



CONFLICT OF INTEREST PREVENTION POLICY

POSITIVA MARKETS (CY) LTD

CYSEC License Number 285/15

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1. Introduction

POSITIVA MARKETS (CY) LTD (hereinafter the “**Company**”) is incorporated in Cyprus under registration number HE 340674 through the Department of Registrar of Companies and Official Receiver (<http://www.mcit.gov.cy/drcor>)

The Company is authorized and regulated by the Cyprus Securities and Exchange Commission (<http://www.cysec.gov.cy>) to act as a Cyprus Investment Firm (CIF) with CIF License No. 285/15 operating as an international foreign exchange broker.

The Company operates under the under the Provision of Investment Services, the Exercise of Investment Activities, the Operation of Regulated Markets and Other Related Matters Law of 2007, Law 144(I)/2007, as subsequently amended from time to time (hereinafter “**the Law**”).

2. General

This summarised Conflicts of Interest Policy (hereinafter the “**Policy**”) is provided to you (our Client or prospective Client) in accordance with the Provision of the Law, pursuant to which the Company is required to take all reasonable steps to detect and avoid conflicts of interest.

The Company is committed to act honestly, fairly and professionally and in the best interests of its Clients and to comply, in particular, with the principles set out in the above legislation when providing investment services and other ancillary services related to such investment services.

The purpose of this document is to set out the Company’s approach in identifying and managing conflicts of interest which may arise during the course of its normal business activities. In addition, this document identifies circumstances which may give rise to a conflict of interest.

3. Scope

The Policy applies to all of the Company’s directors, personnel, any persons directly or indirectly linked to the Company (hereinafter “**Related Persons**”) and shall refer to the provision of all Investment and Ancillary services to all Clients. .

In order to fulfil its regulatory duty, the Company shall take measures to identify, manage, prevent and/or disclose any conflict of interest within its organization, with its Clients and between its Clients, to prevent conflicts of interest from adversely affecting the Clients’ interests.

The Company shall regularly define measure and manage any possible risks of a conflict of interest in connection with its investment services. The Board of Directors and the Compliance Officer shall perform this function in cooperation with the employees and head officers of each of the Company’s various departments.

4. Identification of Conflicts of Interest

4.1. General

When the Company deals with the Client, the Company, an associate or some other person connected with the Company may have an interest, relationship or arrangement that is material in relation to the Transaction concerned or that it conflicts with the Client's interest.

The existence of the following circumstances during the performance of a service provision function shall be assessed, when defining actions that may entail a conflict of interest:

- a. The Company or a relevant person has a financial gain or is likely to make a financial gain or avoid a financial loss on account of a Client;
- b. The Company or a relevant person has an interest in the outcome of a service provided to the Client or of a transaction carried out on behalf of the Client, which is distinct from the Client's outcome in that outcome;
- c. The Company or a relevant person has a financial or other incentive to favour the interests of one Client over the interests of another Client;
- d. The Company or a or relevant person has business interests or is involved in the same area of business as the Client;
- e. The Company or a or relevant person receives, in connection to the service provided to a Client, inducements from a third party which are not part of the standard commission or fee for that service.

4.2. Examples of Conflict of Interest

While it is not feasible to define precisely or create an exhaustive list of all relevant conflicts of interest that may arise, as per the current nature, scale and complexity of the Company's business, the following list includes circumstances which constitute or may give rise to a conflict of interest entailing a material risk of damage to the interests of one or more Clients, as a result of providing investment services:

- a. The Company may be matching the Client's order with that of another Client by acting on such other Client's behalf as well as on the Client's behalf;
- b. The Company may receive or pay inducements to or from third parties due to the referral of new Clients or Client's trading;

- c. the Company may be advising and providing other services to associates or other Clients of the Company who may have interests in Financial Instruments or investments or Underlying Assets, which are in conflict or in competition with the Client's interests;
- d. the Company, its employees and related legal persons may have, establish, change or cease to have positions in securities, foreign exchange, CFDs or other Financial Instruments covered by an investment recommendation or advice;
- e. the Company may have an interest in maximizing trading volumes in order to increase its commission revenue, which is inconsistent with the Client's personal objective of minimizing transaction costs;
- f. the Company's bonus scheme may award its employees based on the trading volume etc.;
- g. the Company or a Related person has an interest in the outcome of a service provided to the Client or of a transaction carried out on behalf of the Client, which is distinct from the Client's interest in that outcome;
- h. the Company or a Related person has a financial or other incentive to favour the interest of another Client or group of Clients over the interests of the Client.

4.3. Procedures and Controls to Manage Conflict of Interests

In general, the procedures and controls that the Company follows to manage the identified conflicts of interest include the following measures (list is not exhaustive):

- a. The Company undertakes ongoing monitoring of business activities to ensure that internal controls are appropriate.
- b. Effective procedures to prevent or control the exchange of information between Related Persons engaged in activities involving a risk of a conflict of interest where the exchange of that information may harm the interest of one or more Clients;
- c. The Company maintains an Independent Compliance Department to monitor and report any possible conflict of interest situations to the Board of Directors;
- d. Appointment of an Internal Auditor to ensure the appropriateness and effectiveness of the systems and controls used by the Company and to report to the Board of Directors;
- e. Procedures governing access to electronic data;
- f. Establishment and maintenance of the "four-eye" principle to monitor and supervise the Company's activities;

- g. Establishment of Chinese walls and physical separations between the Company's different departments to restrict the flow of confidential information within the Company;
- h. Segregation of duties that may give rise to conflict of interest if carried out on by the same individual;
- i. The Company's personnel receive appropriate training, instructions and guidance regarding managing of conflict of interest;
- j. The Company's personnel is bound by professional secrecy and confidential information is only to be shared if essential for the performance of a task;
- k. A "need-to-know" policy governing the dissemination of confidential or inside information within the Company.
- l. The separate supervision of Related Persons whose principal functions involve carrying out activities on behalf of, or providing services to Clients whose interests may conflict, or who otherwise represent different interests that may conflict, including those of the Company;
- m. The removal of any direct link between remuneration of relevant persons principally engaged in one activity and the remuneration of, revenues generated by different Related Persons principally engaged in another activity, where a conflict of interest may arise in relation to those activities;
- n. Measures to prevent or limit any person from exercising inappropriate influence over the way in which a Related Person carries out an investment or ancillary service or activities
- o. Measures to prevent or control the simultaneous or sequential involvement of a relevant person in separate investment or ancillary services or activities where such involvement may impair the proper management of the conflicts of interest;
- p. Implementation of personal account dealing requirements applicable to relevant persons in relation to their own investment;
- q. Prohibition on officers and employees of the Company to have external business interests conflicting with the interests of the Company without the prior consent of the Company's Board of Directors;
- r. A policy designed to limit the conflict of interest arising from the giving and receiving of inducements.

5. Disclosure of Conflict of Interest

If during the course of a business relationship with a Client or group of Clients, the organizational or administrative arrangements/measures in place are not sufficient to avoid or manage a conflict of interest relating to that Client or group of Clients, the Company will disclose the conflict of interest before undertaking further business with the Client or group of Clients.

6. Client's Consent

By entering into a Client Agreement with the Company for the provision of Investment Services, the Client is consenting to an application of this Policy on him. Further, the Client consents to and authorises the Company to deal with the Client in any manner which the Company considers appropriate, notwithstanding any conflict of interest or the existence of any material interest in a Transaction, without prior reference to the Client.

In the event that the Company is unable to deal with a conflict of interest situation it shall revert to the Client.

7. Amendment/Review

The Company reserves the right to review and/or amend its Policy and arrangements whenever it deems this appropriate according to the terms of the Client Agreement between the Company and the Client.

Should you have any questions or need further information about our "Conflicts of Interest Prevention Policy", kindly e-mail your request to:

Compliance Department: compliance@positivafx.eu