

# **Viriathus Capital Pty Ltd**

## **Financial Services Guide**

**AFS Licence No. 297950**

**Date of issue: 12 March 2020**

ABN 98 113 959 596

**Suite 47, Level 35**  
**International Tower One**  
**100 Barangaroo Avenue**  
**BARANGAROO NSW 2000**

**[www.viriathus.com](http://www.viriathus.com)**

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## 1. Glossary of terms

**AFS Licence** means an Australian financial services licence issued under the Corporations Act.

**ASIC** means Australian Securities and Investment Commission.

**ASX** means ASX Limited.

**Corporations Act** means Corporations Act 2001 (Cth).

**DMA Service** means Direct Market Access Service.

**FinClear** means FinClear Pty Ltd ABN 63 607 164 714 AFS Licence No. 246842.

**FSG** means Financial Services Guide.

**Licensee** means the intermediary that holds an AFS Licence with whom we have entered into an arrangement under which the Licensee may place orders with us on behalf of clients in relation to ASX transactions (or allow the client to place such orders directly with us).

**OpenMarkets** means OpenMarkets Australia Limited ABN 38 090 472 012 AFS Licence No. 246705.

**Relevant Licensee** means the Licensee with whom you have entered into an arrangement under which the Licensee will place orders with us on your behalf in relation to ASX transactions (or allow you to place such orders directly with us).

**Viriathus** means Viriathus Capital Pty Ltd ABN 98 113 959 596, AFS Licence No. 297950.

**We, us or our** means Viriathus.

## 2. Purpose and content of this Financial Services Guide

This Financial Services Guide (**FSG**) is an important document. You should read it carefully and make sure you understand it.

This FSG is provided by Viriathus Capital Pty Ltd. This FSG was prepared on **15 November 2019**. Viriathus authorises its distribution.

The FSG is made up of a number of equally important parts. Each of these parts is listed on the contents page and is intended to inform you of certain basic matters before we provide you with a financial service. This FSG was prepared to provide Viriathus clients who are retail clients about the financial services provided by us.

The information set out in this FSG includes information about:

- (a) Who we are;
- (b) What services we provide;
- (c) The remuneration that may be paid to us and other relevant persons in relation to the services we offer;
- (d) What relationships and associations we have;
- (e) How complaints against us are dealt with.

This FSG is designed to assist you in deciding whether to use the services we provide which are described below.

## 3. Statements of Advice and Product Disclosure Statements

Viriathus will only provide you with general financial advice. Viriathus will not provide personal financial product advice to clients. Accordingly, we will not take into account your “objectives, financial situation and needs” (**Objectives**) (as defined by the Corporations Act and ASIC) and therefore this FSG been prepared without taking into account those Objectives. Subsequently, you will not receive a Statement of Advice from us. You should contact your financial adviser if you require any financial product advice. Viriathus has no responsibility for any financial product advice provided by any other person to you.

If we provide you with services that involve issuing or arranging to issue a financial product, such as exchange trade options (**ETOs**) (but excluding securities defined as shares, debentures, and stocks and bonds issued or proposed to be issued by a government) you will be provided with a Product Disclosure Statement (**PDS**). The PDS will contain information that might reasonably be expected to have a material influence on your decision whether or not to acquire the financial product. This will include information regarding the benefits and risks associated with the product and other significant features of the terms and conditions attaching to the product.

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## 4. Who is Viriathus Capital?

Viriathus Capital Pty Ltd, ABN 98 113 959 596 holds an Australian Financial Services Licence (**AFS Licence**) (No. 297950) under which it is authorised to:

- (a) provide financial advice on deposits, derivatives, debentures, stocks or government bonds, managed investment schemes, securities and margin lending and;
- (b) provide general financial advice on foreign exchange contracts; and
- (c) deal in a financial product by applying for, acquiring, varying or disposing of deposit and payment products (limited to basic deposit products) and securities on behalf of another person,

to retail and wholesale clients.

## 5. How we can be contacted

### Address:

Viriathus Capital  
Suite 47, Level 35 International Tower One, 100 Barangaroo Avenue  
Barangaroo NSW 2000

### Telephone:

02 8667 5360

### Email:

compliance@viriathus.com.au

## 6. The services we offer

Viriathus Capital provides general financial advice to retail and wholesale clients under which Viriathus Capital:

- (a) executes orders on ASX to buy and sell traded products (such as shares, options and warrants quoted on ASX);and
- (b) executes orders on ASX to buy, sell, close out and exercise Derivatives;
- (c) undertakes other dealings in financial products.

Settlement and clearing of transactions executed by Viriathus Capital through ASX is undertaken by OpenMarkets and FinClear, a leading provider of third party clearing services to the Australian market.

More information on the products and services offered by Viriathus Capital is available on our website at [www.viriathus.com](http://www.viriathus.com).

## 7. How you may provide instructions to us

You may only provide instructions to us in accordance with your client agreement with us. You can give us instructions either by: telephone (in which case your telephone calls to us may be recorded); in writing (including by email, however you will need to confirm with us that your instructions have in fact been received as electronic communications may fail or not be received in a timely manner); electronically via direct entry into trading systems that we provide you with access to.

Viriathus may provide correspondence and disclosures electronically. We will use the email address provided by you for electronic delivery and notifications, including availability of items via a link on our website. You may contact us at any time to request correspondence by another method, such as post.

## 8. How do we charge for our services?

We may charge you fees for the services that we may provide to you. We may also receive fees, brokerage and other benefits from product issuers with your consent. We may share the fees, brokerage and other benefits we receive with related entities, directors, employees, representatives and your adviser with your consent.

You have a right to request further information in relation to remuneration, the range of amounts or rates of remuneration, and soft dollar benefits received by the licensee and/or representative.

If we have an ongoing fee arrangement with you which exceeds 12 months, then you will receive from us a Fee Disclosure Statement annually setting out fees paid, services provided and completed. You can opt out of your election to receive any ongoing advice at any time by contacting us.

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## 9. Commissions and other benefits from third parties

The brokerage we will charge you will depend on the type of financial product and will be calculated as a set fee or percentage of the value of the transaction. Brokerage will be charged to your trading account at the time you buy and sell at the time your transaction is executed.

Viriathus Capital and its representatives may from time to time receive non-cash benefits with a value less than \$300. Details of benefits between \$100 and \$300 will be maintained on a register. These benefits will normally be one off and will not be received from a product provider on a regular basis. We may earn and retain interest on monies held for clients in their trust accounts from time to time.

Viriathus Capital may provide you with financial products and services from either related or non-related product providers, and may receive a commission payment from product providers where you invest in one of their products or services. In these cases, the amount and / or the method by which the commission is calculated will be supplied to you at that time that the financial product or service is provided. Information about the commission payments we may receive is also available upon request.

Viriathus Capital may receive trail commissions from third parties as a result of your investment. In particular, trailing commissions may be received from fund management groups for monies held in your Cash Management Account. Details of these commissions are contained in the Product Disclosure Statement of the relevant fund or applicable Disclosure Statement of the relevant account.

## 10. How are our representatives remunerated?

Representatives dealing with you are remunerated by salary and commissions. They may be eligible to receive a bonus or other benefit which is discretionary and based on the achievement of business objectives.

## 11. Will anyone be paid for referring you to us?

If you were referred to us under a referral arrangement, the referrer may receive a one-off fee or a proportion of your brokerage paid. The referrer also may receive other non-monetary or indirect benefits such as concessionary brokerage rates. We do not pay referral fees relating to retail clients.

## 12. Do we have any relationships or associations with financial product providers?

We have entered into arrangements from time to time with various product providers under which we may receive a commission if you invest in one of their products or services.

## 13. Complaints resolution

### 13.1 Our commitment

We are committed to providing quality service and accurate information. As part of that commitment, we are focused upon improving client satisfaction levels by providing an efficient and accessible system for resolving client complaints.

You have the right to have any complaint about the service received from us investigated and dealt with quickly and effectively in accordance with our complaints resolution procedures.

### 13.2 Client input

To assist us in responding appropriately to complaints, you are requested to prepare any complaint in writing, addressed to:

**Compliance Officer**

Viriathus Capital

Suite 47, Level 35 International Tower One

100 Barangaroo Avenue Barangaroo NSW 2000

Email: [compliance@viriathus.com.au](mailto:compliance@viriathus.com.au)

You should include as much detail about the circumstances of the complaint as possible, including the name(s) of any of our staff involved. If available, copies of any background documentation should be provided to us along with the complaint.

### 13.3 Our response

Following receipt of your complaint, the Compliance Officer will acknowledge receipt of it in writing and provide an estimate of the time it will take to investigate the circumstances. The Compliance Officer will fully investigate the complaint and follow up if further information is required from you. The Compliance Officer will then prepare a detailed written response to you after consideration of all relevant documents and following interviews with the involved employees and their manager(s), if required. The written response will be mailed or delivered to you.

If your complaint relates to the Licensee or a service provided to you by the Licensee, your complaint should be dealt with in accordance with the relevant Licensee's complaint resolution procedures.

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## **I4. External complaints resolution – AFCA and ASIC**

As we are a member of the Australian Financial Complaints Authority (AFCA), we will advise you if you continue to have a complaint with us that you have the option to pursue your complaint with AFCA. Contact details for AFCA are:

### **Australian Financial Complaints Authority**

GPO Box 3  
Melbourne VIC 3001

### **Telephone:**

1800 931 678

### **Email:**

info@afca.org.au

If you remain unsatisfied with our response to a complaint, you are at all times free to pursue the matter with ASIC. The ASIC Infoline is 1300 300 630 which you may use to make a complaint and obtain information about investor rights.

## **I5. Compensation arrangements**

Viriathus Capital has professional indemnity insurance which it considers is adequate having regard to:

- (a) the volume and types of business carried on by it;
- (b) the number and types of its clients;
- (c) the number of its representatives; and
- (d) any particular or potential claims that may arise pursuant to our participation in external dispute resolution schemes, including the AFCA scheme.

Viriathus Capital considers that these compensation arrangements satisfy the requirements of s 912B of the Corporations Act and associated regulations.

## **I6. Privacy**

At Viriathus Capital the privacy of your personal information is important to us. Our privacy policy is contained in the terms of your agreement with us.

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