

## NOTICE OF OPT-UP

I/we hereby request to be classified as a professional client and treated accordingly.

I/We understand that in order to qualify as an *Elective Professional Client* under the provisions of the *Markets in Financial Instruments Directive (2004/39/EC)* ("MiFiD")\* I/we must satisfy at least 2 of the following 3 criteria:

1. I/We have carried out transactions, in significant size, on the relevant market at an average frequency of 10 per quarter over the previous 4 quarters.
2. The size of my/our financial instrument portfolio, defined as including cash deposits AND financial instruments, exceeds EUR 500,000.
3. I/We work or have worked in the financial sector for at least one year in a professional position, which requires knowledge of the transactions or services envisaged.

I/We understand that FXCM is expected to carry out a qualitative assessment of my/our expertise, experience, and knowledge, in order to be reasonably assured that, in light of the nature of the transactions or services envisaged, I/we am/are capable of making my/our own investment decisions and understanding the associated risks involved, and that FXCM is entitled to deny this request if it is not satisfied with its findings.

### CLIENT DECLARATION AND WARRANTY:

I hereby warrant that I/we satisfy at least two of the three criteria listed above.

I confirm that I wish to be treated as a professional client. I have read and understood the written warning below from FXCM Ltd regarding the protections and compensation rights that I may lose, and I am aware of the consequences of losing such protections. In particular, I will not benefit from the additional protections for retail clients, whereby firms must:

- Ensure that all information addressed to clients satisfies a number of conditions designed to ensure that it is fair, clear and not misleading.
- Provide appropriate information to clients about the firm and its services, about the safeguarding of financial instruments or funds held for clients, and about costs and associated charges.
- Enter into a written client agreement setting out the essential rights and obligations of the firm.
- Obtain information about clients' experience and knowledge when assessing whether any transactions recommended to clients are suitable for them or whether certain other transactions are appropriate for clients to enter into.
- Comply with more extensive reporting obligations in respect of the execution of orders, portfolio management and contingent liability transactions.
- Inform clients about any material difficulty which impacts the firm's ability to properly carry out orders.

\*For more detailed information please review:

[http://www.fsa.gov.uk/pubs/other/mifid\\_classification.pdf](http://www.fsa.gov.uk/pubs/other/mifid_classification.pdf)