
PROFESSIONAL VS. RETAIL CLIENT WARNING

The main differences in regulatory protections afforded to retail clients vs. professional clients are:

- Communications, including financial promotions for professional clients, are not subject to all of the requirements imposed by MiFID on communications with retail clients.
- Informational documentation pertaining to FXCM (hereafter, “the Firm”), its services, and remuneration, as required with respect to retail clients is not all required with respect to professional clients.
- Professional clients are not eligible complainants with respect to the Financial Ombudsman Services (“FOS”).
- Prerequisites for entry into written basic agreements for designated investment business may not apply to professional clients.

If the Firm makes a personal recommendation or manages investments for professional clients in the course of MiFID or equivalent third party business, it is entitled to assume that, in relation to the products, transactions, and services for which the professional client is so classified, the client has the necessary level of experience and knowledge for the purposes of suitability assessment. In instances where the Firm is required to provide suitability reports to a retail client, in many cases the firm is not required to provide them to a professional client.

With respect to non-advised services, the Firm is not required to request information or adhere to the same procedures when assessing the appropriateness of a given service or product for a professional client, and:

- The Firm may not be required to give warnings to the professional client if the Firm cannot determine appropriateness with respect to given services or products.
- The Firm must provide certain product information to retail clients, but not professional clients, when selling packaged products including, but not limited to, Child Trust Funds.
- There is no right to cancel a non-distance contract to buy a unit in a regulated collective investment scheme if the consumer is not a retail client.