



# RISK DISCLOSURE

[support@ricsmagroup.com](mailto:support@ricsmagroup.com)

L8W5/300 Queen Street, Auckland  
Central, Auckland 1010, New Zealand

## RISK DISCLAIMER

Investments in financial products are subject to market risk. Some financial products, such as currency exchange, are highly speculative and any investment should only be done with risk capital. Trading foreign exchange on margin carries a high level of risk and may not be suitable for all investors. The high degree of leverage can work against you as well as for you. Before deciding to invest in foreign exchange you should carefully consider your investment objectives, level of experience, and risk appetite. The possibility exists that you could sustain a loss of some or all of your initial investment and therefore you should not invest money that you cannot afford to lose. You should be aware of all the risks associated with foreign exchange trading and seek advice from an independent financial adviser if you have any doubts. By opening a trading account with us, you as a Client certify that you understand the risks involved, are financially able and of sound mind to assume the risks involved in speculating or trading of "Contracts" or other financial products of "Over-the-Counter" markets supplied or provided by Rich Smart. We advise that you read through the following risks involved and if necessary to seek professional advice.

### 1. GENERAL RISK

The Client is warned of the following risks:

- a) The Company does not and cannot guarantee the initial capital deposited in the account of the Client for trading purposes or any money invested in any Financial Instrument.
- b) The Company guarantees that a Retail Client cannot lose more than his/her total deposits on each account.
- c) The Company will not provide the Client with investment advice relating to investments or possible transactions in investments or make investment recommendations of any kind.

### 2. MARKET RISK

- a) The Client should acknowledge that, regardless of any information or research material which may be offered by the Company, the value of any investment in Financial Instruments may fluctuate downwards or upwards and it is even probable that the investment may become of no value.
- b) Past performance of a Financial Instrument does not guarantee its current and/or future performance. The use of historical data does not constitute a binding or safe forecast as to the corresponding future performance of the Financial Instruments to which the said information refers.
- c) The Client hereby acknowledges that the transactions undertaken through the services of the Company may be of a speculative nature. As a result, large losses may occur in a short period of time and even the whole initial deposit of the Client might be lost.

- d) Foreign Exchange Markets usually entail risks that are higher than the risks associated with stock markets. The client should be aware that the performance of his/her investment will depend on changes in the values of exchange rate pairs.
- e) Before or during the release of significant macroeconomic announcements or any other news, currency markets may open and/or move at price levels that are very different from the previous levels. During such market conditions there is the risk that orders may be executed at prices that are very different from the price levels initially chosen.
- f) The Client should be aware and accept that under certain market conditions it may be difficult or impossible to execute an order.

### 3. FOREX RISK

Trading foreign exchange on margin carries a high level of risk and may not be suitable for all investors. Past performance is not indicative of future results. Before deciding to trade foreign exchange, you should carefully consider your investment objectives, level of experience, and risk appetite. The possibility exists that you could sustain a loss of some or all of your investment and therefore you should not invest money that you cannot afford to lose. You should be aware of all the risks associated with foreign exchange trading and seek advice from an independent financial advisor if you have any doubts.

### 4. CRYPTOCURRENCY RISK

Trading Cryptocurrencies on margin carries a high level of risk and may not be suitable for everyone. Past performance is not indicative of future results. Before getting involved in Cryptocurrency trading you should carefully consider your personal venture objectives, level of experience, and risk appetite. The possibility exists that you could sustain a loss of some or all of your initial deposit and therefore you should not place funds that you cannot afford to lose. You should be aware of all the risks associated with Cryptocurrency trading and seek advice from an independent financial advisor if you have any doubts.

### 5. LIQUIDITY RISK

The determination of prices is a result of the demand and supply forces. Therefore, some financial Instruments may become liquid at certain times due to reduced demand. Under such market conditions, the Client may not be in a position to sell them or easily obtain information on the value of these Financial Instruments or the extent of the associated risks.

### 6. LEVERAGE & MARGIN TRADING

Trading foreign exchange on margin carries a high level of risk and may not be suitable for all investors. The high degree of leverage can work against you as well as for you. Leverage provides traders with the ability to enter trades and/or open positions with a relatively little amount of money. Trading with high leverage may incur heavy losses. When trading or investing, we advise exercising caution and restraint.

## 7. ELECTRONIC TRADING (ONLINE TRADING)

Online trading has inherent risks due to system response and access times that may vary due to market conditions, system performance, and other factors. You should understand these and additional risks before trading. Client shall/will be responsible for technical issues such as:

- i. Hardware and software
- ii. Internet connection
- iii. MetaTrader installation and settings
- iv. PC and mobile compatibility
- v. Electrical supply

Rich Smart will not accept liability for any loss or damage, including without limitation any loss of profit that may arise directly or indirectly due to human errors or technical issues. There are risks associated with utilizing an Internet-based deal execution trading system including, but not limited to, the failure of hardware, software, and Internet connection. Since Rich Smart does not control signal power, its reception or routing via the Internet, the configuration of your equipment, or the reliability of its connection, we cannot be responsible for communication failures, distortions, or delays when trading via the Internet. Rich Smart employs backup systems and contingency plans to minimize the possibility of system failure.

## 8. SLIPPAGE

Rich Smart's contractual agreement not to seek redress for slippage, its an obligation to execute Stop Loss Orders at the stop loss price or better, will not apply to Limit and Stop Loss Orders during market hours. This also includes price spikes. Stop Loss Orders or Stop Limit Orders, which are intended to limit losses may reduce the losses incurred by price fluctuations, however, such orders may not be able to be executed under certain market conditions such as news releases, key economic indicators, or special announcements. Rich Smart will not accept liability for any loss or damage, including without limitation any loss of profit that may arise directly or indirectly due to market volatility or abnormal market conditions.

## 9. TRADE EXECUTION & TRADING

Client acknowledges that upon execution of trade(s) made from Client Terminal, it cannot be cancelled or reversed. Any other instructions in regard to the particular trade will not be applied until the completion of execution. Client shall and/or should verify details of trade such as Volume, Product, Price levels, desired Entry, and Exit Point prior to executing a trade. Trade transactions are performed on a First-in-First-out basis.

- a) Clients, who undertake transactions on an electronic trading system, will be exposed to risks associated with the system including the failure of hardware and software (Internet/Servers). The result of any system failure may be that an order is either not executed according to the instructions provided for it, or is not executed at all.

The Company does not accept any liability in the case of such a failure. The use of wireless connections or dial-up connections, or any other form of unstable connection at the Client's end, may result in poor or interrupted connectivity or lack of signal strength causing delays in the transmission of data between the Client and Company, when using the Company's

Electronic Trading Platform. Such delays or disturbances may result in the Client sending to the Company out-of-date 'Market Orders'. In these circumstances, the Company will update the price and execute the order at the best available 'market price'.

- b) The Client acknowledges that the only reliable source of Quotes Flow information is that of the live Server's Quotes Base. Quotes Base in the Client Terminal is not a reliable source of Quotes Flow information because the connection between the Client Terminal and the Server may be disrupted at some point and some of the Quotes simply may not reach the Client Terminal.
- c) The Client acknowledges that when an Order is closed or is being executed, it may not be canceled or modified.
- d) The Client is warned that he/she may lose all of the money he/she has deposited as a margin. The placing of certain orders available on the Trading Platform (e.g. "stop-loss" or "limit" orders) that are intended to limit losses to certain amounts may not always be effective because market conditions or technological limitations may make it impossible to execute such orders. The Company accepts no responsibility for such orders not being executed nor for financial losses resulting from the fact that these orders have not been executed to limit loss or protect profits.

## 10. TECHNICAL

A) The Client acknowledges and accepts that he bears the risk of having financial losses if there is a failure, malfunction, interruption, disconnection, or malicious actions to information, communication, and electricity, electronic or other systems.

B) The Client acknowledges that the encrypted information transmitted by e-mail is not protected from any unauthorized access.

C) Before or during the release of significant macroeconomic announcements or any other news, currency markets may be very volatile and increased demand and supply may exist, so the Client may not be able to conduct by phone or connect to the company's trading platform(s)/system (s). As such, the Client understands and accepts this risk.

D) The Client is warned that when trading in an electronic platform he bears the risk of financial loss which may be a consequence of among other things:

- i. Failure of the Client's devices, software, and poor quality of connection.
- ii. The Company's or Client's hardware or software failure, malfunction, or misuse.
- iii. Client's Terminal not having the right settings.
- iv. Client's Terminal was not promptly updated.

E) The Client acknowledges that he/she may not be able to access the Company's Website and/or Trading System due to issues with internet access. These issues may include interruptions or transmission blackouts, software and hardware failure and internet disconnection, public electricity network failures, or malicious attacks. The Company has no responsibility whatsoever if any damages or losses arising from such events are beyond its control or for any other losses, costs, liabilities, or expenses (including without limitation) loss of profit which may arise from the Client not

being able to access the Company's Website and/or Trading System or delay or failure in sending Orders or Transactions.

#### 11. THIRD-PARTY / AGENT

Rich Smart is not obligated to review Third Party Trader(s) or Agent(s) selected by Client(s) to handle their accounts (trade for Client(s)) and is not liable for any losses incurred by such parties. Client(s) shall be responsible and liable for their decision on appointing and authorizing such a person or parties, discretionary or Non-discretionary, and will not hold Rich Smart liable. Any disputes arising from such relationships are to be resolved between Client(s) and authorized Third Party(ies) Trade/Agent. Rich Smart only recognizes trades executed from the Client trading account terminal and will not be held liable for the access of the account or executor of trades. We therefore strongly advise that you practice caution and security in safekeeping your trading password to avoid disputes.

#### 12. BANKRUPTCY / COMPANY INSOLVENCY

In the event of Bankruptcy or Company Insolvency, priority will be given to creditors. Trades/contracts/transactions executed on Rich Smart are not traded on exchanges and therefore Clients' funds' protection is not similar to that of exchange-traded funds. In the event of the Company's insolvency, clients will be paid from monies available after priority claims are paid.

#### 13. FORCE MAJEURE

The client bears and accepts the risk of financial losses due to Force Majeure. If the performance of any part of this Agreement by either party is prevented, hindered, delayed, or otherwise made impracticable by reason of any flood, riot, fire, judicial or governmental action, labor dispute, an act of God, an act of terrorism, or any other cause beyond the reasonable control of a party, that party shall be excused from such performance to the extent it is prevented, hindered, or delayed by such cause, provided that the parties shall at all times act in good faith and use their commercially reasonable efforts to recommence performance as soon as practicable.

#### 14. TRADING STRATEGIES

All trading strategies are used at your own risk. Any content on [www.ricsmagroup.com](http://www.ricsmagroup.com) should not be relied upon as advice or construed as providing recommendations of any kind. It is your responsibility to confirm and decide which trades to make. Trade only with risk capital; that is, trade with money that, if lost, will not adversely impact your lifestyle and your ability to meet your financial obligations. Past results are no indication of future performance. In no event should the content of this correspondence be construed as an express or implied promise or guarantee. Rich Smart is not responsible for any losses incurred as a result of your trading strategies. Loss-limiting strategies such as stop-loss orders may not be effective because market conditions or technological issues may make it impossible to execute such orders. Likewise, strategies using combinations of options and/or futures positions such as "spread", or "straddle" trades may be just as risky as simple long and short positions. No guarantee of any kind is implied or possible where projections of future conditions are attempted.