

Wholesale Client Acknowledgement

I confirm that I have made an application to Capital Com Australia Limited (“**Capital Australia**”) to be classified as a Wholesale Client. By completing and submitting an application for a professional account, I confirm and acknowledge that I:

1. understand what it means to be a Wholesale Client under either the Wealth and/or Sophisticated Investor criteria (as may be applicable to me) and that I personally completed the wholesale application and passed the relevant knowledge and/or experience assessments;
2. have the ability to obtain the information I need to make an informed decision and understand the legal, financial and tax implications of being a Wholesale Client;
3. in completing my application, I answered all of the questions and provided all relevant information truthfully and correctly and have not withheld any information from Capital Australia which may otherwise affect the outcome of my application;
4. have the financial and technical skills, experience and knowledge to trade over the counter (OTC) derivative products offered by Capital Australia;
5. understand the high-risk nature and the risks associated with the products including the risk that if the market moves against me, my use of higher leverage means that I could incur losses that may be far greater than my deposits;
6. am fully aware that **I will lose certain protections afforded to retail clients** and that Capital Australia may, from time to time, voluntarily provide some of the retail client protections to me, at its absolute discretion, the provision of which does not create any entitlement for me to continue receiving them nor does it affect Capital Australia’s right to treat me as a Wholesale Client;
7. am aware that Capital Australia are not authorised to provide me with personal advice and confirm that no such advice was given;
8. Capital Australia will not assess my financial situation or confirm whether my deposits, profits and losses are consistent with the disclosures made by me;
9. will not be acquiring financial products or services with Capital Australia in connection with a business;
10. Capital Australia has not given me a Product Disclosure Statement or any other document that would be required to be given to me under Chapter 7 of the *Corporations Act 2001* if the product or service were provided to me as a retail client. Where these documents have been provided to me in the past as a retail client, I understand that they will no longer apply to me;
11. have read and agree to be bound by Capital’s Terms and Conditions and Wholesale Information Guide;
12. understand and agree that any open positions I hold will be treated as wholesale, effective from the date Capital Australia confirms my status as a Wholesale Client; and
13. am aware that Capital Australia may withdraw my status as a Wholesale Client, and treat me as a Retail Client, at any time at its absolute discretion.

Important Notice

If there is any change in circumstances to my experience or my ability to continue being treated as a Wholesale Client, I undertake to inform Capital Australia as soon as possible, but in any event, within **10 calendar days** of such change in circumstances, and agree that Capital Australia shall not be liable for any losses arising from any delay or failure on my part, to notify it in accordance with this clause.

I declare that all information I have provided as part of my application is complete, accurate and is neither false nor misleading in any way.