

Annex G: Confirmation of fulfilment of authorization conditions

Dated: _____ (*Note**)

To: Securities and Futures Commission (“SFC”)

Name of the Luxembourg fund(s): _____ (“Luxembourg Fund(s)”)

We refer to the letter from the SFC dated _____ (*insert date*) granting authorization of the Luxembourg Fund(s) and its/their Hong Kong offering document(s) (“Authorization Letter”).

Confirmations/undertakings

We hereby confirm our agreement to all the conditions for the authorization of the Luxembourg Fund(s) as set out in the Authorization Letter (“Authorization Conditions”). We further confirm and undertake that the Authorization Conditions have been fulfilled and will be complied with in respect of the Luxembourg Fund(s).

(Please tick if applicable) In particular:

- (Applicable only to Luxembourg fund(s) whose HKOD are subject to comments of the SFC)* We confirm that the finalised draft of the Hong Kong offering document(s) of the Luxembourg Fund(s) (“HKOD”) has/have properly addressed all the comments of the SFC on the HKOD as set out in the Authorization Letter.
- We confirm that the finalised draft of the HKOD is consistent with the latest offering document(s) which is/are currently made available to Luxembourg investors and has/have obtained the necessary approval from/completed the required notification to/filing with the Commission de Surveillance du Secteur Financier.
- We confirm that a Hong Kong representative which complies with 9.4 of the Code on Unit Trusts and Mutual Funds (the “UT Code”) has been duly appointed in respect of the Luxembourg Fund(s) in accordance with Chapter 9 of the UT Code.
- All other confirmations and/or undertakings that are required to be submitted in accordance with the Authorization Letter are set out below: *(use separate sheet(s) if necessary)*

Supporting documentation

We confirm that all the documents as required to be submitted pursuant to the Authorization Letter is enclosed and listed below:

- A cheque made payable to the “Securities and Futures Commission”, or other means of payment acceptable to the SFC, in the total sum of _____ (*insert amount*) in payment of the authorization fees and annual fees in respect of the Luxembourg Fund(s)
- Finalised draft of the English HKOD, with (i) changes (shown in mark-ups against previously submitted version) properly addressing all the comments of the SFC on the HKOD (if any) as set out in the Authorization Letter and (ii) annotations against Annex H to the Information Checklist for

* Please refer to “Chapter 7 – Documentation requirements following SFC authorization and prior to the authorization becoming effective” of the Guide on Practices and Procedures for Application for Authorization of Unit Trusts and Mutual Funds, including the timeframe within which the applicant is required to submit this confirmation to the SFC.

Application for Authorization of Luxembourg Funds under the Mutual Recognition of Funds Arrangement

- Chinese version of the HKOD and the executed Chinese translation confirmation(s)
- Copy of duly executed constitutive documents
- Please list out such other documents that are required to be submitted pursuant to the Authorization Letter: (use separate sheet(s) if necessary)*

Signed for and on behalf of:

- Applicant : *(For self-managed Luxembourg fund(s) only)*
The board of directors of the Luxembourg fund(s)
- (For Luxembourg fund(s) which is/are not self-managed Luxembourg fund(s)) (Please insert below the name of the management company of the Luxembourg fund(s))*

- Name of authorized signatory : *(For self-managed Luxembourg fund(s) only)*

(Insert name of at least one executive director¹ (or above) of the Luxembourg fund(s))

- : *(For Luxembourg fund(s) which is/are not self-managed Luxembourg fund(s))*

(Insert name of at least one executive director¹ (or above) of the management company of the Luxembourg fund(s))

Signature :

Title / Position :

Date (date / month / year) :

¹ Equivalents include, for example, CEO, managing director, etc. Essentially, the signatory is expected to be a senior-ranking executive with overall responsibility over the new fund application.