# Form 7 - NZX Derivatives Adviser Application

Completing this application

This form must be completed for an application for designation as an NZX Derivatives Adviser. Please read and follow all instructions.

If you need assistance with your application, please contact NZX Regulation Limited (**NZ RegCo**) Participant Compliance on participant@nzregco.com or +64 4 498 2279.

It is essential that a Candidate read this application form in conjunction with the NZX Derivatives Market Rules (**Rules**) and Procedures (**Procedures**).

Terms used herein which are not otherwise defined have the meaning given to them in the Rules.

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 a Dealer, any decisions, directions or requirements of NZX or the NZ Markets Disciplinary Tribunal under the Rules or Procedures, every undertaking and agreement between the Candidate 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 a Dealer, the acceptance by NZX shall create a binding contract between NZX and the Candidate on such terms.

All information provided to NZX in relation to this application will be kept confidential, except to the extent that disclosure of any or all of the information provided is necessary for the exercise of NZX’s regulatory functions, or as required by law.

NZX reserves the right to decline an application even if it meets the prescribed minimum criteria.

Completed application forms (together with any supporting information) should be emailed to participant@nzregco.com or uploaded to the NZX Participant Portal.

Checklist

Please ensure that the following documentation and information has been provided:

 Application form has been completed and the undertaking signed by the Candidate

 Undertaking has been signed by the Market Participant’s Responsible Executive

 Evidence of the Candidate’s qualifications and professional memberships

 Candidate’s CV outlining employment history and experience

 Evidence of the Candidate’s registrations or licences

 Details of any adverse or potentially adverse matters in relation to the Candidate which have been brought to the attention of any relevant regulatory authorities during the last 6 years

 Details of any dispute the Candidate may have had with any entity for which the Candidate has been previously employed or contracted to

 Any other relevant information in relation to this application

Applicant Details

**Full name**

*Include your first name, middle names and last name*

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**Market Participant** *State the name of the Market Participant that employs you*

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**Broking Office**

*State the address of the broking office you work in*

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**Qualifications** *Please provide details of your professional and educational qualifications, as specified in the applicable Guidance Note. Evidence of completion should be provided*

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**Professional memberships** *Please provide details of your relevant professional memberships*

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**Experience and expertise**

*Please provide a summary of your employment history and relevant experience, as specified in the applicable Guidance Note. Please include details of the numbers of years employed, the position, employer details and a summary of the role*

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**Registrations or licences** *Please provide details of any registrations or licences you hold, including any required by law*

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**Disputes** *Details of any dispute the Candidate may have had with any entity for which the Candidate has previously been employed or contracted to*

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**Adverse or potentially adverse matters** *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*

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NZX Derivatives Adviser Undertaking

I, (the **Applicant**) confirm that:

* All of the information contained in this application and supplied to NZX is complete, true, accurate and is not misleading
* I have read the relevant NZX Derivatives Market Rules and Guidance Note and believe that this application conforms to the criteria (except as specifically notified to NZX with this application) for designation as an NZX Derivatives Adviser
* I am a fit and proper person without any history of dishonest or fraudulent activities
* I have not been declared a bankrupt by the High Court of New Zealand or any other overseas regulatory body
* I am of sound mind
* I have not been prohibited from being a director or partner of any body corporate or from acting in the management or conduct of its affairs
* I have not been found guilty of any breach of the provisions of the Securities Act 1978, Securities Markets Act 1988, the Financial Markets Conduct Act 2013, the Financial Advisers Act 2008, an offence under the Companies Act 1993 or other companies or securities legislation in New Zealand or any other jurisdiction, or a crime involving dishonesty (as defined in Section 2(a) of the Crimes Act 1961)
* I have not had any disciplinary action brought against me by any government and/or any regulatory authority
* I have not had any charges or disciplinary actions brought against me as a result of a breach of the NZX Derivatives Market Rules, or any NZX Rules, Regulations or Code of Practice
* I have not been an officer, director or partner of a body corporate that has been ordered by the Court to be wound up or put in liquidation, in each case, while I was an officer, director or partner of the body corporate
* I agree to abide by all the NZX Derivatives Market Rules, any direction given from time to time by NZX as applicable to my position as an NZX Derivatives Adviser and will at all times observe Good Broking Practice
* I agree that upon being designated by NZX as an NZX Derivatives Adviser, the NZX Derivatives Rules in force from time to time shall form a binding contract between myself and NZX
* I agree to provide any additional information as requested by NZX for the purpose of reviewing my application for designation as an NZX Derivatives Adviser
* I have undertaken the accreditation and training as required by the NZX Derivatives Market Rules
* I agree to undertake any additional accreditation and/or training as required from time to time by NZX and
* I agree to pay to NZX such fees, levies or other charges (including, but not limited to, fines for breaches of the NZX Derivatives Market Rules) as are set from time to time by NZX

**Applicant Signature** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Market Participant Undertaking

As Responsible Executive of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the **Market Participant**), I confirm that the Market Participant supports this application and that:

* The Applicant has met the education requirements for an NZX Derivatives Adviser specified in the applicable Guidance Note
* The Applicant has met the employment and/or experience requirements for an NZX Derivatives Adviser specified in the applicable Guidance Note and
* The Applicant will undertake regular training to ensure ongoing compliance with the NZX Derivatives Market Rules, directions given by NZX from time to time, and Good Broking Practice

**Responsible Executive Signature** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_