

Disclosure to Australian clients trading ICE Futures Europe products on the ICE Platform

All ICE Futures Europe members are required, prior to such members accepting the first order from a client in Australia to deal on the ICE Platform, to disclose to the client the significant differences between trading derivatives on the ICE Platform and trading derivatives on an Australian-based market.

The ICE Platform is operated by ICE Futures Europe, a private company which is incorporated and has its principal place of business in the United Kingdom (“UK”). ICE Futures Europe is a holder of an Australian market licence (“AML”) granted by the Minister under the Corporations Act 2001 (Cwlth) (“Corporations Act”). It is registered as a foreign company with the Australian Securities and Investments Commission (ARBN 128 341 293).

ICE Futures Europe is a Recognised Investment Exchange in the United Kingdom. As such, the ICE Platform is regulated primarily under the regulatory regime of the United Kingdom. As a holder of an AML (as an overseas market operator) and a registered foreign company, ICE Futures Europe is also subject to certain requirements under the Corporations Act. ICE Futures Europe does not hold an Australian financial services licence.

The rights and remedies of, and compensation arrangements for, investors who acquire products offered on the ICE Platform may differ from the rights and remedies of, and compensation arrangements for, investors who acquire products offered on an Australian-based market. In addition, while the operating rules of ICE Platform generally deal with same kind of matters that the operating rules of an Australian-based market are required to deal with, ICE’s rules may not contain all the specific matters that rules of Australian-based markets are required to contain.

Australian investors who acquire products offered on the market may be subject to the effects of changes in currency exchange rates.

All trades in ICE Futures Europe contracts are settled and cleared through ICE Clear Europe Limited (“ICE Clear”). ICE Clear is UK-based and recognised by the UK Financial Services Authority as a Recognised Clearing House. ICE Clear is regulated under the regulatory regime of the UK and is subject to UK laws. ICE Clear does not hold an Australian CS facility licence.