



ACA
COMPLIANCE GROUP

Business Continuity Plan

Ninth Eternity Securities, LLC
2020

New York London DC Metro Boston Chicago Los Angeles Denver Boca Raton Richmond Chattanooga Morristown

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Business Description

Ninth Eternity Securities, LLC (“NES” or the Firm) is a limited liability company duly organized under the laws of the state of Delaware. NES is a wholly owned subsidiary of Ninth Eternity Capital Ltd. (the “Parent”).

NES provides brokerage services to retail and high net worth individuals predominantly online through a mobile app designed and developed by affiliates of the Firm. The Firm also services the needs of institutional investors through a diverse mix of financial, capital markets and investment banking products offered by the Firm.

NES operates as a fully disclosed broker and/or dealer engaged in the following businesses:

- Broker or dealer retailing corporate equity securities over the counter (“OTC”)
- Broker or dealer selling corporate debt securities
- Underwriter or selling group participant (corporate securities other than mutual funds)
- Mutual fund retailer
- US Government securities broker
- Non-exchange member arranging for transactions in listed securities by exchange member
- Trading securities for own account
- Private placements
- Other
 - ETF retailer
 - Conduct securities business through on-line brokerage activity
 - Effect transactions on behalf of clients involving ADRs, ORDINARIES and Foreign-listed securities
 - Act as financial adviser for Mergers, Acquisition and other business combinations, provides fairness opinions and provide general corporate finance and capital markets services for institutional clients
 - Act as a chaperoning broker-dealer for its foreign affiliate for investment banking activities, pursuant to SEC Rule 15A-6(iii)
 - Distribute third party research through the firm's platform(s), of its affiliate, and to solicit securities transactions by institutional investors, pursuant to SEC Rule 15a-6(ii)

NES operates as an introducing broker-dealer and does not perform any type of clearing function for itself or others. All trades are sent to the Firm’s clearing firm for execution, clearance and settlement. NES has entered into a clearing agreement with Interactive Brokers (“IB” or the “Clearing Firm”). The Clearing Firm is the entity that executes, compares and settles the orders.

Steven Jun Qian (“Qian”) acts as the Firm’s President, CEO, Executive Representative and Supervisory Principal. Steve Solano (“Solano”) serves as the Firm’s Chief Compliance Officer (“CCO”), and Anti-money Laundering Compliance Officer (“AMLCO”). Yanyan (“Shelly”) Dong (“Dong”) acts as the Second Supervisory Principal directly supervising all of the business activities that NES will engage in with Qian. Jay Gettenberg (“Gettenberg”) serves as the Financial and Operations Principal (“FINOP”), Principal Financial Officer (“PFO”) and Principal Operations Officer

(“POO”). Qian and Dong will retain ultimate responsibility for complying with the Firm’s designated supervisory policies and procedures as set forth in more detail in the Firm’s WSPs. All individuals will have all applicable licenses required to fulfill their duties as supervisory principals.

Office Address

NES’ main office and office of supervisory jurisdiction (“OSJ”) is located at 4th Floor, 1 Broadway, Cambridge, MA 02142. The Firm also maintains an OSJ at Suite701, Building 2 Block A, Shenzhen Bay Science and Technology Ecological Park, Shenzhen, China 518052.

Alternative Address

NES’ alternative address in the case of an emergency is 48 Reservoir Ave., Chestnut Hill, MA 02467.

II. Emergency Contact Persons

NES' emergency contact persons are Qian, Dong and Solano. See contact details below:

- Steven Qian
Phone: +1 508-638-8199 (office)
+1 508-948-9915 (mobile)
Email: steven.qian@n securities.com

- Shelly Dong
Phone: +86 (0)755 8253 1756 (office)
+86 158 1558 6306 (mobile)
Email: shelly.dong@n securities.com

- Steve Solano
Phone: +1 516-286-6888 (office)
+1 516-333-4274 (mobile)
Email: steve.solano@n securities.com

These names will be updated on FINRA's Contact System no later than 30 days following any change, and the Executive Representative will review them within 17 business days after the end of each calendar year.

III. Firm Policy

The Firm's policy is to respond to a Significant Business Disruption ("SBD") by safeguarding employees' lives and firm property, making a financial and operational assessment, quickly recovering and resuming operations, protecting all of the Firm's books and records, and allowing its customers to transact business.

Significant Business Disruptions (SBDs)

The plan anticipates two kinds of SBDs: internal and external. Internal SBDs affect only the Firm's ability to communicate and do business, such as a fire in the building. External SBDs prevent the operation of the securities markets or impact a number of firms, such as a terrorist attack, a city flood, or a wide-scale, regional disruption. The Firm's response to an external SBD relies more heavily on other organizations and systems, especially on the capabilities of the area's utility companies and municipal authorities.

Approval and Execution Authority

Solano, the Firm's CCO, is responsible for approving the Business Continuity Plan ("BCP") plan and for conducting the required annual review. Solano also has the authority to execute this BCP.

Plan Location and Access

The Firm maintains copies of its BCP plan and the annual reviews, and the changes that have been made to it for inspection. The Firm will give the FINRA District Office a copy of the plan upon request. An electronic copy of the plan is located on the file server in the BCP file.

IV. Direct Data Back-Up

The Firm will maintain its records (hardcopy and electronic) at its main office. Qian and Dong are responsible for the maintenance of the books and records and compliance records. Client records will be maintained by the Firm's OSJs and virtually online in a 17a-4 compliant manner.

The Firm will maintain the following document types and forms: client profiles, written and electronic correspondence, and other documents as noted in Section 11 of the Firm's written supervisory procedures ("WSP"). The Firm will maintain an electronic back-up of its records on its file server. Qian and Dong are responsible for the maintenance of these back-up books and records.

In the event of an internal or external SBD that causes the loss of paper records, the Firm will recover them from the electronic backups either from its existing file servers if they are accessible or from back-ups. If the primary site is inoperable, the Firm will continue operations from the alternate location shown on p. 3 of this BCP. For the loss of electronic records, the Firm will either physically recover the storage media or electronically recover data from the back-up site, or, if the primary site is inoperable, continue operations from an alternate location.

The Firm uses a third-party to archive email correspondence and other electronic records for the Firm. The Firm's electronic archiving system is managed by Global Relay.

Operational Risk

In the event of an SBD, the Firm will immediately identify what means will permit it to communicate with its clients, employees, critical business constituents, critical banks, critical counter-parties, and regulators. Although the effects of an SBD will determine the means of alternative communication, the communications options the Firm will employ will include telephone voice mail and secure e-mail. In addition, the Firm will retrieve its key activity records as described in the section above, Data Back-Up and Recovery.

Financial and Credit Risk

In the event of an SBD, the Firm will determine our ability to continue to fund its operations and remain in capital compliance. The Firm will contact its critical banks to apprise them of the Firm's financial status. If the Firm determines that it may be unable to meet its obligations to those counter-parties or otherwise continue to fund its operations, the Firm will request additional financing from the Parent, its bank or other credit sources to fulfill its obligations. If the Firm cannot remedy a capital deficiency, it will file appropriate notices with its regulators and immediately take appropriate steps, including directing its customers to another qualified broker-dealer to complete any remaining contractual services related to securities business.

Customer Access to Funds and Securities

The Firm does not maintain custody of customers' funds or securities. In the event of an internal or external SBD, if telephone service is available, the Firm will record a voice message with information for its Customers. The Firm will make this information available to Customers through its disclosure policy via its online application.

VI. Mission Critical Systems

The Firm's "mission critical systems" are those that ensure prompt contact with its customers. All physical documents are maintained electronically or in hard copy format.

The Firm will have primary responsibility for establishing and maintaining its business relationships with customers and have sole responsibility for its mission critical functions.

Recovery-time objectives provide concrete goals to plan for and test against. They are not, however, hard and fast deadlines that must be met in every emergency situation, and various external factors surrounding a disruption, such as time of day, scope of disruption, and status of critical infrastructure, particularly telecommunications, can affect actual recovery times. Recovery refers to the restoration of critical infrastructure and facilities after a wide-scale disruption; resumption refers to the capacity to accept and process new transactions after a wide-scale disruption. The due diligence files and agreements are maintained in hard-copy and electronically. Employees can access electronic files from their device at any location via a secure connection to Global Relay.

The Firm's Mission Critical Systems

The Firm's business does not require the immediate need to access electronic Customer data. The due diligence files and agreements are maintained in hard-copy and/or electronically. Employees can access electronic files from their device via a secure connection to Global Relay at any location. The Firm will maintain a list of its Customers that it is currently engaged with so that they can be contacted during an SBD, either internal or external. The Firm will continue to transact business through the normal methods that are available and reliable. In addition, as communications permit, the Firm will inform Customers when communications become available to tell them what alternatives they have to communicate and to transact business.

In the event of an internal or external SBD, electronic copies of all relevant documents will be easily accessible.

Business Constituents

The Firm will contact its critical business constituents (businesses with which the Firm has an ongoing commercial relationship in support of its operating activities, such as vendors providing the Firm critical services), and determine the extent to which the Firm can continue its business relationship with them in light of the internal or external SBD. The Firm will quickly establish alternative arrangements if a business constituent can no longer provide the needed goods or services when the Firm needs them because of a SBD to them or the Firm.

The Firm's major suppliers are:

Global Relay

220 Cambie Street, 2nd Floor

Vancouver, BC V6B 2M9

1-866-484-6630

<https://www.globalrelay.com/company-info/contact-us><https://corporateservices.schwab.com/public/corporate/nn/contact.html>

Interactive Brokers LLC

One Pickwick Plaza

Greenwich, CT 03830

1-866-694-2757

www.interactivebrokers.com

Banks

In the case of an SBD, the Firm will contact its bank to determine if they can continue to communicate with the Firm and provide the Firm with access to financial funds required in light of the internal or external SBD. The bank maintaining the Firm's operating account is: Bank of America, 1234 Boylston Street, Chestnut Hill, MA 02467. If the Firm's bank is unable to provide access to funding and/or financing, the Firm will seek alternative means immediately.

Counterparties

In the case of an SBD, the Firm will contact its critical counterparties. The Firm's only contractual counterparties will be the institutional client's it advises. The Firm does not execute transactions itself. Rather, the Firm operates only as an adviser for investment banking services provided to its clients and also may act as a facilitator by introducing prospective investors to issuers. Where the transactions cannot be completed, the Firm will contact those counterparties directly to make alternative arrangements to complete those transactions as soon as possible.

VIII. Alternate Communications

Customers

The Firm will communicate with customers using the telephone, email, online application and in person during visits at the Firm. In the event of an SBD, the Firm will assess which means of communication are still available to the Firm, and use the means closest in speed and form (written or oral) to the means that have been used in the past to communicate with the other party. For example, if the Firm has communicated with a party by e-mail but the internet is unavailable, the Firm will call them on the telephone and follow up where a record is needed with paper copy in the U.S. mail.

Employees

The Firm communicates with its employees using the telephone, email, and in person. In the event of an SBD, the Firm will assess which means of communication are still available, and use the means closest in speed and form (written or oral) to the means that have been used in the past to communicate with the other party. The Firm will also employ a call tree so that when the employment roster exceeds the initial two individuals, senior management can reach all employees quickly during an SBD. The call tree includes all staff home and office phone numbers. The Firm has identified persons, recorded internally, who live near each other and may reach each other in person. The person to invoke use of the call tree is Qian and/or Dong.

Caller	Call Recipients	Alternative Emails	Alternative Phone Numbers
Yanyan Dong	Steven Qian	steven.j.qian@outlook.com	1 508-948-9915
Steven Qian	Yanyan Dong	shellydong@jdcapital.com	+86 158 1558 6306
Steven Qian	Steve Solano	ssolano@lsconsultinggroup.com	1 516-333-4274
Steven Qian	Jason Gettenberg	jgettenberg@acisecure.com	1 212-668-8700 ext. 25

Regulators and Regulatory Reporting

The Firm will communicate with regulators using the telephone, fax, U.S. mail, and in person. In the event of an SBD, the Firm will assess which means of communication is still available, and use the means closest in speed and form. The Firm will be subject to regulation by FINRA, SEC and states.¹ The Firm will file reports with its regulators using paper copies in the U.S. mail, and electronically using fax, and the Internet. In the event of an SBD, the Firm will check with the SEC and FINRA to determine which means of filing are still available to it, and use the means closest in speed and form (written or oral) to its previous filing method. In the event that the Firm cannot contact its regulators, it will continue to file required reports using the communication means available to the Firm.

¹ The Financial Industry Regulatory Authority (FINRA) is the largest non-governmental regulatory organization for securities brokers and dealers doing business in the United States. FINRA was created through the consolidation of NASD and the member regulation, enforcement and arbitration operations of the New York Stock Exchange. The consolidation, which was announced on November 28, 2006 and approved by the Securities and Exchange Commission on July 26, 2007, became effective July 30, 2007.

List of Regulators and Reporting Agencies

FINRA Boston District 11
99 High Street
Suite 900
Boston, MA 02110
Phone: +1 (617) 532-3400
Fax: + 1 (617) 451-3524

SEC Boston Regional Office
33 Arch Street, 24th Floor
Boston, MA 02110
Phone: + 1 (617) 573-8900
e-mail: boston@sec.gov

SEC Headquarters
100 F Street, NE
Washington, DC 20549
USA
Phone: +1 (202) 942-8088
e-mail: help@sec.gov

Massachusetts Securities Division
One Ashburton Place, 17th Floor
Boston, MA 02108
Phone: (671) 727-3548
Fax: (617) 248-017

IX. BCP Disclosure Statement

The following is the Firm's disclosure statement that will be provided to clients initially, annually and upon request:

Ninth Eternity Securities, LLC has developed a Business Continuity Plan ("BCP") detailing how our firm will respond to events that significantly disrupt our business.

Business Continuity Plan

Since the timing and impact of disasters and disruptions are unpredictable, our firm has an obligation to prepare for unforeseen events as they occur. Our BCP is designed to permit our firm to resume operations in a reasonable amount of time at a secure remote location, given the scope and severity of a major event.

Varying Disruptions

If a business disruption affects only our firm or a specific building within our firm, we will transfer our operations to a local worksite. In a disruption affecting our business district, city, or region, we will transfer our operations to an alternate worksite outside of the affected area. In either situation, we plan to continue conducting business and notify our clients how to contact us through a voice message reached via our main phone number.

In order to accommodate our recovery time objective, telephone service will continue and normal work processes will resume at the alternate worksite. Recovery times may vary depending on the nature and severity of the disruption; however, our recovery time objective for mission critical operations is 0-72 hours. If the significant business disruption is so severe that it prevents us from conducting business, we will update our voice message.

Contacting Us

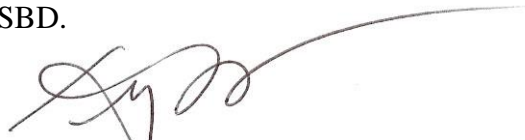
At a minimum, the Ninth Eternity Securities, LLC business continuity plan is reviewed and updated on an annual basis. Additionally, our primary internal and external application providers periodically conduct testing of their own back-up capabilities to ensure that, in the event of an emergency or significant business disruption, they will be able to provide us with the critical information and applications we need to continue or promptly resume our business. Our business continuity plan is designed to allow us to continue to provide the quality service you have come to expect from Ninth Eternity Securities, LLC.

X. BCP Testing and Senior Management Approval

The Firm will update this plan whenever it has a material change to its operations, structure, business or location. In addition, the Firm will review this BCP annually, on or about December 1st of each year, to modify it for any changes in our operations, structure, business, or location.

I have approved this Business Continuity Plan as reasonably designed to enable the Firm to meet its obligations to customers in the event of an SBD.

Signed:



Steve Solano

Title: CCO

Date: February 16, 2021

XI. Cyber Security – Information Systems Security Program