

9. Does the Applicant have a Controller (i.e entity or individual) with a beneficial interest / ownership of 10% or more of any class of the equity share capital of the Applicant?

Yes No

If yes, please provide the below details of the Controller(s).

- Full legal name
- Date of formation/birth(for individuals)
- Business address
- Percentage of ownership interest
- Certified articles of incorporation **OR** certified government issued ID and resume/biography
(Certification of documents is required for privately held or unregulated companies)

10. What is the nature of the Applicant's business? (Mark all that apply)

Asset/ Fund Manager	Years of experience _____
Proprietary Trading	Years of experience _____
Clearing	Years of experience _____
Brokerage	Years of experience _____
Non-Financial Institution	Years of experience _____
Others _____ (Specify)	Years of experience _____

11. What is the Applicant's client base? (Mark all that apply)

Customer Institutional Customer Retail Proprietary Other

12. Please describe how the Applicant intends to trade, i.e indirectly through an execution broker or directly using an ISV (Independent Software Vendor): _____

13. Does the Applicant intend to trade as the principal or agent on the account of any customer and /or trade as an agent on the account of any affiliates or of any other member?

Yes No

14. Please describe the types of products currently cleared and instruments used, typical trading volume per year (if known) and experience in trading these products:

15. What will be the source of funds for the Applicant's trading activity? _____

16. Does the Applicant intend to participate in any market making or incentive programs on the DME?

Yes No

17. Please list all DME Clearing Members used to clear DME trades: _____

18. Does the Applicant currently hold any membership or other trading rights on any other futures, options, commodities or security exchange (other than the DME)?

Yes No

If yes, please list the name of exchange, country, type of membership(s) and duration of privileges:

C. Corporate Management Information

19. Please provide the following details for each individual appointed to the roles indicated from (a) to (m).

- o Full legal name
- o Contact details: phone number, email and mailing address (if different from organisation's business address)
- o (a) to (f) only : resume/biography

(a) Chief Executive Officer (CEO)

(b) Chief Compliance Officer (CCO)

(c) Money Laundering Reporting Officer (MLRO)

(d) Chief Financial Officer (CFO)

(e) Chief Operating Officer (COO)

(f) Primary Exchange Liaison (PEL) – *(DME will contact the PEL for any membership related matters as a first point of contact)*

(g) Clearing/Trade processing (Operations)

(h) Credit Risks/Margins

(i) Physical Deliveries

(j) Exchange Fees (Invoicing purposes)

(k) Information Technology (IT)

(l) Trade Supervisors*

(m) Authorised Terminal User(s) (ATUs)/Traders*

26. Does the Applicant have evidence that it is authorized, recognized or otherwise permitted by the DFSA to carry out the activities which it intends to conduct while trading on the Exchange?

Yes No

27. If the Applicant is authorized or recognized by the DFSA, provide the Applicant's DFSA Reference Number:

28. Is the Applicant, or has the Applicant ever been, registered with any other regulatory body? If yes, please list name(s) of the Applicant's local regulator, the country of the regulator, type of registration, registration number and status of registration:

Yes No

29. Do the reporting requirements under Section 6045 of the United Internal Revenue Code apply to the Applicant?

Yes No

a. If yes, please provide the Applicant's US taxpayer identification number: _____

b. Details of an individual within the Applicant's senior management as a point of contact in respect of such reporting requirements:

i. Name: _____

ii. Phone Number: _____

iii. Email address: _____

30. FATCA Status: _____ GIIN: _____

31. Please indicate the Net Capital requirements the Applicant is subject to by its regulator: (if Applicant is regulated): _____

32. Has the Applicant established systems, controls and/or procedures which are designed to ensure compliance with:

a. DME Rules:

Yes No

b. All applicable laws and regulations to which the Applicant is subject:

Yes No

c. All applicable rules and guidance published by the DFSA:

Yes No

d. All applicable AML Requirements, including systems, controls and procedures which:

i. Give consideration to all applicable requirements under UAE criminal law, as amended from time to time;

Yes No

ii. Give consideration to the appointment of a Money Laundering Reporting Officer whose role and responsibilities are consistent with the requirements of the DFSA Rulebook;

Yes No

iii. Require initial and ongoing customer identification and due diligence, where applicable;

Yes No

iv. Require the internal and external reporting of suspicious transactions (taking into account the applicable AML Requirements as defined in the DME Rules);

Yes No

v. Require the monitoring of transactions for AML purposes, where applicable;

Yes No

vi. Give consideration to governmental and regulatory findings with regard to AML at an international level;

Yes No

vii. Require risk based reviews of Customers and transactions, where applicable;

Yes No

viii. Require regular AML training for employees of the Applicant.

Yes No

33. Does the Applicant have procedures for internal trade supervision, trade monitoring & surveillance as well as information security?

Yes No

F. Disciplinary History

34. In the past 10 years, has the Applicant, its Controllers, officers, partners/directors or any of its Affiliates:

a. Had any past/pending criminal actions, disciplinary proceedings/investigations relevant to the Exchange's consideration of this Application?

Yes No

b. Been denied authorization, registration or regulatory permissions or had its authorization, registration or permissions revoked, or otherwise had any restrictions placed upon the Applicant's business by the DFSA or any other regulatory or self-regulatory authority?

Yes No

c. Been suspended or is currently suspended by the DFSA, or any other regulatory or self-regulatory authority?

Yes No

d. Temporarily or permanently prevented, by any order, judgment or decree of any court of competent jurisdiction, or of the DFSA, or any other regulatory or self-regulatory authority, from engaging or continuing in any conduct or practice involving the purchase or sale of any commodity, security option or similar instrument, or has been the subject of an adverse finding or an agreed settlement action by any court of competent jurisdiction resulting in a penalty in excess of \$10,000?

Yes No

e. Been subject to any outstanding order issued by any regulatory or self-regulatory authority denying such person trading privileges on any exchange or suspending or expelling such person from trading privileges on any exchange?

Yes No

f. Been found to have breached willfully any provision of the Regulatory Law No.1 of 2004, the Markets Law No.12 of 2004, UAE Federal Law No.2 of 2002 Criminalization of Money Laundering¹, any other law applicable in the DIFC, 7 U.S.C. 1, et seq of the US Code, the Commodities Exchange Act, the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940 or the Investment Advisors Act of 1940 (as such Acts may have been, or may be, amended from time to time) or any rule, regulation or order promulgated thereunder?

Yes No

g. Been convicted of any criminal action and/or convicted of any misdemeanor or found guilty of violating a rule or regulation that involves embezzlement, theft, fraud, extortion, misappropriation, of funds, forgery, or bribery, by any court, government or regulatory authority, or exchange/clearing organization?

Yes No

h. Been suspended or expelled from any exchange, related clearing organization, registered futures association or other self-regulatory organization or other business or professional association for breaching any rule of such organization?

Yes No

i. Been censured, disciplined, publicly criticized or is the subject of a Court order at the instigation of any regulatory or self-regulatory authority or other business or professional association for breach of any rule of such organization?

Yes No

j. Been or is subject to any material unsatisfied liens or judgments?

Yes No

k. Been insolvent, unable to pay debts as they matured, made an assignment for the benefit of creditors, is or were involved in any liquidation, reorganization or bankruptcy proceeding as a debtor, whether voluntary or involuntary, within the seven (7) years preceding the date of the Application?

Yes No

l. Made any materially false statement or failed to state a material fact in or in connection with any Application filed with the Exchange?

Yes No

m. Is the Applicant aware of any other information which would affect the Applicant's ability to fulfill its Membership obligations to the DME, other market participants or customers?

Yes No

If you have answered "Yes" to any of the above, please provide a full explanation and attach the supporting documents.

35. Please provide two (2) references (or referees) in the box below. References must discuss the integrity, management ability and financial strength of the Applicant. Referees may be contacted independently by the DME for a confidential evaluation. Acceptable references or referee may include:

- Clearing Members of a reputable exchange
- Securities and commodities exchanges
- Regulatory authorities for financial services
- Reputable financial institutions

Referee 1:

- a. Name of Referee: _____
- b. Nature of Relationship: _____
- c. Phone Number: _____
- d. Email Address: _____

Referee 2:

- a. Name of Referee: _____
- b. Nature of Relationship: _____
- c. Phone Number: _____
- d. Email Address: _____

36. Has the Applicant paid the relevant DME Application or transfer fee?

Yes No

Payment instructions:

The DME membership Application fee is **USD \$7,500** and is **non-refundable**.

The DME transfer fee for existing memberships is **USD\$2500** and is **non-refundable**.

Fees can be sent via wire transfer to the DME (contact membership@dubaimerc.com for banking instructions)

G. Attachments

37. Please attach with this Application the following:

- a. Articles of Incorporation/Certificate of Incorporation/Articles of Association, Limited Liability Company Operating Agreement, and/or Partnership Agreement as applicable (including all sub-agreements);
- b. Standard Customer Clearing Agreement;
- c. Corporate structure and organizational chart of the Company;
- d. Evidence of appointment of Agent for Service in the DIFC;
- e. Duly executed list of Authorized Signatories;
- f. Details and resumes or biographies of Controller(s), management, Authorized Signatories, Board of Directors/Managers and PEPs as requested in the Application;

- g. Audited financial statements for the last two (2) years. If the Applicant was incorporated or formed within the past year and audited accounts are not available, the latest unaudited financial information must be provided;
- h. Evidence of DFSA status;
- i. Most recent AML and Trade supervision, monitoring and surveillance procedures and information security policies and procedures;
- j. Membership Application or transfer fee / payment evidence;
- k. Tax withholding forms for the company and any Controllers owning more than 10% ownership share in the company;
- l. Board of Director's Resolution or Extract from the Minutes of the Meeting of the Board of Director's ratifying the Application for DME Membership, the appointment of an Agent for Service in the DIFC and binding the Applicant to DME and the DFSA Rules and Regulations for any activities to be carried out on the Exchange;
- m. Completed Undertaking and Consent form. Click [here](#) for the form

Authorised Signatory signature:

Signature: _____

Date: _____

Name: _____

Title: _____

Original completed Application along with all supporting documentation should be submitted to:

Dubai Mercantile Exchange
Membership Department
DIFC Gate Village
Building 10, Level 4
P O Box 66500
Dubai United Arab Emirates

Email: membership@dubaimerc.com

Note: DME may require additional information and/or documentation to support the Application.

UNDERTAKING AND CONSENT

In consideration of membership of Dubai Mercantile Exchange (“DME” or “Exchange”), the Applicant makes the following legally binding statements:

In respect of the Application, the Applicant agrees that:

- (a) The DME Rules as at the date of submission of the Application have been reviewed by or on behalf of the Applicant;
- (b) The Applicant understands the DME Rules and that it will be bound by and subject to the DME Rules, as amended from time to time;
- (c) The Applicant agrees to submit unconditionally to the jurisdiction of the DFSA in relation to any matter which arise out of or which relate to its use of the DME facilities;
- (d) The Applicant agrees to submit unconditionally to the jurisdiction of the DIFC Courts, and to subject itself to the DIFC laws in relation to any proceedings in the DIFC which arise out of or relate to its use of the DME facilities;
- (e) The Applicant's answers and statements given in the Application are true and correct and the Applicant will promptly inform the DME if any answers or statements provided in conjunction with this Application in any way change after the date of submission.
- (f) By signing this form, you agree with DME's Privacy Policy regarding your personal data, which can be found at <http://dubaimerc.com/Data-Protection>

The Applicant further agrees that DME (or its agents and sub-contractors) can process any personal data provided in support of this Application (together with any personal data subsequently provided to DME) in order to further the processing or administration of this Application or consideration of the Applicant's candidacy for Membership with the Exchange and/or for any other purpose connected with the Applicant's participation in the Exchange including, without limitation: (i) the assessment and determination of whether the Applicant meets DME Membership criteria and ongoing decisions relating to DME Membership status (ii) monitoring and analysis of accounts and positions, including assessment of credit limits, (iii) monitoring and enforcing compliance with the DME Rules and rules of the Clearing House operated by CME Group (as applicable and as amended from time to time), (iv) conducting disciplinary proceedings and matters related thereto, (v) carrying out statistical and other analysis, and (vi) notification of products and services provided by the Exchange (together, “the Purposes”).

The Applicant agrees and understands that in relation to the Purposes, DME may pass certain of this personal data to (i) the Dubai Financial Services Authority and other regulatory or governmental bodies, exchanges, industry groups and self-regulatory organisations within or outside of the UAE; (ii) CME Group Inc., its affiliates and subsidiaries; (iii) other service providers engaged in connection with the operation of the Exchange; and (iv) credit assessment agencies (together, “the Recipients”). The Applicant expressly understands and acknowledges that the Recipients may be located outside of the DIFC.

Furthermore, the Applicant undertakes to inform all individuals whose personal data is supplied to DME (and/or its agents or contractors) in connection with the Applicant's participation in the Exchange of (i) the Purposes for which it may be processed (such notification to be made on or before the time at which such data is first supplied to DME); and (ii) that such processing may involve transfer of such data to the Recipients. The Applicant also explicitly agrees that DME may, in its sole and absolute discretion, process any sensitive personal data of the Applicant in relation to the Purposes (including any details as to criminal history and offences).

Furthermore, the Applicant undertakes to inform all individuals whose personal data is supplied to DME (and/or its agents or contractors) in connection with the Applicant's participation in the Exchange of (i) the Purposes for which it may be processed (such notification to be made on or before the time at which such data is first supplied to DME); and (ii) that such processing may involve transfer of such data to the Recipients. The Applicant also explicitly agrees that DME may, in its sole and absolute discretion, process any sensitive personal data of the Applicant in relation to the Purposes (including any details as to criminal history and offences).

Name of Applicant:	
Signed by and on behalf of Applicant by Authorised Signatory:	
Printed Name of Authorised Signatory:	
Title of Applicant's Authorised Signatory:	Dated: