

Eligible Contract Participant Eligibility Declaration

To: International Capital Markets Pty Ltd
Sydney, NSW, 2000

I,

[name of applicant or name of signatory for corporate clients]

as

[designation – for corporate clients only]

of

[name of applicant i.e. entity - for corporate clients only]

have reviewed the definitions of Eligible Contract Participant (ECP) in section 1a (18) of the Commodity Exchange Act (“the Act”) and the CFTC rule 17 CFR 1.3, and hereby certify:

1. net worth of applicant is: USD.

2. It is my reasonable belief that aforementioned applicant is classified as a ECP under category

[state the applicable category number and details from the Table A on page 2-5 of this document]

as specified in Table A under the Qualification Requirements for Eligible Contract Participants of this document.

Signature

Date (DD/MM/YYYY)

Upload the completed and signed document as an “additional document” on secured client area.



International Capital Markets Pty Ltd (“IC Markets”) holds an Australian financial services licence (AFSL) to carry on a financial services business in Australia, limited to the financial services covered by its AFSL. International Capital Markets Pty Ltd. ACN 123 289 109. AFSL No. 335692

IC Markets does not offer Contract-for-difference (“CFD”) trading services to any US person unless such person is an “Eligible Contract Participant” (ECP) as defined in the Act and the CFTC rule 17 CFR 1.3.

Qualification Requirements for Eligible Contract Participants

To determine if you qualify as an ECP, please review each category on Table A below and complete the declaration on page 1 with category applicable for you.

Please note that you act for your own account (i.e., you are the principal and you are not acting as a broker for other entities or persons) and do not act as a broker for a third party.

Please note that this table is provided to you only a guide, and you need to consult your own legal advisor to verify if you qualify in any of these categories or whether you may or may not qualify as an ECP for any other reason.

Table A

(If you can check at least one of the categories below, you qualify as an ECP)

1	An individual who has amounts invested on a discretionary basis, the aggregate of which is in excess of— (I) \$10,000,000; or (II) \$5,000,000 and who enters into the agreement, contract, or transaction in order to manage the risk associated with an asset owned or liability incurred, or reasonably likely to be owned or incurred, by the individual.	A Qualified Individual
2	A corporation, partnership, proprietorship, organization, trust, or other entity— (I) that has total assets exceeding \$10,000,000; (II) the obligations of which under an agreement, contract, or transaction are guaranteed or otherwise supported by a letter of credit or keepwell, support, or other agreement by an entity described in subclause (I) above, and in categories (3) - (7) of this Table A ; or (III) that— (aa) has a net worth exceeding \$1,000,000; and (bb) enters into an agreement, contract, or transaction in connection with the conduct of the entity’s business or to manage the risk associated with an asset or liability owned or incurred or reasonably likely to be owned or incurred by the entity in the conduct of the entity’s business.	General Qualified Business Entity

3	<p>A financial institution that is:</p> <ul style="list-style-type: none"> • a corporation operating under the fifth undesignated paragraph of section 25 of the Federal Reserve Act (12 U.S.C. 603), commonly known as “an agreement corporation”; • A corporation organized under section 25A of the Federal Reserve Act (12 U.S.C. 611 et seq.), commonly known as an “Edge Act corporation”; • An institution that is regulated by the Farm Credit Administration; • A Federal credit union or State credit union (as defined in section 101 of the Federal Credit Union Act (12U.S.C. 1752)); • A depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)); • A foreign bank or a branch or agency of a foreign bank (each as defined in section 1(b) of the International Banking Act of 1978 (12 U.S.C. 3101(b))); • Any financial holding company (as defined in section 2 of the Bank Holding Company Act of 1956); • A trust company; and • A similarly regulated subsidiary or affiliate of any entity described above. 	Financial Institution
4	<p>An insurance company that is regulated by a State, or that is regulated by a foreign government and is subject to comparable regulation as determined by the Commission, including a regulated subsidiary or affiliate of such an insurance company;</p>	Insurance Company
5	<p>An investment company subject to regulation under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or a foreign person performing a similar role or function subject as such to foreign regulation (regardless of whether each investor in the investment company or the foreign person is itself an eligible contract participant).</p>	Investment Company
6	<p>A commodity pool that: (I) has total assets exceeding \$5,000,000; and (II) is formed and operated by a person subject to regulation under the The Act or a foreign person performing a similar role or function subject as such to foreign regulation; and (III) all participants are ECPs OR A commodity pool that: (I) has total assets exceeding \$10,000,000; and (II) is not formed for the purpose of evading regulation under Section 2(c)(2)(B) or Section 2(c)(2)(C) of the Act or related Commission rules, regulations or orders; and (III) is formed and operated by a registered CPO or by a CPO who is exempt therefrom pursuant to § 4.13(a)(3).</p>	Commodity Pool

7	<ul style="list-style-type: none"> (I) a governmental entity (including the United States, a State, or a foreign government) or political subdivision of a governmental entity; (II) a multinational or supranational government entity; (III) an instrumentality, agency, or department of an entity described in subclause (I) or (II); except that such term does not include an entity, instrumentality, agency, or department referred to in subclause (I) or (III) of this clause unless <ul style="list-style-type: none"> (aa) the entity, instrumentality, agency, or department is a person described in clause (i), (ii), or (iii) of paragraph (17)(A) of the Act; (bb) the entity, instrumentality, agency, or department owns and invests on a discretionary basis \$50,000,000 or more in investments; or (cc) the agreement, contract, or transaction is offered by, and entered into with, an entity that is listed in any of subclauses (I) through (VI) of section 2(c)(2)(B)(ii) of the Act. 	A Governmental Entity
8	<ul style="list-style-type: none"> (I) A broker or dealer subject to regulation under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or a foreign person performing a similar role or function subject as such to foreign regulation, except that, if the broker or dealer or foreign person is a natural person or proprietorship, the broker or dealer or foreign person shall not be considered to be an eligible contract participant unless the broker or dealer or foreign person also meets the requirements of categories (1) or (2) in this Table A; (II) an associated person of a registered broker or dealer concerning the financial or securities activities of which the registered person makes and keeps records under section 15C(b) or 17(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(b), 78q(h)); (III) an investment bank holding company (as defined in section 17(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78q(i))). 	An SEC-Regulated Broker Dealer
9	A futures commission merchant subject to regulation under the Act or a foreign person performing a similar role or function subject as such to foreign regulation, except that, if the futures commission merchant or foreign person is a natural person or proprietorship, the futures commission merchant or foreign person shall not be considered to be an eligible contract participant unless the futures commission merchant or foreign person also meets the requirements of categories (1) or (2) of this Table A .	A CFTC-Regulated Futures Commission Merchant

10	A floor broker or floor trader subject to regulation under The Act in connection with any transaction that takes place on or through the facilities of a registered entity (other than an electronic trading facility with respect to a significant price discovery contract) or an exempt board of trade, or any affiliate thereof, on which such person regularly trades.	A Floor Broker or Trader
11	An employee benefit plan subject to the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.), a governmental employee benefit plan, or a foreign person performing a similar role or function subject as such to foreign regulation— (I) that has total assets exceeding \$5,000,000; or (II) the investment decisions of which are made by— (aa) an investment adviser or commodity trading advisor subject to regulation under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) or The Act; (bb) a foreign person performing a similar role or function subject as such to foreign regulation; (cc) a financial institution; or (dd) an insurance company described in clause (ii), or a regulated subsidiary or affiliate of such an insurance company.	Employee Benefit Plan