

## Customer Categorization Information for OANDA TMS Brokers S.A.

OANDA TMS Brokers S.A. categorizes each Client to one of the following three categories:

1. Retail Client (in this we distinguish the status of an Retail Client Experienced),
2. Professional Client,
3. Eligible Counterparty.

In accordance with the *Policy of Client Categorization in OANDA TMS Brokers S.A.*, OANDA TMS Brokers S.A. shall be entitled to categorize all Clients to the Retail Client category, for which the highest possible level of security.

Simultaneously, OANDA TMS Brokers S.A. informs that the Client has the right to request a change in the Client's category, which may entail a lower level of protection. The request may be submitted in writing at the registered office of OANDA TMS Brokers S.A. or sent to the address of OANDA TMS Brokers S.A. TMS Brokers S.A., based on the information provided in the application and subject to regulatory requirements, will assess the Client's competency, knowledge and experience with respect to the products and services of interest. OANDA TMS Brokers S.A. has the right to refuse to comply with the Client's request.

If you have any questions or concerns, please contact our Customer Service Department. Contact information is listed on the TMS Brokers website.

### Key Differences in Treatment of Retail Clients, Professional Clients and Eligible Counterparties:

#### I. Protection of Retail Clients

A Retail Client shall be provided the highest degree of protection with regard to investment services rendered by TMS Brokers. Implementing measures applied by TMS Brokers with regard to the Retail Client shall include:

1. Informing the Client about the methods of management of conflicts of interest and informing of existing conflicts of interest associated with the provision of a particular investment service to the Client,
2. Providing comprehensive (fair, clear and not misleading) information on:
  - a) TMS Brokers,
  - b) investment services provided to Clients,
  - c) commissions, fees and other costs related to the provision of investment services or conclusion of transactions; d). execution venues;
  - d) financial instruments offered as part of the investment service provided, together with risks associated with these instruments.
3. Performing an assessment of the Client's knowledge and experience in relation to investment services to be provided to the Client.
4. Performing an assessment of the Client's knowledge and experience in investing in financial instruments, and reviewing investment objectives and the financial position of the Client, for the purposes of the provision of services by TMS Brokers.
5. Applying principles of conduct at the acceptance and transfer of monetary and non-monetary benefits by TMS Brokers.
6. Compliance with the best execution policy of TMS Brokers.

7. Delivery to the Client of relevant reports concerning investment services performed.

Measures that may be applied by the European Securities and Markets Authority (ESMA) and other measures adopted by competent national authorities aimed at the protection of Retail Clients shall apply.

## **II. Protection of Professional Clients**

A Professional Client shall be covered by a lower level of protection than a Retail Client. Implementing measures applied by TMS Brokers with regard to the Professional Client shall include:

1. Informing the Client about the methods of management of conflicts of interest and informing of existing conflicts of interest associated with the provision of a particular investment service to the Client,
2. Providing comprehensive (fair, clear and not misleading) information on:
  - a) TMS Brokers,
  - b) investment services provided to Clients,
  - c) commissions, fees and other costs related to the provision of investment services or conclusion of transactions; d). execution venues;
  - d) financial instruments offered as part of the investment service provided, together with risks associated with these instruments.
3. Performing at a request of the Client an assessment of the Client's knowledge and experience in relation to investment services to be provided to the Client.
4. Performing an assessment of the Client's knowledge and experience in investing in financial instruments, and reviewing investment objectives and the financial position of the Client, for the purposes of the provision of services by TMS Brokers.
5. Applying principles of conduct at the acceptance and transfer of monetary and non-monetary benefits by TMS Brokers.
6. Compliance with the best execution policy of TMS Brokers.
7. Delivery to the Client of relevant reports concerning investment services performed.

## **III. Protection of Eligible Counterparties**

An Eligible Counterparty shall be covered by the lowest level of protection. Implementing measures applied by TMS Brokers with regard to the Eligible Counterparty shall include:

1. Informing the Client about the methods of management of conflicts of interest and informing of existing conflicts of interest associated with the provision of a particular investment service to the Client,
2. Providing comprehensive (fair, clear and not misleading) information on:
  - a) TMS Brokers,
  - b) investment services provided to Clients,
  - c) commissions, fees and other costs related to the provision of investment services or conclusion of transactions;
  - d) execution venues;
  - e) financial instruments offered as part of the investment service provided, together with risks associated with these instruments.
3. Delivery of relevant reports concerning investment services performed unless TMS Brokers agrees with the Eligible Counterparty otherwise.