



ABX
AUSTRALIAN BULLION EXCHANGE

MEMBERSHIP APPLICATION & AGREEMENT

The Applicant hereby applies for Membership in the Australian Bullion Exchange Limited (“ABX” or “Exchange”). The Applicant warrants as to the accuracy, completeness and truthfulness of the information provided within this application and hereby authorises ABX to undertake any further searches or information gathering activities relating to this Membership Application.

The ABX application form and agreement must be submitted together with any accompanying documentation that is required. Incomplete Membership Application’s will not be considered.

Please mail completed documentation to:

Membership Applications
Australian Bullion Exchange Limited
PO Box 13240 George Street
Brisbane, Queensland
Australia, 4003

Phone +61 7 3211 5007

1. Category of Membership:

- Broker Members
Proceed to Q2
- Institutional Members
Proceed to Q4
- Operational Members
Proceed to Q3

2. Broker Membership:

- Floor Member
Proceed to Q4
- Full Member
- Associate Member

3. Operational Membership:

- Industry Member
- Research Member

4. Does the Applicant hold a current Australian Financial Services (“AFS”) Licence or International Equivalent?

- Yes
Proceed to Q6
- No
Proceed to Q9
- International Equivalent
Proceed to Q5

5. What International Equivalent Financial Services (“IEFS”) Licence does the Applicant currently hold?

a. Name of IEFS Licence Type:

b. IEFS Licence Number (if applicable):

6. Is the Applicant currently the Principal Trader or a Nominee under the AFS or IEFS Licence?

- Principal Trader
Proceed to Q8
- Nominee
Proceed to Q7

7. Who holds the AFS or IEFS Licence under which the Applicant is a Nominee?

a. Name of Organisation:

b. Organisation Mailing Address and Contact Numbers if different to that provided in Clause 9:

c. ABN/ACN (if applicable):

d. AFS/IEFS Licence Number (if applicable):

8. What type(s) of financial services does the Applicants AFS Licence currently authorise?

- Provide Financial Product Advice Operate a Registered Scheme
 Deal in a Financial Product Provide a Custodial or Depository Service
 Make a Market for a Financial Product * You may select more than one of the above

9. Details of Applicant's Organisation:

a. Name of Organisation:

b. Legal Formation of Organisation: (Body Corporate, Limited Liability Company, Partnership et cetera)

c. Place of Legal Formation:

d. Date of Legal Formation:

e. ABN/ACN:

f. Regulated By:

g. Is the Applicant publically traded? Yes No

h. Is the Applicant's parent or subsidiary a publically traded company? Yes No

i. Applicants Business Field:

- Asset/Fund Mgmt. Brokerage Clearing
 Proprietary Trading Non-Financial Institute Other

j. Please provide an overview of Applicant's purpose in applying for Membership:

k. Does the Applicant intend to Actively or Passively Trade?

l. Please check all that apply to the nature of the Applicant's trading activity:

- Proprietary Trading Customer Brokerage Customer Execution
 Clearing for Clients Clearing for Self Other

m. Head Office Address:

n. Organisation Mailing Address and Contact Numbers:

Blank area for Organisation Mailing Address and Contact Numbers.

o. Commodities Exchanges where Applicant is currently a member:

| <i>Exchange Name</i> | <i>Member Name</i> |
|------------------------|-----------------------------|
| <i>Membership Type</i> | <i>Location of Exchange</i> |

p. Primary contact for ABX Membership Application:

| <i>Name</i> | <i>Position</i> | <i>Telephone Number</i> |
|----------------------|-----------------|-------------------------|
| <i>Email Address</i> | <i>Address</i> | |

q. Details of persons authorised to make decisions on behalf of Applicant on ABX:

| <i>Name</i> | <i>Position</i> | <i>Telephone Number</i> |
|-------------|-----------------|-------------------------|
| | | |

10. Has the Applicant ever applied for Membership with ABX?

- Yes Proceed to Q11
 No Proceed to Q12

11. Does the Applicant hold any Membership(s) with ABX currently?

- Yes Please select from below:
 No

- Floor Member
 Associate Member
 Industry Member
 Full Member
 Institutional Member
 Research Member

12. How does the Applicant intend to acquire Membership?

- Purchase
 Transfer
 Other

13. Please provide a list of authorised platform users:

| <i>Name</i> | <i>Position</i> | <i>Telephone Number</i> |
|-------------|-----------------|-------------------------|
| | | |

13. Disciplinary History:

If any of the following questions are answered in the affirmative, a statement detailing the date, parties, circumstances, ramifications and penalties must be provided to the ABX. Please provide copies of final notices, court orders, police reports or other documentation pertaining to the aforementioned event(s) to ABX with said statement. Any contravention of this stipulation warrants immediate suspension and; or termination of the Applicant's membership with all administrative and membership fees forfeited.

| Has the Applicant, its controllers, directors, officers or partners or any of its related entities or affiliates: | Yes | No |
|---|------------|-----------|
| 1. Been subject to any previous or pending criminal charges, disciplinary proceedings or investigations? | | |
| 2. Ever been denied membership by any commodity, futures, securities exchange or market, whether said membership has ever been revoked or suspended? | | |
| 3. Been, or are, currently under investigation by any commodity, futures, securities exchange or market? | | |
| 4. Been subject to any outstanding order issued by any regulatory authority wherever, denying the Applicant trading rights on any exchange or market or suspending or expelling such person from trading on any exchange or market? | | |
| 5. Had any previous or pending criminal actions, disciplinary proceedings or investigations relevant to the Exchange's consideration of your application? | | |
| 6. Been convicted of any crime including misdemeanours? | | |
| 7. Been insolvent, unable to meet debt obligations as they matured, were or are involved in any liquidation, administration or reorganisation as a debtor, whether voluntary or involuntary, with the previous seven (7) years from the date of this application? | | |
| 8. Made any false statements or failed to divulge any material fact in connection with this application for Membership? | | |
| 9. Been censured, disciplined, criticised or subjected to a court order at the recommendation of any regulatory authority, business or professional entity for breach of any rule of such organisation? | | |
| 10. Ever defaulted on a trade settlement, or caused delay to a trade settlement, or interfered with a trade settlement by any means whatsoever? | | |
| 11. Ever used, or been known as, or conducted business under, any other name which would render any response to the aforementioned Sub-Clauses 'Yes'? | | |

15. Is there any other information that the Applicant deems relevant to this Membership Application??

- Yes No
If Yes, please detail pursuant to instructions under Clause 14.

16. Is there any other information that is known to the Applicant that would affect its ability to fulfil its Membership obligations under the ABX Rulebook?

- Yes No
If Yes, please detail.

17. Has the Applicant established controls and procedures to ensure compliance with:

- a. The ABX Rulebook? Yes No
- b. All applicable Legislation and Regulation that affect the Applicant within their professional capacity?
 Yes No
- c. All Anti-Money Laundering and Counter-Terrorism Financing Legislation and Regulation?
 Yes No
- d. All National Privacy Principles as promulgated by the *Privacy Act 1988* (Cth)?
 Yes No

18. Applicant Acknowledgements:

a. Rules and Regulation: The Applicant acknowledges that if approved for Membership on the ABX, it shall comply with and agrees to be bound by the compliance standards, regulations and rules of the ABX as promulgated by the ABX Rulebook and all subsequent amendments.

b. Membership: Where an Applicant has applied for a Full Broker Membership or Associate Broker Membership, they confirm that they are properly licensed by the Australian Securities and Investments Commission and hold the requisite AFS Licence, making them eligible for said memberships. Where, by any means whatsoever the Member no longer holds an AFS Licence, unless the Member is able to establish that they satisfy other interchangeable criteria, at the discretion of the Corporate Governance, Compliance and Enforcement Committee, orders may be made as to suspension, revocation and; or termination of the Member. With respect to the aforementioned, the Exchange reserves the right to reassess the Membership status of any current Member in relation to their suitability for continuing Membership on the Exchange for any reason whatsoever.

c. Requisite Documentation:

- Applicant shall provide to the ABX for the purpose of reviewing the Applicants Membership, any and all documentation that ABX requests.
- Applicant hereby authorises the ABX to conduct, or have conducted, financial analysis, character and reputation enquires to ensure the Applicant satisfies the membership criteria.
- Applicant hereby authorises ABX at its discretion to disclose any information to ASIC or other regulatory authorities wherever, if so required.
- Applicant shall notify the ABX, as soon as is practicable, whether adverse or not, any changes to the information provided within this application.

d. Payment of Initial and Membership Fees: The Applicant hereby agrees to pay all fees due in accordance with the ABX Rulebook Schedule for the relevant Membership. The applicant acknowledges that the ABX Rulebook Schedule is subject to change and it is the duty of the Applicant to ensure that they are familiar with the relevant fee schedule.

Upon notice of a successful membership application to the ABX, the Member will have 10 business days to pay the account in full. Upon receipt of payment, the Member will immediately receive access to their account and the relevant membership rights. Until receipt, no such access will be granted to the Member.

e. Personal Information Collection Disclaimer: The ABX and all its related entities are bound by the National Privacy Principles as set out in the Privacy Act 1988 (Cth).

- As a controller, director, officer or partner ('Authorised Representative') of a Member of the Exchange, it may be necessary for the Authorised Representative to be required to provide the ABX with their personal information at the request of the ABX. Failure to follow this direction may lead to the delay or refusal of the Applicant's Membership Application.
- Any personal information obtained by ABX through a directive to the Authorised Representative(s) shall be used by ABX to discharge their obligations under the ABX Rulebook and the Quality Assurance Framework, including but not limited to surveillance, investigation or disciplinary action necessary to discharge said obligations.
- All personal information obtained by ABX will be kept confidential at all times and any information collected shall only be used for the purpose that you have provided it. ABX undertakes not to disclose your personal information to third parties without your consent, unless circumstances dictate that such disclosure is required or authorised by the law.
- Contracts that are entered into for the provision of services for the operation of the Exchange may require the ABX to disclose personal information. These contracts provide that any counter-party must observe and agree to be bound by the terms and conditions of the ABX Privacy Statement and the NPP.
- The ABX reserves the right to hold such information for a period of seven (7) years however, the ABX undertakes to only utilise said information as necessary to discharge its obligation's pursuant the ABX Rulebook.
- ABX undertakes to take reasonable steps to ensure the security of any collected personal information from misuse of any form from unauthorised access, modification or disclosure.
- The authorised representative(s) may be entitled to view any information supplied by said persons to ABX in accordance with the manner, protocols and limitations imposed by the ABX Rulebook and the NPP's. An administrative fee may be charged for providing access to said information.

f. Participant Monitoring of Voice Communications: The Applicant hereby acknowledges and authorises that the ABX will or may record and; or monitor any advertised, operated or related telephone numbers of the Exchange for security and quality purposes in accordance with the relevant legislative frameworks and in applying for Membership herein, the Applicant hereby consents to said recording and; or monitoring for these purposes.

g. Finality: The decision of the ABX in relation to any Membership Application shall be final subject to the established appeal and review committees and panels as promulgated within the ABX Rulebook.

19. Applicant's Authorisation:

The Applicant hereby warrants the accuracy, completeness and truthfulness of the information provided and acknowledges and accepts the terms and conditions contained herein.

a. Signed:

b. Applicants Name:

c. Date:

d. Location:

20. Witnesses Declaration:

a. Signed:

b. Witnesses Name:

c. Date:

d. Location: