



# Directive 1: Admission of participants

SDX Trading Ltd

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## 1 Purpose and Principle

This Directive contains provisions for the admission of participants, Liquidity Providers, on appropriate organisation and on registration obligations, and is based on the Trading Rules.

## 2 Admission as a Participant

### 2.1 Admission Requirements

An applicant must fulfil the admission requirements according to Clause 3 Trading Rules, i.e. he must:

- a) have a licence as a securities firm or remote member of the Exchange from FINMA or otherwise be under FINMA supervision, provided that he meets equivalent technical and operational requirements to those of securities firms;
- b) have provided a deposit, if the Exchange demands one in accordance with Clause 3.3 Trading Rules;
- c) meet the requirements for connecting to the exchange system; and
- d) be a participant of the settlement organisation of SIX Digital Exchange Ltd.

### 2.2 Application for Admission

<sup>1</sup> The applicant must apply to the Exchange in writing for admission. The applicant must submit the following documents with the application:

- a) a copy of the FINMA securities firms licence or the FINMA remote member authorisation or evidence that he is otherwise under FINMA supervision and meets equivalent technical and operational requirements to those of securities firms;
- b) as the case may be, evidence that the collateral deposit has been made;
- c) evidence that it has access to the SIX Digital Exchange Ltd settlement organisation;
- d) a copy of the extract from the Commercial Register and/or a copy of an equivalent foreign document as evidence of the participant's domicile, business purpose and the names of the persons with signing authority;
- e) an annual report and the current audited annual financial statements incl. auditor's report (unless included in the annual report itself); and
- f) the applicant's organisational chart.

<sup>2</sup> The application form for admission as a participant may be obtained from the Exchange and is available on the website of the Exchange.

### 2.3 Decision of Admission

<sup>1</sup> The Exchange shall examine the application, in particular whether the admission requirements are met. If so, the Exchange shall admit the applicant as a participant.

<sup>2</sup> The Exchange shall inform the participant in writing. If the decision is negative it shall provide an explanation.

## **2.4 Suspension and Termination of Participation**

### **2.4.1 Suspension**

The Exchange may block a participant's access to the exchange system at any time and/or delete its orders in the events specified in Clause 7.1 Trading Rules or as part of sanction proceedings.

### **2.4.2 Termination**

<sup>1</sup> The participant or the Exchange may cancel the participation agreement in writing at any time in compliance with the notice period specified in Clause 7.2 Trading Rules.

<sup>2</sup> The exclusion of the participant as part of sanction proceedings in accordance with Clause 19 Trading Rules remains reserved.

## **3 Appropriate Organisation and Registration Obligations**

### **3.1 Persons Responsible**

<sup>1</sup> In accordance with Clause 4.3.1 Trading Rules, the participant must register all persons responsible for trading with the Exchange. These are:

- a) the traders (incl. chief trader);
- b) the business coordinator;
- c) the compliance officer; and
- d) the IT coordinator.

<sup>2</sup> For traders, the provisions set out in Clause 3.2 below shall apply additionally.

### **3.2 Registration of the Trader**

#### **3.2.1 Registration Requirements**

<sup>1</sup> A trader must fulfil the registration requirements according to Clause 4.3.2 Trading Rules, i.e. he must:

- a) be of good repute;
- b) possess sufficient specialist knowledge, in particular the product and market knowledge required for trading on the Exchange;
- c) be familiar with the trading and settlement modalities of the Exchange;
- d) acknowledge the rules and regulations of the Exchange; and
- e) be subject to the participant's direct right of instruction.

<sup>2</sup> Evidence of sufficient specialist knowledge is deemed supplied if the trader has passed the trader examination of the Exchange; Should the trader re-register at a later date, the evidence that was previously

supplied will be recognised if no more than two years has elapsed since the previous registration was surrendered. Once this period has elapsed, the trader must supply evidence of his specialist knowledge by passing the examination for licensed traders.

### **3.2.2 Registration Application**

<sup>1</sup> The application for registration shall be made in writing. The participant shall submit the following documents in writing with the application:

- a) declaration of the trader's personal reliability and good repute;
- b) proof that the trader has sufficient expertise (i.e. has passed the trader examination);
- c) confirmation that the trader is subject to the participant's direct right of instruction; and
- d) declaration of the trader that he accepts the Exchange's rules and regulations and/or those of the Regulatory Bodies (incl. enforcement and sanctioning by the Regulatory Bodies).

<sup>2</sup> The relevant registration forms may be obtained from the Exchange and are available on the website of the Exchange.

### **3.2.3 Registration Procedure**

<sup>1</sup> The Exchange shall examine the application, in particular whether the registration requirements are met in accordance with Clause 4.3.2 Trading Rules.

<sup>2</sup> If so, the Exchange shall register the trader and inform the participant and the relevant trader in writing of the decision. If the decision is negative it shall provide an explanation.

<sup>3</sup> The Exchange may grant the traders of new participants provisional registration for a period of three months. This period begins when the new participant is admitted to trading. If the trader does not pass the examination, the Exchange will cancel their provisional registration no later than the end of the provisional registration period, and notify the participant accordingly.

### **3.2.4 Suspension and Withdrawal of the Registration**

<sup>1</sup> The Exchange may suspend a registration made at any time, if the registration requirements are no longer met.

<sup>2</sup> The Exchange may withdraw the registration:

- a) on the participant's application;
- b) if the requirements for the registration are no longer met; or
- c) if a suspension has lasted for more than six months.

## **4 Provisions for the Deposit**

<sup>1</sup> In accordance with Clause 3.3 Trading Rules, the Exchange may require the applicant or, during the participation, the participant to provide a deposit.

<sup>2</sup> The Exchange shall decide at its own discretion on the basis of the applicant's or participant's creditworthiness and in compliance with the principle of equal treatment whether a deposit is to be provided.

<sup>3</sup> The Exchange shall set the type and amount of the deposit on the basis of the applicant's or participant's business and the trade volume expected, and may adjust it, where necessary.

<sup>4</sup> When providing the deposit as securities, they are utilised at the Exchange's discretion as a private liquidation or by enforcement of liquidation. In the event of enforcement of liquidation, this may also take place as a private sale.

<sup>5</sup> The deposit shall serve primarily to settle outstanding liabilities of the participant towards the Exchange and only to a subordinate degree for those of other participants. If the deposit is used to settle due liabilities towards participants, the Exchange shall ensure the equal treatment of all participants.

## 5 Provisions for the Trader Examination

### 5.1 Principle

The trader examination shall serve to prove the expertise required for securities trading.

### 5.2 Examination Requirements and Program

<sup>1</sup> As a rule, all interested persons shall be eligible to take the trader examination.

<sup>2</sup> The examination consists of several modules, which are available in English. Expertise regarding the Exchange's rules and regulations as well as trading functions shall be examined.

<sup>3</sup> The same examination as for SIX Swiss Exchange Ltd must be taken, with an additional module for the Exchange. If the trader has already passed the SIX Swiss Exchange Ltd examination and is still registered with SIX Swiss Exchange Ltd, it is sufficient to take the additional module.

<sup>4</sup> If the trader can provide evidence of training or an examination recognised by the Exchange, a simplified trader examination may be administered. The Exchange publishes a list of recognised training programs and examinations on its website.

<sup>5</sup> All registered traders must attend a web-based refresher course in the event of major system adaptations or regulatory amendments, but every two years at the latest. If the refresher course is not attended by the set deadline, the Exchange may suspend the trader.

<sup>6</sup> Additional information regarding these training programs and the examination fees may be obtained from the Exchange and are available on the website of the Exchange.

## 6 Information

On submission of the application for admission or registration, the participant and the traders give their consent that the Exchange and/or the Regulatory Bodies may divulge or obtain from third parties information relating to them in connection with Clause 21 Trading Rules.

## 7 Obligations to Cooperate

<sup>1</sup> The participant, the traders shall immediately notify the Exchange in writing of all changes to the information transmitted to the Exchange under this Directive.

<sup>2</sup> The Exchange and/or the Regulatory Bodies are entitled to demand up-to-date and additional documents from the participant and the relevant trader, where applicable, at any time and without stating the reasons.

This directive has been approved by the Participants & Surveillance Committee of the Regulatory Board on 9 September 2020 and will be in effect as of 15 October 2021.