

**D2MX Pty Ltd**  
**ABN 98 113 959 596**  
**AFS Licence No. 297950**

# **FINANCIAL SERVICES GUIDE**

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## ***Glossary of terms***

<b>AFS Licence</b>	Means an Australian financial services licence issued under the Corporations Act
<b>ASIC</b>	Australian Securities and Investment Commission
<b>ASX</b>	ASX Limited
<b>Berndale</b>	Berndale Securities Limited ABN 63 006 687 467, AFS Licence No. 235149
<b>Corporations Act</b>	<i>Corporations Act 2001</i> (Cth)
<b>D2MX</b>	D2MX Pty Ltd ABN 98 113 959 596, AFS Licence No. 297950
<b>DMA Service</b>	Direct Market Access Service
<b>FSG</b>	Financial Services Guide
<b>Licensee</b>	The intermediary that holds an AFS Licence with whom we have entered into an arrangement under which the Licensee may place orders with us on behalf of clients in relation to ASX transactions (or allow the client to place such orders directly with us)
<b>relevant Licensee</b>	The Licensee with whom you have entered into an arrangement under which the Licensee will place orders with us on your behalf in relation to ASX transactions (or allow you to place such orders directly with us)
<b>We, us or our</b>	D2MX

## ***Purpose and content of this Financial Services Guide***

This Financial Services Guide (FSG) is an important document. You should read it carefully and make sure you understand it.

This FSG is provided by D2MX Pty Ltd. This FSG was prepared on 8 December 2008.

The FSG is made up of a number of equally important parts. Each of these parts is listed on the contents page and is intended to inform you of certain basic matters before we provide you with a financial service. This FSG was prepared to provide D2MX clients who are retail clients about the financial services provided by us.

The information set out in this FSG includes information about:

- Who we are;
- What services we provide;
- The remuneration that may be paid to us and other relevant persons in relation to the services we offer;
- What relationships and associations we have; and
- How complaints against us are dealt with.

This FSG is designed to assist you in deciding whether to use the services we provide which are described below.

## **Statements of Advice and Product Disclosure Statements**

D2MX is not authorised to provide financial product advice to clients. Accordingly, we will not take into account your “objectives, financial situation and needs” (**Objectives**) (as defined by the Corporations Act and ASIC) and therefore this FSG been prepared without taking into account those Objectives. Subsequently, you will not receive a Statement of Advice from us. You should contact your financial adviser if you require any financial product advice. D2MX has no responsibility for any financial product advice provided by any other person to you.

If we provide you with services that involve issuing or arranging to issue a financial product, such as exchange trade options (**ETOs**) (but excluding securities defined as shares, debentures, and stocks and bonds issued or proposed to be issued by a government) you will be provided with a Product Disclosure Statement (**PDS**). The PDS will contain information that might reasonably be expected to have a material influence on your decision whether or not to acquire the financial product. This will include information regarding the benefits and risks associated with the product and other significant features of the terms and conditions attaching to the product.

### **Who is D2MX?**

D2MX Pty Ltd, ABN 98 113 959 596, is a Trading Participant of ASX. D2MX holds an Australian Financial Services Licence (**AFS Licence**) No. 297950) under which it is authorised to deal in a financial product by:

- issuing, applying for, acquiring, varying or disposing of derivatives; and;
- applying for, acquiring, varying or disposing of deposit and payment products (limited to basic deposit products) and securities on behalf of another person.

### **How we can be contacted**

Address: D2MX  
Suite 2, Level 2  
2 Bligh Street  
SYDNEY NSW 2000

Telephone: (02) 9232 4578

Email: [clientservice@d2mx.com](mailto:clientservice@d2mx.com)

### **The services we offer**

D2MX provides to clients a non-advice execution only service under which D2MX:

- executes orders on ASX to buy and sell traded products (such as shares, options and warrants quoted on ASX);and
- executes orders on ASX to buy, sell, close out and exercise Derivatives (such as Exchange Traded Options and LEPOs);
- undertakes other dealings in financial products.

Settlement and clearing of transactions executed by D2MX through ASX is undertaken by Berndale, the leading provider of third party clearing services to the Australian market and a wholly owned member of the Merrill Lynch group of companies in Australia.

More information on the products and services offered by D2MX is available on our website at [www.d2mx.com](http://www.d2mx.com).

## ***How you may provide instructions to us***

You may only provide instructions to us in accordance with your client agreement with us. That agreement might require that, if you wish to provide us with instructions, you must do so only through the relevant Licensee. That agreement might permit you to provide instructions to us directly (such as through a DMA Service) or through the relevant Licensee.

## ***How do we charge for our services?***

We do not charge you fees for the services that we may provide to you.

Instead, the relevant Licensee may charge you fees in respect of those transactions executed by D2MX on your behalf. However, the Licensee (not D2MX) determines the amount and structure of any such fees. The information concerning the fees which the Licensee may charge can be obtained directly from the relevant Licensee.

D2MX will charge the relevant Licensee a fee for those transactions executed through the ASX by D2MX on your behalf (**Execution Fee**).

In addition to the Execution Fee, D2MX may also charge a range of fees to the Licensee including a fixed monthly fee, a fee per trade, a fee per service and other fees.

## ***Commissions and other benefits from third parties***

D2MX may earn and retain interest on monies held for clients in their trust accounts from time to time.

D2MX may provide you with financial products and services from either related or non-related product providers, and may receive a commission payment from product providers where you invest in one of their products or services. In these cases, the amount and / or the method by which the commission is calculated will be supplied to you at that time that the financial product or service is provided. Information about the commission payments we may receive is also available upon request.

D2MX may receive trail commissions from third parties as a result of your investment. In particular, trailing commissions may be received from fund management groups for monies held in your Cash Management Account. Details of these commissions are contained in the Product Disclosure Statement of the relevant fund

Trailing commissions may also be received from margin lending groups for funds held. Details of these commissions are contained in the disclosure document of the relevant margin lender.

## ***How are our representatives remunerated?***

Our representatives are remunerated by salary and do not directly receive any commissions or fees. They may be eligible to receive a commission, bonus or other employment benefit which is discretionary and based on the achievement of business objectives.

## ***Will anyone be paid for referring you to us?***

We do not have any arrangements under which we may pay anyone for referring you to us.

## ***Do we have any relationships or associations with financial product providers?***

We have entered into arrangements with one or more Licensees as described in this FSG.

As noted above, we have entered into arrangements from time to time with various product providers under which we may receive a commission if you invest in one of their products or services.

### ***Trade errors and cancellations***

The ASX Market Rules contains provisions which deal with Market Transactions and Crossing (each as defined in the ASX Market Rules) entered into on the basis of errors. It permits the cancellation of such errors, subject to agreement from all parties.

The rules also deal with disputes arising out of such Market Transactions. Such disputes may be referred to a Dispute Governors' Committee which can make recommendations to the ASX on how to deal with the dispute. Upon receiving the Dispute Governing Committee's recommendation, ASX may take such action as it considers appropriate so as to ensure the maintenance of an orderly market.

In particular, ASX has the power under the rules to cancel, amend or require the cancellation or amendment of Market Transactions or Crossings.

Under the terms of your agreement with D2MX, you agree to comply with the ASX Market Rules, the ACH Clearing Rules and the ASX Settlement and Transfer Corporation Settlement Rules, and the directions, decisions and requirements of ASX and the customs and usages of the market. Accordingly, you will be bound by any decision relating to the cancellation or amendment of a Market Transaction or Crossing.

### ***Complaints resolution***

#### **Our commitment**

We are committed to providing quality service and accurate information. As part of that commitment, we are focussed upon improving client satisfaction levels by providing an efficient and accessible system for resolving client complaints.

You have the right to have any complaint about the service received from us investigated and dealt with quickly and effectively in accordance with our complaints resolution procedures.

#### **Client input**

To assist us in responding appropriately to complaints, you are requested to prepare any complaint in writing, addressed to:

**Compliance Officer**  
D2MX  
Suite 2, Level 2  
2 Bligh Street  
SYDNEY NSW 2000

You should include as much detail about the circumstances of the complaint as possible, including the name(s) of any of our staff involved. If available, copies of any background documentation should be provided to us along with the complaint.

#### **Our response**

Following receipt of your complaint, the Compliance Officer will acknowledge receipt of it in writing and provide an estimate of the time it will take to investigate the circumstances. The Compliance Officer will fully investigate the complaint and follow up if further information is required from you. The Compliance Officer will then prepare a detailed written response to you after consideration of

all relevant documents and following interviews with the involved employees and their manager(s), if required. The written response will be mailed or delivered to you.

If your complaint relates to the Licensee or a service provided to you by the Licensee, your complaint should be dealt with in accordance with the relevant Licensee's complaint resolution procedures.

### ***External complaints resolution – FOS, ASX and ASIC***

As we are a member of the Financial Ombudsman Service (**FOS**), we will advise you if you continue to have a complaint with us that you have the option to pursue your complaint with FOS. Contact details for FOS are:

**Financial Ombudsman Service**  
GPO Box 3  
Melbourne VIC 3001  
Ph: 1300 780 808 Fax: (03) 9613 6399

If you remain unsatisfied with our response to a complaint, you are at all times free to pursue the matter with ASX. ASIC also has an Infoline on 1300 300 630 which you may use to make a complaint and obtain information about investor rights.

### ***Compensation arrangements***

D2MX has professional indemnity insurance which it considers is adequate having regard to:

- the volume and types of business carried on by it;
- the number and types of its clients;
- the number of its representatives; and
- any particular or potential claims that may arise pursuant to our participation in external dispute resolution schemes, including the FOS scheme.

D2MX considers that these compensation arrangements satisfy the requirements of s 912B of the Corporations Act and associated regulations.

### ***Privacy***

At D2MX the privacy of your personal information is important to us. If you would like a copy of our privacy policy please contact us on **[insert]**.