

License Application Instructions for Admitting Derivatives Broker

1. The said document shall be respected in content and in form when filing an admission application.
2. No question shall be overlooked or left unanswered. All questions mentioned below shall be answered in order.

Derivatives Broker Admission Application

- Full name of the derivatives broker:

- Name of the derivatives broker's legal representative:

- Capital: USD 250.000
- Head office:
- Phone: _____ Fax: _____ Email: _____
- P.O.Box: _____
- Number of employees: _____

1. Administration of the company

Provide the hereinafter required information about the Chairman, the Director, the CEO, and Derivatives Representative as well as all members of the board of directors.

Name	Age	Address	Responsibilities	Number of shares, classified by category, he benefits from

In addition, specify the experience of the Chairman, the Director, the CEO and the Derivatives Representative.

2. Capital distribution per share categories if any:

Capital value	Share categories	Number of shares per category	Capital distribution per share category	Share value

1. The derivatives broker's employees chosen to hold the Derivatives Representative License:

Name	Age	Address	Police Record	Years of experience	Nationality	Degrees

Required documents

Applicant shall fill-in the application in compliance with the form set out by CDX. The following required documents shall be attached with the application:

1. A certified copy of the certificate of incorporation;
2. A certified copy of VAT and Patent certificate;
3. A certified copy of company's memorandum and articles;
4. Minutes of the meeting of shareholders or founders or the board of directors in relation to the application for license/authorisation;
5. Capital confirmation as set forth in Article 19 of the Prakas;
6. List of shareholders specifying the amount of shares, and attached therewith the copy of the national identity card or passport with signature or thumbprint of its bearer thereon;
7. List of directors specifying their roles and experiences, and attached therewith the copy of the national identity card or passport with signature or thumbprint of its bearer thereon and the criminal record; and
8. The list of all derivative representatives specifying their roles and experiences, and attached therewith the copy of the national identity card or passport with signature or thumbprint of its bearer thereon and the original criminal record.

Requirement Notice

Requirement for Licensing/Authorising the Derivative Brokerage Business

Any person applying for derivative brokerage business license/authorisation shall fulfil the following conditions:

1. Shall be company or partnership registered in the Kingdom of Cambodia;
2. Shall be tax registered in accordance with the Law on Taxation and relevant regulations;
3. Should be a representative or should possess sufficient qualifications to be the central counterparty representative;
4. Shall have an organisational structure evidently setting out the responsibilities and duties;
5. Shall have sufficient infrastructure and information technology system;
6. Shall have policy and information technology system appropriate for risk management and internal control;
7. Shall have system of and policy on conflict of interest and performance of legal obligation;
8. Shall have appropriate location and equipment sufficient to carry out business:
 - a. shall install a computer system for carrying out stable and safe business and shall not present incompatibility with computer system of central counterparty whose applicant is representative;
 - b. shall install safety measures to prevent the public from trespassing the restricted area;
9. Shall possess sufficient resource namely finance, technology and competence to carry out business, and human resource with sufficient knowledge, competence and experience for each position of the company.

Requirements of Human Resources

The applicant for the derivative brokerage business license/authorisation or its renewal shall have:

1. At least 1 (one) executive director and director or partner with qualification as set forth in the Paragraph 3 of the Article 7 of this Prakas and shall obtain the authorisation from the Director General of the SECC; and
2. Derivatives representative and other skilled staff.

Requirement for Derivatives Representative

An applicant for a derivative representative licence shall complete the application form set out by the Director General of the SECC, have sufficient qualifications and experience, obtain the approval from the Director General of the SECC, and shall comply with the following conditions:

1. have qualifications and good character as set forth in the Article 42 of the Sub-Decree;
2. fulfil one of the conditions as follows:
 - a. have at least higher education certificate in the financial sector, securities, economics, law, accounting or other similar diploma certificate; or
 - b. have professional experiences related to derivative brokerage, business, finance or securities;
3. attend a training course and take an examination organised by SECC or training institution recognised by the SECC; and the result is valid for 2 years as of the date of the announcement of the result;
4. have letter of approval from a Derivative Broker to the applicant to be Derivative Representative; and
5. Never commit any activities harmful to the public interest.

Attestation of the Derivatives Broker

I, the undersigned ----- authorized to sign on behalf of the company ----- hereby declare, in accordance with the powers duly entrusted to me, that the information enclosed therein is true, accurate, and exact and that the company has not overlooked any basic or fundamental fact. As such, the company shall, to the best of its knowledge, be held liable for any false and untrue information likely to mislead at all levels.

Date ----- Place -----

(Company name)

(Signature with the full name, title, and seal of the company)