

Information on the Policy of acting in the best interest of the client for the service of accepting and transmitting orders at OANDA TMS Brokers S.A.

GENERAL INFORMATION

OANDA TMS Brokers S.A. (hereinafter: “**TMS Brokers**”) implements the *Policy of acting in the best interest of the client for the service of accepting and transmitting orders at OANDA TMS Brokers S.A.* (hereinafter: “**Policy**”), which sets out detailed rules of conduct to obtain the best possible results for clients in connection with the provision of the order entry and transmission service to them.

The Policy applies to Financial Instruments in the Trading System as defined in the *Regulations for the Provision of Services for the Acceptance and Transmission of Orders to Purchase or Sell Financial Instruments by OANDA TMS Brokers S.A., the Maintenance of Cash Accounts and Registers and Foreign Exchange* and the List of Financial Instruments of TMS Stocks.

The Policy applies to Retail Clients, including Experienced Retail Clients as well as to Professional Clients. The Policy does not apply to eligible counterparties.

All TMS Brokers' actions set out in this Policy do not constitute a guarantee that the Service provided to the Client will be performed with the best possible result for the Client in every case and under all circumstances.

PRINCIPLES OF ACTING IN THE BEST INTERESTS OF THE CLIENT

In providing the Service, TMS Brokers acts with integrity and professionalism, in accordance with fair trading principles and in accordance with the best interests of its Clients. When executing Clients' orders, TMS Brokers transmits them to Brokers.

The current List of Brokers with whom TMS Brokers has entered into an Agreement to broker the purchase and sale of Financial Instruments, is indicated in Supplement No. 1 to the Policy and on TMS Brokers' website www.tms.pl/dokumenty.

The Client may transmit instructions in relation to Orders on the terms and conditions provided in the terms and conditions of the Service provided by TMS Brokers.

TMS Brokers, in providing the Service:

- a) ensures that orders executed on behalf of Clients are promptly and accurately recorded and allocated;
- b) transmits sequentially and promptly to Brokers for execution Client orders that might otherwise be comparable, unless (i) this is otherwise apparent from the terms of execution specified by the Client or

OANDA TMS Brokers S.A. (dawniej: Dom Maklerski TMS Brokers S.A.) Złote Tarasy (Budynek Skylight),
ul. Złota 59, 00-120 Warszawa tel. (22) 27 66 200, fax (22) 27 66 202, dommaklerski@tms.pl, www.tms.pl

OANDA TMS Brokers podlega nadzorowi Komisji Nadzoru Finansowego. Spółka zarejestrowana przez Sąd Rejonowy m.st. Warszawy w Warszawie, XII Wydział Gospodarczy Krajowego Rejestru Sądowego pod numerem KRS 0000204776
Kapitał zakładowy: 3.537.560 zł, kapitał wpłacony: 3.537.560 zł, NIP: 526-27-59-131, REGON: 015715078

- the nature of the order in question, (ii) when the prevailing market conditions make this impossible, or (iii) when it is contrary to the Client's interests;
- c) informs the Retail Client of any material difficulty that may affect the proper execution of the order immediately upon receipt of the information from the Broker or directly from the Trading System;
- d) does not make unauthorised use of information relating to Client orders in the course of execution and takes all reasonable steps to prevent unauthorised use of such information by Relevant Persons.

Client orders relating to Financial Instruments on the Trading System may only be transmitted for execution to a single entity (the Broker) where this allows TMS Brokers to achieve the best possible result for the Client on a continuous basis and where the results for the Client can reasonably be expected to be no worse than other execution entities. In such a case, TMS Brokers shall be deemed to act in the best interests of Clients when transmitting Client orders to another entity for execution.

EXECUTION SYSTEMS AND BROKERS

TMS Brokers, as part of the provision of the Service, transmits orders for execution to other investment firms (Brokers) providing order execution services to TMS Brokers, acting in its own name and on behalf of the Client, in which case the Execution System for Financial Instruments on the Trading System is the same as the Execution System designated to TMS Brokers by the Broker (the Client is not able to specify the Execution System in the order) and includes:

- a) a regulated market operating within the territory of a Member State,
- b) an MTF operating on the territory of a Member State,
- c) a Trading System, operated in the territory of non-Member States, which operates on a permanent and organised basis in accordance with the rules of those States and which ensures that in the matching of offers to buy or sell such Financial Instruments investors have equal and universal access to market information at the same time and that equal conditions for buying and selling those Financial Instruments are maintained,
- d) a systematic internaliser of transactions operating in the territory of a non-Member State,
- e) another entity that performs a similar role in a non-Member State to those performed by the above-mentioned entities.

TMS Brokers, as part of its Service, does not provide the service of executing orders to buy or sell Financial Instruments in the Trading System.

TMS Brokers accepts and then transmits the order to a Broker who has access to an Execution System where the Financial Instrument in question is admitted or marketed, or who forwards such order to a further entity for execution in the absence of such access, and with whom TMS Brokers has entered into an Agreement to broker the purchase and sale of Financial Instruments on behalf of the Client. The rules for the execution of orders referred by TMS Brokers to such Broker for execution are set out in the relevant execution policy available on the Broker's website, the address of which is indicated in Supplement No. 1 to the Policy.

TMS Brokers is committed to keeping transaction costs as low as possible for the Client.

OANDA TMS Brokers S.A. (dawniej: Dom Maklerski TMS Brokers S.A.) Złote Tarasy (Budynek Skylight),
ul. Złota 59, 00-120 Warszawa tel. (22) 27 66 200, fax (22) 27 66 202, dommaklerski@tms.pl, www.tms.pl

OANDA TMS Brokers podlega nadzorowi Komisji Nadzoru Finansowego. Spółka zarejestrowana przez Sąd Rejonowy
m.st. Warszawy w Warszawie, XII Wydział Gospodarczy Krajowego Rejestru Sądowego pod numerem KRS 0000204776
Kapitał zakładowy: 3.537.560 zł, kapitał wpłacony: 3.537.560 zł, NIP: 526-27-59-131, REGON: 015715078

An up-to-date list of the Execution Systems where Clients' orders are executed through Brokers is indicated in Supplement No. 4 to the Policy and on TMS Brokers' website www.tms.pl/dokumenty.

Up-to-date information on best execution systems and execution quality is available at <https://www.tms.pl/dokumenty> under *Information on best execution systems and execution quality*.

Up-to-date information on costs and fees is available at <https://www.tms.pl/dokumenty> under *Table of Fees and Commissions*.

FINAL PROVISIONS

Prior to signing the Framework Agreement, the Client is required to familiarise themselves with the contents of the Policy. By signing the Framework Agreement, the Client agrees to TMS Brokers' application of the principles set out in the Policy.

Changes to the Policy are communicated to the Client in the manner set out in the Framework Agreement between the Client and TMS Brokers.

Changes to the Policy shall be binding unless the Client terminates the Framework Agreement within 14 calendar days of being notified of the changes. Failure to receive a notice of termination of the Framework Agreement within the period referred to in the preceding sentence means that the Client accepts the provisions of the Policy in the new wording. If a Client executes a Transaction after TMS Brokers' notification of a change in the Policy (before the expiry of the deadline referred to in the first sentence of this section), the provisions of the Policy in the new wording shall apply.

The current Policy is communicated to Clients prior to the commencement of the Service, either on a Durable Medium or via the TMS Brokers website (www.tms.pl/dokumenty).

At the Client's request, TMS Brokers shall provide the Client with a translation into Polish of the documents indicated in Supplement No. 1 and Supplement No. 4 to the Policy. This translation is for guidance only and the language version indicated in Supplement No. 1 and Supplement No. 4 to the Policy is binding.

DISCLAIMERS

This document is only an extract of information from the Policy. Before performing any transaction, we recommend reading the full Policy available at: <https://www.tms.pl/dokumenty>.

OANDA TMS Brokers S.A. (dawniej: Dom Maklerski TMS Brokers S.A.) Złote Tarasy (Budynek Skylight),
ul. Złota 59, 00-120 Warszawa tel. (22) 27 66 200, fax (22) 27 66 202, dommaklerski@tms.pl, www.tms.pl

OANDA TMS Brokers podlega nadzorowi Komisji Nadzoru Finansowego. Spółka zarejestrowana przez Sąd Rejonowy
m.st. Warszawy w Warszawie, XII Wydział Gospodarczy Krajowego Rejestru Sądowego pod numerem KRS 0000204776
Kapitał zakładowy: 3.537.560 zł, kapitał wpłacony: 3.537.560 zł, NIP: 526-27-59-131, REGON: 015715078