

## APPENDIX 13 POTENTIAL LIMITATIONS AND RISKS OF ELECTRONIC COMMUNICATIONS

Orient Futures emphasizes and the Client acknowledges that e-mails, instant messaging, Voice Over Internet Protocol and other similar services (including, without limitation, WhatsApp, WeChat, ICE Chat, Instant Bloomberg and Thomson Reuters Eikon Messenger) (each an “**Electronic Communication**”) may be sent via open installations (such as public and private data transfer networks and providers that are accessible worldwide) available to anyone. It may therefore be impossible to control the transmission route of any Electronic Communication, which may be routed through more than one country (even when the sender(s) and recipient(s) are located in the same country).

By communicating with Orient Futures via Electronic Communications, the Client confirms that it fully understands and accepts the multitude of risks inherent in Electronic Communications (which are not exhaustive), including:

- (a) the lack of confidentiality and unintended disclosures where e-mails and their attachments may be viewed or accessed without restriction and systematically monitored by unauthorised parties;
- (b) the content of any Electronic Communications, attachments (where applicable) and sender details (where applicable) including e-mail address can be tampered with or falsified by unauthorised parties;
- (c) Electronic Communications may be altered, mutilated, misrouted, delayed, or deleted due to technical failures, interruptions or malfunctions during transmissions, and other risks include errors in transmission, technical defect, data corruption, power failure, breakdown of telecommunication networks, fraud, forgery, misunderstanding, fraud or forgery of third parties;
- (d) there may be no way for a recipient to technically verify the integrity of an Electronic Communication); and
- (e) damage can be done to the addressee and an Electronic Communication from Orient Futures can be altered or falsified as a result of e-mail or computer infections such as viruses, trojan horses, worms or spams created or spread by third parties.

### Important Notice

This Appendix is not intended to provide, and should not be relied on for, legal, tax, accounting, regulatory or financial advice. It does not provide all the information which the recipient of this Appendix may need, and the recipient may wish to appoint its own professional advisers to assist it. No representation or warranty, whether express or implied, is made as to the accuracy, completeness or reliability of the disclosure provided.

Without prejudice to the generality of the foregoing: (i) the Appendix does not explain all the potential limitations and risks of Electronic Communications, which can be substantial; (ii) before making any Electronic Communications, the recipient should be satisfied that it fully understands the precise nature of Electronic Communications, how it actually works, the extent of its exposure to risks and the potential losses that it could incur; (iii) this Appendix does not address any other risks that may arise as a result of a person's particular circumstances or as a result of the terms of particular transactions.

Nothing contained in this Appendix should be considered as an offer or a solicitation to engage in any transaction or to purchase or sell or enter into any financial instrument or transaction, or that Orient Futures will provide any services referred to in this Appendix to the recipient.

Orient Futures shall not in any circumstances be liable, whether in contract, tort, breach of statutory duty or otherwise, for any losses or damages that may be suffered as a result of using or relying on this Appendix. Such excluded losses or damages include (i) any loss of profit or revenue; (ii) damage to reputation or loss

of any contract or other business opportunity or goodwill; or (iii) any indirect loss or consequential loss. This paragraph does not extend to an exclusion of liability for, or remedy in respect of, fraudulent misrepresentation, death or personal injury caused by negligence or any other liability which may not be excluded or restricted by law.

Nothing contained in this Appendix is intended to create or shall be construed as creating a fiduciary relationship between the recipient and Orient Futures.