

# CMC Markets Stockbroking Limited Financial Services Guide (FSG)

16 May 2011

AFSL No. 246381 and ABN 69 081 002 851

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#### 01 **CMC Markets Stockbroking Limited**

CMC Markets Stockbroking Limited is a member of the CMC Markets group of companies ('CMC Markets Group') which includes CMC Markets Asia Pacific Pty Ltd (ABN 11 100 058 213, AFSL 238054) ('CMC Markets') and CMC Markets Pty Ltd (ABN 75 100 058 106, AFSL 279437).

Our details are set out below. 'We', 'us', 'our' or 'CMC Markets Stockbroking' in this Financial Services Guide ('FSG') refers to CMC Markets Stockbroking Limited.

CMC Markets Stockbroking Limited		
Registered & business address	Client Services CMC Markets Stockbroking Limited Level 44, Governor Phillip Tower 1 Farrer Place Sydney NSW 2000 Australia	
Postal address	Client Services CMC Markets Stockbroking Limited GPO Box 5351 Sydney NSW 2001 Australia 69 081 002 851	
ABN		
AFSL		
Phone	1300 360 071 (only in Australia) +61 (0)2 9229 6100 (direct)	
Fax	+61 (0)2 9221 9365  info@cmcmarkets.com.au  cmcmarkets.com.au	
Email		
Web		

#### 02 Purpose and content of this FSG

This FSG is dated 16 May 2011. It is designed to assist you in deciding whether to use any of the financial services offered in this FSG. It aims to clearly define the role and responsibility of CMC Markets Stockbroking when it provides retail clients with the financial services described in this FSG.

In particular, this FSG contains information about:

- other documents that you may receive from us;
- how you may give us instructions;
- the kinds of financial services that we provide and the financial products to which those services relate;
- who we act for in providing financial services and what licensed markets and licensed clearing and settlement facilities we participate in:
- how we, our staff and other relevant persons are paid for the financial services offered as well as the associations or relationships between us and any related persons and issuers of financial products that might influence how we provide the financial services; and
- how complaints against us are dealt with.

#### 03 Other documents that you may receive from us

Our policy is not to provide personal advice to our clients. However, if we do provide you with personal advice or further assistance in selecting products or services that meet your personal objectives, financial situation or needs, we will give you a Statement of Advice ('SOA') that will set out the personal advice we have given you, including the basis on which that advice is given and information about any fees, commissions, associations or relationships with product issuers or other parties which might have influenced the provision of that advice. If we have previously given you an SOA and we give you further market-related advice, we may not give you an SOA relating to that advice. You can request a record of that advice provided that we receive the request within 90 days after the date on which the advice was provided.

If we recommend that you acquire a particular financial product (other than securities such as listed shares) or offer to issue, or arrange the issue of a financial product to you, we will give you a Product Disclosure Statement ('PDS') containing information in respect of the product so that you can make an informed decision whether to acquire the financial product. The PDS contains information about the relevant terms, significant benefits and risks, and the fees and costs associated with the provision of that financial product.

It is important for you to consider the CMC Markets Stockbroking Terms and Conditions in deciding whether or not to acquire any of the financial products offered by CMC Markets Stockbroking.

#### 04 How to give us instructions

We accept instructions from you in person, by telephone, by facsimile, by post or electronically via our online trading platform. If you are not registered to trade electronically, we normally require a signature from you to verify your instructions.

#### 05 Authorised financial services

We are authorised under our Australian Financial Services Licence to:

- Deal in:
  - deposit and payment products, limited to basic deposit products;
  - derivatives;
  - interests in managed investment schemes (excluding investor-directed portfolio services);
  - securities:
  - miscellaneous financial investment products that are ASXtraded managed investment warrants; and
  - Exchange traded funds ('ETFs')
- Provide financial advice in relation to the financial products listed above (although it is our policy not to give personal advice); and
- · Operate custodial or depository services other than investordirected portfolio services.

## What is general advice?

General advice may differ from what you might commonly understand or expect.

General advice under Australian law can include information or CMC Markets Stockbroking's opinions about the market and products that we recommend to you.

Any information you have requested about the market, any products that we recommend, or any discussion you have with a CMC Markets Stockbroking employee in relation to any products,

should only be regarded as general advice and will not take into account your objectives, financial situation or needs.

If you require **personal advice** specific to your particular financial situation, objectives or needs, you will need to speak to your financial adviser. CMC Markets Stockbroking's policy is to not give personal advice.

Any discussions with CMC Markets Stockbroking's employees about their view of current or future market conditions or prospects for a particular product should not be seen as personal advice. Rather, it should be regarded as general information for your consideration prior to making any decision in relation to the financial services we provide.

#### 5.2 What is personal advice?

Personal advice is advice that takes into account any of your objectives, financial situation or needs. CMC Markets Stockbroking will not give you personal advice. Should you require personal advice please contact your financial adviser.

#### 06 Who will be providing financial services?

#### What financial services does CMC Markets 6.1 Stockbroking provide?

What financial service does CMC Markets Stockbroking provide? We act on our own behalf when we provide financial services to you and not as an agent or representative for anyone else.

- a market participant of the Australian Securities Exchange Limited ('ASX');
- a clearing participant of ASX Clear Pty Limited (the clearing and settlement facility for the derivatives markets operated by ASX);
- a participant of CHESS, the clearing and settlement facility operated by ASX Settlement Pty Limited; and
- · a member of the CMC Markets group of companies.

We use the custodian services provided by CMC Markets Stockbroking Nominees Pty Ltd ('CMC Markets Stockbroking Nominees') ACN 081 424 375, a wholly owned subsidiary of CMC Markets Stockbroking, during the T+3 settlement period in accordance with the ASIC Market Integrity Rules (ASX Market) 2010 ('ASIC Rules'). The ASIC Rules require that all financial products being held for a client during this period be registered under a nominee company. CMC Markets Stockbroking Nominees holds these financial products on your behalf in accordance with the ASIC Rules. These services are conducted under our licence and we are responsible for the conduct of CMC Markets Stockbroking Nominees in respect of those services.

#### **CMC Markets Privacy Statement**

All information that CMC Markets Group collects about you will be treated in accordance with our Privacy Statement which can be found online at cmcmarkets.com.au.

The CMC Markets Privacy Statement is in accordance with the National Privacy Principles.

#### 07 Remuneration and other benefits we receive

#### 7.1 **Brokerage**

We receive brokerage, ongoing commissions, fees and charges for transactions conducted on trading accounts. The level of brokerage differs between listed products traded on the ASX and exchange traded options. Set out below is a table which shows CMC Markets Stockbroking's brokerage rates. The minimum

brokerage charged is \$9.90 (including GST).

In addition to the fees set out in this section 7, we may charge a fee of up to \$2.42 (including GST), for the printing and postage of confirmations where you have the ability to receive electronic confirmations but have chosen not to do so.

Unless otherwise stated, all fees, charges, commissions and benefits disclosed in this FSG are inclusive of GST.

#### Listed products

Telephone orders	
Value of shares	Brokerage fee/rate (including GST)
\$0-\$20,000	\$59.95
\$20,001-\$37,500	\$82.50
Over \$37,500	0.22%

## Brokerage fee/rate (including GST)

\$9.90 or 0.10% whichever is the greater

## **Employee Share Plans**

	Value of shares	Brokerage fee/rate (including GST)
	All	1.1% or a minimum of \$110

## One off sales

Value of shares	Brokerage fee/rate (including GST)
\$0-\$75,000	\$82.50
Over \$75,000	0.22%

## Estate sale

Value of shares	Brokerage fee/rate (including GST)
\$0-\$25,000	\$82.50
Over \$25,000	0.33%

## Exchange traded options

Value of shares	Brokerage fee/rate (including GST)	
\$0-\$8,000	\$44.00	
Over \$8,000	0.55%	

Where any amount of remuneration (including commission) or other benefits referred to in this section 7 is not able to be ascertained as at the date of this FSG, you may contact us to request particulars of the remuneration (including commission) or other benefits. Your request for particulars must be made within a reasonable time after you receive this FSG and before we provide you with any of the financial services referred to in this FSG.

The fees in this section apply where you trade directly with CMC Markets Stockbroking. If you trade with CMC Markets Stockbroking through an introducing adviser or referrer, that introducing adviser or referrer may have its own schedule of fees. Refer to your introducing adviser or referrer's financial services guide, website or contact your introducing adviser or referrer for further information. In those circumstances, if there are differences in the introducing adviser or referrer's fees for a particular service, the introducing adviser or referrer's fees will apply, not the fees for the service outlined in this section 7.

# Commissions on investments in financial products issued by others

We are remunerated through the fees we charge you. With certain financial products, we are also remunerated by product issuers through commissions paid to us.

Initial commissions are a one-off payment and are calculated as a percentage of the funds you have invested. They are deducted from the amount invested. Initial commissions range from 0% to 6.5% (including GST) of your investment amount.

Ongoing commissions (also known as trailing commission) are paid for the length of time you hold the financial product. They are usually paid directly to us by the product issuer out of the revenue the product issuer earns. In some cases they may be deducted from your investment. Ongoing commissions range from 0% to 3% (including GST) of your investment amount.

# **CMC Markets Cash Account**

If you open a CMC Markets Cash Account with Bankwest we will receive a commission from Bankwest, details of which are set out in the PDS prepared by Bankwest in respect of that account. The amount of commission payable to us by Bankwest will vary according to the daily closing balance of your account but will not exceed 5% of the funds invested.

The commission is reflected in the credit interest rates payable.

#### 7.4 Other fees and charges

#### Alert service

We operate an alert service where we send you alerts by email, short message service (SMS), via the Messages area of our website or by a telephone call by a broker. The alerts provide information on relevant prices, volumes, status or news.

Type of Alert	Charges per alert (Including GST)
Email	\$0.11
SMS	\$0.22
Messages on our website	\$0.00

#### Miscellaneous fees and charges

Service	Fees & Charges (Including GST)
Cheque dishonour	\$30
Bank cheque	\$20
Foreign currency bank draft	\$35
Cheque stop payment	\$20
Customer trace fee	\$25
Any other form of bank statement	\$11
Telegraphic transfers	\$35
RTGS* (domestic)	\$35
Deceased estates share transfer	\$55 per stock
Change of trustee off market	\$110 for portfolio
Transfers	\$55 per stock
SRN requests to share registries	\$16.50
Fail fee	\$55 + ASX fee <sup>^</sup> per failed day
Late settlement fee	\$55 + 0.1% of value of trade fee per failed day
Postage of confirmation contract note	\$2.42 per confirmation contract note

Note: CMC Markets Stockbroking reserves the right to pass on any other bank fee incurred by CMC Markets Stockbroking in respect of client activities. \* Real Time Gross Settlement ^ 0.11% up to \$5,000 or \$110.

#### Market Data Service

We are charged royalty fees by the ASX for the market data you use. There are three data options available on our trading platform for our retail clients (clients who have been introduced or referred to CMC Markets Stockbroking may be charged different rates. Please confirm with your introducing adviser/referrer). When you logon to the trading platform, you will be asked to nominate which data service you would like to have access to.

Fees are payable in arrears and will be debited from your nominated account at the start of each month. The monthly data service fees can be found in the table below. You must ensure that you have adequate funds in your nominated account to cover the market data fees. If there are insufficient funds in your nominated account, you may, at our discretion, be switched to the delayed data service for future periods and you will need to settle the debt by making payment. CMC Markets Stockbroking reserves the right

to withhold funds from future share sale proceeds to settle any debt.

If you have a CMC Markets CFD account linked to your trading account, you will already be paying exchange fees for the use of real-time ASX data. As such, you will receive our dynamic data service at no extra cost. You can link your accounts at any time by contacting Client Services on 1300 360 071.

If you do not logon to the trading platform during a calendar month, no fee will be payable regardless of which market data service you have chosen.

Data Service	Data Type	Monthly Fees & Charges (Including GST)
Dynamic Data Service	Live-refreshes automatically	\$41.25 for non-professional investors \$49.50 for professional investors If you spend more than \$235 in brokerage during the month this fee will be waived.
Live-requires a click to refresh	Live-requires a click to refresh	\$10.00
Delayed data service	20 minute delay	Free

## 7.5 Interest on CMC Markets Stockbroking Trust Account

We hold your money in a CMC Markets Stockbroking Trust Account in certain circumstances in accordance with the Corporations Act 2001 (Cth) ('Corporations Act'). We may receive, derive and retain any interest or income generated from this CMC Markets Stockbroking Trust Account.

# 7.6 What benefits are paid by CMC Markets Stockbroking to introducing advisers and referrers?

CMC Markets Stockbroking may pay commission or provide other benefits to introducing advisers and referrers for the introduction or referral of clients to CMC Markets Stockbroking. The commission paid by CMC Markets Stockbroking to introducing advisers and referrers may include a flat rate, or an amount calculated as a percentage of the brokerage paid by you to CMC Markets Stockbroking when you trade.

CMC Markets Stockbroking may receive commission from third parties where a CMC Markets Stockbroking client utilises the third party's product in connection with their trading with us. CMC Markets Stockbroking may also pay commission to third parties where a product or service of the third party is used in connection with a trading account.

## 08 CMC Markets' Group representatives

# 8.1 How does CMC Markets Stockbroking provide its financial services in relation to its products?

CMC Markets Stockbroking provides its financial services to you through its employees.

# 8.2 How are CMC Markets' Group, employees and directors paid?

CMC Markets Group's employees, representatives and directors are remunerated by way of salary and other employee benefits. A discretionary cash bonus may be paid to employees and

directors as part of their remuneration, based on their performance, the performance of their business unit and/or the performance of CMC Markets Group as a whole.

In addition, some CMC Markets Group employees earn a performance-based commission and/or other monetary rewards calculated by reference to the financial products they sell and whether they achieve or exceed their sales targets. For example, employees may earn commission for new accounts opened. Such commissions are based on the volume of accounts opened per month and the amount of such commission earned will vary between employees. Amounts of volume-based commission may vary between \$0 and \$200 for a new account and there is a cap on the amount an employee can earn from such commissions.

You can request further information regarding remuneration, commission and other benefits received by CMC Markets Group employees and directors by contacting our Compliance Department. Your request, however, must be made within a reasonable time after you are given this FSG and before any financial service identified in this FSG is provided to you.

## 09 Complaints

# 9.1 Who can I complain to if I have a complaint about CMC Markets Stockbroking's financial service?

CMC Markets Stockbroking is committed to providing a high standard of service to clients. If you have a query about the quality or level of service, or if we have failed to meet your expectations, we would like to hear from you.

Firstly, contact CMC Markets Stockbroking and speak to an employee. Explain carefully the nature of your problem and tell us how you would like us to fix the problem. Usually problems can be quickly rectified and the sooner you refer an issue to us the better.

If your complaint cannot be resolved at the first point of contact, you should write to:

Complaints Officer
CMC Markets Stockbroking Limited
Governor Phillip Tower
Level 44, 1 Farrer Place
Sydney NSW 2000
Australia

If CMC Markets Stockbroking does not resolve your complaint to your satisfaction, you may lodge a complaint with the Financial Ombudsman Service ('FOS'), which is an independent dispute resolution scheme of which CMC Markets Stockbroking is a member

Before FOS deals with your complaint you must have first lodged a formal complaint with us and given us time to resolve your complaint internally. This generally takes 45 days, although we may extend this time in complex cases.

To lodge a complaint with FOS you should send the necessary documents and information to:

Financial Ombudsman Service

GPO Box 3

Melbourne VIC 3001

Australia

Phone 1300 780 808 or +61 (0)3 9613 7366

Fax +61 (0)3 9613 6399

Website fos.org.au

If the complaint does not fall within the rules of FOS, you may request CMC Markets Stockbroking to submit the complaint to arbitration. If CMC Markets Stockbroking agrees to your request, the arbitration will be conducted in accordance with, and subject to,

the Institute of Arbitrators and Mediators of Australia Expedited Commercial Arbitration Rules, and to the extent permitted under those rules the Arbitrator will be a person recommended by the New South Wales Chapter of the Institute of Arbitrators and Mediators of Australia.

If CMC Markets Stockbroking does not agree to your request, you may not submit the dispute or difference to arbitration, although you may commence legal proceedings against CMC Markets Stockbroking, in which case you agree to submit the dispute or difference to the courts of New South Wales, Australia.

To the maximum extent permitted by law, any dispute or difference whatsoever raised by you in connection with the FSG, and CMC Markets Stockbroking Terms and Conditions or other relevant documents ('CMC Markets Documents') and our products must be dealt with in Australia as described above. The CMC Markets Documents are governed by the laws of New South Wales, Australia.

# 9.2 What is the effect of a determination by FOS or the arbitrator?

You and we agree to accept the determination of FOS or the arbitrator, as the case requires, as final and binding and submit to the non-exclusive jurisdiction of the Courts in New South Wales for the enforcement of any such determination.

# 9.3 Records of phone conversations with CMC Markets Stockbroking's employees

CMC Markets Stockbroking may record telephone conversations between you and its employees. Such recordings, or transcripts from such recordings, may be used as evidence in any dispute or anticipated dispute between CMC Markets Stockbroking and you.

# 10 Professional Indemnity Insurance

CMC Markets Stockbroking has professional indemnity insurance in place which satisfies the requirements for compensation arrangements pursuant to the Corporations Act. This policy covers claims made against CMC Markets Stockbroking in relation to professional services provided by our current and former employees.

Level 44 Governor Phillip Tower 1 Farrer Place Sydney NSW 2000 Australia

GPO Box 5351 Sydney NSW 2001 Australia

P +61 (0)2 9229 6100 F +61 (0)2 9221 9365 E info@cmcmarkets.com.au

cmcmarkets.com.au

