

# Personal Dealing and Insider Trading Policy

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4XHub Ltd

Company:	4XHub Ltd
Registration No:	LL 16731
License No:	MB/20/0055
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**VERSION CONTROL**

<b>Version Number</b>	<b>Date Updated</b>	<b>Notes</b>
1	August 2021	Original document prepared and finalised in consultation with Sophie Grace Pty Ltd.
2	November 2021	Modified for 4XHUB Ltd. (Labuan)
3	October 2022	Updated by Marcus Tan & Co for Labuan

## SECTION A - INTRODUCTION

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### 1. INTRODUCTION

- 1.1 4XHub Ltd.'s ("4XHub") has adopted this Personal Dealing and Insider Trading Policy ("**Policy**") as part of its process to ensure that it continues to maintain the highest levels of professional integrity and ethical conduct. This includes ensuring that employees and directors do not engage in insider trading, deal in the Relevant Products that may give rise to a conflict (or potential conflict) of interest or transact in an illegal or unethical manner.
- 1.2 Personal dealing by 4XHub's employees may adversely impact clients of 4XHub by either increasing or decreasing the number of Relevant Products available on the market and/or by increasing or decreasing the price of a Relevant Product. Personal dealing may also give rise to the appearance that 4XHub's employees are unethically or illegally benefiting from their knowledge of 4XHub's investment decisions or investment recommendations.
- 1.3 This Policy requires the Board of Directors, officers and employees of 4XHub to notify 4XHub of certain intended transactions involving themselves or associated parties prior to the transaction and to receive an authorisation before the transaction is entered into. This Policy ultimately sets out 4XHub's procedures to reduce the risk of insider trading.
- 1.4 A person undertakes insider trading if that person deals in relevant products while possessing information about the relevant products that is:
  - (a) not generally available; and
  - (b) price sensitive.
- 1.5 The prohibition against insider trading applies any individual who has information as an insider and he:
  - (a) direct dealing in securities that are price-affected securities in relation to the information;
  - (b) encourages another person to deal in securities that, whether that other person knows it, are price affected securities in relation to the information; and
  - (c) discloses the information otherwise than in the proper performance of the functions of his employment, office, or profession, to another person.
- 1.6 Insider trading is a criminal offence. It is punishable by substantial fines. 4XHub has implemented this Policy because it may be liable if an employee or director engages in insider trading.

### 2. DEFINITIONS

- 2.1 **LFSSA** means the Labuan Financial Services and Securities Act 2010;
- 2.2 **Dealing** includes applying for, acquiring or disposing of the Relevant Products or entering into an agreement to do so;

2.3 **Relevant products** securities, derivatives, interests in managed investment schemes, foreign exchange contracts, government debentures, stocks and bonds or any other financial products that are able to be traded on a financial market (including, but not limited, to those that are being recommended by 4XHub, directly or indirectly);

2.4 **Unpublished price sensitive information** means information that:

- (a) is not generally available; and
- (b) if it were generally available would be likely to have a material effect on the price or value of any Relevant Products (that is, the information would, or would be likely to, influence persons who commonly acquire products as the Relevant Products in deciding whether or not to buy or sell those products).

### 3. **WHEN DOES THIS POLICY APPLY?**

3.1 This Policy applies when any of the following parties proposes to invest in or trade any Relevant Products:

- (a) directors and officers of 4XHub;
- (b) all 4XHub employees within Labuan;
- (c) members of the immediate family (e.g. spouse, parents, children and siblings) of each of the above; and
- (d) entities in which any of the above has a direct or indirect pecuniary interest such as family companies, family trusts and private superannuation funds.

## **SECTION B - 4XHUB'S PROCEDURES**

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### 4. **WHEN AN EMPLOYEE CAN DEAL**

4.1 An employee may only deal in Relevant Products with prior written permission of the Board of Directors or in accordance with the relevant policies of 4XHub from time to time.

4.2 An employee is not guilty of insider trading by virtue of dealing in Relevant Products or encouraging another person to do so if he shows:

- (a) that he did not at the time expect the dealing to result in a profit attributable to the fact that the information in question was price-sensitive information in relation to the Relevant Products;
- (b) that at the time he believed on reasonable grounds that the information had been disclosed widely enough to ensure that none of those taking part in the dealing in the securities would be prejudiced by not having that information; or
- (c) that he would have done what he did even if he had not had the information.

4.3 An employee is not guilty of insider dealing by virtue of a disclosure of information if he shows:

- (a) that he did not at the time expect any person, because of the disclosure, to deal in the Relevant Products; or

- (b) that, although he had such an expectation at the time, he did not expect the dealing to result in profit attributable to the fact that the information was price-sensitive information in relation to the Relevant Products.

## **5. WHEN AN EMPLOYEE CANNOT DEAL**

- 5.1 An employee does not deal in Relevant Products when he or she is in possession of information that he or she knows or ought reasonably to know that it is unpublished price sensitive information in relation to Relevant Products unless permission to deal has been given by the Board of Directors in accordance with clause 8.1.

## **6. EMPLOYEES TELLING OTHERS**

- 6.1 An employee does not communicate unpublished price sensitive information in relation to Relevant Products if the employee knows, or ought reasonably to know, that the other person would deal in Relevant Products.
- 6.2 Without limiting the above, employees do not communicate unpublished price sensitive information to other employees (including other management employees) unless reasonably required while pursuing 4XHub's business.

## **7. DEALINGS BY ASSOCIATED PERSONS AND INVESTMENT MANAGERS**

- 7.1 If an employee is prohibited from dealing in the Relevant Products, that employee must (so far as is consistent with his or her duties of confidentiality to 4XHub) prohibit any dealing in Relevant Products by:
- (a) any person associated with him or her (including that employee's family, nominee companies, companies, and family trusts); or
  - (b) an investment manager on his or her behalf, or on behalf of any person connected with him or her.
- 7.2 For the purposes of section 7.1 of this Policy, an employee must advise all associated persons and investment managers of the periods during which the employee knows he or she is not free to deal in 4XHub's Relevant Products under this Policy (unless his or her duties of confidentiality to 4XHub prohibit him or her from disclosing those periods).

## **8. PERMISSION TO DEAL**

- 8.1 If any of the parties listed above (refer to Section 3) wish to invest in the Relevant Products they must obtain the written permission of the Board of Directors prior to making an investment or entering into a transaction. An employee must first advise the Board of Directors and provide any requested information, in the form and manner required by the Board of Directors (from time to time).
- 8.2 The Board of Directors only gives permission if he considers that the dealing does not cause 4XHub to breach the insider trading provisions of the LFSSA.
- 8.3 Authorisation is not granted where:
- (a) there is a material conflict (actual or potential) with the interests of a client;
  - (b) the proposed transaction would materially impact on the price of a Relevant Product;
  - (c) the transaction would mean that 4XHub was behaving unethically or illegally;
  - (d) a matter exists where there is unpublished price sensitive information in relation to the Relevant Product (whether the employee has knowledge of that matter) and the employee proposes to deal in the Relevant Products while that information remains unpublished price sensitive information; or
  - (e) the Board of Directors has reason to believe the proposed dealing is otherwise in breach of this Policy.

## **9. MONITORING PROCEDURES**

- 9.1 4XHub monitors parties who invest in Relevant Products as follows:
- (a) parties who transact are required to:
    - (i) complete a monthly Personal Trading Declaration (as per Appendix A); and
    - (ii) provide:
      - (A) a copy of their trading statement to the Compliance Officer monthly; or

- (B) the login details to their trading account/s to the Compliance Officer;
- (b) the Compliance Officer reviews the trading or investment activities of the party monthly to determine whether the investment or transactions:
  - (i) give rise to the appearance that 4XHub is acting unethically or illegally;
  - (ii) cause a potential or actual conflict of interest;
  - (iii) give rise to the appearance of a conflict of interest; and
  - (iv) are in breach of this Policy; and
- (c) where the party is an employee of 4XHub, the Compliance Officer reviews the trading or investment activities of the employee to determine whether the investment or transactions:
  - (i) cause the employee to trade or lose more than their employment income would allow;
  - (ii) indicate the possession of inside information by the employee; and
  - (iii) impact on the ability of the employee to perform their job requirements.

9.2 Once the 'Personal Trading Declaration' has been completed, the signed form must be filed in the compliance folder.

## **SECTION C - CONCLUSION**

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### **10. TRAINING**

10.1 All employees of 4XHub are required to understand this Policy. Consequently, all employees of 4XHub receive a copy of this Policy at the commencement of their employment. Training and information sessions on insider trading and personal dealing are scheduled and conducted at the discretion of the Compliance Officer.

### **11. DOCUMENT RETENTION AND AUDIT**

11.1 4XHub maintains a written record, of all advice received from employees, and clearances given, under this Policy. The Compliance Officer retains completed 'Personal Trading Declarations', records of transactions and trading statements for seven (7) years from the date of the authorised transaction in accordance with the 4XHub's Document Retention Policy. Completed 'Personal Trading Declarations' are retained for future reference and review.

### **12. POLICY BREACHES**

12.1 Breaches of this Policy may lead to disciplinary action being taken against the relevant party, set out in section 3 of this Policy, including dismissal in serious cases.

12.2 All breaches are reported in accordance with 4XHub's Breaches and Incidents Reporting Policy.

### **13. POLICY REVIEW**

- 13.1 This Policy is reviewed on at least an annual basis by the Compliance Officer, having regard to the changing circumstances of 4XHub. The Compliance Officer then reports to the Board of Directors on compliance with this Policy. Any changes to this Policy are advised to all employees at the time.

Issued by 4XHub Ltd

October 2022



## **APPENDIX A – PERSONAL TRADING DECLARATION**

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To ensure 4XHub meets its obligations under its licence(s) and other legislation, such as the LFSSA, 4XHub has implemented a comprehensive compliance framework. One of the key objectives of the compliance framework is to ensure 4XHub maintains the highest level of integrity and ethical conduct. This includes ensuring that employees and directors do not engage in insider trading, deal in Relevant Products that may give rise to a conflict (or potential conflict) of interest or transact in an illegal or unethical manner.

A requirement of this Policy is that all directors, officers, or employees (or related entities) provide a monthly declaration in relation to their personal trading. The declaration includes a statement as to whether:

- (a) a director, officer or employee has transacted in a Relevant Product in the month;
- (b) a related entity or person has transacted in a Relevant Product in the month; or
- (c) a director, officer or employee provided unpublished price-sensitive information regarding a Relevant product.

A copy of any trading statements must be attached to the completed declaration.

**PERSONAL TRADING DECLARATION**

Date:	Declaration for the month of:
Name:	Position:

**1. Personal Investment/Trading Transactions**

*\*Select one option below*

<input type="checkbox"/> I have not transacted in a Relevant Product.				Initials:
<input type="checkbox"/> I have transacted in a Relevant Product. <i>*Include details below</i> Trading statement attached: Y <input type="checkbox"/> N <input type="checkbox"/> If no, provide explanation:				Initials:
Date of Transaction	Name of Interest	Type of Transaction	Amount of Transaction	Authorisation Form Provided Y/N

**2. Direct or Indirect Pecuniary Interest Investment/Trading Transactions**

(Such entities include family companies, family trusts and private superannuation funds.)

*\*Select one option below*

<input type="checkbox"/> To my knowledge, no entity in which I have a direct or indirect pecuniary interest, has transacted in a Relevant Product.					Initials:
<input type="checkbox"/> To my knowledge, an entity in which I have a direct or indirect pecuniary interest, has transacted in a Relevant Product. <i>*Include details below</i>					Initials:
Name of Entity:	Date of Transaction	Name of Interest	Type of Transaction	Amount of Transaction	Authorisation Form Provided Y/N

### 3. Price Sensitive Information

*\*Select one option below*

<input type="checkbox"/> I have not provided any unpublished price-sensitive information regarding a Relevant Product to a related party.					Initials:
<input type="checkbox"/> I have provided unpublished price-sensitive information regarding a Relevant Product to a related party. <i>*Include details below</i>					Initials:
Name of Related Party:	Date of Transaction	Name of Interest	Type of Transaction	Amount of Transaction	Authorisation Form Provided Y/N

*\*Related party is defined in the Corporations Act and includes a spouse, parent, child or sibling.*

Signed: \_\_\_\_\_