

<b>Account Holder (the "Client"):</b>	<b>Account number:</b> (Filled by Dukascopy)
---------------------------------------	---

V. 23.02.2012

## **Risks in Foreign Exchange Trading on the SWFX Swiss Forex Marketplace**

The undersigned client (the "**Client**") confirms that Dukascopy Bank SA (hereinafter "**Dukascopy**") has provided him with the enclosed "Brochure on Risks in Foreign Exchange Trading on the SWFX Swiss Forex Marketplace" describing the nature and disclosing the risks in foreign exchange trading activities. The Client confirms that he has reviewed the brochure and understood the structure, the risks and the costs associated with foreign exchange trading (hereinafter "Forex" or "FX").

In accordance with Swiss rules and regulations in place, Clients must be informed about the overall risks relating to high risk transactions as such, but not about the specific risks relating to each individual transaction. In this respect, Dukascopy has no obligation and will not monitor the Client's trading activity or the trading of his attorney.

The Forex market is different from other markets in the financial world. Its speed and huge size implies continual changes: it is specifically risky. Increased risk means chances for a higher profit but also for a higher loss.

**Trade only with funds you can afford to lose:** money required to secure living expenses, educate children, assure retirement should never be traded. Persons unsure or hesitant about a trade must stay on the sidelines.

It is very important for the Client willing to trade foreign exchange to be aware that Foreign exchange trading is by nature a highly speculative investment entailing a higher degree of risks than other types of investments. Foreign exchange markets are amongst the most volatile markets in the world specifically when traded on a margined and leveraged basis. Speculation should not be confused with making a long term conservative investment.

The nature of foreign exchange trading does not lend itself as much to investment as it does to speculation and hedging. Any investment in foreign exchange necessitates good market understanding, experience and personal commitment.

**THE ENCLOSED RISK BROCHURE IS A SUMMARY OF THE RISKS INVOLVED IN THE FOREIGN EXCHANGE TRADING. IT IS NOT EXHAUSTIVE. CLIENTS SHOULD CAREFULLY CONSIDER THEIR ABILITY AND EXPERIENCE BEFORE COMMITTING ANY FUND IN FOREIGN EXCHANGE TRADING.**

The Client has read and understood the enclosed risk brochure and expressly confirms full understanding of the risks involved with FX trading and acceptance and financial capability to bear such risks.

Place and date: \_\_\_\_\_

Signature of the Client: \_\_\_\_\_

## Brochure on Risks in Foreign Exchange Trading on the SWFX Swiss Forex Marketplace

**EACH CLIENT MUST CAREFULLY CONSIDER AND UNDERSTAND THE RISK ENTAILED WITH FOREIGN EXCHANGE TRADING ACTIVITY BEFORE ENGAGING ANY ASSETS ON THE SWFX TRADING PLATFORM. FOREIGN EXCHANGE TRADING ACTIVITIES CARRY SUBSTANTIAL RISKS AND IS SUITABLE ONLY FOR PERSONS WHO CAN ASSUME THE RISK OF LOSING THEIR ENTIRE INVESTMENT.**

**IF THE CLIENT HAS DOUBTS CONCERNING THE RISKS OR COSTS ASSOCIATED HEREUNDER, HE UNDERTAKES TO IMMEDIATELY REQUEST FURTHER INFORMATION FROM HIS CONTACT PERSON AT DUKASCOPY OR FROM AN INDEPENDENT ADVISOR.**

### 1. General Forex Trading Basics

“Foreign exchange”, “Forex” or just “FX” are all terms used to describe the trading of the world's currencies. The Forex market is the largest market in the world, with trades amounting to more than USD 3 trillion every day.

Trading successfully is by no means a simple matter. It requires time, market knowledge, market understanding and a large amount of self restraint. Anyone who says you can consistently make money in foreign exchange markets is being untruthful. Foreign exchange is by nature a volatile market. The practice of trading foreign exchange by way of leverage increases that volatility exponentially. The foreign exchange market is therefore a very 'fast market' which is naturally inconsistent. Following that precept, it is logical to say that in order to make a successful trade, a trader has to take into account technical and fundamental data and make an informed decision based on his perception of market sentiment and market expectation. Timing a trade correctly is probably the most important variable in trading successfully but invariably there will be times where a traders' timing will be off.

Forex trades can be entered as a speculative investment or as a hedging arrangement. Investing in foreign exchange predominantly remains the domain of the most important professional players in the market, i.e. funds, banks and brokers.

Unlike trading on an organized exchange markets, the Forex market is not conducted on a central exchange, but on the “interbank” market, which is thought of as an OTC (Over The Counter) market. The main centers for trading are Sydney, Tokyo, London, Frankfurt and New York. This worldwide distribution of trading centers means that the Forex market is almost a 24 hours market.

There are many reasons for the popularity of foreign exchange trading, but among the most important are the leverage available and the high liquidity 24 hours a day.

### 2. Spot and forward trading

In the context of currency trading:

- A “**Spot**” transaction means a deal in currencies settled on the same day with immediate (“on the spot”) delivery; provided that delivery may take a maximum of two business days.
- A “**Forward**” transaction **means** a deal in currencies for future (forward) delivery at prices agreed-upon on the dealing day.

Clients trading on the SWFX Swiss Marketplace are duly informed that trades may only be executed “Spot”, but there is no delivery by Dukascopy of the underlying bought and sold currencies. A netting of the profits and losses resulting from the Clients currency trades and positions will be executed.

### **3. Investment Objective. Above Average Risk of Loss**

There is always a relationship between high reward and high risk. Any type of market or trade speculation that can yield an unusually high return on investment is subject to unusually high risks. FX Trading may give rise to large losses within a relatively short period of time. These losses may be attributed to adverse market movements or to position build-up. Before deciding to enter into FX Trading, each Client should carefully consider his investment objectives, level of experience, and risk appetite. FX Trading is not suitable for everyone. Investors should only invest in FX Trading the portion of their own assets they can afford to lose entirely. In this respect, only their surplus funds should be placed at risk and anyone who does not have such surplus should imperatively avoid engaging in FX Trading.

Clients should immediately contact their contact person at Dukascopy and request any necessary information or any independent financial advisor in case of doubts on the risks related to FX Trading. In case an External Manager is appointed by the Client, the information duty about risks is born by the External Manager.

### **4. Margin Account and Leverage. Amplification of Risk**

Trading on margin and leverage means that you can buy and sell assets that represent more value than the capital in your account. Forex trading is usually conducted with relatively small margin deposits. This permits investors to increase effect of currency exchange rate fluctuations. A margin of 1% means you can trade up to USD 1,000,000 even though you only have USD 10,000 only in your account. For example, a margin of 1% corresponds to a 100:1 leverage (or "gearing" that means that USD 10,000 is 1% of USD 1,000,000). Using this much leverage enables you to make profits very quickly, but there is also a greater risk of incurring large losses and even being completely wiped out. Therefore, it is not recommended to maximize your leveraging as the risks can be very high.

The use of leverage increases the exposure of the Client's margin account to the volatility of the FX Market, empowering the Client to capitalize more on market movements and make more significant returns or losses depending on the market direction. Any change in the currency market will result in a greater change in the position taken by the Client. This is called the "leverage effect". The low initial margin deposits permits a high degree of leverage. As a result, a relatively small movement in the price of a currency may result in a profit or a loss which is high in proportion to the amount of funds actually placed as margin.

Dukascopy may grant extended leverage (trading line) to the Client up to 100:1. In principle, this is a maximum and each Client can opt to trade with a lower or with no leverage at all. For more information on the trading conditions, please refer to Dukascopy' website.

### **5. Stop-Loss and Additional Margin**

There are almost no daily limits on foreign exchange trading and no restrictions on trading hours other than the weekend. This means that there will nearly always be an opportunity to react to moves in the main currency markets and a low risk of getting caught without the opportunity of getting out. However, if the market moves rapidly against the Client's position, a total loss of the funds deposited on the margin account can be suffered in a relatively short time. The main risk that might trigger such sudden moves is for example an event over the weekend, when all markets are closed. This happens from time to time as many important political events, such as G8 meetings, are normally scheduled for weekends.

In order to limit Clients' risks, the Trading Platform enables the use of Stop-Loss Orders. Stop-Loss is a way to limit risks of losses and control the amount that one is ready to risk. It is important for the Clients to be aware of the implications on the market. Before a Stop-Loss Order is placed, Clients are requested to carefully consider their risk appetite and test the "Demo" account available directly on Dukascopy's website.

In accepting these orders, whilst Dukascopy assumes an obligation to make every reasonable effort to execute the order promptly, there is no guarantee of fixed price execution to the Client as the market may move faster and produce "slippage" notwithstanding the Stop-Loss.

Margin and used leverage are related to the margin account. When available margin starts decreasing, a minor move of the underlying exchange rates could lead to quick and severe losses, even with a large margin account base, assuming that the FX positions are highly leveraged.

### **Margin Call**

When used leverage reaches 100%, no available margin remains as the necessary margin to run current exposures is fully used. Should the FX positions experience losses, available margin starts to become insufficient. At this point, a margin call notification is issued and the net exposure cannot be increased until the available margin recovers eventually and becomes sufficient again. However, neither covering nor reducing of exposure occurs at this stage yet and Clients still have some room for managing their exposures, in particular they may decrease their exposures by hedging and/or closing some of the current exposures. Clients have, as well, the discretion to fund their account with additional funds in order to increase their available margin; once the margin is reinstated back to a positive level, Clients are able to increase exposure again. Should the available margin not be reinstated and losses continue to increase, the FX positions will reach the cut-off zone.

### **Cut-off, Margin cut**

As previously mentioned, once a margin call is issued, Clients still have room to maintain their exposures. If however, the margin account continues to decrease and the exposures are neither reduced nor closed, available margin starts to become negative and used leverage goes over 100 % of the authorized leverage.

When 200 % of the authorized leverage is used, Dukascopy automatically hedges current exposures until the available margin is reinstated back to zero and will continue to do so, following the same process, should the market continue to go against the Client's positions and remaining exposure still exists. Clients must monitor the activity of their FX position very carefully, especially when the available margin is shrinking.

### **Stop-Loss Order, Limit Order and Stop-Loss functionality**

To monitor risks of losses, Clients may enter into Stop-Loss Orders. A "**Stop-Loss Order**" is an order whereby an exposure is automatically closed (by closing a position or by opening an opposite position) at a specific price. A Stop-Loss Order may limit exposure to losses if the market moves against the Clients' position.

A "**Limit Order**" is an order with restrictions on the maximum price to be paid or the minimum price to be received.

The Client is informed that a Stop-Loss Order is by no means an irrevocable guarantee of getting out at the desired level. If the relevant market does not have enough liquidity or banks stop trading for any specific reason at the moment when the Stop-Loss is hit, the transaction cannot be liquidated at the desired price and the Client can suffer further losses.

On the SWFX Swiss Forex Marketplace, Clients who appoint an External Manager to trade on their behalf (hereinafter the "**Managed Clients**") must use the "**Stop-Loss functionality**" to set a Stop-Loss level on their account. The Stop-Loss level for Managed Clients shall be understood as the amount of money that the Client wants to protect from losses as a result of the trading performed by his attorney.

**Similar to Stop-Loss Orders, the Stop-Loss functionality cannot fully guarantee that the Managed Client will never suffer losses in excess of the defined Stop-Loss level, in particular in case of fast/sharp market fluctuations.**

## 6. Trading Non-Majors

A currency trade is the simultaneous purchase of one currency and sale of another one. The currency combination used in a trade is called a “Cross” or a “Pair” (for example, the euro/US dollar, or the GB pound/Japanese yen). There is always a long (bought) and a short (sold) side to a trade, which means that the expectations are done on the prospect of one of the currencies strengthening in relation to the other.

Any and all trading orders executed on the Clients’ instruction may be non-readily realizable in the case of a currency traded so irregularly or so infrequently that no immediate spot price can be quoted or that no counterparty in the market agrees to take a counter position. It is understood that the SWFX Swiss Forex Marketplace is a technological tool only and that it cannot guarantee the execution in such cases.

## 7. Interest Rate Differentials

Different currencies pay different interest rates. This is one of the main driving forces behind foreign exchange trends. It is inherently attractive to be a buyer of a currency that pays a high interest rate while being short of a currency that has a low interest rate.

Although such interest rate differentials may not appear very large, they are of great significance in a highly leveraged position. For example, the interest rate differential between the US dollar and the Japanese yen has been approximately 5% for several years. In a position that can be supported by a 5% margin deposit, this results in a 100% profit on capital per annum when US dollar is bought. Of course, an even more important factor normally is the relative value of the currencies, which changed 15% from low to high during the year 2005 – disregarding the interest rate differential. In our example, from a pure interest rate differential viewpoint, the Client has an advantage of 100% per annum in his favor by being long US dollar and an initial disadvantage of the same size by being short.

Such a situation clearly benefits the high interest rate currency and as result, the US dollar was in a strong bull market all through the year 2005. But it is by no means a certainty that the currency with the higher interest rate will be the strongest. If the reason for the high interest rate is runaway inflation, this may undermine confidence in the currency even more than the benefits perceived from the high interest rate.

## 8. Past and Hypothetical Performance. Market opinions

Past performance realized in the FX Market is not indicative of any future performance. It should also be understood that hypothetical performance results may be posted for information purposes only. Such hypothetical performance results have inherent limitations in that they have been prepared with use of past performance that is not a guarantee of future results. Performance can and does vary between each investor, trading strategy and the current market situation.

Any opinions, news, research, analyses, prices, or other information contained on Dukascopy’s website ([www.dukascopy.com](http://www.dukascopy.com)) is provided as general market information, and does not constitute investment advice or recommendation. Dukascopy will not accept liability for any loss or damage, including without limitation to, any loss of profit, which may arise directly or indirectly from use of or reliance on such information.

## 9. Volatility Risk

FX Trading is subject to a high degree of volatility. Currency prices may be subject to extensive fluctuations in response to numerous factors, which are beyond Dukascopy’s control. The market can move sharply in favor or against the Client’s position(s).

A decrease in market liquidity, any unanticipated changes in economic or political conditions, a financial crisis, or any other event can accelerate the market conditions in which currency price could move sharply and unexpectedly higher or lower or in a volatile up or down pattern.

To avoid or limit losses due to volatility of the market, Clients must monitor their investment at all time.

## **10. Diversification Risk and Concentration of Investments**

Concentrating FX Trading on a single currency pair does not allow taking advantage of the risk diversification. As such, the Clients position(s) may not be diversified and may be subject to significant losses due to market direction working against the Clients. However, certain risk diversification may result from divergence between market fluctuations of different currency pairs. While Clients may invest in a significant number of diversified currencies, the SWFX trading platform enables Clients to take large positions in a few or in one currency pair only.

Each Client must ensure that his currency positions are sufficiently diversified.

## **11. Liquidity Risk**

Liquidity represents the volume of FX transactions that can be executed, in a certain currency pair, at a certain moment. The liquidity depends on the number of FX market participants interested in FX trading and on the size of the market participant's offers. The liquidity is subject to sharp fluctuations depending on the currency, the economical or political events and news such as a financial crisis, or to any other event which are beyond Dukascopy's control.

In case of low liquidity, Clients may be not able to carry out, buy or sell orders and, consequently, to wind-up positions that they want or need to liquidate. In such market conditions, Clients may be forced to accept a significantly higher price than the desired price in order to be able to transact a certain FX deal. In addition and for the same reasons, a Stop-Loss Order may be executed at a price which is significantly different from the desired price.

In general, low liquidity market situations significantly increase the risks associated with FX trading. The major currencies which are the most traded throughout the world usually offer a better liquidity than any other currencies.

## **12. Technology Risks, Internet Trading Risks**

There are risks associated with the use of an Internet-based deal execution trading system including, but not limited to, the failure of hardware, software, Internet connection and others. Since Dukascopy does not control signal power, its reception or routing via Internet, configuration of Client's equipment or reliability of its connection, Dukascopy cannot be responsible for communication failures, distortions or delays when trading via the Internet. Dukascopy employs back-up systems and contingency plans to minimize the possibility of system failure, and trading via telephone is always available. Dukascopy declines responsibility for any losses and/or damages resulting from or in connection with communication failures, distortions or delays when trading via the Internet.

## **13. Operational Risks**

Operational risks are the risks of any malfunction, failure or error in the processing of FX transactions. Such risks are especially associated with utilizing an Internet-based deal execution trading system including, but not limited to, failure of hardware, software and Internet connection.

Any mean of order transmission, e.g. telephone, fax, email, etc. involves a risk of failure, delay or errors in transmission or misunderstanding, alteration and duplication. The Client must be aware of the risk of abuse or falsification of the identification procedure by a non-authorized third party.

## **14. Supervision and Regulatory Risk**

Dukascopy is subject to regulation and supervision in its jurisdiction of registration. Changes in existing regulations may have a material adverse effect on Dukascopy's business model. The Client understands that Dukascopy cannot be held liable for the effects of any such restriction and/or modification.

## 15. Conflicts of Interests

The Client understands that the business model of the SWFX Swiss Forex Marketplace aims at ensuring execution of transactions ordered by Clients and matching transactions between any of its Clients or Counterparties, each trade being instantly hedged with a countertrade. In that respect, on the SWFX Swiss Forex Marketplace, Dukascopy is counterparty of each trade and countertrade. In some circumstances, Dukascopy may not hedge entirely or may not hedge at all certain trades. In such cases, Dukascopy may have opposite positions towards Clients.

Dukascopy limits to possible minimum the potential conflict of interests and acts in the best interests of the Clients.

The remuneration of Dukascopy includes commissions based on volume traded on the SWFX Swiss Forex Marketplace. The information about the amounts of commissions and fee policy is presented on the website of Dukascopy and constantly updated.

## 16. External Manager and Introducing Agents

Conflict of interests may arise where a Client has appointed an External Manager of his choice to trade on his behalf. The remunerations of the External Manager usually depend upon the volume and the number of transactions proceeded. Dukascopy is allowed to proceed to payment of retrocessions to External Managers and Introducing Agents in accordance with the local market practice and Dukascopy's policy. External Managers and Introducing Agents are obliged to communicate to the Client the amounts of retrocessions received and to produce all reporting thereof if required.

The Client is informed that Dukascopy has no insight in the instructions given by him to his attorney and that Dukascopy has no duty whatsoever and will not monitor, analyse, interfere in, or opine on, the trading executed by the attorney on behalf of the Client. Dukascopy has no duty to inform or to alert the Client in relation with the orders given by the attorney and/or regarding the trading activity performed by the attorney. The Client is advised to seek information from his External Manager and shall closely supervise the activity of the External Manager as well as monitor regularly his trades, respect of the strategy, etc. In addition, Dukascopy gives online possibility to Managed Clients to instantly deactivate the trading on their accounts and to limit the risk of loss (Stop-Loss functionality) through the online reporting.

## 17. Website Information

Every Client is required to read and review the information available on Dukascopy's website ([www.dukascopy.com](http://www.dukascopy.com)) on a regular basis including, without limitation, any and all guidelines and instructions to use the SWFX Trading Platform, the fee policy, the transaction settlement process, or any other information available thereto. In case of doubts or questions, the Client is invited to immediately contact his Relationship Manager at Dukascopy.

The content of the website is subject to change at any time without notice.

\*\*\*\*\*