet Privacy Policy reflects important legal requirements and evolving standards applicable to Internet privacy. However, with respect to personal information that is received by NYSE Euronext in the United States from the European Economic Area, the Internet Privacy Policy is subordinate to this Safe Harbor Privacy Statement to the extent of any conflict between that Policy and this Statement.

Modification of this Safe Harbor Privacy Statement

This Statement may be amended from time to time with or without notice in accordance with the Safe Harbor Principles. Any modified statement will be posted for all employees to review.

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Contact Information

Questions, concerns, or complaints concerning the collection and use of personal information by NYSE Euronext pursuant to this Safe Harbor Privacy Statement should be directed by mail or electronic mail to the following address.

NYSE Euronext
Global Legal Department
Safe Harbor Inquiry
20 Broad Street, 12th Floor
New York, NY 10005
privacy@nyx.com

Last Amended: May 6, 2009