

Ongoing Compliance Form for Reporting Pricing Errors of UCITS schemes¹

This Ongoing Compliance Form should be used for reporting of pricing error(s) in relation to UCITS scheme(s)¹ to the Securities and Futures Commission (the “Commission” or the “SFC”) in accordance with 10.2, 10.2A and 10.2B of the Code on Unit Trusts and Mutual Funds (“UT Code”).

The Management Company is reminded (a) to tick ALL boxes that are applicable in this Ongoing Compliance Form; and (b) when submitting Part B of this Ongoing Compliance Form, Part A of this Ongoing Compliance Form should not be removed but may be left blank.

To: Investment Products Division
Securities and Futures Commission
Attention: [name of officer (if applicable)]

Part A (to be completed and submitted to the SFC upon the discovery of pricing error(s))

Dear Sirs,

We, _____ (acting on the instructions of _____ [state the name of Management Company] (please delete if the Management Company is submitting this Ongoing Compliance Form directly)) hereby report to the Commission pricing error(s) in accordance with 10.2, 10.2A and 10.2B of the UT Code in respect of the UCITS scheme(s)¹ referred to in item 1 of this Part A below.

	Details
General information	
<p>1. Scheme(s) affected by the error(s) (“Scheme(s)”) _____</p>	<p>Name and CE ref. number of the umbrella fund _____</p> <p>Name(s) and CE ref. number(s) of the sub-fund(s) _____</p> <p><i>(Please use separate row(s), if necessary)</i></p> <p>Name(s) and CE ref. number(s) of the single fund(s) _____</p> <p><i>(Please use separate row(s), if necessary)</i></p>

¹ For the purpose of this Ongoing Compliance Form, UCITS schemes means Undertakings for Collective Investment in Transferable Securities (“UCITS”) domiciled in France, Luxembourg, Ireland and Netherlands; and collective investment schemes domiciled in the United Kingdom authorized as UK UCITS. This Ongoing Compliance Form is also applicable for reporting of pricing error(s) of any overseas-domiciled scheme which is authorized under any mutual recognition of funds arrangement between Hong Kong and an overseas jurisdiction published on the SFC’s website from time to time.

	Details
2. Domicile of the Scheme(s) ¹	
3. Home regulator and notification of the error(s) to the home regulator	Home regulator: _____ <input type="checkbox"/> The home regulator [(<i>please delete as appropriate</i>)] has been / will be] notified of the error(s) <input type="checkbox"/> It is not required to notify the home regulator under the relevant laws and regulations of the home jurisdiction
4. Depository / Trustee / Custodian of the Scheme(s) ²	Name of [(<i>please delete as appropriate</i>)] the Depository / Trustee / Custodian] of the Scheme(s) _____
Nature and discovery of the error(s)³	
5. Nature of the error(s)	<input type="checkbox"/> Overvalued <input type="checkbox"/> Undervalued
6. Magnitude of the error(s) (% NAV)	
7. Duration of the error(s) ("Affected Period") ⁴ (a) Start date of the Affected Period (b) End date of the Affected Period	(a) _____ (b) _____
8. Date of discovery of the error(s)	

² For a UCITS scheme, please state the name of the depository of the scheme.

³ If error(s) in respect of more than one Scheme is / are reported, please provide the required information / details in respect of each relevant Scheme.

⁴ "Affected Period" in Part A and Part B of this Ongoing Compliance Form refers to the time period during which the NAV of the Scheme(s) is being impacted by the error(s).

	Details
Impact on Hong Kong investor(s) and the Scheme(s)³	
<p>9. Is / are there any Hong Kong investor(s) investing in (i.e. being shareholder(s) or unitholder(s)), subscribing into or redeeming from the affected unit / share class(es) of the Scheme(s) during the Affected Period?⁴</p>	<p><input type="checkbox"/> Yes. Please specify (<i>and please proceed to item 10 of this Part A below</i>):</p> <p>(a) number of Hong Kong investors investing in the affected unit / share class(es) of the Scheme(s): _____</p> <p>(b) number of Hong Kong investors subscribing into the affected unit / share class(es) of the Scheme(s): _____</p> <p>(c) number of Hong Kong investors redeeming from the affected unit / share class(es) of the Scheme(s): _____</p> <p>(d) whether any monetary impact on the Scheme(s)⁵:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> No</p>
<p>10. To the Management Company's reasonable knowledge, is / are there any registered shareholder(s) / unitholder(s) of the Scheme(s) which is / are insurance company(ies) which is / are issuer(s) of SFC-authorized investment-linked assurance scheme(s) ("ILAS") linked to the performance of the Scheme(s)?</p>	<p>(<i>Applicable only if answer to item 9 of this Part A above is "Yes"</i>)</p> <p><input type="checkbox"/> Yes. Please provide the name(s) of the ILAS / ILAS issuer(s) affected by the error(s): _____</p> <p style="padding-left: 20px;"><i>(please tick one box below)</i></p> <p><input type="checkbox"/> Each ILAS issuer is regarded as one Hong Kong investor for the numbers of Hong Kong investors specified in item 9 of this Part A above, as the Management Company has no information concerning the end investors in Hong Kong who are investors in the Scheme(s) via SFC-authorized ILAS.</p> <p><input type="checkbox"/> The numbers of Hong Kong investors specified in item 9 of this Part A above have included the number of end investors of SFC-authorized ILAS that invest(s) in the Scheme(s).</p> <p><input type="checkbox"/> No</p>

⁵ "Monetary impact on the Scheme(s)" refers to "loss(es)" to the scheme" as provided under 10.2B(c) of the UT Code.



We further undertake, with respect to the error(s) reported in this Part A, that:

- a. all enquiry(ies) and/or complaint(s) from affected Hong Kong investor(s) relating to the error(s) (if any) will be properly handled in accordance with the applicable laws and regulations and constitutive documents of the Scheme(s);
- b. 10.2, 10.2A and 10.2B of the UT Code will at all times be complied with; and
- c. we will promptly notify the SFC of the final compensation arrangements and/or remedial measures⁶ by completing and submitting Part B of this Ongoing Compliance Form.

Yours faithfully,

Name:
Position:
Duly authorized⁷

For and on behalf of
[Name of Management Company]
Date:

⁶ All references to “remedial measures” in Part A and Part B of this Ongoing Compliance Form include all forms of rectification and preventive actions and/or measures in relation to the error(s).

⁷ The signatory is expected to be a senior-ranking executive of the Management Company (or an appropriate person designated by the senior-ranking executive of the Management Company) with overall responsibility for the reporting of the error(s) to the SFC.



Part B (to be used to report the final compensation arrangements and/or remedial measures⁶ in respect of the pricing error(s) reported under Part A of this Ongoing Compliance Form)

Dear Sirs,

We, _____ (acting on the instructions of _____ [state the name of Management Company] (please delete if the Management Company is submitting this Ongoing Compliance Form directly)) refer to Part A of this Ongoing Compliance Form submitted to the SFC on [please insert the date] reporting pricing error(s) in respect of the UCITS scheme(s)¹ referred to in item 1 of this Part B below (“Submitted Part A Form”) in accordance with 10.2, 10.2A and 10.2B of the UT Code. We hereby submit Part B of this Ongoing Compliance Form in respect of such pricing error(s).

	Details
General information	
1. Scheme(s) affected by the error(s) (“Scheme(s)”)	Name and CE ref. number of the umbrella fund _____ Name(s) and CE ref. number(s) of the sub-fund(s) _____ <i>(Please use separate row(s), if necessary)</i> Name(s) and CE ref. number(s) of the single fund(s) _____ <i>(Please use separate row(s), if necessary)</i>
2. Domicile of the Scheme(s) ¹	
3. Home regulator	
Nature and discovery of the error(s)³⁻⁸	
4. Nature of the error(s)	<input type="checkbox"/> Overvalued <input type="checkbox"/> Undervalued
5. Magnitude of the error(s) (% NAV)	

⁸ Following submission of the Submitted Part A Form and subsequent to further investigation by the Management Company, to the extent there are any discrepancies between any information contained in items 6 – 8 of the Submitted Part A Form and items 5 – 7 of this Part B, information contained in this Part B prevails.

	Details
6. Duration of the error(s) (“Affected Period”) ⁴ (a) Start date of the Affected Period (b) End date of the Affected Period	(a) _____ (b) _____
7. Date of discovery of the error(s)	
Details of the error(s)³	
8. Reason(s) for the error(s)	<input type="checkbox"/> IT system related issues <input type="checkbox"/> Internal control and procedures related issues <input type="checkbox"/> Human error / oversight <input type="checkbox"/> Miscommunication among the parties who operate the Scheme(s) <input type="checkbox"/> Others. Please specify: _____
9. Party(ies) responsible for the error(s) (“Responsible Party(ies)”)	<input type="checkbox"/> Management Company <input type="checkbox"/> Investment Manager(s): _____ <i>[state the name(s) of Investment Manager(s)]</i> <input type="checkbox"/> Depository (applicable to UCITS schemes) / Trustee / Custodian <input type="checkbox"/> Fund Administrator: _____ <i>[state the name of Fund Administrator]</i> <input type="checkbox"/> Others. Please specify name(s) and role(s) of the party(ies): _____

	Details
<p>10. Party(ies) who discovered the error(s)</p>	<p><input type="checkbox"/> Management Company</p> <p><input type="checkbox"/> Investment Manager(s): _____ <i>[state the name(s) of Investment Manager(s)]</i></p> <p><input type="checkbox"/> Depository (applicable to UCITS schemes) / Trustee / Custodian</p> <p><input type="checkbox"/> Fund Administrator: _____ <i>[state the name of Fund Administrator]</i></p> <p><input type="checkbox"/> Others. Please specify name(s) and role(s) of the party(ies): _____</p>
Impact on / compensation to Hong Kong investor(s) and the Scheme(s)³	
<p>11. If your answer to item 9 of the Submitted Part A Form is “No”, please confirm it remains accurate.</p>	<p><i>(Applicable only if your answer to item 9 of the Submitted Part A Form is “No”)</i></p> <p><input type="checkbox"/> Confirm answer remains accurate <i>(and please proceed to item 20 of this Part B below)</i></p> <p><input type="checkbox"/> Updates after Submitted Part A Form <i>(please see submissions in item 12 and other applicable items of this Part B below)</i></p>
<p>12. Is / are there any Hong Kong investor(s) affected by the error(s)?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No. <i>(please tick all applicable box(es) below, then proceed to fill in items 17, 20 and 21 of this Part B below)</i></p> <p><input type="checkbox"/> No Hong Kong investor investing in (i.e. being shareholder or unitholder of) the affected unit / share class(es) of the Scheme(s) during the Affected Period⁴.</p> <p><input type="checkbox"/> <i>(Applicable to overvaluation)</i> No Hong Kong investor subscribed into the affected unit / share class(es) of the Scheme(s) during the Affected Period⁴.</p> <p><input type="checkbox"/> <i>(Applicable to undervaluation)</i> No Hong Kong investor redeemed from the affected unit / share class(es) of the Scheme(s) during the Affected Period⁴.</p>

	Details
<p>13. To the Management Company's reasonable knowledge, is / are there any registered shareholder(s) / unitholder(s) of the Scheme(s) which is / are insurance company(ies) which is / are issuer(s) of SFC-authorized ILAS linked to the performance of the Scheme(s)?</p>	<p><input type="checkbox"/> Yes. Please provide the name(s) of the ILAS/ILAS issuer(s) affected by the error(s): _____ (please tick one box below)</p> <p><input type="checkbox"/> Each ILAS issuer is regarded as one Hong Kong investor for the numbers of Hong Kong investors specified in items 14 and 15 of this Part B below, as the Management Company has no information concerning the end investors in Hong Kong who are investors in the Scheme(s) via SFC-authorized ILAS.</p> <p><input type="checkbox"/> The numbers of Hong Kong investors specified in item 14 and 15 of this Part B below have included the number of end investors of SFC-authorized ILAS that invest(s) in the Scheme(s).</p> <p><input type="checkbox"/> No</p>
<p>14. Total no. of Hong Kong investor(s) who has / have subscribed into the affected unit / share class(es) during the Affected Period^{4, 9}</p>	
<p>15. Total no. of Hong Kong investor(s) who has / have redeemed from the affected unit / share class(es) during the Affected Period^{4, 9}</p>	

⁹ If the error(s) involve(s) both overvaluation and undervaluation, please state separately the total number of Hong Kong investors having subscribed into / redeemed from the affected unit / share class(es) during the period of overvaluation and undervaluation under items 14 and 15 of this Part B respectively.

	Details
<p>16. Is there any compensation to affected Hong Kong investor(s) required?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>(a) Total amount of compensation required (in monetary terms): _____</p> <p>(b) Form of compensation (<i>please tick all applicable boxes</i>):</p> <p><input type="checkbox"/> (<i>Applicable to overvaluation</i>) allotment of extra unit(s) / share(s) of the Scheme(s).</p> <p><input type="checkbox"/> (<i>Applicable to overvaluation</i>) repayment of relevant excess portion of subscription proceeds.</p> <p><input type="checkbox"/> (<i>Applicable to undervaluation</i>) payment of correct redemption proceeds.</p> <p>(c) Party(ies) responsible for the compensation: _____</p> <p>(d) Compensation paid / settled?</p> <p><input type="checkbox"/> Yes. Date of payment / settlement: _____</p> <p><input type="checkbox"/> No. Expected date of payment / settlement: _____</p>
<p>17. Is there any compensation to the Scheme(s) required?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>(a) Total amount of compensation required (in monetary terms): _____</p> <p>(b) Party(ies) responsible for the compensation: _____</p> <p>(c) Compensation paid?</p> <p><input type="checkbox"/> Yes. Date of payment: _____</p> <p><input type="checkbox"/> No. Expected date of payment: _____</p>
<p>18. Bilingual notice to affected Hong Kong investor(s) regarding compensation required?</p>	<p><input type="checkbox"/> Yes. Date of issuance / expected date of issuance (<i>please delete where appropriate</i>): _____</p> <p><input type="checkbox"/> No. No compensation is required for any Hong Kong investor(s).</p>

	Details
19. Is / are there any enquiry(ies) or complaint(s) received from affected Hong Kong investor(s) relating to the error(s)?	<input type="checkbox"/> Yes. Please refer to item (i) in the confirmations and undertakings section of this Part B below. <input type="checkbox"/> No
Other information³	
20. Any remedial measures ⁶ required (other than, where applicable, the compensation and notice to affected Hong Kong investor(s) referred to in items 16 to 18 in this Part B above)?	<input type="checkbox"/> Yes. Please specify: <hr style="width: 100%;"/> <input type="checkbox"/> No
21. Is / are any other SFC-authorized scheme(s) managed by the Management Company having issue(s) similar to the reason(s) identified in item 8 of this Part B above? ¹⁰	<input type="checkbox"/> Yes. Please refer to items (d) and (g) in the confirmations and undertakings section of this Part B below ¹¹ . <input type="checkbox"/> No

Confirmations and undertakings¹²:

We confirm, with respect to the error(s) reported in this Ongoing Compliance Form, that:-

- a. the home regulator of the Scheme(s) has been notified of the error(s) on [please insert the date] and does not have any comment on the error(s) and the remedial measures⁶ (including the compensation arrangement, if required) taken to date and (to the extent any remedial measures⁶ are yet to be taken) to be taken; and to the extent the home regulator has any comment(s), all such comment(s) have been addressed and the home regulator has not raised any further comments or concerns; or
- it is not required to notify the home regulator of the Scheme(s) of the error(s) under the relevant laws and regulations of the home jurisdiction;
- b. *(applicable to error(s) which require(s) compensation to affected Hong Kong investor(s))*

¹⁰ This question is intended to cover cases where other SFC-authorized schemes are subject to the same issue(s) which caused the error(s) reported, but the NAV of such other schemes is not impacted at all or to an extent that is reportable to the SFC pursuant to 10.2A of the UT Code.

¹¹ For the avoidance of doubt, to the extent pricing error(s) occur(s) for any such SFC-authorized scheme(s), the Management Company is required to separately inform the SFC in accordance with the requirement under 10.2A of the UT Code.

¹² Please notify the SFC immediately if there are any material adverse changes to the information and/or confirmations provided to the SFC in this Ongoing Compliance Form which may affect the SFC's assessment of the matters contained herein.

- the independent auditor of the Scheme(s) has reviewed the compensation methodology and calculation (“Independently Reviewed Compensation Methodology and Calculation”) and does not have any comment thereon; and to the extent the auditor has any comment(s), all such comment(s) have been addressed to the satisfaction of the auditor;
- the methodology and calculation of the compensation is not required to be reviewed by the independent auditor of the Scheme(s) under the relevant laws and regulations of the home jurisdiction; or
- (*Applicable to UCITS schemes domiciled in Luxembourg only*) the independent auditor of the Scheme(s) will review the compensation on an ex-post basis (e.g. in the course of its annual audit of the Scheme(s)) in accordance with the relevant laws and regulations of the home jurisdiction, in order to form its opinion as to whether the methodology and calculation are appropriate and reasonable;
- c. the depositary (applicable to UCITS schemes) / trustee / custodian of the Scheme(s) (i) has been notified of the error(s) on [please insert the date]; and (ii) does not have any comment on the error(s) and the remedial measures⁶ (including the compensation arrangement, if required) taken to date and (to the extent any remedial measures⁶ are yet to be taken) to be taken; and to the extent the depositary (applicable to UCITS schemes) / trustee / custodian has any comment(s), all such comment(s) have been addressed to the satisfaction of the depositary (applicable to UCITS schemes) / trustee / custodian;
- d. the home regulator of the Scheme(s) has not taken any actions or imposed any restrictions on the Scheme(s) or any other scheme(s) referred to in item 21 of this Part B above (e.g. change of / restriction on the authorisation status, request for suspension of trading, imposition of conditions, etc.);
- e. the error(s) do / does not affect the eligibility / ability of the Responsible Party(ies) to perform its / their respective current role(s) of the Scheme(s) on an ongoing basis;
- f. the error(s) has / have been properly rectified and all affected Hong Kong investor(s) has been / have been / will be compensated (if any) in such manner as notified to the home regulator (if notification to the home regulator is required) and the depositary (applicable to UCITS schemes) / trustee / custodian of the Scheme(s), and in accordance with (i) the Independently Reviewed Compensation Methodology and Calculation (where applicable) and (ii) the applicable laws and regulations and constitutive documents of the Scheme(s);



- g. proper remedial measures⁶ have been / will be put in place in such manner as notified to the home regulator (if notification to the home regulator is required) and the depositary (applicable to UCITS schemes) / trustee / custodian of the Scheme(s) to prevent similar incidents from occurring in the future in respect of the Scheme(s) and all other scheme(s) referred to in item 21 of this Part B above (if any);
- h. 10.2, 10.2A and 10.2B of the UT Code have been and will be at all times complied with;
- i. all enquiry(ies) and/or complaint(s) received from affected Hong Kong investor(s) relating to the error(s) (if any) has / have been properly handled in accordance with the applicable laws and regulations and constitutive documents of the Scheme(s); and
- j. unless otherwise specifically allowed for in this Ongoing Compliance Form, no deletion, addition or amendment has been made to standard template of the current prescribed form as published on the SFC website.

We further undertake, with respect to the error(s) reported in this Ongoing Compliance Form, that all enquiry(ies) and/or complaint(s) received from affected Hong Kong investor(s) after the date of this Part B relating to the error(s) (if any) will be properly handled in accordance with the applicable laws and regulations and constitutive documents of the Scheme(s).

Yours faithfully,

Name:
Position:
Duly authorized⁷

For and on behalf of
[Name of Management Company]
Date: