

NZX Limited

Application Form – Advisor

APPLICATION

This application form should be completed by a person seeking to become an Advisor.

Please return this application form and supporting documentation to:

Head of Market Supervision

NZX Market Supervision

NZX Limited

P O Box 2959

WELLINGTON

It is essential that a Candidate read this application form in conjunction with the NZX Limited Derivatives Market Rules (“Rules”) and the procedures made in accordance with the Rules (“Procedures”).

Terms used herein which are not otherwise defined have the meaning given to them in the Rules. Principles of construction set out in Rule 1.2 of the Rules are hereby incorporated into this application form mutatis mutandis.

CONFIDENTIALITY

NZX Limited (“NZX”) will keep confidential all information provided to it by the Applicant and the Candidate in relation to its application, except to the extent that disclosure of any or all of the information is permitted under the Rules or the Procedures.

STATUS OF THIS APPLICATION

An application constitutes an offer by the Candidate to be bound by the Rules and the Procedures, any condition imposed from time to time by NZX as a requirement of designation of the Candidate as an Advisor, any decisions, directions or requirements of NZX or the NZ Markets Disciplinary Tribunal under the Rules or Procedures, every undertaking and agreement between the applicant and NZX and any agreement, document, instrument, or obligation created in accordance with the Rules or Procedures.

If NZX accepts the Candidate’s application and allows the Candidate to be an Advisor, the acceptance by NZX shall create a binding contract between NZX and the Candidate on such terms.

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INSTRUCTIONS

Applicants must submit the application form in hard copy (to be completed in type written form with original signatures included) along with supporting documentation and information (as outlined in the Rules and Procedures). Supporting documentation should be supplied in typed format, in as much detail as the applicant feels appropriate to support the application, but in any event to satisfy the criteria contained in the Rules and Procedures.

Please note that NZX may require additional information in relation to the application form or any of the supporting documentation filed in support of the application.

NZX reserves the right to decline an application notwithstanding that an applicant meets the minimum criteria set out in the Rules.

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APPLICANT DETAILS

1. Name, residential address and telephone number of Candidate:
2. Participant employing or contracting the Candidate and its contact details:
3. Details of the Candidate's work experience and expertise (including details of where and with whom that experience was obtained) which qualifies the Candidate to become an Advisor and meets the minimum experience requirements set out in Rule 3.6.1(a)(ii):
4. Details of the Candidate's professional and educational qualifications which qualifies the Candidate to become an Advisor and meets the minimum qualification requirements set out in Rule 3.6.1(a)(i) and Procedure 3.3:
5. If applicable, the accreditation the Candidate has received from an Alternative Regulator:
6. If applicable, details of any ways in which this application differs from that required by the Rules and Procedures.

SUPPORTING DOCUMENTATION / INFORMATION – to be attached to the application:

- Written confirmation from the Responsible Executive of the organisation that employs or contracts the Candidate that the employer supports the Candidate's application;
- Evidence (by way of reference or testimonial) to support the employment history and experience detailed in the application;

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- Evidence of qualifications and examination results;
- Details of any dispute the Candidate may have had with any entity for which the Candidate has previously been employed or contracted to;
- Details of any adverse or potentially adverse matters in respect of the Candidate which have been brought to the attention of any relevant authorities during the last 6 years (and where possible copies of any relevant correspondence in relation to such matters);
- A statutory declaration made by the Candidate in the form of Schedule 1 to this application form; and
- Any other information which the Candidate thinks may be relevant to NZX in considering this application.

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SCHEDULE 1

STATUTORY DECLARATION OF ADVISOR

ATTENTION: Head of Market Supervision
NZX Market Supervision
NZX Limited
PO Box 2959
Wellington

Note: Terms used herein which are not otherwise defined have the meaning given to them in the Rules. Principles of construction set out in Rule 1.2 of the Rules are hereby incorporated into this statutory declaration mutatis mutandis.

I, *[name of applicant]* of *[residential address of applicant]* do solemnly and sincerely declare to NZX that:

- (a) All the information contained in my application form for designation as an Advisor and otherwise supplied is complete, true, accurate and not misleading;
- (b) I have read the Rules and Procedures and believe that my application for designation as an Advisor conforms to the criteria (except as specifically notified to NZX with the application) for designation as an Advisor as set out in the Rules and Procedures;
- (c) I am a fit and proper person without any record of dishonesty or fraudulent activities;
- (d) I have not been declared a bankrupt by the High Court of New Zealand or any other overseas regulatory body;
- (e) I am of sound mind;
- (f) I have not been prohibited from being a director or promoter of, or managing, a company;
- (g) I have not been found liable for insider trading or any other breach of the provisions of the Securities Legislation or any crime involving dishonesty (as defined in section 2(a) of the Crimes Act 1961);
- (h) I have not been an officer of a company that has been ordered by the High Court of New Zealand or any other overseas regulatory body to be wound up or put into liquidation, in each case because it is insolvent while I was an officer of the company;
- (i) I agree that upon being designated as an Advisor the Rules shall form a binding contract between NZX and me;
- (j) I will abide by all the Rules, Procedures, and any direction given by NZX from time to time as applicable to my position as an Advisor;

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SCHEDULE 2

RESPONSIBLE EXECUTIVE UNDERTAKING IN RESPECT OF ADVISOR

ATTENTION: Head of Market Supervision
NZX Market Supervision
NZX Limited
PO Box 2959
Wellington

.....

(Name of Responsible Executive)

of.....

(Name and address of employer)

hereby confirms that it supports the designation of

.....

(Name of Candidate)

of

(Address of Candidate)

as an Advisor and confirm to NZX that

.....

(Name of the Candidate)

1. Has undertaken the required training set out in NZX Participant Rule (5.6 or 5.7);
2. Has achieved a pass or such grade or percentage as required by NZX in such examinations as prescribed by NZX or has received an exemption from NZX from those requirements;
3. Has undertaken the required supervised work experience as required by Rule 3.6.1(a)(ii) or has received an exemption from NZX from that requirement;

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4. Has demonstrated a thorough working knowledge of the Rules and Procedures, directions given from time to time by NZX as applicable to Advisors and has at all times observed Good Broking Practice; and

5. Will undertake any additional training either by the NZX Trainer and/or (Name of the Trading Participant) to ensure ongoing compliance with the Rules and Procedures and any directions given from time to time by NZX as applicable to Advisors and will at all times observe Good Broking Practice.

Executed by

(Name of the Advising Participant)

Signature of Responsible Executive

Signature of Witness

Name of Responsible Executive

Name of Witness

Occupation

Address

Date