



# Cantor Fitzgerald Ireland Ltd ("Cantor") Personal Structured Product Account Opening Form

## PRIVATE CLIENTS

### Structured Product is defined as:

1. Corporate Finance Products (Private Equity Incl EIS/Private Loan Notes/ Property Investments); or
2. Investment Bonds (Full capital protection at maturity, Partial capital protection at maturity, Kick Out Products and other equivalent Notes or Bonds).
3. Collective Investments: Schemes to invest in 1 & 2 such as QAIFs, Trusts or Special Purpose Vehicles.

### ACCOUNT SET UP CHECKLIST:

- I/We have completed the attached application form as required and have signed and dated.  
All documentation required below is attached: (for joint applicants we require documents per person)
- I/We have attached certified copy ID (Passport/Drivers Licence) by Garda, Solicitor or Cantor member of staff - please ensure it is in date.
- I/We have attached two certified bills or two originals of the bills listed below issued in the last 6 months and with the same address as noted on the application.
  - Gas, electricity, phone or motor insurance certificate/home insurance certificate/tax certificate
  - Bank statement from any Irish Bank
  - Social insurance document or Revenue Commissioners document

Please choose one of the below payment methods:

- I/We have enclosed cheque made payable to "Cantor Fitzgerald Ireland Ltd"
- I/We have enclosed bank draft made payable to "Cantor Fitzgerald Ireland Ltd" together with supporting documentation evidencing origin of funds e.g. copy of bank statement.
- I/We are investing from funds already in my/our Cantor Account
- I/We are investing this amount by Electronic Funds Transfer

### Payment Details

Please use the Ulster Bank details below for any Electronic Fund Transfers to your account in Cantor Fitzgerald Ireland Ltd. Please do not transfer funds until your Cantor Fitzgerald Ireland Ltd. account is open as you will need an account number as a reference.

#### Euro Bank Details

**Bank Name:** Ulster Bank  
**Account Name:** Pershing Securities International Limited Client Asset Account - Hub Account  
**Sort Code:** 98-50-10  
**Account No:** 31911845  
**SWIFT Code:** ULSBIE2D  
**IBAN:** IE72ULSB98501031911845  
**Reference:** Client Name & A/c Number. (All transfers must include client name and Cantor A/c number as a reference).

### Post/Delivery

Return the completed application and identification to:

DUBLIN: Cantor Fitzgerald Ireland Ltd, 75 St Stephen's Green, Dublin 2  
LIMERICK: Cantor Fitzgerald Ireland Ltd, Theatre Court, Lower Mallow Street, Limerick  
CORK: Cantor Fitzgerald Ireland Ltd, 45 South Mall, Cork

### Queries/Advice

Call your Cantor Fitzgerald Account Manager:

DUBLIN: +353 1 633 3633. CORK: +353 21 422 2122. LIMERICK: +353 61 436 500  
Email Queries to Client Services at [ireland@cantor.com](mailto:ireland@cantor.com)

[www.cantorfitzgerald.ie](http://www.cantorfitzgerald.ie)

# Personal Investor Structured Product & Account Opening Form PRIVATE CLIENTS



Client Cantor Fitzgerald Account Number  Face 2 Face Yes  No  Broker Owner

**Option 1: Where you are a NEW client, please complete all sections.**

**Option 2: Where you are an EXISTING client, please include your account number and complete sections 4(v) & (vi), 7, 8 & 9.**

## Section 1 - Beneficial Owner(s) (to be completed by all new applicants or where your details are being updated)

### APPLICANT

Title Mr  Mrs  Ms  Miss  Other

Surname

Forename(s)

PPS Number

Date of Birth

Country of Residence

Nationality

### JOINT APPLICANT (If applicable)

Title Mr  Mrs  Ms  Miss  Other

Surname

Forename(s)

PPS Number

Date of Birth

Country of Residence

Nationality

## Section 2 - Contact Details (to be completed by all new applicants or where your details are being updated)

### APPLICANT

Home Address

Telephone Numbers and Email Address:

Home No.

Mobile No.

Office No.

Email

For correspondence purposes, Cantor may use the email address of the first party.

### Online Access

Would you like "view only" online access to your Cantor Account?

*This will allow you to view your account statement and valuation online.*

Yes  No

### JOINT APPLICANT (If applicable)

Home Address

Telephone Numbers and Email Address:

Home No.

Mobile No.

Office No.

Email

# Personal Investor Structured Product & Account Opening Form PRIVATE CLIENTS



## Section 2 - Contact Details CONTINUED

### Online access for a third party

We will provide the third party with an online password to view the account should you select this option.

Would you like to give a third party, e.g. a Financial Advisor, access to the portfolio information online/by phone? Yes  No

If 'YES' please complete the section on next page:

Forename:	<input type="text"/>	Surname:	<input type="text"/>
Business Name:	<input type="text"/>		
Address:	<input type="text"/>		
	<input type="text"/>		
Telephone	<input type="text"/>		
Email	<input type="text"/>		

Please note, access will be granted at account set up and will continue until Cantor Fitzgerald is advised by account holder to remove permanently.

## Section 3 - Bank Details (to be completed by all new applicants or where your details are being updated)

Bank Name	<input type="text"/>																		
Bank Address	<input type="text"/>																		
	<input type="text"/>																		
Account Name	<input type="text"/>																		
IBAN*	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	BIC	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

\*Your IBAN includes your account number and sort code and is an international standard for identifying bank accounts across national borders. This is detailed on your bank statement.

## Section 4 - Financial Background (PLEASE USE BLOCK CAPITALS)

### (i) Regular Income (per annum)

Please complete ALL sections. Any incomplete will be assumed as "€0".

	APPLICANT	JOINT APPLICANT (if applicable)
Employment/Pension	€ <input type="text"/>	€ <input type="text"/>
Property Income	€ <input type="text"/>	€ <input type="text"/>
Investment Income	€ <input type="text"/>	€ <input type="text"/>
Other Income	€ <input type="text"/>	€ <input type="text"/>
<b>(ii) Regular Commitments (per annum)</b>		
Pension	€ <input type="text"/>	€ <input type="text"/>
Mortgage PPR	€ <input type="text"/>	€ <input type="text"/>
Others (e.g. Loans)	€ <input type="text"/>	€ <input type="text"/>

## Section 4 - Financial Background CONTINUED (PLEASE USE BLOCK CAPITALS)

### (iii) Occupation & Employment Capacity

Occupation	<input type="text"/>	<input type="text"/>
Employment Capacity	<input type="checkbox"/> Self-employed / Director <input type="checkbox"/> Company Employee <input type="checkbox"/> Retired	<input type="checkbox"/> Self-employed / Director <input type="checkbox"/> Company Employee <input type="checkbox"/> Retired

### (iv) Value of Personal Assets (Please complete this section based on total values of assets and debt if a joint application). Any incomplete will be assumed as €0.

Principal Private Residence (PPR)	€ <input type="text"/>
Mortgage on PPR	€ <input type="text"/>
Cash Deposits	€ <input type="text"/>
Other Investments	€ <input type="text"/>
Gross Value of Other Properties	€ <input type="text"/>
Total Debt on Other Properties/Investments	€ <input type="text"/>
Other Net Assets	€ <input type="text"/>
Pension Asset	€ <input type="text"/>

### Source of Wealth/Funds

#### (v) Please indicate how your **overall wealth** was accumulated. You can indicate more than one option.

<input type="checkbox"/> Savings
<input type="checkbox"/> Inheritance
<input type="checkbox"/> Equity/Fund Investment
<input type="checkbox"/> Property Investment
<input type="checkbox"/> Sale of Business
<input type="checkbox"/> Retirement Fund
<input type="checkbox"/> Redundancy
<input type="checkbox"/> Other: If other please specify: <input type="text"/>

#### (vi) Please indicate the source of your **initial transfer to Cantor**. You can indicate more than one option.

<input type="checkbox"/> Bank Deposit Account
<input type="checkbox"/> Transfer from other Investment Provider
<input type="checkbox"/> Bank Current Account
<input type="checkbox"/> Retirement Fund
<input type="checkbox"/> Other: If other please specify: <input type="text"/>

### (vii) Dividends

Unless you specify otherwise you will receive cash dividends and in Euro currency.

If you wish to receive stock dividends (where available) please tick here

## Section 5 - Investment Objectives and Risk (BASED ON BOTH APPLICANTS IF A JOINT APPLICATION)

### Portfolio Individual Transaction Size (Please answer all)

- |  |   |   |
|--|---|---|
| <p><b>(i) What is your anticipated total portfolio size</b></p> <p><input type="checkbox"/> Less than €20,000</p> <p><input type="checkbox"/> Between €20,000 and €50,000</p> <p><input type="checkbox"/> Between €50,000 and €150,000</p> <p><input type="checkbox"/> Between €150,000 and €500,000</p> <p><input type="checkbox"/> Over €500,000</p> | <p><b>(ii) What is your average anticipated transaction size</b></p> <p><input type="checkbox"/> Less than €10,000</p> <p><input type="checkbox"/> Between €10,000 and €50,000</p> <p><input type="checkbox"/> Between €50,000 and €250,000</p> <p><input type="checkbox"/> Over €250,000</p> | <p><b>(iii) If you have a specific investment time horizon for your account please indicate below</b></p> <p><input type="checkbox"/> Less than 1 year</p> <p><input type="checkbox"/> Between 1 and 5 years</p> <p><input type="checkbox"/> Over 5 years</p> |
|--|---|---|

### Income Requirement

Any incomplete will be assumed as €0.

Please state the approximate income requirement, if any, from your investment with Cantor

### Which of the following best describes your investment objective

- Capital Growth only
  Mix of Income with Capital Growth
  Income only

### Permitted Investment Instruments

Please tick which instruments you would consider investing in, you may indicate more than one option.

If you do not select any we will assume all are open to you.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Equities                  | <input type="checkbox"/> Investment Bonds       | <input type="checkbox"/> Investment Funds            |
| <input type="checkbox"/> Government Bonds          | <input type="checkbox"/> Corporate Bonds        | <input type="checkbox"/> Derivatives including CFDs* |
| <input type="checkbox"/> Corporate Finance Product | <input type="checkbox"/> Other (please specify) | <input type="text"/>                                 |

\*Please note if you are investing in CFDs or Derivatives your account type will automatically be designated a risk taker.

### Attitude to Risk

#### (i) Which ONE of the following most accurately describes your investment profile?

- Very Cautious Investor\***  
 You are risk averse. Your investment preference is to maintain the security of your capital. You acknowledge that this investment strategy is at the expense of potential capital gain or incremental income.  
*\*This category is not 100% capital guaranteed*
- Cautious Investor**  
 You are prepared to accept low levels of risk for the prospect of slightly higher returns.
- Considered Investor**  
 You are looking for a balance of risk and reward. You accept during periods of market risk potential losses may exceed by a multiple the potential income from investments.
- Considered Risk Taker**  
 You are willing to accept higher levels of volatility and fluctuations in the value of your investments for the prospect of higher returns. You accept that volatility in markets may result in loss in excess of the initial investment amount.
- Risk Taker**  
 You are willing to accept high volatility levels and fluctuations in the value of your investments for the prospect of higher returns. You acknowledge that in light of the unpredictable nature of stock markets your investment may carry an increased risk of potential loss in excess of the initial amount invested.

#### (ii) You find it interesting to explore investment opportunities for your money?

- Strongly Agree
  Agree
  Neither Agree nor Disagree
  Disagree
  Strongly Disagree

#### (iii) Six months after making an investment where your capital is at risk, your investment performs poorly in line with weak financial markets. Which option described below, best suggests your possible course of action?

- Sell all the investment and put the proceeds in a deposit account to prevent further loss  
 Sell part of the investment, purchasing a less risky investment with the proceeds to reduce further losses  
 Monitor the investment ahead of deciding what to do  
 Invest more monies to avail of weaker prices expecting recovery  
 Make a riskier investment to recover all losses in the expectation of recovery

## Section 6 - Experience (PLEASE USE BLOCK CAPITALS)

**Basic:** Have some knowledge but limited trading history.

**Good:** Have knowledge and have traded over a number of years.

**Extensive:** Have knowledge and have traded consistently over the past 5 years.

Where you have **ANY** trading experience, has the experience been: (If no previous experience please tick same)

- Execution Only (no broker input)       Advisory (broker advises you decide)
- Discretionary/managed (broker agrees investment parameters and has discretion to transact)
- No previous experience

### A. Financial Instruments ALL SECTIONS MUST BE COMPLETED

(i) Please indicate your investment experience in relation to the following instruments:

	NONE	BASIC	GOOD	EXTENSIVE	NUMBER OF YEARS EXPERIENCE	AVG. NUMBER OF TRADES PER ANNUM
Equities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Corporate Bonds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Government Bonds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Investment Funds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Investment Bonds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Corporate Finance Products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

**B. Derivatives** (if you do not complete questions (i) to (iii) here we will assume no experience).

(i) Please indicate your investment experience and what these were used for:

CFDs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Options	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>
Futures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>

(ii) For hedging - to reduce risk or increase income but not as a tool to increase risk. Yes  No

(iii) For speculation - understanding that you can lose part or all of your capital invested Yes  No

### Relevant Professional Qualification or Experience

Do you have professional qualifications or investor experience? (for either client if joint) Yes  No

1. Do you have a professional qualification? Yes  No

2. Do you work as an investment manager/advisor? Yes  No

3. Are you a member of a recognised association? Yes  No

4. Other (please specify)

## Section 7 - Acknowledgement (to be completed by all new applicants)

In signing this document it will constitute a contract, both legally binding and enforceable. If you have any queries about any aspect of the account opening documentation please contact Cantor for clarification or, if you think it appropriate to do so, obtain independent legal advice.

The undersigned hereby acknowledges that:

- (a) I/We have carefully read, acknowledge and understand the terms of the below listed documentation which I/we have been presented with and have had an opportunity to consider. I/We hereby agree that by signing this acknowledgment that I/we will be bound by all terms and conditions contained in the following documents:
  - 1. The Brochure or Information Memorandum pertaining to the Structured Product
  - 2. This Structured Product Application Form & Commitment Agreement (if required)
  - 3. Advisory Terms and Conditions booklet:
    - I. Terms and Conditions of Service
    - II. Conflicts of Interest Policy
    - III. Order Execution Policy
    - IV. Information on Financial Instruments
- (b) The service description set out in the Terms and Conditions booklet incorporates the service to be provided by Cantor to me/us in its entirety, and for which I/we now hereby apply.
- (c) The details and information provided in this Account Opening Document is a complete and accurate record of all information relevant and necessary to allow Cantor to provide an Advisory service to me/us.
- (d) I/We acknowledge that Cantor will arrange for a nominee account to be opened with Pershing Securities International Limited on my/our behalf.
- (e) I/We have been presented with and have had an opportunity to consider the **Client Asset Key Information Document** and I/We have carefully read, acknowledge and understand the arrangements Cantor have put in place for holding client assets and the risks associated with them.
- (f) I/We are aware that any further investments or trading may be subject to further charges detailed on our current Rate Card. I/We are aware that any changes to this will be updated to the Cantor Fitzgerald website for my/our reference.

### Client Acceptance

#### APPLICANT SIGNATURE

Print Name

Date Signed

  

#### JOINT APPLICANT SIGNATURE (if applicable)

Print Name

Date Signed

## Section 8 - Individual (Controlling Person's) Self-Certification for FATCA and CRS (PLEASE USE BLOCK CAPITALS)

Please note that where there are joint or multiple account holders each investor is required to complete a separate Self-Certification form.

### FATCA Declaration of U.S. Citizenship or U.S. Residence for Tax purposes:

**APPLICANT:** Are you a US citizen or resident in the US for tax purposes? Yes  No

**JOINT APPLICANT** (if applicable): Are you a US citizen or resident in the US for tax purposes? Yes  No

By opening this account and signing below, the beneficial owners(s) represents and warrants that he/she/it is not a US person for the purposes of US Federal income tax and that he/she/it is not acting for, or on behalf of, a US person. A false statement or misrepresentation of tax status by a US person could lead to penalties under US law. If your tax status changes or you become a US citizen or resident, you must notify us within 30 days.

### CRS Declaration of Tax Residency (please note you may choose more than one country):

Please indicate your country of tax residence (if resident in more than one country please detail all countries of tax residence and associated taxpayer identification numbers ("TIN")). Please see the CRS Portal for more information on Tax Residency. NOTE: Provision of a Tax ID number (TIN) is required unless you are tax resident in a Jurisdiction that does not issue a TIN.

#### APPLICANT

Country Of Tax Residency	Tax ID Number (e.g. PPS)
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

#### JOINT APPLICANT (if applicable)

Country Of Tax Residency	Tax ID Number (e.g. PPS)
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

### Declaration and Undertakings:

I declare that the information provided in this form is, to the best of my knowledge and belief, accurate and complete. I acknowledge that the information contained in this form and information regarding the beneficial owners(s) may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country or countries in which the beneficial owners(s) may be tax resident where those countries (or tax authorities in those countries) have entered into Agreements to exchange financial account information. I undertake to advise the recipient promptly and provide an updated Self-Certification form where any change in circumstances occurs which causes any of the information contained in this form to be incorrect.

#### APPLICANT SIGNATURE

Print Name

Date Signed

#### JOINT APPLICANT SIGNATURE (if applicable)

Print Name

Date Signed

### Instructions for completion

We are obliged under Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each investor's tax arrangements. Please complete the sections above as directed and provide any additional information that is requested. Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests with relevant tax authorities. This form is intended to request information only where such request is not prohibited by Irish law.

If you have any questions about this form or defining the investor's tax residency status, please refer to the OECD CRS Portal or speak to a tax adviser.

For further information on FATCA or CRS please refer to Irish Revenue website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link to the OECD CRS Information Portal at:

<http://www.oecd.org/tax/automatic-exchange/in> the case of CRS only.

**If any of the information above changes, regarding the beneficiaries tax residency or FATCA/CRS classification, please notify us of these changes immediately.**



# Personal Investor Structured Product & Account Opening Form PRIVATE CLIENTS



## Section 9 - INVESTMENT DETAILS (to be completed by all investors) Please see bank details on the front cover

### A) Corporate Finance/Collective Investment

(Private Equity Incl EIS/Private Loan Notes/ Property Investments)

Amount to Invest

### B) Investment Bonds

(Full capital protection at maturity, Partial capital protection at maturity, Kick Out Products and other equivalent Notes or Bonds).

Bond Option (if applicable)

Amount to Invest

### CANTOR FITZGERALD INVESTMENT ADVISOR DECLARATION:

I/We confirm that I/We have provided financial advice to the client(s) above in relation to this product and have fully explained all of the potential risks involved, including the risk of total capital loss. I/We confirm the following:

- Having conducted a full review of this investor's financial circumstances, that this product is consistent with the investor's investment objectives and risk appetite.
- I/We can confirm that I/we have given due consideration to the target market assessment as outlined in the product brochure and manufacturer KID document and are satisfied that the investor falls within the positive target market.
- I/We have complied with legislative requirements as set out under Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 & Criminal Justice Amendment Act 2013.
- Where an investor has been identified as potentially vulnerable (e.g. over 60 years of age), I/We have taken the necessary precautions to protect the investor in this regard.

Advisor Firm Name

Advisor Name (Print)

ADVISOR SIGNATURE:

Date:

### INVESTOR DECLARATION:

I/We declare that:

- the above details are correct
- I/we are over 18
- I/we understand and accept that the Terms and Conditions of the product(s) set out in the brochure/IM & commitment agreement are consistent with my/our risk profile and investment objectives
- I/We understand that the investment will not be deemed to have been made until the application has been accepted and that if accepted will commence on the issue date.

I/We hereby acknowledge, request and authorise you to:

- Place my/our capital investment in the product(s) issued by the issuer as detailed in the brochure(s).
- Authorise Cantor Fitzgerald to open an account for the purposes of administering administering my/our investment(s).
- request further documentation if I/we wish to engage in trading or make other investments on this account as required.

By signing this application I am agreeing that Cantor Fitzgerald Ireland Ltd may use my/our information in the way described in this form and in the associated terms and conditions.

I/We declare that; I/We have received financial advice on this product.

I/We fully understand all of the potential risks involved in this product, including the risk of total capital loss

APPLICANT SIGNATURE

Print Name

Date Signed

JOINT APPLICANT SIGNATURE (if applicable)

Print Name

Date Signed

# CLIENT ASSETS KEY INFORMATION DOCUMENT

## 1. Introduction

As you are aware when Cantor Fitzgerald Ireland Ltd (“CFIL” or the “firm”) provides investment services to you as our client under our terms of business, we have regulatory responsibility over client assets (both funds and financial instruments) in your account with us.

## 2. An explanation of the Regulations

The manner in which we handle your assets is governed by Part 6 of the Client Asset Requirements, Central Bank (Supervision and Enforcement) Act 2013 (Section 48(1)) (Investment Firms) Regulations 2017 (SI 604 of 2017) and Schedule 3 Safeguarding Client Financial Instruments and Funds, EU MiFIR 2017. In addition, the CBI has issued guidance on the implementation of the Regulations. These documents can be found on the CBI Website at the following web address:

<https://www.centralbank.ie/regulation/industry-market-sectors/client-assets>

The regulations requires CFIL to provide you with a Client Assets Key Information Document (“CAKID”) with the below objectives:

- Explain the key features of the regulatory regime that applies to the safeguarding of client assets;
- Explain what constitutes client assets under that regime
- Explain the circumstances in which that regime applies and does not apply,
- Explain the circumstances in which the investment firm will hold client assets itself, deposit client assets with a third party and deposit client assets with a third party outside the State,
- Explain the arrangements applying to the holding of client assets and the relevant risks associated with these arrangements.

Please read this document in conjunction with the firm’s terms of business.

## Key Principles of the Client Asset Regulations

The purpose of the Regulations is to regulate and safeguard the handling of client assets to enable swift and safe return of these assets to the clients. However, it is important to note that it can never fully eliminate all risks relating to client assets some of which are identified in Section 5 below.

The key principles of these Regulations require that:

- client assets are segregated from the firm’s own assets through registration of client assets in designated client asset accounts with the relevant institution holding the assets;
- all client assets are clearly identified in internal records and identifiable from the firm’s own assets;
- we ensure the accuracy of both our records and those of the institutions holding the assets through regular reconciliations and daily calculations;
- we inform you through our terms of business and the CAKID of our arrangements and where relevant obtain your consent to the manner in which your assets are held;
- CFIL have appropriate risk management processes and systems, including documented policies and procedures to ensure that a risk based approach is adopted in safeguarding your assets.

## 3. An explanation of what constitutes client assets under the Regulations

Client Assets include both

- (i) Client Funds: Any money, to which you are beneficially entitled, which we have received from you or on your behalf. It includes cash, cheques or other payable orders, current and deposit accounts including pledged accounts you may have.
- (ii) Client Financial Instruments: Any financial instrument (for example, shares, bonds and units held in collective investment schemes) held by us on your behalf including any held with a nominee.

The values assigned to your investments are not covered by these Regulations.

#### 4. The circumstances in which the Regulations apply and do not apply

Client assets cease to be client assets where:

- a) they are paid, or transferred, to the client whether directly or into an account with a third party or a relevant party in the name of the client (not being an account which is also in the name of the investment firm); or
- b) where they are paid, or transferred, to a third party on the written instructions of the client and are no longer under the control of CFIL. In addition, acting in accordance with the terms of an investment management agreement or the completion of an order or application form will be considered to be a request from the client to pay the client assets to the relevant third party.

It is important to note that the Client Asset Regulations:

##### Do apply:

- (i) For funds or financial instruments that have been received in respect of activities which are regulated financial services.
- (ii) Once a cheque or other payable order is received by the firm except where it is payable to a third party and transmitted by CFIL to that party.
- (iii) Once interest is received where it has been agreed in writing that it is payable on your client funds.
- (iv) Until a cheque sent to you by us has been cashed.

##### Do not apply:

- (i) When funds or financial instruments have been received in respect of activities which are not regulated financial services.
- (ii) Where you have transferred full ownership of funds or financial instruments to cover or secure present or future, actual or contingent or prospective obligations.
- (iii) Where we receive a cheque or other payable order from you or on your behalf payable to a third party and we transmit that to the third party.
- (iv) Funds that are due and payable to the firm in accordance with our terms of business.
- (v) Where a cheque or other payable order received from you on your behalf is not honoured by the bank.
- (vi) Where funds have been paid to you or a nominated third party (within the limited circumstances such instructions can be undertaken). Please note that payments to third parties can only be done on written instruction from you. Completion of an order or application form is considered a request to pay a third party.

- (vii) Where financial instruments are registered in your own name and we are not providing safe custody.

#### 5. An explanation of the circumstances in which the firm will hold clients assets, hold client assets with a third party and hold client assets in another jurisdiction

Client Assets are never held directly by CFIL except where they have been received as part of the settlement process or held while in transit to the client or custodian. CFIL may hold physical assets for up to 10 days on limit orders. These assets are securely stored on CFIL premises and reconciled daily.

Cantor Fitzgerald have entered into an agreement ("the Pershing Agreement") with Pershing Securities International Limited ("PSIL", "Custodian"), Riverside Two, Sir John Rogerson's Quay, Grand Canal Dock, Dublin 2, D02 KV60, www.pershing.ie on behalf of ourselves and each of our clients whereby PSIL has agreed to provide clearing and settlement, safe custody, and other associated services for clients whom Cantor introduces to them. PSIL are regulated by the Central Bank of Ireland and are bound by the Client Asset Regulations.

All client asset accounts are clearly designated as "Client Asset Accounts" in both the internal records of PSIL and the records of any of the institutions actually holding the assets.

Those assets must be identifiable from ours or PSIL's own assets.

##### 5.1 Client Funds:

Funds received are lodged to a pooled Client Asset Account with an eligible bank or credit institution. This means that a number of client's funds are held in the same client asset account with the bank or credit institution. However PSIL maintain detailed records identifying the amount being held for each client within the pooled account. We refer to section 5 regarding the risks associated with pooled accounts.

The funds are lodged to an account in the same currency as they are received unless PSIL do not have a client asset account in that currency and it would be unduly burdensome to open one. Amounts are converted at the rates prevailing when lodged to the Client Asset Account.

Where funds are received which include funds not qualifying as Client Funds the total funds are lodged to PSIL's client funds account but an immediate transfer is made of portion not deemed client funds to a non-client asset account.

Our preference is to receive funds by way of electronic transfer from clients. To facilitate this, details of PSIL's client asset bank account is provided to you.

## 5.2 Client Financial Instruments

Where you have elected to use the safe custody services of PSIL, you consent that your investments will not be registered in your own name. Documents of title to your investments shall be held in physical or dematerialised form by PSIL or an Eligible Third Party.

Your investments will be held in a safe custody account designated as a client asset account and will be registered either in the name of

- (i) A nominee company owned by PSIL,
- (ii) A member of PSIL's group,
- (iii) An exchange which is a regulated market, or
- (iv) An Eligible Third Party, in accordance with the CBOI Client Assets Requirements. PSIL will exercise due skill, care and diligence in the selection, appointment and periodic review of any Eligible Third Party and the arrangements for holding and safekeeping of your investments, but PSIL shall not be responsible for any acts, omissions or default of any such Eligible Third Party save where such a default is caused by fraud, wilful default or negligence on the part of PSIL or its nominee company.

In some instances, due to the characteristics of a particular financial instrument it is not possible for PSIL to hold the assets within the Irish jurisdiction. In such cases they will be held with a custodian in the relevant jurisdiction. It is important to note that where assets are held outside this jurisdiction:

- (i) The Client Assets Regulations applicable may differ to those applicable within this state.
- (ii) The Investment Compensation scheme in operation in Ireland will not apply to any default by the foreign custodian.

PSIL hold client assets on a pooled nominee basis. Under this structure, the share register of the companies in which the underlying investors hold shares (investment companies) will show one entry for the nominee company. This entry will be the aggregate of all the individual investors' holdings. We refer to section 5 regarding the risks associated with pooled accounts and where assets are held outside Ireland or the European Economic Area (EEA) as described above.

PSIL are obliged to keep a detailed breakdown of each individual investor's holding. The total of these holdings must equate to the aggregate on the investment company register.

The firm does not provide safe custody arrangements for the holding of share certificates in client's own names. Where the firm receives share certificates either from clients or on behalf of clients as a result of share transactions the firm immediately passes them to the client or relevant settlement

agent. In such cases the firm maintains a log of all receipts and dispatch of share certificates.

## 6. The arrangements applying to the holding of client assets and the relevant risks associated with these arrangements

Your assets are held by PSIL in a specifically designated Client Assets Account within the institutions outlined above.

Transactions in respect of your assets may only be undertaken by the institution based on an instruction from Cantor Fitzgerald. The principal risks associated with holding your assets in this manner include exposures relating to:

- Loss of financial instrument and /or client funds (The Assets):- the risk that those charged with safeguarding client assets fail to ensure clients assets are only released when authorized by the fund manager or agent on behalf of the underlying investor.
- Administrative risk:- the risk that due to administrative errors, accurate records are not maintained detailing correct shareholdings of the underlying investors.
- Default Risk:- the risk that the owner of the nominee company goes into liquidation or the custodian goes into liquidation.
- Corporate Actions Risk:- the risk that corporate actions are missed by the custodians.
- Negligence or the perpetuation of a fraud by persons employed by either this firm or the institution holding the assets.
- Misappropriation of your assets.
- Risks associated with pooled accounts: Under a pooled arrangement, client assets are held along with investments belonging to other clients. The risks associated with this arrangement are: a) This involves a possibility where assets held for one client are temporarily used to meet the settlement obligations of another client; b) In the event of an irreconcilable shortfall, clients may not receive their full entitlement and may share in the shortfall in proportion to their original share, or on some other basis in accordance with the applicable law; c) When your investments are pooled, you may not receive the same treatment or options when there is a corporate action or other event as you would if the investment were held in a separately designated account with a nominee company or custodian, or held in your own name. For example, following an allocation or share issue that favours the small investor, your allocation may be less than it otherwise would have been

if your investments had been registered in your own name.

- Risks associated with investments held by subcustodians outside Ireland or the EEA: Investing in overseas securities may give rise to different settlement, legal and regulatory requirements from those in Ireland or the EEA and different practices for the separate identification of investments. This means that your protection may be less should a default occur on the part of the custodian or sub-custodian. In certain jurisdictions where different laws/regulations apply, your investments will not necessarily be separately identifiable and may be subject to third party claims made against the relevant custodian or sub-custodian.
- "Un-invested money" (i.e. money not immediately required to settle an investment transaction) will not attract credit interest but may attract cash handling charges. Negative cash balances on your account may attract debit interest.

Cantor Fitzgerald endeavour to minimise these risks by confirming PSIL:

- Undertake risk assessments, as set out below, of institutions with whom your assets are held.
- Have written confirmation, in line with the Regulations, from these institutions that your assets will be segregated from the firm's own assets and will be held in separately designated Client Asset Accounts.
- Undertaking regular reconciliations of their records with those of the institutions and following up any differences in a timely manner.

- Undertaking daily calculations of the client money held for clients as per their records with the client money resource that should be held with the bank or credit institution.
- Ensuring instructions on your account are passed to the institutions by appropriately authorised members of staff.
- Ensuring financial instruments are registered and designated as outlined above.
- Ensuring adequate oversight of your assets is maintained by them through appropriate documented procedures and controls to minimise the risk of loss for clients.

PSIL in selecting relevant institutions to hold client assets on behalf of this firm's clients undertake an assessment, at least biannually, covering: The institution's credit rating (where available)

- Known service levels for the institution (where we have past experience with the institution)
- Whether the institution is independent of the firm.
- What clients rights would be in the event of insolvency of the institution.

Where the institution is not in the jurisdiction a similar assessment is undertaken. Particular attention is paid to the establishing the relevant guidelines and compensation scheme.

Once an institution has been selected to hold Client Assets a facilities letter confirming specified details, as set out in the Regulations, will be obtained from the institution. No Client Assets will be lodged prior to receipt of the facilities letter.

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