

FINANCIAL SERVICES GUIDE



EIGHTCAP PTY LTD

ABN 73 139 495 944 AFSL 391441

Level 19, 180 Lonsdale Street, Melbourne, VIC 3000, Australia

Phone: 03 8373 4800 Fax: 03 9623 2201

Email: customerservice@eightcap.com

www.eightcap.com

© 2015 All rights reserved.

FINANCIAL SERVICES GUIDE | EIGHTCAP PTY LTD

This *Financial Services Guide* ("FSG") is designed to provide clients with important information regarding the financial services offered by EightCap Pty Ltd and to assist clients in deciding whether to use any of those services. It contains information on the following:

- who we are and how you can contact us;
- what services we are authorised to provide;
- how we are remunerated for these services;
- any (potential) conflicts of interest we may have; and
- our dispute resolution process

If you would like further information, please contact us.

SERVICE PROVIDER

The service provider is *EightCap Pty Ltd* ("EightCap", "8Cap", "we", or "us") and is incorporated in Australia – ABN 73 139 495 944.

AUTHORISATIONS AND SERVICES PROVIDED

EightCap holds an *Australian Financial Services Licence* ("AFSL") number 391441 issued by the *Australian Securities and Investments Commission* ("ASIC") and is authorised to provide dealing and execution services in OTC derivative products and to give general financial product advice.

EightCap predominantly offers clients dealing and execution services in relation to *Margin Foreign Exchange* ("Margin FX") and *Contracts for Differences* ("CFDs"). These allow clients to margin trade the economic effect of price changes in individual shares, stock indices, options and futures quoted on the world's leading exchanges. EightCap also offers trading on a wide range of other markets including currencies and commodities.

CFDs are margined OTC equity derivatives that allow clients to trade shares or other financial products, without physical ownership of the underlying stocks or instruments. A CFD constitutes an agreement between two parties to exchange, at the close of the contract, the difference between the opening and closing prices of the contract, multiplied by the number of units specified within the contract.

The services offered by EightCap are available to retail, wholesale and professional investors.

CONTACT DETAILS

Address: **EightCap Pty Ltd**
Level 19, 180 Lonsdale Street
Melbourne, VIC 3000, Australia

Phone: **(03) 8373 4800**

Fax: **(03) 9623 2201**

Email: **customerservice@eightcap.com**

Website: **www.eightcap.com**

NATURE OF ADVICE

EightCap will only provide clients with general financial product advice.

The general financial product advice provided by EightCap relates only to the product, and will not be based on clients' personal circumstances. As a result, clients should, before acting on the advice, consider the appropriateness of the advice and the product, having regard to their own objectives, financial situation and needs. Clients should obtain a *Product*

Disclosure Statement ("PDS") and consider the contents of the PDS relating to the product before making any decision about whether to use the products or services.

Clients should also obtain professional financial advice regarding the suitability of the products and services offered for their personal financial needs, objectives and circumstances from a licensed professional.

INSTRUCTIONS

Clients may give us dealing instructions either by telephone or via the electronic trading platform or the internet website.

Any other form of communication which is not a dealing instruction may be made by telephone, in person, or in writing by post, fax or email.

It should be noted that our telephone lines are recorded in order to provide a record of transactions.

DOCUMENTATION

EightCap will provide clients with the relevant documentation to facilitate the provision of transactions, including a *Client Agreement*.

We will also provide clients with a PDS prior to investing in any OTC derivative products, which contain important information regarding the features, benefits, risks and fees applicable, and this should be read carefully to enable you to make an informed decision prior to investing.

PROFESSIONAL INDEMNITY INSURANCE

In compliance with section 912B of the *Corporations Act* and *ASIC RG 126*, EightCap maintains a professional indemnity insurance in connection with the financial products and services provided, including any claims relating to the conduct of our former representatives or employees.

Clients do not have a direct right to claim under this policy which is taken out to ensure sufficient resources will be available to meet claims against EightCap.

RECORD-KEEPING OBLIGATIONS

EightCap undertakes to ensure that comprehensive and accurate records of all clients' transactions are properly maintained.

WHO WE ACT FOR

EightCap is responsible for the financial services provided to clients under its AFSL and does not act on behalf of any other financial services licensee.

We thus act as a principal, market-maker and dealer in our own OTC derivative products.

REMUNERATION, COMMISSION & BENEFITS

EightCap's profit margin is built into the terms of the '*over-the-counter*' derivative price quoted (which is unknown prior to the date of issue and cannot be properly ascertained until the trade is closed).

Commissions or fees (plus GST) may be payable by clients otherwise depending on the services provided and will be disclosed to, and agreed with, you prior to trading.

Such fees and commissions may vary according to the type and level of service provided, the size and the frequency of the transaction.

Clients may also incur failure fees on failed transactions or interest charges on outstanding payments.

Furthermore, our representatives who provide you with transaction execution may receive commissions or other remuneration for the provision of these services. In addition to salary, our staff may receive performance bonuses and other benefits from us.

By using or continuing to use our services, you agree that:

- ▶ all fees and charges received by us as described in this FSG (other than third party fees and charges) are a benefit given to us by you, in exchange for the market making and dealing services provided by us;
- ▶ we do not charge volume – based or asset – based fees for any advice we provide; and
- ▶ you understand, consent to, authorise and direct us to charge you in this way

It should be noted that we may also enter into commercial arrangements with external parties or other financial service providers.

For their own commercial benefits, a referring party may nominate an additional '*spread*' – *the differences between the bid price and ask price of a given tradable instrument* – or monetary fee to be charged to the referred client.

Details of the commissions and spread payable by you when dealing with EightCap are detailed in our PDS, or on written request.

DISCLOSURE OF CONFLICTS OF INTEREST

Subject to disclosures in any PDS or other transaction documents, EightCap does not have any relationships or associations which might influence us in providing clients with our services.

We may also arrange for you to be supplied with financial services and products issued by non-related product providers.

We may receive a fee, commission payment or other remuneration or benefits from these non-related issuers as a result of you investing in one of their products or services. Any remuneration or benefits that we may derive from non-related issuers is included in the fees and commissions agreed with you – you do not pay extra.

DISPUTE RESOLUTION

EightCap has an internal dispute resolution process in place to resolve any complaints or concerns clients may have, as quickly and fairly as possible in all the circumstances.

Any complaints or concerns should be advised to us either by telephone, email, letter or fax. These should be directed to the **Complaints Officer of EightCap** (email address is compliance@eightcap.com) who will seek to resolve your complaint internally as per the terms of our dispute resolution procedure found on our website – all complaints or queries will be investigated promptly and fully.

If you are dissatisfied with the outcome, you also have the right to write a complaint to the **Financial Ombudsman Service ("FOS")** – **1300 780 808** or info@fos.org.au – an approved external dispute resolution scheme, of which EightCap is a member.

PRIVACY

Client's privacy is important to us and EightCap is committed to compliance with the **Privacy Act** and the **National Privacy Principles**.

We may disclose your personal information to external parties for the purposes of execution, clearing and settlement of transactions, or those who act on our behalf in the operation of our business or in connection with the transactions to be undertaken.

Such external parties are required and committed to protecting your privacy and where they are offshore, we take reasonable steps to ensure that to the maximum extent reasonably possible any information sent has the same level of privacy protection as we provide here in Australia.

We will not otherwise disclose your personal information without your consent, except as authorised or required by privacy laws.

Please write to us if you have any concern.