

# FORIS DAX AU PTY LTD Product Disclosure Statement

## Crypto.com Pay Service

### Crypto.com Pay Services (2021 April 22):

FORIS DAX AU PTY LTD (**Crypto.com**) offers the Crypto.com Pay Service in Australia enabling customers to make payments to qualifying merchants both in Australia and overseas. Qualifying merchants are merchants who Crypto.com determines, in its sole discretion to be able to be paid through the Crypto.com Pay Service. Below you will find the Product Disclosure Statement (**PDS**) of the product. Capitalised words in this PDS have the same meaning as those in the Terms and Conditions (**Terms**).

### Crypto.com Pay Service

#### Part A General Information

##### 1. Introduction

###### 1.1 Issuer

This PDS has been prepared by FORIS DAX AU PTY LTD (**Crypto.com**). Crypto.com is an Authorised Representative of FORIS GFS AUSTRALIA PTY LTD (**Foris**). Foris holds an Australian Financial Services Licence Number 467462 (**AFSL**) authorising it to issue non-cash payment facilities. If you have any questions or need more information concerning the Crypto.com Pay Service, Crypto.com can be contacted at: [contact@crypto.com](mailto:contact@crypto.com).

###### 1.2 About this PDS

This document is the PDS for the Crypto.com Pay Service issued by Crypto.com. The PDS for the Crypto.com Pay Service contains important information regarding the Crypto.com Pay Service. Associated fees will be presented when registering to the service and will also be available on our website for the registered users following their log-in to their Crypto.com Account. This PDS is designed to assist eligible potential users in deciding whether to obtain this product. The PDS does not take into account your individual objectives, financial situation or needs. Any advice in the PDS is general advice only. You should consider the appropriateness of any general advice to your circumstances before acting on it. You should read this PDS carefully and seek independent expert advice before making any further decisions relating to the suitability of this product for you.

###### 1.3 Changes to this PDS

Crypto.com aims to provide users with up-to-date information. In addition, where a change is made to information in this PDS that is not materially adverse to you the updated information will be made available at:

<https://help.crypto.com/en/collections/1797283-crypto-com-pay-app-faq>.

A physical copy of the current PDS can be obtained free of charge by emailing [contact@crypto.com](mailto:contact@crypto.com).

##### 2. The Product

###### 2.1 Overview of Crypto.com's services

This PDS relates solely to the Crypto.com Pay Service. Crypto.com provides a range of other services not covered by this PDS (together the Crypto.com App Services). The Crypto.com App Services include the following:

(a) hosted Digital Asset wallets by Crypto.com that allow you to store Digital Assets with Crypto.com;

(b) a fiat currency conversion service under which you may convert fiat currency into any type of Digital Asset to be held in your Digital Asset Wallet;

(c) a Digital Asset conversion service under which you may convert Digital Asset into other Digital Asset; and

(d) a Digital Asset transfer service under which you may transfer any Digital Asset to another recipient, which may be the Digital Asset Wallet of another user of the Crypto.com App Services or an external recipient.

###### 2.2 Overview of the Crypto.com Pay Service

Crypto.com provides eligible users the Crypto.com Pay Service to allow you to make payments to qualifying merchants in multiple currencies and Digital Assets. Registered Crypto.com users can use their Crypto.com Account to make payments to qualifying merchants regardless of where merchants are located and to transfer to the Crypto.com Account of another Crypto.com registered user for settlement for goods or services received.

Use of the Crypto.com Pay Service is governed by Crypto.com's Terms.

###### 2.2 Benefits

The Crypto.com Pay Service enables you to send Digital Assets to other users of the Crypto.com App Services and pay qualifying merchants with the Digital Asset of their choice.

Depending on the Digital Asset used to pay via the Crypto.com Pay Service you may be entitled to a Pay Reward. Crypto.com has the sole discretion in determining whether Pay Rewards shall be granted.

##### 3. Significant risks

Some of the risks associated with the product are outlined below. This is a summary of the major risks only and is not intended to be exhaustive. There may be other risks associated with your use of the Crypto.com Pay Service.

###### (a) Ability to pay payments.

By using the Crypto.com Pay Service, you are relying on our ability (and the ability of our related entities, banks and payment providers) to meet various obligations, including making payments you have requested and holding the funds in your Crypto.com Account.

###### (b) Unavailability of the service

While Crypto.com makes reasonable efforts to ensure availability of the Crypto.com Pay Service, it is possible it may be rendered temporarily unavailable from time to time.

###### (c) Unauthorised transactions

There is a risk your account may be compromised and subject to an unauthorised transaction or other types of fraudulent activity. You will be responsible for any unauthorised transactions or unauthorised use of your Crypto.com Pay Service login details.

###### (d) Exchange rate fluctuations

Your transactions may be subject to conversion fluctuations. If your transaction involves a conversion it will be completed at a retail exchange rate at the time you initiate the transaction, determined by Crypto.com based on the exchange rate at

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which Crypto.com is able to obtain the relevant currencies or Digital Assets.

#### **4. Fees**

Crypto.com does not charge fees for use of the Crypto.com Pay Service.

Further information on the fees and charges relating to Crypto.com's various services are available on the Crypto.com App and may be viewed at any time following registration on the Crypto.com App and may be amended by Crypto.com from time to time. You should read the important information about such fees before making a decision.

The material relating to the fees and costs may change between the time when you read this PDS and the day when you acquire the product.

#### **5. Termination and suspension**

Crypto.com can terminate or suspend the use of the Crypto.com Pay Service at any time on immediate notice. For more information on termination and suspension, refer to the Terms available on our website.

#### **6. Problems or disputes**

If you have any questions, problems or disputes please contact us. When you provide feedback to us, we have the opportunity to improve our services to you. You can contact Crypto.com at: [contact@crypto.com](mailto:contact@crypto.com) or +61 03 90598053. Our Terms detail additional procedures regarding disputes. Crypto.com will aim to resolve your query as soon as possible and at least within 45 days. If we are unable to resolve your complaint within 45 days or you are dissatisfied with how your complaint was handled or its outcome, you can refer your complaint to the Australian Financial Complaints Authority (**AFCA**), an independent external dispute resolution scheme covering applicable Australian customers. AFCA can be contacted at: (tel) +61 1800 931 678 or (mail) Australian Financial Complaints Authority GPO Box 3, Melbourne VIC 3001.

#### **7. Privacy and confidentiality**

Crypto.com may collect personal information about you in the course of providing the Crypto.com Pay Service to you. Crypto.com has adopted a Privacy Policy which provides information about how Crypto.com collects, hold and use any information you provide. A copy of our Privacy Policy is available at: <http://crypto.com/privacy/australia>.

#### **8. Terms and Conditions**

Use of the Crypto.com Pay Service is governed by Crypto.com's Terms. You should read the Terms before making a decision. The Terms are available at [https://crypto.com/document/entity\\_australia.pdf](https://crypto.com/document/entity_australia.pdf).

The Terms may change between the time you read this PDS and the day when you acquire the product. The information in the Terms which relates to the Crypto.com Pay Service is incorporated and forms part of the PDS.