CMC Markets NZ Limited

# Next Generation Platform Order Execution Policy

29 March 2016

Company Registration Number 1/05324

# Order Execution Policy

In this document we summarise the process by which the Platform executes your Orders. It should be read in conjunction with the PDS, the Terms and Conditions of Trading and the Order Execution Policy, which are available on our Website. Capitalised Terms used in this Order Execution Policy are defined in the Glossaries contained in either the PDS or the Terms and Conditions of Trading.

When you trade, or instruct us to trade on your behalf through the Platform you consent to your Orders being executed in the manner described below.

#### 1.1 Key points

Your Orders are executed exclusively via a bilateral Trade with us through the Platform, and not through a trade on any exchange, multilateral trading system or other external execution venue.

When you place an Order to enter into or close a Trade, you are giving the Platform an instruction to place an Order on your Account on the basis of the Prices generated electronically by the Platform.

The Prices of the Products are generated electronically by the Platform. As such, the Prices at which you open and close Trades may be different to any current exchange or market price, or another financial provider's price, for the relevant Underlying Reference Instrument or index and are exclusive to the Platform. You should not expect our Prices to exactly match prices you may see elsewhere.

The Platform displays multiple Buy Prices and Sell Prices, via the Price Depth and Price Ladder, for different sized Orders.

# 1.2 How the Platform handles the different types of Orders

This section outlines the basis upon which the Platform will execute different types of Orders, subject to factors outlined in the PDS and Terms and Conditions of Trading.

#### 1.2.1 Market Order

During the Trading Hours for a Product, the Platform will execute a Market Order to **sell** at the **first available Sell Price** (for the relevant size of the Order) and a Market Order to **buy** at the **first available Buy Price** (for the relevant size of the Order) as soon as possible after the Order is accepted. The Sell Price or Buy Price at which any Market Order will be executed will always reflect its size and the corresponding Price on the Price Ladder at the time of execution.

The Price at which the Order will be executed **may be less favourable** to you than the Price you see on the Platform when you place the Order (for instance, due to market movements between the time you submit your Order and the time the Platform executes your Order).

The Platform will automatically cancel (and not execute) a Market Order if the first available Sell Price or Buy Price (as relevant and taking into account the size of the Order) is outside of any Boundary (if applicable) that you have set.

# 1.2.2 Roll-Over

An Auto Roll-Over on a **sell** Trade on any particular Forward will be carried out by the Platform automatically executing a Market Order to buy the number of Units for that Trade at the **Level 1 Buy Price** (regardless of the size of the Order) and this Order will be executed (if possible) after the Last Roll-Over Date but on or before the Expiry Date. The Platform will then immediately execute a Market Order to sell the same number of Units on a Forward based on the same Underlying Reference Instrument(s) but with the next available Expiry Date, at the **Level 1 Mid-Price**.

An Auto Roll-Over on a **buy** Trade on any particular Forward will be carried out by the Platform automatically executing a Market Order to sell the number of Units for that Trade at the **Level 1 Sell Price** (regardless of the size of the Order), and this Order will be executed (if possible) after the Last Roll-Over Date but on or before the Expiry Date. The Platform will then immediately execute a Market Order to buy the same number of Units on a Forward based on the same Underlying Reference Instrument(s) but with the next available Expiry Date, at the **Level 1 Mid-Price**.

A Manual Roll-Over on a **sell** Trade on any particular Forward will be carried out on your instructions by the Platform executing a Market Order to buy the number of Units for that Trade at the **Level 1 Buy Price** (regardless of the size of the Order), as soon as possible after the Manual Roll-Over is accepted by the Platform (provided that this is before the Last Roll-Over Date). The Platform will then immediately execute a Market Order to sell the same number of Units on a Forward based on the same Underlying Reference Instrument(s) but with the next available Expiry Date, at the **Level 1 Mid-Price**.

A Manual Roll-Over on a **buy** Trade on any particular Forward will be carried out on your instructions by the Platform executing a Market Order to sell the number of Units for that Trade at the **Level 1 Sell Price** (regardless of the size of the Order), as soon as possible after the Manual Roll-Over is accepted by the Platform (provided that this is before the Last Roll-Over Date). The Platform will then immediately execute a Market Order to buy the same number of Units on a Forward based on the same Underlying Reference Instrument(s) but with the next available Expiry Date, at the **Level 1 Mid-Price**.

Any Pending Orders on a Forward on which a Trade is being closed as part of a Roll-Over will automatically be cancelled by the Platform, and an equivalent Pending Order with an equivalent Target Price will be placed automatically by the Platform

on any Forward (based on the same Underlying Reference Instrument(s) but with the next available Expiry Date) on which a new Trade is being entered into as part of the Roll-Over.

A Roll-Over on any Trade on any particular Forward will not be carried out by the Platform if a Forward based on the same Underlying Reference Instrument(s) but with a later Expiry Date is not available to be traded on the Platform at the time the Roll-Over would otherwise have been carried out. In such circumstances, where the Trade reaches the Expiry Date, the Trade will be closed and settled on the Cash Settlement Date, and any Pending Order on the relevant Forward will be cancelled automatically by the Platform on the Cash Settlement Date.

#### 1.2.3 Limit Order

A Limit Order to **buy** at a Target Price will be executed at the Target Price or lower when the Buy Price is **equal to or lower** than the Target Price. A Limit Order to **sell** at a Target Price will be executed at the Target Price or higher when the Sell Price is **equal to or higher** than the Target Price.

## 1.2.4 Stop Entry Order

# Standard Triggers

Unless you elect otherwise:

- A Stop Entry Order to **buy** at a Target Price will be executed when the **Level 1 Buy Price** is **equal to** or **higher** than the Target Price. However, the Stop Entry Order will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Order.
- A Stop Entry Order to **sell** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to or lower** than the Target Price. However, the Stop Entry Order will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Order.

#### Alternate triggers

Alternatively, you can elect to use the Level 1 Mid-Price or the opposite Level 1 Price as the trigger for your Stop Entry Order.

Where you elect to use the Level 1 Mid-Price Price as the trigger for your Stop Entry Order:

- a Stop Entry Order to **buy** at a Target Price will be executed when the **Level 1 Mid-Price** is **equal to** or **higher** than the Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Order.
- a Stop Entry Order to **sell** at a Target Price will be executed when the **Level 1 Mid-Price** is **equal to or lower** than the Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Order.

Where you elect to use the opposite Level 1 Price as the trigger for your Stop Entry Order:

- a Stop Entry Order to buy at a Target Price will be executed when the Level 1 Sell Price is equal to or higher than the
  Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your
  Order at the time the Platform executes the Order.
- a Stop Entry Order to sell at a Target Price will be executed when the Level 1 Buy Price is equal to or lower than the
  Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your
  Order at the time the Platform executes the Order.

In each case, whether you use a standard trigger or one of the alternative triggers:

- the Platform will automatically cancel (and not execute) a Stop Entry Order if the first available Sell Price or Buy Price (as applicable) that corresponds to the size of your Order at the time the Platform would otherwise execute the Order, is outside of any Boundary (if applicable) that you have set.
- the Price at which the Order will be executed may be less favourable to you than the Target Price.

A Limit Order or Stop Entry Order will remain available for execution until the date you have selected the Order to be valid to, or it is cancelled by you or CMC Markets. Please see the Terms and Conditions of Trading and the PDS for further information on why we may cancel your Order.

The Price at which the Order will be executed may be less favourable to you than the Target Price.

## 1.2.5 Stop Loss Order

# Standard Triggers

Unless you elect otherwise:

• A Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Buy Price** is **equal to** or **higher** than the Target Price. However, the Stop Loss Order will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Stop Loss Order.

• A Stop Loss Order to **sell** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to or lower** than the Target Price. However, the Stop Loss Order will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Stop Loss Order.

# Alternate triggers

Alternatively, you can elect to use the Level 1 Mid-Price or the opposite Level 1 Price as the trigger for your Stop Loss Order

Where you elect to use the Level 1 Mid-Price as the trigger for your Stop Loss Order:

- a Stop Loss Order to buy at a Target Price will be executed when the Level 1 Mid-Price is equal to or higher than the
  Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your
  Order at the time the Platform executes the Stop Loss Order.
- a Stop Loss Order to sell at a Target Price will be executed when the Level 1 Mid-Price is equal to or lower than the
  Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your
  Order at the time the Platform executes the Stop Loss Order.

Where you elect to use the opposite Level 1 Price as the trigger for your Stop Loss Order:

- a Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to** or **higher** than the Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Stop Loss Order.
- a Stop Loss Order to sell at a Target Price will be executed when the Level 1 Buy Price is equal to or lower than the
  Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your
  Order at the time the Platform executes the Stop Loss Order.

In each case, whether you use a standard trigger or one of the alternative triggers the Price at which the Order will be executed may be less favourable to you than the Target Price.

# 1.2.6 Trailing Stop Loss Order

#### Standard Triggers

Unless you elect otherwise:

- A Trailing Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Buy Price** is **equal to** or **higher** than the Target Price. However, the Trailing Stop Loss Order will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.
- A Trailing Stop Loss Order to **sell** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to or lower** than the Target Price. However, the Trailing Stop Loss Order will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.

## Alternate triggers

Alternatively, you can elect to use the Level 1 Mid-Price or the opposite Level 1 Price as the trigger for your Trailing Stop Loss Order.

Where you elect to use the Level 1 Mid-Price as the trigger for your Trailing Stop Loss Order:

- a Trailing Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Mid-Price** is **equal to or higher** than the Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.
- a Trailing Stop Loss Order to **sell** at a Target Price will be executed when the **Level 1 Mid-Price** is **equal to or lower** than the Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.

Where you elect to use the elect to use the opposite Level 1 Price as the trigger for your Trailing Stop Loss Order:

- a Trailing Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to or higher** than the Target Price and will be executed at the first available Buy Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.
- a Trailing Stop Loss Order to **sell** at a Target Price will be executed when the **Level 1 Buy Price** is **equal to or lower** than the Target Price and will be executed at the first available Sell Price on the Price Ladder corresponding to the size of your Order at the time the Platform executes the Trailing Stop Loss Order.

In each case, whether you use a standard trigger or one of the alternative triggers:

- the Prices at which the Order will be executed may be less favourable to you than the Target Price.
- the Target Price of a Trailing Stop Loss Order is adjusted in the direction of your Trade by the Platform and is calculated from the most favourable Price in respect of that Trade since that Order was last modified plus/minus (as relevant) the Stop Distance, as set by you.

#### 1.2.7 Guaranteed Stop Loss Order

A Guaranteed Stop Loss Order to **buy** at a Target Price will be executed when the **Level 1 Buy Price** is equal to or higher than the Target Price and will be executed at the Target Price.

A Guaranteed Stop Loss Order to **sell** at a Target Price will be executed when the **Level 1 Sell Price** is **equal to or lower** than the Target Price and will be executed at the Target Price.

In each case:

- the Guaranteed Stop Loss Order will only ever be executed at the Target Price.
- the Target Price for any Guaranteed Stop Loss Order must meet the GSLO Minimum Distance at the time the Guaranteed Stop Loss Order is placed (including by modifying another type of Pending Order), unless it is a Pending Order on a Forward and the Trade is being placed automatically by our Platform as part of a Roll-Over (in which case section 1.2.2 of this Order Execution Policy will apply.

# 1.2.8 Take Profit Order

A Take Profit Order to **buy** at a Target Price will be executed at the Target Price or lower, when the **Buy Price is equal to or lower** than the Target Price.

A Take Profit Order to **sell** at a Target Price will be executed at the Target Price or higher, when the **Sell Price is equal to or higher** than the Target Price.

More information on the different types of Orders can be found on our Website.

#### 1.2.9 Aggregation of Orders

The Platform may aggregate: (i) any Stop Loss Order, Trailing Stop Loss Order or Stop Entry Order to sell the same Product; or (ii) any Stop Loss Order, Trailing Stop Loss Order or Stop Entry Order to buy the same Product; which are triggered by the same Price and which are due to be executed by the Platform at the same time, in which case each relevant Stop Loss Order, Trailing Stop Loss Order or Stop Entry Order will be executed at the first available Buy Price or Sell Price (as applicable) on the Price Ladder corresponding to the size of the aggregated Stop Loss Order, Trailing Stop Loss Order or Stop Entry Order.

# 1.3 Prices generated by the Platform

The Prices of the Products are generated electronically by the Platform. Whilst these Prices will take into account market data from various sources, you should note that they are not taken directly from any one source, and therefore may not match prices that you see elsewhere (including prices quoted on stock exchanges).

The Price you see through your device when you place an Order may not be identical to the Price at which the Trade is executed. We attempt to generate Prices on a continuous basis and to have the currently applicable Prices be seen on the Platform as quickly as possible. However, technical conditions (e.g., the transfer rate of data networks or the quality of your internet connection) as well as rapid market fluctuations may lead to a change in the applicable Price between the time the Order is placed by you and the time the Order is received by us or the Order is executed by the Platform. Such changes to the applicable Price are due to fluctuations in the financial markets. If such changes occur, the Order is generally executed at the Price applicable when the Order is executed by the Platform. Such movements in the Prices may either be to your disadvantage or have a favourable impact.

In addition, there will be times when circumstances may prevent the Platform from generating Prices or affect the Prices being generated. Please refer to the Terms and Conditions of Trading and the PDS for more information.

You can use a Boundary where you need to ensure that the Buy price or Sell Price at which a Market Order or Stop Entry Order is executed is not worse than the Target Price specified by you when setting the Boundary. Alternatively, you may place a Limit Order.

## 1.4 CMC Currency Conversion Rates generated by the Platform

When you enter into Trades or place Orders with us, all calculations will be undertaken in the currency in which the Product is denominated, the Product Currency, before being converted into your Account Currency at the CMC Currency Conversion Rate and applied to your Account.

As with Prices, the CMC Currency Conversion Rate for any particular currency pair is generated electronically by the

Whilst these rates will take into account market data from various sources, you should note that they are not taken directly from any source, and therefore may not match currency conversion rates that you see elsewhere.

Where relevant, we will provide you with the CMC Currency Conversion Rate used to convert amounts in a Product Currency into your Account Currency.

## 1.5 Size, Speed and likelihood of execution

Generally, the Platform will execute Orders on a 'first come, first served' basis and, apart from limited exceptions, will only execute Orders during Trading Hours.

The Platform will accept or reject Orders or the modification of Pending Orders in accordance with their respective Attributes and our PDS and Terms and Conditions of Trading, including consideration of whether any applicable Product Limit, Position Limits, Order Cluster Limits, GSLO Limits and/or GSLO Cluster Limits would be breached and/or your Account Revaluation Amount would be insufficient to cover your Total Margin or where your Account Revaluation Amount is below the applicable Close-Out level. Once Guaranteed Stop Loss Orders are available, the platform will also reject an Order where you have insufficient Cash to pay any applicable Commission or GSLO Premium.

If the Platform has accepted an Order, there may still be circumstances which prevent or otherwise affect the execution of an Order, for instance, where doing so would breach a Position Limit and/or an Order Cluster Limit, where market restrictions apply, where you have or would have an insufficient Account Revaluation Amount to cover your Total Margin (if applicable) or where your Account Revaluation Amount is below the applicable Close-Out Level or any circumstance under the section titled "Information Technology" and "Circumstances Outside Our Control" of the Terms and Conditions of Trading as well as the section titled "Corporate Actions and Adjustments" in the PDS.

The Platform, via the Price Depth, automatically takes into account the size of your Order at the point of execution.

### 1.6 Factors not taken into account when executing Orders

Except as described above, the Platform does not differentiate between the different types of Orders. Any Commission or Holding Costs that are incurred will not be taken into account when the Platform executes an Order.

## 1.7 How your Trades are closed without instructions from you

There are some circumstances where your Trades will be closed without instructions from you. This includes, but is not limited to, circumstances where you have failed to ensure that your Account Revaluation Amount exceeds the Close-Out Level, where you fail to reduce any Position to below the applicable Position Limit within the relevant time limit specified by us and where we exercise our rights to close your Trades and/or Positions when you have breached the Agreement. Please refer to sections titled "Account Close-Out" in the PDS and the section titled "Reserved Actions" in the Terms and Conditions of Trading for more information.

Unless closed by you or us beforehand (whether through a Roll-Over or otherwise), any Trade on a Forward will be closed and settled by the Platform automatically on the Cash Settlement Date (and any Pending Order on the relevant Forward will also be cancelled on the Cash Settlement Date).

Where all or a portion of your Margin Trades are to be closed without instructions from you, the Platform will use a Market Order and will normally treat such Orders in the same way as it treats Market Orders placed by you. We reserve the right to aggregate any Trades in the same Product being closed at or around the same time, and to execute the relevant Market Orders to close those Trades at the corresponding Price on the Price Ladder for an Order of the size of the aggregated Trades. Where we have notified you that you may instruct our Platform to conduct an Alternative Account Close-Out in relation to your Account(s) and you have elected to do so, we will close any Margin Trades and/or Positions as set out in the PDS.

# 1.8 Instructions

If you provide us with a specific and complete instruction on how to execute your Order, complying with that instruction may prevent us from taking the steps that we set out in our Order Execution Policy to obtain the best possible result for the execution of your Order. In those circumstances, our execution in accordance with your specific and complete instruction will be deemed best execution.

Since there is no external market for Products, your Orders can only be executed on the Platform. Any instruction to execute your Order on a different execution venue will lead to rejection of your Order.