Terms of Business ECN

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These Terms govern the consequence of sending and execution of Customer's orders on trading accounts in FxPrivate Company Ltd.

1. Customer's requests processing

1.1. The " Market Execution " mechanism is used in trading operations conduction.

1.2. Customer's requests and orders processing procedure has the following structure:

1.2.1. The Customer makes up a request or an order, which is checked to be correct by the customer terminal;

1.2.2. The customer terminal sends a request or an order to the server;

1.2.3. The Customer's order is received by the server and checked for correctness. Herewith, the customer's log-file is updated with the entry "request was accepted by server";

1.2.4 once received the Client's order, the server sends the order identical to the Client's one to Currenex system;

1.2.5. in case connection between the client terminal and the server is stable, the client terminal receives the result of the given order similar to response from Currenex system, received by the server.

1.3. Client has the right to cancel previously sent order that is waiting in the execution line, but such order will not be canceled, if such order had already been sent for execution to Currenex system.

1.4. The time of receiving response to the order depends solely on the connection quality between client terminal and the Company server, and between FXPrivate Company Ltd. server and Currenex trading server. Normally, full cycle of sending and receiving of the order takes 0,3 seconds plus Client's ping to the Company's server. Market conditions do not affect the order execution time.

1.5. The Company's server does n't have the right to cancel the Client's order if it is correct.

2. Customer terminal and trading accounts

2.1. The customer terminal is the main mean for Customer's orders sending.

2.2. The Customer has the right to make a request or give an order using telephone dealing service, but only if technical reasons make impossible for the customer terminal usage.

2.3. In conditions described in paragraph 2.2., the Customer can use telephone dealing service. If the service was not used, the Company doesn't accept claims, reimburse moral damages, lost profit and trading losses.

2.4. In case a trading account is not used by the Customer for more than 90 (ninety) calendar days, such account becomes unavailable for trading operations conduction. The account is moved to the archive, if during the mentioned period the Customer doesn't login to the trading account and doesn't conduct any trading or balance operations. In order to make the trading account available for trading again, the Customer should send an email with a request to restore the account from the archive.

2.5. If funds deposit operation was not done in first 30 (thirty) working days after the trading account creation, the Company has the right to delete such account.

3. Spreads

3.1. Company does not interfere into spread creation process and is obliged to provide spreads in the form it receives it from the counterparty in Currenex system.

4. Storage

4.1. When transferring trading positions to the next day the process of swap points charging starts at 11:59:30 PM according to the customer terminal timing. Current swap points amounts are available on http://www.fx-private.com/en/fortraders/contracts_ecn.html. On Wednesday night a triple swap points amount is charged.

5. Changing of trading conditions

5.1. The Company has the right to change trading conditions and contract specifications. In case of any change the Company notifies the Customer via any communication mean given in paragraph 5.1. of the Customer agreement not later than 2 (two) working days before such change takes effect. The calculation of the specified period begins on the Customer's notification date.

6. Leverage

6.1. FXPrivate Company LTd. provides Client with an opportunity to set any of the following leverages: 1:100,1:120; The Company is obliged to provide Client with a possibility to trade with any of the listed leverages in any market conditions.

7. Position opening

7.1. Trading operations for currency selling are executed at BID price. Trading operations for currency buying are executed at ASK price.

7.2. Position opening is conducted by request or order sending from the customer terminal to the Company's server. The following request or order details are required:

a) instrument's name;
b) trading operation's volume;
c) operation's type (buy/sell).

7.3. Trading operations on ECN accounts can be executed with the following trading instruments: http://www.fx-private.com/en/fortraders/contracts_ecn.html

7.4. The "Market execution" implies sending an order of the stated volume to the trading system with the command to open this order at the best price in the system. The order will be opened anyway if there is a counterpart for the stated order. However, it should be taken into account that in this type of execution, in spite of the order execution speed, opening price at fast market condition can differ from the prices the Client saw in the client terminal at the moment of the order sending.

8. Processing of client's orders to open a position

8.1. A position opens if free margin amount is enough for a position opening. A free margin level is recounted automatically. The transaction commission is charged from the Client's trading account according to current trading conditions:
http://www.fx-private.com/en/fortraders/contracts_ecn.html
According to the technical features of the trading platform, commission is charged in total volume right after opening (opening and closing of the order).

8.2. A position does not open if free margin amount is not enough for a position opening. "Not sufficient funds" message appears in the order window.

8.3. The Customer's order for position opening is considered to be done and position opened after the relevant entry appearance in the server's log-file. Each new position gets the ticket serial number.

9. Position closing

9.1. Closing trading operations for currency selling is executed at ASK price. Closing trading operations for currency buying is executed at BID price.

9.2. The Customer should state the following compulsory parameters during position closing with the help of the customer terminal:

a) closed position ticket;
b) trading transaction volume.

9.3. The Customer should press the "Close position" button in the customer terminal window to send a position closing order.

9.4. The partial position closing happens if at the moment of the position closing the volume in the order is set less then at the moment of its opening. In this case the opened position volume
changes to the volume set in the partial closing position order. The relevant entry appears in the trading operation register. At the same time a new order is opened for the rest of the
volume with the parameters of the initial order. The commission is recalculated separately for each position in proportion to their volume.

9.5. The opposite position regarding the opened one is a contrary position opened for the same financial instrument. If there are one or several opposite positions among opened ones, the chosen position can be closed together with the opposite one. If the opposite positions have different volumes, only one of them remains open. The volume of this position will be equ
al to the difference of closed positions volumes and its direction and the opening price (short or
long) will be equal to the closing position which is bigger in volume. Several opposite positions closing lets close not two opposite positions of one instrument but a few at a time. The closing is
proceeded in pairs according to the time of the position opening and according to the scheme of two opposite position closing. If the difference of volume sums of opposite positions is not equal to zero, a new position with the volume equal to this difference will be opened.

10. Processing of client's orders to close a position

10.1. The Customer's order for position closing is considered to be done and position closed after the relevant note appearance in the server's log-file.

11. Orders Description

11.1. Order types:

"Buy Stop" - supposes opening of the buying position at the price higher than the current price at the order submission moment;
"Sell Stop" - supposes opening of the selling position at the price lower than the current price at the order submission moment;
 "Buy Limit" - supposes opening of the buying position at the price lower than the current price at the order submission moment;
"Sell Limit" - supposes opening of the selling position at the price higher than the current price at the order submission moment.

11.2. For closing positions the following orders can be used:

"Stop Loss" - supposes closing of the before opened position at the price, less profitable for the Customer than the current price at the order submission moment;
"Take Profit" - supposes closing of the before opened position at the price, more profitable for the Customer than the current price at the order submission moment.

12. Orders execution

12.1. Trailing stop is a special Stop Loss order control algorithm. This order type can be executed only if the customer terminal is on and if it has stable connection with the Company's server.

12.2. An order will be placed in the execution line in the following cases:

12.2.1. Sell Stop order is placed in the execution line at the moment when Bid price in quotation flow is equal to or lower than the order level;

12.2.2. Buy Stop order is placed in the execution line at the moment when Ask price in quotation flow is equal to or higher than the order level;

12.2.3. Sell Limit order is placed in the execution line at the moment when Bid price in a quotation flow is equal to or higher than the order level;

12.2.4. Buy Limit order is placed in the execution line at the moment when Ask price in quotation flow is equal to or lower than the order level;

12.2.5. Take Profit order for the open buying position is placed in the execution line when Bid price in quotation flow becomes equal to or higher than the order level;

12.2.6. Stop Loss order for the open buying position is placed in the execution line when Bid price in quotation flow becomes equal to or lower than the order level;

12.2.7. Take Profit order for the open selling position is placed in the execution line when Ask price in quotation flow becomes equal or lower than the order level;

12.2.8. Stop Loss order for the open selling position is placed in the execution line when Ask price in quotation flow becomes equal to or higher than the order level.

12.3. Orders execution in case of price gaps is regulated by the following rules:

12.3.1. pending order, which opening level and Take Profit are in the price gap, is cancelled with a [cancelled/gap] note in the order comment;

12.3.2. Take Profit order, which level is in the price gap, is executed at the price set in the order;

12.3.3. Stop Loss order, which the level is in the price gap is executed at the first price after the price gap with [sl/gap] note in the order comment;

11.3.4. Pending Buy Stop and Sell Stop orders are executed at the first price after the price gap with [started/gap] note in the order comment;

12.3.5. pending Buy Limit and Sell Limit orders are executed at price set in the orders with [started/gap] note in the order comment;

12.4. The order is executed only at the price that coincide with real market price at the moment of order execution

13. Orders placing and its' activity periods

13.1. Orders can be placed, deleted or modified by the Customer only when the trading of the particular instrument is allowed.

13.2. The following parameters must be stated by the Customer during the pending order placement:

a) instrument's name;
b) position's volume;
c) order type (Buy Stop, Sell Stop, Buy Limit, Sell Limit);
d) price level of the pending order execution .

13.3. The server, receiving a pending order, checks trading account for free margin, adds a new position to the list of opened positions, recounts the total Customer position and free margin.

13.4. The Customer's pending orders are automatically cancelled if trading account free margin is not enough to open new positions according to these orders.

13.5. In normal market conditions the order is executed by the server at the stated price, without slippage.

13.6. The order is considered executed after relevant entry appears in the server's log-file.

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14. Force position closing

14.1. In case a margin call level is 20%, stop out level is 10%. The Company guarantees that after the last position is closed, the trading account's balance will remain in the range of 0 - 10% of margin, necessary for maintaining the last forcefully closed position.

14.2. The Company has the right, but is not obliged to close the Customer's positions, in case the current trading account's equity has reached margin call level, given in paragraph 14.1.