

Terms and Conditions - Professional Referral Program - Professional Clients (Pro Clients)

In these Offer Terms:

“Bonus” means the amount payable to you if you meet these Offer Terms;

“Friend” means an individual or company who is referred by you and who meets the Deposit and Trade Requirements under these Offer Terms;

“Offer” means this ‘Professional Referral Program’, which is offered to you under these Offer Terms;

“Professional Client” means a client who is classified as a wholesale client by satisfying either the Sophisticated Investor test or the Wealth test.

“Retail Client” *has the same meaning given by sections 761G and 761GA of the Corporations Act 2001.*

“Sophisticated Investor test” means a client showing us that they qualify as a wholesale client pursuant to section 761GA of the *Corporations Act 2001* and meet our eligibility criteria and onboarding requirements.

“We” “us” or “our” means Capital Com Australia Pty Ltd, ABN 47 625 601 489 AFSL 513393, of Level 34, 120 Collins Street, Melbourne, VIC 3000.

“Wealth test” means a client showing us that they qualify as a wholesale client pursuant to section 761G- of the *Corporations Act 2001* and meet our eligibility criteria and onboarding requirements.

“You” “your” or “yours” means you, if you meet the criteria of an Eligible Client under clause 3 of these Offer Terms.

1. The Bonus

For you to receive your Bonus:

1.1 You must comply with these Offer Terms; and

1.2 You must be a Pro Client with Capital Com Australia Pty Ltd (CCAU) and your Friend must:

- a) Step 1: Open an account with CCAU, and provide your email address where indicated in the account application;
- b) Step 2: be approved by CCAU
- c) Step 3: Meet the Deposit and Trade Requirements below within 90 days of opening their account:

1. Initial deposit of A\$5,000 - A\$9,999
2. Trade the following volume round trips in eligible trades:
FX: US\$ 25 MILLION
CRYPTO: US\$ 1 MILLION

COMMODITIES: US\$10 MILLION
INDICES: US\$35 MILLION

BONUS PAID:
SOPHISTICATED INVESTOR TEST: A\$1,250
WEALTH TEST: A\$2,500

1. Initial deposit of A\$10,000 and above
2. Trade the following volume round trips in eligible trades:
FX: US\$50 MILLION
CRYPTO: US\$20 MILLION
COMMODITIES: US\$20 MILLION
INDICES: US\$70 MILLION

BONUS PAID:
SOPHISTICATED INVESTOR TEST: A\$3,000
WEALTH TEST: A\$6,000

1.3 Once your Friend meets the Deposit and Trade Requirements, we'll deposit the Bonus into your trading account within 30 days.

2. Your Eligibility

2.1 This Offer is only available to you if you satisfy the following eligibility criteria.

2.2 You're an Eligible Client if you're:

- a) a Pro Client; and
- b) a client with an active account.

3. Communicating the Offer

3.1 You must only refer to close Friends. The offer must not be marketed or promoted through paid advertising channels or to the public (i.e. on public blog sites, search engines or in sponsored ads).

3.2 You must ask your Friend for their permission to send them any information about the Offer. Sending commercial messages to people without consent is considered spam.

4. General

4.1 You and your Friend(s) must participate in this Offer in good faith.

4.2 All new clients will be subject to standard checks undertaken before opening an Account. This involves mandatory checks (not limited to) however in particular from an Anti Money Laundering and Counter Terrorism Financing perspective. As such CCAU retains the right to decline an account within reason.

4.3 Further we reserve the right, at any time and in our sole discretion, to withhold any Bonus awarded to you, exclude you and your Friend(s) from the Offer and/or suspend or permanently terminate trading account access for you and/or your Friend(s), if you or your Friend(s):

- breach any of these Offer Terms or our Terms and Conditions of Service;
- engage in any actual or suspected abuse of this Offer;
- we have reason to suspect that you or your Friend(s) have acted fraudulently or obtained an unfair or unintended advantage under this Offer; or
- If we identify any suspicious transaction within the means of the Anti Money Laundering and Counter Terrorism Financing Act 2006.

4.2 Bonuses cannot be transferred to another person, another person's trading account or exchanged for other goods and services.

4.3 This Offer can only be claimed once per household to a maximum of 5 retail clients.

4.4 You can only refer a Friend once. You cannot refer yourself via a company account of which you're a director, a family member or a member of the same household.

4.5 This Offer cannot be used in conjunction with any other CCAU promotion/s.

4.6 We reserve the right to modify, change or withdraw this Offer at any time at our sole discretion. If we decide to withdraw this Offer, we'll still honour the Offer in respect of all Bonuses earned prior to the Offer being withdrawn, provided that you and your Friend(s) satisfy these Offer Terms.

4.7 You acknowledge and agree that a Bonus is not an inducement to trade and we will not be liable for trading losses incurred by you or your Friend as a result of your (or their) trading or in relation to this Offer. Trading leveraged products involves a high degree of risk and you could lose substantially more than your initial investment. Please see our Risk Warning at the bottom of this document for further details.

4.8 You acknowledge and agree that the opening of a CCAU trading account is subject to the relevant anti-money laundering and counter-terrorism financing "Know Your Customer" checks under applicable anti-money laundering laws and that we can't accept Friend referrals from jurisdictions on our banned countries list.

4.9 You acknowledge and agree that your participation in this Offer doesn't make you our agent or representative.

4.10 This Offer is only valid for residents of Australia.

4.11 We take our privacy obligations seriously. Please review our Privacy Policy for more information about how we handle your personal information.

4.12 These Offer Terms are governed by the laws of the state of Victoria, Australia and shall be subject to the relevant legislative requirements..

Risk warning:

CFDs are complex leveraged instruments and come with a high risk of losing money. These products are not suitable for everyone and you should therefore consider your objectives, financial situation,

needs and experience with these products before investing in them. Our Product Disclosure Statement (PDS) and Target Market Determination provides important information about our products and who our products are more likely to be suited to. [Capital.com](https://www.capital.com) does not provide financial or investment advice and you should seek independent advice if you are unsure of the risks or whether our products are suitable for you.

About us:

Capital Com Australia Pty Ltd (ABN 47 625 601 489) is a company incorporated in Australia and regulated by the Australian Securities and Investments Commission (AFSL 513393). Our offices are located at Level 34, 120 Collins Street, Melbourne, 3000.

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