

**March 16, 2016**

**CYSEC Board Decision**

<b>Announcement date:</b>	16.03.2016	<b>Board decision date:</b>	14.12.2015
<b>Regarding:</b>	BDSwiss Holding Ltd		
<b>Legislation:</b>	The Investment Services and Activities and Regulated Markets Laws		
<b>Subject:</b>	Fine €5.000		
<b>Judicial Review:</b>	<a href="#">Click here</a>	<b>Judicial Review Ruling:</b>	<a href="#">Click here</a>

The Board of the Cyprus Securities and Exchange Commission (the 'CySEC') wishes to inform investors that, at its meeting held on December 14, 2015, the CySEC decided to impose a total administrative fine of **€5.000** on the **CIF BDSwiss Holding Ltd** ('the Company') for non-compliance with the Investment Services and Activities and Regulated Markets Law of 2007, as amended from time to time ('the Law').

The administrative fine imposed on the Company is broken down as follows:

- A. €2.500** for non-compliance with Section 28(1) of the Law as it failed to comply at all times, and specifically during the period of 8.5.2014 -18.6.2014, with the authorization and operating conditions, as laid down in Section 18(2)(c) of the Law- continuity and regularity in the performance of investment services, by employing appropriate and proportionate systems, resources and procedures.
- B. €2.500** for non-compliance with Section 36(1) of the Law as it failed, in June 2014, to act fairly, honestly and professionally, in accordance with the best interests of its clients.

In reaching its decision, the CySEC has taken into consideration, *inter alia*, the following:

- The amount of the administrative sanctions provided in the relevant legislation,
- The importance attributed to the need to ensure that the persons subject to the supervision of the CySEC fully comply with the provisions of the Laws and the relevant Directives,
- The importance attributed to the need to establish and implement effective procedures and arrangements, including compliance monitoring mechanisms, to ensure the proper operations of the CIF,
- The seriousness attributed to the CIF's obligation to act fairly, honestly and professionally in accordance with the best interests of their clients.
- As mitigating factors, the fact that:
  - The orders were not executed by the Company, which in this case the Company was only receiving and transmitting orders. The execution of the orders was made by the market maker, Spotoption Exchange Ltd.
  - The Company has requested from the market maker to implement additional



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- control mechanisms for the prompt identification and resolving of such matters.
- The Company has not committed a similar violation in the past.