Approved Market Operator and trade acceptance service for CHESS- eligible financial products

## Application Form

**Approved Market Operator**

**How to apply**

This form should be used by a market licensee or applicant for a market licence (“Applicant”) seeking to be:

1. approved as an Approved Market Operator for the purposes of the operating rules of ASX Clear Pty Ltd (“ASX Clear”) and ASX Settlement Pty Ltd (“ASX Settlement”); and
2. provided with a trade acceptance service and product services for CHESS eligible financial products by ASX Clear and ASX Settlement (jointly).

The Operating Rules of ASX Clear and ASX Settlement provide that ASX Clear and ASX Settlement may approve a person with an Australian market licence as an Approved Market Operator (“AMO”).

The trade acceptance service involves acceptance of transactions effected through (the market of) an AMO for clearing and settlement in the CS facilities operated by ASX Clear and ASX Settlement. Details of the trade acceptance service are set out in the Legal Terms for the provision of a trade acceptance service and the standards which apply under those Legal Terms. The product services include the assessment of financial products submitted by an AMO for the trade acceptance service, and product set-up and maintenance services. Details of the product services are set out in the Product Services Legal Terms and the standards which apply under those Legal Terms. The Legal Terms and the standards which apply under them are available at [www.asx.com.au.](http://www.asx.com.au/)

The form is in two parts:

**Part 1** Deed Poll

**Part 2** Details of Applicant

Any annexures to this Application Form will form part of the application for the trade acceptance service.

Applicants must complete all questions in this application.

Completed applications should be returned to ASX Clear and ASX Settlement marked to the attention of the Company Secretary at:

ASX Clear Pty Ltd and ASX Settlement Pty Ltd

Exchange Centre 20 Bridge Street

Sydney NSW 2000 Australia

# Part 1 – Deed Poll

|  |  |
| --- | --- |
| **Date ►** | |
| **This Deed Poll is made as a deed poll by** | **[Insert name of Applicant] [Insert ABN/ARBN of Applicant] of [Insert registered office of Applicant] (Applicant):** |
| **In favour of** | ASX Clear Pty Limited (ASX Clear); and  ASX Settlement Pty Limited (ASX Settlement). |
| **Background** | 1. The Applicant wishes to apply to ASX Clear and ASX Settlement to be approved as an Approved Market Operator for the purposes of the operating rules of ASX Clear and ASX Settlement and be provided with a trade acceptance service and product services for CHESS-eligible financial products by ASX Clear and ASX Settlement; 2. The Applicant makes this Deed Poll in connection with its application. |
| **This Deed Poll witnesses** | As follows: |

The Applicant:

|  |  |
| --- | --- |
| (a) | represents and warrants to ASX Clear and ASX Settlement that the information the Applicant has provided or will provide to ASX Clear and ASX Settlement in connection with its application including, without limitation, information in its application form and any annexures to its application form, is true and correct; |
| (b) | acknowledges that ASX Clear and ASX Settlement will rely on the information provided in considering its application and acknowledges that any wilful omission or misstatement on a material point in or in connection with its application may lead to rejection of the application or, if the application is approved, subsequent cessation of the Applicant's status as an Approved Market Operator and/or provision of the trade acceptance service and/or product services; |
| (c) | if the application is approved, undertakes and agrees to be bound by the obligations set out in the Trade Acceptance Service Legal Terms, the Product Services Legal Terms and any standards which apply under those Legal Terms (as at the date hereof and as amended from time to time during their respective terms). |

|  |  |  |
| --- | --- | --- |
| **EXECUTED AS A DEED POLL** by [**Insert**  **name of Applicant**]  in accordance with section 127(1) of the  *Corporations Act 2001* (Cth) | )  )  )  )  ) |  |
| )  )  )  ) | | |
| Signature of director | )  ) | Signature of director/company secretary |
| )  )  ) | | |
| Name (print) | ) | Name (print) |

# Part 2 – Details of Applicant

**Part 2.1 Applicant Details**

* 1. Name and ARBN or ABN of Applicant.
  2. Place and date of incorporation/registration.
  3. Registered office address.
  4. Commencement date of service

The Applicant requests that the trade acceptance service and product services be provided on and from [***insert date***].

**Part 2.2 Licensing Information**

Does the Applicant hold an Australian market licence issued under the Corporations Act 2001? If yes, please attach a copy of the licence.

***(ANNEXURE A)***

*If No, the Applicant may submit its application but the trade acceptance service cannot be provided until the Applicant has been issued a market licence and provided a copy of that market licence to ASX Clear and ASX Settlement.*