



orbex
COMPENSATION FUND

INTRODUCTION

ORBEX Ltd (hereinafter referred to as “ORBEX” or the “Company”) is a Cypriot investment firm that operates as a global broker., ORBEX is incorporated (Certificate of Incorporation No. HE258884) in the Republic of Cyprus through the Department of Registrar of Companies and Official Receiver (<http://www.mcit.gov.cy>). ORBEX is authorised and regulated by the Cyprus Securities and Exchange Commission (CySEC) (Licence No. 124/10) (<http://www.cysec.gov.cy>).

I. GENERAL

- In compliance to Law 144(I)/2007, the Company is a member of the Investor Compensation Fund (ICF) for the clients of Cyprus Investment Firms (CIFs).
- The object of the ICF is to secure the claims of the covered clients against Cyprus Investment Firms, members of the ICF, through the payment of compensation in cases where the CIF concerned is unable, due to its financial circumstances and when no realistic prospect of improvement in the above circumstances in the near future seems possible:
 1. To return to its covered clients funds owed to them or funds which belong to them but are held by the CIF in the context of providing investment services to the said clients or;
 2. To hand over to covered clients financial instruments which belong to them and which the CIF concerned holds, manages or keeps on their account.
- The ICF does not cover Professional Clients or Eligible Counterparties but only Retail Clients of CIFs.
- The total payable compensation to each covered client of an ICF’s member may not exceed €20.000, irrespective of the number of accounts held, currency and place of offering the investment service

II. NON-COVERED CLIENTS

- Under applicable regulation, the Fund does not compensate the following investor categories:
 1. The following categories of institutional and professional investors:
 - A. Investment Firms (IFs).
 - B. Legal entities associated with the member of the Fund and, in general, belonging to the same group of companies.
 - C. Banks.
 - D. Cooperative credit institutions.
 - E. Insurance companies.
 - F. Collective investment organizations in transferable securities and their management companies.
 - G. Social insurance institutions and funds.
 - H. Investors characterized by the member as professionals, upon their request, in accordance with articles 14 and 15 of the Code of Professional Conduct of IFs.

2. States and international organizations.
3. Central, federal, confederate, regional and local administrative authorities.
4. Enterprises associated with the member of the Fund, in accordance with the Fifth Schedule of the Law 144(I).
5. Managerial and administrative staff of the member of the Fund.
6. Shareholders of the member of the Fund, whose participation directly or indirectly in the capital of the member of the Fund amounts to at least 5% of its share capital, or partners who are personally liable for the obligations of the member of the Fund, as well as persons responsible for the carrying out of the financial audit of the member of the Fund as provided by the Law, such as its qualified auditors.
7. Investors involved in enterprises connected with the member of the Fund and, in general, of the group of companies, to which the member of the Fund belongs, positions or duties corresponding to the ones listed in paragraphs (5) and (6).
8. Second-degree relatives and spouses of the persons listed in paragraphs (5), (6) and (7), as well as third parties acting for the account of these persons
9. Apart from the investors referred to in subsection (2) of section 55 of the Law 144(I), investors-clients of a member of the Fund responsible for facts pertaining to the member of the Fund that has caused its financial difficulties or has contributed to the worsening of its financial situation or which have profited from these facts.
10. Investors in the form of a company, which due to its size, is not allowed to draw a summary balance sheet in accordance with the company's Law or a corresponding law of a Member State of the European Union.
 - In the cases of paragraphs [(5), (6), (7) and (8)]above, the Fund suspends the payment of compensation informing the interested parties accordingly, until it reaches a final decision as to whether such cases apply.

III. COVERED SERVICES

- ICF shall compensate any covered client of Orbex in respect of a claim arising out of a covered service meaning any investment or ancillary service(s) provided at the time by the Company and presented on http://www.cysec.gov.cy/licence_members_3_en.aspx (investment services) and http://www.cysec.gov.cy/licence_members_4_en.aspx (ancillary services).
- It should be noted that ICF shall pay no compensation to an individual who has been convicted of a criminal offence related to the Prevention and Suppression of Money Laundering Activities Law.