

Financial Services Guide and Policies and Procedures Guide

Foris DAX Middle East FZE

Virtual Asset services relating to Crypto.com Main App

Date: Thursday 05 September, 2024

This Financial Services Guide (**FSG**) and Policies and Procedures Guide (**PPG**) is provided by Foris DAX Middle East FZE (**Crypto.com, we, our or us**) to you in relation to our activities, if any, which involve the provision of Virtual Asset Services as set out under the Virtual Assets Regulatory Authority (**VARA**).

This FSG and PPG describe our services to assist you to decide whether to use them. It describes how we are remunerated, compensation arrangements, and our key policies, including Anti-Money Laundering, Anti-Bribery and Corruption, Conflicts of Interests, Whistleblowing, etc.

1. Our Services

Foris DAX Middle East FZE has a VASP License and operating permit, issued by Dubai's VARA, for the following regulated activities:

1. Exchange Services;
2. Lending and Borrowing Services;
3. VA Management and Investment Services; and
4. Broker-Dealer Services.

We do not provide any financial services advice. Initially, Foris DAX Middle East FZE will not offer derivatives, but shall offer Margin Trading to eligible customers.

2. How we are paid/Conflicts of Interest

None of us, our directors, employees or any of their associates charge for providing the VA described in this FSG and PPG and neither do they receive any remuneration, commission or other benefits in respect of, or attributable to, those VA services. Crypto.com employees will receive a salary and may also receive other benefits based on their performance or the performance of Crypto.com.

Crypto.com receives other remuneration in connection with its operation of the Platform. Additional information about the Platform and the fees payable for using the Platform are set out under 'Fees & Limits' which can be found at: <https://crypto.com/exchange/document/fees-limits>

Crypto.com uses all reasonable efforts to avoid conflicts of interests between it, its Board, staff, clients, and investors (if applicable). Where a member of the Board or any of Crypto.com's staff has an interest that may reasonably impair its objectivity, in a transaction with, or for a client, or a relationship which gives rise to an actual, or potential, conflict of interest, in relation to the transaction, Crypto.com shall (a) promptly disclose the nature of the conflict to its affected client; and (b) minimise such conflict by adopting reasonable measures to ensure fair treatment to its affected client.

3. Professional Indemnity Insurance

Crypto.com has professional indemnity insurance in place that satisfies the requirements for compensation arrangements under the requirements set out under the VARA's Company Rulebook. This covers any financial services provided by us as an authorised representative of Foris.

4. Responsible Individuals

Crypto.com has appointed three individuals, of sufficient seniority, who are responsible for the Firm's compliance with all legal and regulatory obligations ("**Responsible Individuals**"):

- a. Tarik Erk; and
- b. Tanveer Kalooji.

Please note that there are no past convictions or prosecutions on any members of Crypto.com's Senior Management or Board.

5. How Crypto.com determines the prices of the Virtual Assets that it quotes to clients

As part of Exchange Services, Foris DAX Middle East FZE merely provides a platform for users to trade virtual assets with each other as counterparties. Prices are not determined by Crypto.com. Relevant fees are displayed on the Foris DAX Middle East FZE Exchange website.

6. Tokens Listed

For all tokens listed, alongside their related data, please refer to www.crypto.com/price.

7. Whistleblowing

Reporting unethical or illegal misconduct

Employees, consultants, and other partners, may report observations relating to unethical or illegal misconduct through Crypto.com's internal whistleblowing tool.

The identity of the person filing a report will be kept secret in any potential follow-up, inquiries, and discussions, unless Crypto.com is obliged, by law, to disclose the identity. Should this be the case, the person reporting will be informed. The whistleblower will not be subject to any negative consequences when filing the report, or anytime thereafter.

8. Anti-Bribery and Corruption

Crypto.com is committed to ethical business practices and has zero-tolerance for corruption and bribery. Crypto.com does not, under any circumstances, condone offering or accepting bribes or any other form of improper payment, including so-called 'facilitating payments'. In some jurisdictions, offering or accepting inappropriate gifts may constitute a criminal offense punishable by severe prison sentences. Even the appearance of a violation of anti-bribery or anti-corruption laws could cause significant damage to Crypto.com's reputation and will be reported to the appropriate authorities, at Crypto.com's discretion. All employees, contractors, and partners of Crypto.com must act with utmost integrity, honesty and transparency and comply with all applicable anti-bribery and anti-corruption laws. Consequently, all employees, contractors, and partners, must ensure that they abide by Crypto.com's ABC policy and do not offer or receive any form of inappropriate benefit (gift, favor or hospitality), with the intention to improperly influence a business decision, whether it involves government officials or private individuals. Should a Crypto.com employee ask for any improper payment or incentive in breach of this Code, Crypto.com should be notified. Employees, contractors and partners of Crypto.com are also expected to ensure that all of their reports, records and invoices are accurate and complete and that they contain no false or misleading information.

9. Our AML/CTF Program

Crypto.com complies with the standards set out in the UAE Federal Law and VARA Rulebook, and other applicable national anti-money laundering and terrorist financing legislation. We expect our employees, contractors, and partners to support and to cooperate with Crypto.com, to ensure compliance with the aforementioned legislation.

To this end, we have designed our Program to reasonably prevent money laundering and terrorist financing through a risk-based, multi-layer control system.

The **first layer** includes a stringent customer identification program, including verifying the identity of our customers, whether individuals or entities. In addition to obtaining identification documents,

we obtain, for non-natural persons, their entities' beneficial owners/natural persons, consistent to international standards, such as the Financial Action Task Force (**FATF**).

The **second layer** includes a risk-based system to warrant additional customer due diligence. To accomplish this, we screen our customers, including beneficial owners, to check for Politically Exposed Persons (PEP), sanctions, and adverse news. For sanctions screening, we screen using a number of international lists, which includes, but is not limited to, the United States Office of Foreign Assets Control (OFAC) Sanctions Lists, the United Nation Security Council Sanctions List, and we have also signed up and registered to the Executive Office Notification System, part of the Executive Office for Control & Non-Proliferation, through which we receive updates to Sanctions Lists (Local Terrorist List or UN Consolidated List). This is all in addition to other government-provided lists of sanctioned individuals and entities. We also may screen against other lists, on a discretionary basis, to protect our reputation and customers.

The **third layer** includes ongoing monitoring for suspicious activity. If our Program suspects or has reason to suspect suspicious activities have occurred, we will file suspicious activities reports with local regulators. In this case, to the Financial Intelligence Unit of the UAE and the VARA. A suspicious transaction is often inconsistent with a customer's known and legitimate business, or personal activities.

These are the primary components of our compliance program; however, the most important thread to these layers are our leadership team and staff, including AML/Risk personnel that execute training, oversight, and foster a compliance-first culture and ethos.

9. Withdrawals

During times of volatility, withdrawal of your Virtual Assets is not impacted. For more information about withdrawals, please refer to Crypto.com's Help Center page on [Deposits and Withdrawals on the Exchange](#).