



Application for Clearing Member Status

LME CLEAR LIMITED

10 Finsbury Square, London EC2A 1AJ | Tel +44 (0)20 7113 8888

A private limited company. Registered in England no 07611628. Registered office as above.

[LME.COM/CLEAR](https://lme.com/clear)

Before completing this Application, please read the following notes concerning collection of personal data:

We may use the information about representatives (i) in conducting our business with the Applicant and to fulfil our regulatory obligations, as, for example, in determining individuals authorised to give instructions on behalf of the Applicant, and as contact information, and (ii) to confirm that the representatives are who they claim to be, and that senior officers of the company are fit and proper persons in accordance with our regulatory obligations. We may also collect other information about these representatives to confirm this. From time to time we may conduct investigations and research to ensure this information remains accurate. This information may include "Personal Data" (as defined in the General Data Protection Regulation (EU 2016/679) (the "GDPR")).

With respect to the transfer of Personal Data outside the EEA, the data may be transferred to offices of LME Clear or to other members of the HKEx Group or to third parties (including to any exchange, governmental department, regulatory authority, service providers and other existing clearing members) located in countries that do not have such protective data protection legislation when compared to European law.

Please refer to the LME Group Privacy Statement <https://www.lme.com/en-GB/About/Legal/Privacy-statement> for additional information about how LME Clear processes personal data.

Where the Applicant provides Personal Data to LME Clear pursuant to this questionnaire, it warrants that:

- (a) it has provided a privacy notice (which is compliant with the GDPR) to all individuals whose Personal Data is provided to LME Clear;
- (b) that the privacy notice referred to in (a) above includes sufficient information about the sharing of Personal Data with third party recipients so as to cover the disclosure of Personal Data to LME Clear; and
- (c) if an individual requests further information about the disclosure of their Personal Data to LME Clear, the Applicant will direct them to the LME Group Privacy Statement.

Please assist us to comply with the legal obligation to ensure that Personal Data is kept accurate and up-to-date by ensuring that you inform us of any changes to the Personal Data you have provided.

Have you put in place a GDPR compliant privacy notice which includes sufficient information about the sharing of Personal Data with third party recipients so as to cover the disclosure of Personal Data to LME Clear?

Yes No



Application for Clearing Member Status

LME Clear Relationship Management Team
 LME Clear Limited
 10 Finsbury Square
 London
 EC2A 1AJ

We hereby apply to be approved as a Member of LME Clear Limited ("LME Clear" - the Clearing House), in accordance with the Clearing House's Rulebook and set out below the following information for the Clearing House's consideration.

Applicant's name and address:

Full name of Applicant:

Address of registered office:

Postcode/ ZIP code:

Website address:

Contact name:

Contacts title:

Contact telephone number:

Contact email address:

Alternative business address if different from Registered Office (optional):

Address:

Postcode:



Agent for Service

Address for service of legal documentation, if different from Registered Office. Non-UK registered companies must provide a UK address (N.B. This address cannot be changed without prior approval from LME Clear):

Address:

Postcode:

Incorporation and Principal Activities

Date and place of incorporation/establishment of partnership:

Date of incorporation:

Place/country of incorporation:

Register No:

Form of incorporation (e.g. limited or unlimited, company, partnership, other):

Principal activities:

Authorised Representative

In accordance with the LME Clear Procedures, Membership Procedure B8, each Member shall at all times have appointed at least one individual to act as its Authorised Representative. The Authorised Representatives appointed by a Member shall be the primary points of contact and liaison between LME Clear and the Member in relation to matters arising in connection with the operation of the Clearing System and the discharge of the parties' obligations under the Rules and Procedures. Mobile numbers of the COO, CRO and Head of Legal are required for use during certain scenarios such as a default.

Authorised Representative

Name:

Contact Details:

Address:



Telephone:

Mobile:

Email:

Mobile Number:

Key Personnel

Please provide an organogram and brief career summary for key senior personnel.

Chairman

Name:

Date of appointment:

Contact Details:

Address:

Telephone:

Email:

Chief Executive

Name:

Date of appointment:

Contact Details:

Address:

Telephone:

Email:

Company Secretary

Name:

Contact Details:

Address:

Telephone:

Email:

Chief Operating Officer

Name:

Contact Details:

Address:



Telephone:
Mobile:
Email:

Chief Risk Officer

Name:
Contact Details:
Address:

Telephone:
Mobile:
Email:

Chief Financial Officer

Name:
Contact Details:
Address:

Telephone:
Email:

Head of Legal

Name:
Contact Details:
Address:

Telephone:
Mobile:
Email:

Compliance Officer

Name:
Contact Details:
Address:

Telephone:
Email:



Group Structure

Is the Applicant a part of a group of companies?

Yes/No*

If “yes” provide a separate “Corporate Structure” covering the whole group showing percentage sizes of holdings, other core entities including details of regulators.

If the Applicant or any parent undertaking of the Applicant is a publicly traded company, please provide the primary listing exchange and the name of the listed company.

Primary listing exchange:

Name of the listed entity:

* Delete or state as appropriate

Please give details of the Applicant’s ultimate parent company (attach additional pages if necessary) and other core entities:

Name of ultimate parent company:

Date and place of incorporation:

Principal activities:

Other core entities:

Please give details of each major shareholder/partner, if not identified in the previous



section, who directly or indirectly own or controls 25% or more of the registered share/partnership capital (attach additional pages if necessary):

Please give details of any links to Politically Exposed Persons (PEPs) through a directorship or shareholding (attach additional pages if necessary):

Regulators

Is the Applicant regulated?

Yes/No*

If non-UK regulated please provide evidence of regulatory status.
If "yes" state the following:

Name of Primary Regulator:

Contact name and telephone number at the Regulator:

Firm's reference number (FCA reference number or equivalent):

Date elected/applied*

Is the Applicant subject to a reporting requirement to its primary regulator in relation to its capital adequacy or solvency?

If yes, please provide details of:

- the types of reports;
- frequency of reports; and
- method of reporting used (e.g. electronic, paper).

Name of other regulator (if applicable):

Regulatory reference number:



Contact name and telephone number:	
Date elected/applied:*	
Please specify which one of the following category of regulated entity reflects the regulated status of the Applicant ¹ :	
a. investment firm, as defined in Article 4.1.1 of Directive 2004/39/EC;	Yes <input type="checkbox"/>
b. credit institution, as defined in Article 4(1)(a) of Directive 2006/48/EC;	Yes <input type="checkbox"/>
c. an undertaking whose head office is outside the European Community and whose functions correspond to those of an investment firm or credit institution, as defined in (a) and (b) above;	Yes <input type="checkbox"/>
d. an entity not falling within (a), (b) or (c) above, but which is an authorised person or exempt person within the meaning of Part III of the Financial Services and Markets Act 2000 of the United Kingdom that is permitted under applicable law to arrange, or otherwise clear, transactions with or for third parties.	Yes <input type="checkbox"/>

* Delete or state as appropriate

Auditors

Auditors name and address:
Full name:
Address:
Postcode:
Website address:
Contact name and telephone number:
Contact email address:
Frequency of audits (e.g. annual):

¹ As defined in LME Clear Limited Procedures, Membership Procedure B4.6.



Billing, VAT Registration and FATCA Details

Finance Contact (for billing purposes)

Name:

Address:

Telephone:

Email:

Does the Applicant have a UK VAT registration number?

Yes/No*

If "Yes", please provide the Applicant's VAT registration number:

If "No" is the Applicant exempt?

Yes/No*

If "Yes" please provide proof of that exemption.

Foreign Account Tax Compliance Act (FATCA) status

Please specify which one of the following categories reflects the FATCA status of the Applicant:

- | | |
|---|------------------------------|
| a. U.S. person; | Yes <input type="checkbox"/> |
| b. Participating Foreign Financial Institution; | Yes <input type="checkbox"/> |
| c. Non-Participating Financial Institution; | Yes <input type="checkbox"/> |
| d. Other - please specify: | Yes <input type="checkbox"/> |

If the Applicant is a U.S. Person please state the Tax Identification Number:

If the Applicant is a Participating Foreign Financial Institution, please state the Global Intermediary Identification Number ("GIIN"):

Please provide copies of U.S. tax forms (also referred to as withholding certificates or W forms) that support the Applicant's FATCA status.

*Delete as appropriate



Proposed Clearing Activity

State mnemonic and membership category which the Applicant proposes to use in connection with its cleared business.

Market	Mnemonic	Category ²
London Metal Exchange - ETD		
London Metal Exchange – OTC Bullion		
Member Type ³		
An Individual Clearing Member (ICM).		Yes/ No*
A General Clearing Member (GCM).		Yes/ No*
Please indicate the approximate number of Clients you have clearing arrangements with?		
Will the Applicant be facilitating indirect client clearing arrangements?		Yes/ No*
Collateral		
Does the Member intend to provide cash only as collateral?		Yes/ No*
Does the Member intend to provide gold as collateral?		Yes/ No*
If securities are to be provided as collateral where will these securities be located?		
Federal Reserve		Yes/ No*
Euroclear UK and Ireland Limited		Yes/ No*
Euroclear Bank		Yes/ No*

*Delete as appropriate

Prior Disclosure

Where the Applicant has, within the six month period prior to the date of this application, previously provided the information requested by this form to either:

- The London Metal Exchange or to LME Clear; or
- LME Clear, in connection with an application for another service,

then provided that such information remains correct and accurate in all relevant respects at the date of this application, the Applicant may indicate that LME Clear that LME Clear may rely upon such information (and that The London Metal Exchange may share any such information with LME Clear) by ticking the box below:

² Insert your LME membership category 1 – 7 (see <http://www.lme.com/trading/membership/> for more information).

³ Please refer to the definitions of Individual Clearing Member and General Clearing Member in Rule 3.



Authorisation to use previously provided information:

Specification of date and nature of previous application:

The declaration made at the end of this application will therefore be deemed to apply to:

- the information provided in this form; and
- any information in a previous application that the Applicant has indicated should be used for the purpose of this application.

Declaration

The Applicant submitting this application form and the persons by whom it is executed hereby certify and declare that the information supplied herein is complete and accurate. The Applicant hereby applies for Member status at LME Clear and agrees that it will comply with and be bound by the LME Clear Rules and Procedures and Clearing Membership Agreement which are or may be in force from time to time. The Applicant hereby undertakes to notify LME Clear immediately of any material changes to the information provided in this application form which occur after the date of submission of the application and prior to receiving notification of the LME Clear's decision.

The information you provide to us in this application will be treated as confidential and only used for the purposes of processing your application for Member status, save to the extent that such information is already in the public domain. We may, however, share your information (a) with affiliates of LME Clear; our and their advisers; any exchange, governmental department, regulatory organisation or other authority; or LME Clear's insurers in connection with any form of insurance; or (b) as required by court order or applicable law (including under any provision of the Financial Services and Markets Act 2000 and any subordinate legislation, regulatory provisions or rules made thereunder).

The Applicant further agrees and understands that LME Clear may, in connection with its consideration of this application, disclose general details regarding the Applicant, its ownership and personnel to representatives of existing Members of LME Clear where such representatives (i) participate in the governance arrangements of LME Clear and (ii) need to receive such details in order to discharge their functions as part of such governance arrangements.

The Applicant agrees that, in the event that LME Clear approves this application, the Applicant will deposit a Default Fund Contribution with LME Clear on the terms and conditions set out in the Default Fund Rules (Clearing House Rule 9) and subject to the LME Clear Rules and Procedures.

For and on behalf of

(Name of Applicant Firm)



Two authorised signatures are required below:

Authorised Signatory

Authorised Signatory

Name in block letters

Name in block letters

Position

Position

Date

Date



Application Documentation Checklist

Please use the checklist below to ensure that you have included all the required documents with this application form. English versions of all supporting documentation are required and where requested the documents should be signed by the authorised signatories submitted to LME Clear.

	Documents a. – l. must be provided on LME Clear Templates ⁴	Enclosed Yes/ No
a.	Application for Clearing Member Status Form.	
b.	LME Clear Membership Agreement (2 undated and signed copies).	
c.	Authorised Signatories List.	
d.	Clearing Applicant Questionnaire.	
e.	Security Documents (2 signed copies of each document if applicable ⁵): <ul style="list-style-type: none"> • Security Deed – English Law; • Security Agreement – Belgian Law; • Security Agreement - New York Law. 	
f.	Member-Client Security Deed (if applicable).	
g.	Porting Designation Document (optional).	
h.	Clearing Member Mandate Secure Payment System (UK and USD mandatory).	
i.	Pro-Forma Capacity Opinion - Non UK members.	
j.	Reference Data Form.	
k.	Clearing Member User ID Request Form: Super User & FIX User.	
l.	Bureau / ISV - FIX User ID Request Form (if applicable).	
	Documents to be provided by the Applicant	Enclosed Yes/ No
m.	Evidence resolving to apply for Clearing Member status of LME Clear ⁶ .	
n.	Evidence confirming the authority of the signatories to enter into the LME Clear Membership Agreement and authority to approve named LME Clear Authorised Signatories ⁷ .	
o.	Evidence of regulation for non-UK regulated applicants.	
p.	Certificate of Incorporation/Partnership Agreement.	
q.	Corporate Structure (group structure).	

⁴ LME Clear has produced standard templates for documents a – k which are available from the Relationship Management Team.

⁵ No deed is required from applicants who are only providing cash.

⁶ This evidence should be in the form of board minutes or equivalent.

⁷ This evidence should be in the form of board minutes or equivalent.



r.	Organogram and brief career summary for key personnel.	
s.	Non-consolidated audited accounts (3 years) (Legal entity level and core subsidiaries) ⁸ .	
t.	Audited accounts of ultimate parent company (3 years).	
u.	Most recent signed management accounts or return to Applicant's regulatory body / bodies.	
v.	If the Applicant requires a guarantee: <ul style="list-style-type: none"> • Audited accounts of guarantor (3 years); and • Legal opinion and Board minute in support of the guarantee. 	
w.	Proof of VAT exemption (if applicable).	
x.	Copy of U.S. tax forms (also referred to as withholding certificates or W forms) (if applicable).	
y.	Fee (US\$1,700) ⁹	

If you would like to discuss your application in more detail, please contact the LME Clear Relationship Management Team by:

- Telephone: 0207 113 8888
- Email: imeclearing@ime.com

⁸ If the entity has more recent financial updates in addition to the audited accounts please provide this information also.

⁹ Details of fees are available at www.ime.com/ime-clear/fees

