



## Professional Investors Declaration

The definition of Professional Investor under the Securities and Futures Ordinance (the “SFO”) can be found [here \(Securities and Futures Ordinance \(Cap. 571\) Schedule 1 Part 1\)](#), and [here \(Securities and Futures \(Professional Investor\) Rules \(Cap. 571D\)\) \(the “PI Rules”\)](#).

(please tick as appropriate)

### Corporate Professional Investor

We fall under the definition of a Professional Investor under the category of persons described in paragraph (j) of the definition of “Professional Investor” in Part 1 of Schedule 1 of the SFO and specified in section 4, 6 or 7 of the PI Rules, and agree to be treated as such.

- A Corporation or Partnership having a portfolio held by a custodian of not less than HK\$ 8 million (or its foreign currency equivalent) or total assets of not less than HK\$ 40 million (or its foreign currency equivalent) at the relevant date.
- A Trust Corporation having been entrusted under the trust of which it acts as a trustee with total assets of not less than HK\$ 40 million (or its foreign currency equivalent) at the relevant date.
- A Corporation, the principal business of which is to hold investments and which at the relevant date is wholly owned by one or more of an individual PI or corporation/ partnership/ trust corporation as mentioned above.

Supporting document(s) provided:

- Most recent audited financial statement prepared in respect of the corporation and within 16 months before the relevant date; or
- One or more custodian statements issued to the corporation within 12 months before the relevant date; or
- A certification issued by an auditor or certified public accountant of the corporation within 12 months before the relevant date; or
- A public filing submitted by or on behalf of the corporation within 12 months before the relevant date.
- Any supporting documents showing the corporate structure (e.g. corporate structure chart or organization chart).
- Any supporting documents showing the expertise of the authorized representative (e.g. academic/ professional qualification, investment/ working experience).
- Any supporting documents showing the awareness of terms and risks (e.g. a signed Risk Disclosure Statement, Prospectus, or Offering Document).

### Client's Affirmation

- We confirm the information provided above by us is true, complete and accurate. We hereby give consent to be treated as a Professional Investor for the Relevant Financial

Product(s) and/or Relevant Market(s).

- We fully understand the risk and consequences of being treated as a Professional Investor; of our right to withdraw from being treated as a Professional Investor and taking independent advice if we wish.
- We shall inform the Company immediately if we find that we no longer under within the definition of Professional Investor.
- We understand that lodging of this assessment form shall in no way implies the Company's approval of our status as a Professional Investor; the Company has the right to reject our request for being treated as a Professional Investor without giving any reason.

This is an electronic form.



## Risk and Consequence of being treated as a Professional Investor

If you will be treated as a Professional Investor, please take note of the exemption details under paragraphs 15.4 and 15.5 of the Code of Conduct for Persons Licensed by or Registered with the SFC (the “Code”).

HKbitEX is exempt from the requirements in paragraph 15.4 of the Code if it is reasonably satisfied that the Corporate Professional Investor meets the three criteria set out in paragraph 15.3A(b) of the Code in relation to the relevant products and markers as follows:

1. the Corporate Professional Investor has the appropriate corporate structure and investment process and controls (i.e., how investment decisions are made, including whether the corporation has a specialised treasury or other function responsible for making investment decisions);
2. the person(s) responsible for making investment decisions on behalf of the Corporate Professional Investor has (have) sufficient investment background (including the investment experience of such person(s)); and
3. the Corporate Professional Investor is aware of the risks involved which is considered in terms of the person(s) responsible for making investment decisions.

Please ensure that you understand the risks and consequences of being treated as a Professional Investor.

### **Paragraph 15.4 of the Code of Conduct**

HKbitEX is exempt from the following requirements for Corporate Professional Investors where the licensed or registered persons have complied with paragraphs 15.3A and 15.3B of the Code and Institutional Professional Investors:

- a) Information about clients
  - (i) the need to establish a client's financial situation, investment experience and investment objectives (paragraph 5.1 and paragraph 2(d) and 2(e) of Schedule 6 to the Code), except where the licensed or registered person is providing advice on corporate finance work;



- (ii) the need to ensure the suitability of a recommendation or solicitation (paragraph 5.2 and paragraph 49 of Schedule 6 to the Code); and
  - (iii) the need to assess the client's knowledge of derivatives and characterize the client based on his knowledge of derivatives (paragraph 5.1A of the Code);
- b) Client agreement
  - (i) the need to enter into a written agreement and the provision of relevant risk disclosure statements (paragraph 6.1, paragraph 20.2(c), paragraph 2 of Schedule 3, paragraph 2 of Schedule 4 and paragraph 1 of Schedule 6 to the Code);
- c) Discretionary accounts
  - (i) the need for a licensed or registered person to obtain from the client an authority in a written form prior to effecting transactions for the client without his specific authority (paragraph 7.1(a)(ii) of the Code);
  - (ii) the need to explain the authority described under paragraph 7.1(a)(ii) of the Code and the need to confirm it on an annual basis (paragraph 7.1(b) of the Code); and
  - (iii) the need for a licensed or registered person to disclose benefits receivable for effecting transactions for a client under a discretionary account (paragraph 7.2 of the Code);
- d) the need to ensure the suitability of a transaction in a complex product, to provide sufficient information about a complex product and to provide warning statements (paragraph 5.5(a) of the Code).

### **Paragraph 15.5 of the Code of Conduct**

HKbitEX is exempt from the following requirements for Corporate Professional Investors and Individual Professional Investors where licensed or registered persons have complied with paragraph 15.3B and Institutional Professional Investors:

- a) Information for clients
  - (i) the need to inform the client about the licensed or registered person and the identity and status of its employees and others acting on its behalf (paragraph 8.1 of the Code);
  - (ii) the need to provide the client with documentation on the Nasdaq-Amex Pilot Program (paragraph 1 of Schedule 3 to the Code).

## **Right to withdrawal from being treated as a Professional Investor**

To register and maintain an account with HKbitEX, you must be, and remain at all material times, a Professional Investor.



You have the right to withdraw from being treated as a Professional Investor, whether in respect of all of the Relevant Financial Product(s) and/or Relevant Market(s) or any part thereof, at any time by giving written notice to us (the "Withdrawal Notice"). After receiving the Withdrawal Notice, HKbitEX will process it within 14 business days and inform you about the effective date of such withdrawal. Any withdrawal shall be without prejudice to and shall not affect the provision of any services rendered and/or financial products offered to you on the basis that you were a Professional Investor prior to such withdrawal taking effect.

HKbitEX may, at any time, stop treating you as a Professional Investor by giving not less than 14 days written notice to you. Such notice shall be effective upon the expiry of the notice period, unless you re-apply to be treated as a Professional Investor.