

THE COMMODITY FUTURES ACT

Application for Registration as a Dealer
(floor broker, futures commission merchant or merchant)



THE MANITOBA
SECURITIES
COMMISSION

Note: Should space for your answers be insufficient, statements may be attached and marked as exhibits cross-referencing each attachment to the item to which it pertains, provided it is initialed by the applicant and the Commissioner for Oaths taking the affidavit of execution.

Application is made for registration under *The Commodity Futures Act* as a _____
(state the registration desired, i.e., floor broker, futures commission merchant or merchant) in the category of _____

The following statements of fact are made in this application:

1. Name of applicant _____
2. Residence address (including postal code) _____
3. Business address (including postal code) _____
and business e-mail address _____
4. Is applicant applying for branch office registration? _____ If yes, branch office
address is (including postal code) _____
and branch e-mail address _____
5. Address for service in Manitoba (including postal code) _____
6. Business telephone number () _____ - _____ fax number () _____ - _____
7. The applicant maintains accounts at the following banks _____
(State the bank and bank branches through which business is transacted)

INSTRUCTIONS

Answer yes or no to all of the following questions. If the answer is yes, give full particulars.

8. Has the applicant
 - (a) been registered in any capacity under *The Commodity Futures Act* ? _____
 - (b) applied for registration in any capacity under *The Commodity Futures Act* ? _____
9. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant
 - (a) been registered in any capacity under *The Commodity Futures Act* ? _____
 - (b) applied for registration in any capacity under *The Commodity Futures Act* ? _____
10. Has the applicant ever been
 - (a) registered or licensed in any capacity in another province, territory, state or country that requires registration or licensing to trade in commodity futures contracts or commodity futures options? _____
 - (b) registered or licensed in any other capacity in Manitoba or another province, territory, state or country under any legislation that requires registration or licensing to deal with the public in any capacity? (i.e., as a securities dealer, insurance agent, real estate agent, used car dealer, mortgage broker, etc.) _____
 - (c) refused registration or a license mentioned in clause 10(a) or (b)? _____

(d) suspended or had registration or licensing cancelled or terminated in any category mentioned in clause 10 (a) or (b)? _____

11. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant ever been

(a) registered or licensed in any capacity in another province, territory, state or country that requires registration or licensing to trade in commodity futures contracts or commodity futures options? _____

(b) registered or licensed in any other capacity in Manitoba or another province, territory, state or country under any legislation that requires registration or licensing to deal with the public in any capacity (i.e., as a securities dealer, insurance agent, real estate agent, used car dealer, mortgage broker, etc.)? _____

(c) refused registration or a license mentioned in clause 11(a) or (b)? _____

(d) suspended or had registration or licensing cancelled or terminated in any category mentioned in clause 11(a) or (b)? _____

12. Has the applicant ever been

(a) a member of a commodity futures exchange, a clearing house of a commodity futures exchange, an association of commodity futures dealers or a similar organization in any other province, territory, state or country? _____

(b) refused membership in a commodity futures exchange, a clearing house of a commodity futures exchange, an association of commodity futures dealers or similar organizations in any other province, territory, state or country? _____

(c) suspended, cancelled or terminated as a member of a commodity futures exchange, a clearing house of a commodity futures exchange, an association of commodity futures dealers or similar organizations in any other province, territory, state or country? _____

13. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant ever been

(a) a member of a commodity futures exchange, a clearing house of a commodity futures exchange, an association of commodity futures dealers or a similar organization in another province, territory, state or country? _____

(b) refused membership in commodity futures exchange, a clearinghouse of a commodity futures exchange, an association of commodity futures dealers or similar organization in another province, territory, state or country? _____

(c) suspended, cancelled or terminated as a member of a commodity futures exchange, a clearing house of a commodity futures exchange, an association of commodity futures dealers or similar organization in another province, territory, state or country? _____

14. Has the applicant operated under or carried on business under any name other than the name shown in this application? _____

15. To the best of the applicant's information and belief has any affiliate, partner, officer, director, or associate of the applicant operated under or carried on business under any name other than the name shown in this application? _____

16. Has the applicant ever been convicted or presently have outstanding a charge or indictment under the laws of any province, territory, state or country, excepting minor traffic violations? _____

17. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant ever been convicted or presently have outstanding a charge or indictment under the laws of any province, territory, state or country, excepting minor traffic violations? _____

18. Has the applicant ever been the defendant or a respondent in any proceedings in any civil court in any jurisdiction in any part of the world where fraud was alleged? _____

19. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant ever been the defendant or a respondent in any proceedings in any civil court in any jurisdiction in any part of the world where fraud was alleged? _____

20. Has the applicant ever been at any time declared bankrupt or made a voluntary assignment in bankruptcy? _____

(attach a certified copy of discharge, if any)

21. To the best of the applicant's information and belief has any affiliate, partner, officer, director or associate of the applicant ever been at any time declared bankrupt or made a voluntary assignment in bankruptcy? _____
(attach a certified copy of discharge, if any)

22. Has the applicant ever been refused a fidelity bond? _____

23. To the best of the applicant's information and belief have any affiliate, partner, officer, director or associate of the applicant ever been refused a fidelity bond? _____

24. Attach a marked exhibit setting out the full name and position held by the applicant and each partner, officer or director of the applicant and attach for each person a completed Form 6, unless such information has previously been filed with the Commission and is accurate as filed. _____

25(1) Capitalization of a Corporation

Complete below or attach an exhibit containing the information required below, to provide information with respect to the financial structure and control of the applicant company.

(a) The authorized and issued capital of the company, stating

	Preferred Shares (State Number of shares and dollar value) Shares \$	Common Shares (State Number of shares and dollar value) Shares \$
(i) authorized capital _____		
(ii) issued _____		
(iii) total dollar value of other securities:		
(A) bonds _____		
(B) debentures _____		
(C) notes _____		
(D) any other loans, state source and maturity dates _____		
	_____	_____
	\$ _____	\$ _____
	TOTAL	\$ _____

(b) The names, addresses and usual places of residence of registered, and direct and indirect, beneficial owners of each class of security or obligation issued; if a trust is the beneficial owner, the names, addresses and usual places of residence of each person or company having a beneficial interest in the trust, and the nature and extent of the holdings and percentage of interest attributable to each security holder, lender or beneficiary.

(c) State the name and address of every depository holding any of the assets of the company.

(d) Has any person or company undertaken to act as a guarantor in relation to the financial or other undertakings of applicant? _____

(e) Has a subrogation been executed by the creditor(s) in relation to loans owing by the applicant?

(f) Is there any person or company whose name is not disclosed as required by clause (c)?

25(2) Capitalization of a Partnership or Proprietorship

Attach an exhibit containing the information called for below with respect to the assets of the partnership or proprietorship, and state the degree of control (voting power) of each the participants in the application.

(a) Amount of paid-in capital \$ _____

(b) Description of the assets _____

(c) Name and address of every depository holding any of the assets _____

(d) Source, amount and maturity date of any obligations owing by the partnership _____

(where applicable, give names and address of creditors)

(e) Has any person or company undertaken to act as a guarantor in relation to the financial or other undertakings of applicant? _____

(f) Has a subrogation been executed by the creditor(s) in relation to loans owing by the applicant?

(g) Is there any person or company whose name is not disclosed above whom has any interest in the applicant, either beneficially or otherwise? _____

DATED _____, 20 ____.

(name of applicant)

(signature of applicant, partner or officer)

(capacity)

AFFIDAVIT OF EXECUTION
IN THE MATTER OF *THE COMMODITY FUTURES ACT*

Province of Manitoba

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I, _____, of
the _____ of _____,
In the Province of Manitoba,

MAKE OATH AND SAY:

1. I am the applicant (or a partner or officer of the applicant) and I signed the application.
2. The statements of fact made in the application are true.

SWORN before me at the _____ of
_____ in the _____ of
_____, _____ 20 ____.

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)
)
)
)

A Commissioner for Oaths or Notary Public

(signature of deponent)