



## **ELECTRONIC DEALING AGREEMENT**

This electronic dealing agreement ("**Agreement**") is entered into between the Canadian Imperial Bank of Commerce ("**CIBC**") and \_\_\_\_\_ ("**Customer**") as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the "**Effective Date**").

This Agreement will govern the use of various CIBC trading platforms as further detailed below (the "**Trading Platforms**"). The provision by CIBC of access to such Trading Platforms and the functionality therein will be collectively referred to as, the "**Services**".

For good and valuable consideration, receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

### **1. Trading Platforms Covered.**

This Agreement governs the use by Customer of the following online Trading Platforms:

- a) Power Play™
- b) Foreign Exchange Online
- c) Money Market Online
- d) Fixed Income Online

In addition, this Agreement will also govern the use of any additional online Trading Platforms where the Customer has requested access to such platform, now or in the future, from the Electronic Solutions Group (or successor thereof) of the Capital Markets Division at CIBC, and CIBC has provided access along with authentication and/or security credentials to allow Customer to use such platform.

### **2. Terms and Conditions.**

- a) The Customer hereby agrees to comply with the electronic dealing terms of use that are found at [e.cibcwm.com/termsfuse.html](http://e.cibcwm.com/termsfuse.html) ("**Terms of Use**") that govern the provision of and access to the Services.
- b) The following Trading Platform user guides will be considered to be terms and conditions of this Agreement and are herein incorporated by reference:
  - (i) Power Play™ User Guide posted at <https://powerplay.cibcwm.com/SmartFxPowerPlay/help/UserGuide.html>

- (ii) The Foreign Exchange Online User Guide posted at [e.cibcwm.com/guide/fx-online-userguide.pdf](http://e.cibcwm.com/guide/fx-online-userguide.pdf);
- (iii) The Money Market Online User Guide posted at [e.cibcwm.com/guide/mm-online-userguide.pdf](http://e.cibcwm.com/guide/mm-online-userguide.pdf);
- (iv) The Fixed Income Online User Guide posted at [e.cibcwm.com/guide/fi-online-userguide.pdf](http://e.cibcwm.com/guide/fi-online-userguide.pdf); and
- (v) any other user guides associated with other Trading Platforms, where the use of such other Trading Platforms is governed by the terms of this Agreement.

### **3. Customer's Responsibility for Orders.**

Customer will be bound by any instructions, bids, offers, or other trading orders placed through or facilitated by the Services that are accompanied by the valid user identification and access code assigned to Customer or to one of Customer's Authorized Users (as defined in the Terms of Use).

### **4. Notice.**

CIBC's address for the purpose of notice in accordance with Section 11(c) of the Terms of Use is:

161 Bay Street, 5th Floor  
Brookfield Place  
Toronto, Ontario M5J 2S8  
Attention: CIBC e-Client Services  
Facsimile: 416-594-8335

**IN WITNESS WHEREOF**, each of the parties has caused this Agreement to be duly executed and for it to be effective as of the Effective Date.

**CANADIAN IMPERIAL BANK OF  
COMMERCE**

By: \_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
**LEGAL COMPANY NAME**

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title: