

## Frequently Asked Questions on Revamped Post Authorization Process of SFC-authorized Unit Trusts and Mutual Funds

This FAQ is prepared by the Investment Products Division and aims to provide basic information to market practitioners concerning the revamped post authorization process of SFC-authorized unit trusts and mutual funds. Applicants are encouraged to contact the Investment Products Division if in doubt on any specific issues arising from the application/interpretation of the Code on Unit Trusts and Mutual Funds effective on 1 January 2019 (“UT Code”). Please note that each application for authorization is considered on a case-by-case basis.

The information set out below is not meant to be exhaustive. This FAQ may be updated and revised from time to time. This FAQ is only for general reference. Compliance with all the requirements in this FAQ does not necessarily mean applications for the approval of post authorization changes (including scheme changes, termination, merger and withdrawal of authorization) and authorization of revised offering documents for SFC-authorized funds will be accepted or approval/authorization will be granted. The SFC reserves the rights to exercise all powers conferred under the law.

*Note: For ease of reference, collective investment schemes that are generally known as unit trusts or mutual funds are referred to as “funds” in the following FAQ.*

	Question	Answer
1.	When will the revamped post authorization procedures begin to apply?	The procedures set out in this FAQ will apply to all applications for the approval of post authorization changes (including scheme changes, termination, merger and withdrawal of authorization) and authorization of revised offering documents of SFC-authorized funds received by the SFC on or after (i) 1 August 2017 (the “Effective Date”) or (ii) 1 February 2018 (the “Adoption Date”), being the effective date or adoption date of the revamped post authorization process (“Revamped Post Authorization Process”) as set out in the circulars entitled “ <a href="#">Launch of pilot revamped process to enhance the processing of post authorization applications</a> ” dated 30 June 2017 (the “June 2017 Circular”) and “ <a href="#">Formal adoption of the revamped post authorization process</a> ” dated 25 January 2018 respectively issued by the Investment Products Division (collectively, the “Circulars”).

	Question	Answer
2.	<p>What should I submit in order for the SFC to start processing my application(s) under the Revamped Post Authorization Process?</p>	<p>Under the Revamped Post Authorization Process, an application will only be processed by the SFC when all relevant documents that meet the applicable requirements and are of good quality have been submitted. These documents include:</p> <ul style="list-style-type: none"> <li>• <a href="#">properly completed new application form(s) (posted on the SFC’s website)</a>;</li> <li>• duly executed confirmations (standardised templates for confirmations are set out in the <a href="#">List of Confirmations of Compliance related to Application for Approval of Scheme Change(s) pursuant to 11.1 of the Code on Unit Trusts and Mutual Funds (UT Code)</a> and in respect of Recognised Mainland Funds (as defined below), the <a href="#">List of Confirmations of Compliance related to Application for Change(s) that Require SFC’s Prior Approval in relation to Recognised Mainland Funds</a>; and</li> <li>• all the necessary supporting documents.</li> </ul> <p>For application for authorization of revised offering documents, the following documents are expected to be submitted to the SFC:</p> <ul style="list-style-type: none"> <li>• a covering letter identifying the changes that are to be made in the current offering documents, the authorization date of the current version and other references (where applicable)</li> <li>• a marked-up version of the draft revised offering documents</li> <li>• proper annotation for revised sections</li> <li>• properly completed new application form(s) (posted on the SFC’s website)</li> <li>• confirmation of compliance signed by 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 application</li> <li>• no fee is required for authorization of changes if they do not involve the authorization of a new fund</li> </ul> <p>Where applicable, applicants may make reference to the <a href="#">Guide on Practices and Procedures for Application for Authorization of Unit Trusts and Mutual Funds</a> which contains a set of minimum disclosure requirements for the funds’ offering documents to facilitate applicants’ preparation of the revised offering documents of their funds.</p>

	Question	Answer
		<p>For funds that have made substantial amendments or a series of changes on various occasions to its offering documents, you are advised to consolidate these amendments in one single offering documents and seek authorization for the consolidated version. It would be much easier for your investors to understand the changes made in one self-contained version of the disclosure document, rather than a document that has been amended by various addenda in a piecemeal fashion.</p> <p>Our requirements for processing amendments to constitutive documents of a fund are substantially the same as above.</p> <p>If the SFC is not satisfied with the completeness or sufficiency of the information contained in the first submission package or considers that documents submitted are not in good order or are otherwise not suitable for clearance, the submission will be returned to the applicant and the application will not be processed. The SFC also reserves the right not to process an application if such application is accompanied by documents that do not in any material aspect meet the requirements of:</p> <ul style="list-style-type: none"> <li>• the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products (“SFC Handbook”);</li> <li>• the UT Code;</li> <li>• the SFC Code on MPF Products (only applicable to approved pooled investment funds offered to retail investors); and/or</li> <li>• the Circular entitled “<a href="#">Mutual Recognition of Funds between the Mainland and Hong Kong</a>” issued by the SFC on 22 May 2015 as may be amended from time to time and related guidance (only applicable to SFC-authorized Mainland funds (“Recognised Mainland Funds”) under the mutual recognition of funds arrangement between the Mainland and Hong Kong).</li> </ul> <p>The SFC reserves the right to require further information and/or confirmation(s) where it is considered necessary and appropriate.</p>

	Question	Answer
3.	What is the “two-stream” approach adopted by the SFC in processing post authorization applications?	As mentioned in the June 2017 Circular, a “two-stream” approach will be adopted by the SFC in processing post authorization applications. Under this approach, post authorization applications will either be classified into a “Simple Applications” stream or a “Complex Applications” stream. In determining which stream under which a post authorization application will be processed, the SFC would have regard to the types of applications as set out in Q.3A below. For the avoidance of doubt, the SFC has the discretion in determining the type of applications (i.e. Simple Applications or Complex Applications) for the purpose of processing the applications.
3A.	In general, what types of applications will be processed under the “Complex Applications” stream and the “Simple Applications” stream?	<p>“Complex Applications” are intended to cover applications which may require more time to process. The following post authorization applications will generally be processed as a Complex Application:</p> <ul style="list-style-type: none"> <li>i. new and/or change of appointment of (a) management company; (b) investment delegate(s); (c) trustee / custodian; and/or (d) Hong Kong Representative, each of which is not currently acting in the relevant capacity for any SFC-authorized funds;</li> <li>ii. change of place of domicile of SFC-authorized funds;</li> <li>iii. merger<sup>1</sup> of SFC-authorized funds;</li> <li>iv. termination of SFC-authorized funds involving specific issues, considerations and/or circumstances (e.g. a fund to be terminated is subject to unresolved tax issues or pending tax clearance or the underlying investments cannot be liquidated due to trading suspension)<sup>1</sup>; and</li> <li>v. there are material issues and/or policy implications (e.g. material change</li> </ul>

<sup>1</sup> Also applicable to merger and termination of the relevant share class and share classes (as the case may be). Upon submission of the application for termination of SFC-authorized fund(s), applicants should also confirm to the SFC if there are any specific issues, considerations and/or circumstances.

	Question	Answer
		<p>in the extent of investment in financial derivative instruments, a change to an index which is not currently adopted by any existing SFC-authorized unlisted index fund or index tracking exchange traded fund (i.e. passive ETF)) relating to the application.</p> <p>In general, all applications other than those which are deemed to be Complex Applications will be processed as Simple Applications.</p>
3B.	<p>Are there any application processing time limits and response time limits under the “Simple Applications” stream and the “Complex Applications” stream?</p>	<p>Under the Revamped Post Authorization Process, the “Simple Applications” and the “Complex Applications” are subject to different overall processing time to complete the applications and response time limits that are imposed on the applicants in providing proper, complete and substantive responses to the SFC’s requisitions during the process.</p> <p>Unless SFC authorization or approval is granted within 14 business days from the date of receipt of the application, processing of Simple Applications and Complex Applications will be subject to a maximum period of 2-month and 6-month processing time respectively from the issue of the First Requisition by the SFC (“Lapse Period”).</p> <p>In the First Requisition (and the subsequent requisition(s) issued by the SFC (if any)), the applicant will be reminded of the response time limits (“Response Time Limits”) within which proper, complete and substantive responses should be submitted to the SFC in response to its requisition(s).</p> <p>During the application process, applicants must meet the applicable Response Time Limits as set out below in addressing all the outstanding issues:-</p> <ul style="list-style-type: none"> <li>i. For Simple Applications, the applicants should provide proper, complete and substantive response(s) to the outstanding requisition(s) to the SFC’s satisfaction within 2 months from the date of the First Requisition, which is the Lapse Period; and</li> <li>ii. For Complex Applications, the applicants are required to (a) provide</li> </ul>

	Question	Answer
		<p>proper, complete and substantive response(s) to the SFC within 14 business days from the date of the First Requisition; and (b) provide proper, complete and substantive response(s) to all SFC’s subsequent requisition(s) (if any) within 10 business days.</p> <p>Applications will lapse if no approval or authorization is granted within the applicable processing time period (i.e. 2 months or 6 months) as indicated in the first requisition issued by the SFC (“Lapse Policy”). The SFC may also refuse an application if the applicant fails to meet the applicable Response Time Limits.</p> <p>For illustrations of the overall Revamped Post Authorization Process for Simple Applications and Complex Applications, applicants may refer to the flow charts entitled <a href="#">“Revamped Post Authorization Process – Flow chart showing the process for Simple Applications”</a> and <a href="#">“Revamped Post Authorization Process – Flow chart showing the process for Complex Applications”</a> respectively.</p> <p>“First Requisition” refers to the preliminary response to applicants/requisition that may be issued by the SFC within 14 business days from the date of receipt of the application.</p>
4.	When will the applicant know which stream (i.e. the “Simple Applications” stream or “Complex Applications” stream) the SFC will process its application?	<p>If the application is in good order and is accompanied by all the necessary documents in support of the application that meet the applicable regulatory requirements, SFC authorization or approval may be granted within 14 business days from the date of receipt of the application without issuing any First Requisition. In the event that approval/authorization is not granted, the SFC will issue its First Requisition to the applicant for both Simple Applications and Complex Applications within 14 business days from the date of receipt of the application.</p> <p>The SFC will indicate in the First Requisition (if issued) whether an application is a “Simple Application” or a “Complex Application” by setting out the Lapse Period and the applicable Response Time Limit(s) (see Q.3B above) within which the applicant is required to respond to the First Requisition.</p>

	Question	Answer
5.	What would happen if an applicant fails to meet the Response Time Limits?	<p>Pursuant to 4.1(b) of the Overarching Principles of the Handbook, product providers shall respond to any enquiries made by the SFC in relation to the relevant product and the associated matters promptly and in an open and co-operative manner. Therefore, where an applicant has not responded or provided proper, complete and substantive response to address SFC's requisition(s) to the SFC's satisfaction within the applicable Response Time Limits, the SFC reserves the right to refuse the application.</p> <ul style="list-style-type: none"> <li>i. For a Simple Application, the applicant will be reminded in the First Requisition (if issued) that the SFC would be minded to refuse an application if the applicant fails to address all outstanding issues within 2 months from the date of the First Requisition; and</li> <li>ii. For Complex Applications, the applicant will be reminded in the First Requisition and all SFC's subsequent requisition(s) that the SFC would be minded to refuse an application if the applicant fails to meet the relevant Response Time Limits.</li> </ul>
5A.	Will the SFC extend the Response Time Limits?	<p>In general, the answer is no. Any extension of the Response Time Limits would only be granted by the SFC in limited cases with proper justifications. The mere fact that further internal liaison/communication is required by the applicant, for example, with overseas offices or further liaison/communication with other key operating parties is required in addressing the SFC's requisition(s) will not generally be considered as satisfactory grounds for the SFC granting an extension of the relevant Response Time Limits.</p>
6.	<p>Will my application be liable to refusal by the SFC under any circumstances apart from the failure to meet the relevant Response Time Limits in addressing the SFC's requisition(s)?</p> <p>Also, will my application lapse after a certain period of time? If so, how long? What should</p>	<p>Yes. After the receipt of the applications and at any time during the vetting process, in cases of non-compliance with any key requirement(s) under the relevant Codes and regulatory guidance, the application is liable to be refused by the SFC where appropriate.</p> <p>If, for any reason, 2 months (for Simple Applications) or 6 months (for Complex Applications) have elapsed from the date of the First Requisition issued by the SFC and no approval or authorization has been granted, the application</p>

	Question	Answer
	I do if my application has lapsed?	<p>(whether it is a Simple Application or a Complex Application) will lapse subject to the SFC’s right to grant an extension at its sole discretion. In general, the SFC will only consider granting an extension of the Lapse Period in limited circumstances (see Q.7 below). For applications that are processed under the Revamped Post Authorization Process, applicants will be reminded about the Lapse Period in the First Requisition (if issued by the SFC).</p> <p>Once an application has lapsed or been refused, applicant may re-submit the lapsed/refused application provided that the re-submitted application is well-prepared and in compliance with all applicable requirements, and has properly addressed/resolved all the outstanding issues previously identified in the lapsed/refused application.</p>
7.	Will the SFC extend the application beyond the applicable Lapse Period?	<p>In general, the answer is no. Any extension of the Lapse Period may be granted by the SFC where there is no substantive outstanding issue at the time of the extension, except for the receipt of the response from overseas regulator by the SFC in the case where overseas regulatory check has to be conducted on the management company or the investment delegate. In general, the SFC will only consider granting an extension under exceptional circumstances upon the submission of satisfactory grounds by the applicant.</p>
8.	If the SFC has granted approval or authorization with conditions to the application for approval of the post authorization change(s) or authorization of revised offering documents, what and when does the applicant need to submit to the SFC in order for such approval / authorization to become effective?	<p>The SFC may, where it considers appropriate, approve a fund’s post authorization change(s) or authorize the issue of a fund’s offering document (“Approval / Authorization”), subject to such conditions (“Conditions”) as the SFC considers appropriate.</p> <p>In order for such Approval / Authorization to become effective, the applicant must submit to the SFC a duly completed and executed <a href="#">Confirmation of fulfilment of approval/authorization condition(s)</a> or <a href="#">Confirmation of fulfilment of approval/authorization condition(s) in relation to Recognised Mainland Funds</a> confirming, among other things, its agreement to all the Conditions as set out in the SFC’s approval or authorization letter (“Approval / Authorization Letter”) and that all such Conditions have been fulfilled and/or will be complied with (as the case may be), together with the required documents as stated in the Approval /</p>

	Question	Answer
		<p>Authorization Letter generally within 2 months from the date of such letter (or such extended time limit(s) that may be agreed by the SFC upon submission of proper justification by the applicant).</p>
9.	<p>Will the SFC extend the time period for fulfilment of the Conditions by the applicant for an Approval / Authorization to become effective beyond 2 months from the date of the Approval / Authorization Letter?</p>	<p>In general, the SFC will require fulfilment of the relevant Conditions within 2 months from the date of the Approval / Authorization Letter issued by the SFC. The SFC may consider to extend the time for fulfilment of relevant Conditions upon the submission of proper justification by the applicant. For example, extended period(s) may be agreed by the SFC on the grounds that in the case of a fund primarily regulated by an overseas regulator, additional time is required for the formal written approval from the home regulator of the fund's scheme change(s) and/or offering documents.</p>
10.	<p>Will the application relating to approved pooled investment funds offered to retail investors be subject to the Revamped Post Authorization Process?</p> <p>What does the applicant need to submit to obtain SFC's Approval / Authorization and for the Approval / Authorization to become effective?</p>	<p>Yes. The application relating to approved pooled investment funds offered to retail investors will also be subject to the "two-stream" approach, the respective applicable Response Time Limit(s) and the Lapse Policy as mentioned above.</p> <p>However, as the post authorization applications relating to approved pooled investment funds offered to retail investors also require the approval/authorization from the Mandatory Provident Fund Schemes Authority ("MPFA"), an approval-in-principle ("AIP") will generally be granted by the SFC within the applicable Lapse Period provided (i) the applicant has addressed all SFC's requisitions (if any) in a satisfactory manner; and (ii) the application is in compliant with the applicable requirements under the UT Code and the SFC Code on MPF Products ("MPF Code").</p> <p>SFC will then grant the Approval / Authorization upon receipt of a duly completed and executed <a href="#">Confirmation of fulfilment of approval-in-principle condition(s) of approved pooled investment funds offered to retail investors ("APIF I")</a> from the applicant confirming that (i) approval from the MPFA has been obtained; and (ii) after the issue of the AIP, there is no subsequent change(s) or additional change(s) which is/are subject to the SFC's prior approval.</p> <p>Where the Approval / Authorization is subject to conditions, the applicant will</p>

	Question	Answer
		<p>also be required to submit to the SFC a duly completed and executed <a href="#">Confirmation of fulfilment of approval/authorization condition(s)</a> for the Approval/Authorization to become effective as mentioned in Q.8 above.</p>
11.	<p>Under what circumstances will the AIP granted by the SFC cease to have effect?</p>	<p>After the issue of the AIP, where there is/are subsequent change(s) or any additional change(s) which are subject to the SFC's prior approval in accordance with the UT Code and/or the MPF Code, the AIP will cease to have effect and the applicant is required to re-submit the application covering all the subsequent changes which require the SFC's prior approval. The re-submission will be considered as a new application whereupon the whole application procedure will be repeated and will also be subject to the "two-stream" approach, the respective applicable Response Time Limit(s) and the Lapse Policy as mentioned above.</p>
12.	<p>Can the applicant submit multiple applications to the SFC concurrently (e.g. submission of applications for the approval of post authorization change(s) and authorization of a new fund concurrently)?</p> <p>If yes, how the SFC will process these multiple applications?</p>	<p>Yes. Multiple applications submitted to the SFC concurrently will be processed in accordance with the applicable response time limit(s) and lapse policy. As such, applications for approval of post authorization change(s) and authorization of revised offering documents will be subject to the applicable Response Time Limit(s) and Lapse Policy under the Revamped Post Authorization Process, while the new fund application will be processed separately under the fund authorization process as set out in the <a href="#">Circular to management companies of SFC-authorized unit trusts and mutual funds - Formal adoption of revamped fund authorization process</a> issued by the SFC on 2 December 2016 (as may be amended from time to time).</p> <p>Applicants must practically assess the time required to respond to the SFC's requisition(s) on multiple applications under the respective timelines and ensure that proper, complete and quality responses are provided to address all outstanding issues within the applicable response time limit(s) and lapse periods.</p>
13.	<p>If the applicant submits a single application with multiple scheme changes which will fall under the "Simple Applications" and "Complex Applications" streams, under</p>	<p>If a single application contains multiple scheme changes which fall under both the "Simple Applications" stream and "Complex Applications" stream as considered by the SFC, the whole application will be processed in accordance with the "Complex Applications" stream.</p>

	Question	Answer
	which stream will the SFC process the application?	
13A.	How should the applicant fill in the Application Form for Scheme Change(s) to reflect submission of multiple scheme changes comprising “Simple Applications” and “Complex Applications”?	<p>Applicant is expected to submit the draft notice in support of the Complex Application. Where multiple scheme changes are set out in the same draft notice submitted to the SFC, applicant should:</p> <ul style="list-style-type: none"> <li>• annotate the proposed scheme change(s) that falls under Complex Application (on a standalone basis) and all the related information in the draft notice; and</li> <li>• set out the salient terms of the proposed scheme change(s) that fall under Simple Application (on a standalone basis) as required in the Application Form for Scheme Change(s).</li> </ul>
14.	How would the application be processed if the applicant withdraws one or some of the proposed scheme change(s) and/or revision(s) to the offering documents from the initial submission during the application process?	<p>In general, the SFC expects the applicant to include all the proposed scheme changes and/or related revisions to the offering documents in the initial submission as timely and quality submission is key to an efficient approval process. However, applicants may request in writing to withdraw one or some of the proposed scheme change(s) and/or revision(s) to the offering documents from the initial submission supported by proper and reasonable explanation. Applicants must clearly indicate the proposed scheme change(s) and any related / consequential changes to be withdrawn and submit the amended executed application form(s) reflecting the proposed change(s) that remain in the application.</p> <p>Such withdrawal will not affect the processing of the remaining change(s) in accordance with the initial timeframe i.e. the application will still be subject to the Response Time Limit(s) and Lapse Period applicable to the initial submission.</p> <p>Any subsequent application for approval of the withdrawn change(s) will be treated as a new application whereupon the whole application procedure will be repeated and will also be subject to the “two-stream” approach, the respective applicable Response Time Limit(s) and the Lapse Policy as mentioned above.</p>
15.	Does the SFC approve notice(s)(“Notice(s)“)	In accordance with 11.2A of the UT Code, in general, notices to holders issued

	Question	Answer
	<p>notifying holders of proposed changes to the SFC-authorized fund that are subject to SFC’s prior approval under 11.1 of the UT Code (“11.1 Scheme Change(s)”)?) Will the applicant need to submit the draft Notice(s) in connection with an application for approval of 11.1 Scheme Changes (“Scheme Change Application”)?) Will the SFC comment on the draft Notice(s)?</p>	<p>by an SFC-authorized fund on matters relating to 11.1 of the UT Code need not be approved by the SFC prior to issuance but are required to be filed with the SFC within one week from the date of issuance of the notice.</p> <p>However, to facilitate holders to be informed of scheme changes in a timely manner, under the Revamped Post Authorization Process, the following will apply:</p> <ul style="list-style-type: none"> <li>• For Simple Applications, applicants will generally not be required to submit the draft Notices to the SFC (unless specifically required by the SFC) but they must set out clearly the salient terms of the proposed 11.1 Scheme Change(s) in the Application Form for Scheme Change(s);</li> <li>• For Complex Applications, applicants are expected to submit the draft Notice(s) in support of the Scheme Change Application to the SFC.</li> </ul> <p>Guiding comments on the submitted draft Notice (“Guiding Comments”) may be given by the SFC regarding the information to be disclosed in the final Notice. No revised draft Notice should be submitted to the SFC for further comments upon incorporating all the Guiding Comments (if any) from the SFC unless the SFC considered submission of the revised draft Notice is necessary in order to further assess the scheme change before approval may be granted.</p> <p>For the avoidance of doubt, Scheme Change Applications must be approved by the SFC prior to the distribution of the relevant Notice(s) to holders. Notices currently subject to SFC’s prior approval pursuant to the UT Code (i.e. notices on merger, termination and withdrawal of authorization) will still be required to be submitted to the SFC for approval.</p> <p>In case of doubt, an applicant should contact the team supervisor or case officer of the Investment Products Division who is responsible for overseeing the SFC-authorized funds of its fund group or client.</p>
16.	This FAQ has been removed.	Please refer to Question 8A under Section 2 of the <a href="#">Frequently Asked Questions on Post Authorization Compliance Issues of SFC-authorized Unit Trusts and Mutual Funds</a> .
17.	This FAQ has been removed.	Please refer to Question 9 under Section 2 of the <a href="#">Frequently Asked Questions</a>

	Question	Answer
		<a href="#">on Post Authorization Compliance Issues of SFC-authorized Unit Trusts and Mutual Funds.</a>
18.	What are the requirements for mark-up and annotation of the changes to the revised offering documents?	<p><u>For mark-up and annotation requirements, the general guidance is set out below:</u></p> <p><u>11.1 Scheme Change(s)</u></p> <p>Change(s) made to the offering documents to reflect 11.1 Scheme Change(s) which are subject to SFC’s prior approval, including amendments consequential to the 11.1 Scheme Change(s) (“11.1 ROD Changes”), must be shown as mark-up and annotated clearly in the:</p> <ul style="list-style-type: none"> <li>• draft revised offering documents at the initial submission and throughout the application process for authorization of the revised offering documents; and</li> <li>• revised offering documents at the time of submission of the <a href="#">Confirmation of fulfilment of approval/authorization condition(s)</a>.</li> </ul> <p>Nature or brief details of the 11.1 ROD Changes must also be set out in the relevant application forms in a clear and succinct manner at the initial submission.</p> <p><u>Other Changes</u></p> <p>For post-filing purpose, changes which do not fall within 11.1 of the UT Code, are required to be shown as mark-up in the revised offering documents filed to the SFC though annotation is not required.</p> <p>Applicants must set out the relevant section number / heading of these changes in the relevant filing forms in a clear and succinct manner to facilitate the SFC to conduct post-vetting.</p>
19.	Who can sign the application forms relating to approval of 11.1 Scheme Change(s) and authorization of revised offering documents and filing forms for scheme change(s) and revised offering documents which do not	At the initial submission of the relevant application and post-filing of the relevant documents, the relevant application forms and filing forms should be duly completed and properly executed by the senior ranking executive of the management company with overall responsibility for the application. However, the senior ranking executive of the management company may designate an

	Question	Answer
	require SFC's prior approval?	appropriate person to execute and sign the relevant forms on their behalf.
20.	In respect of non-Hong Kong domiciled funds, if the applicant revised the offering documents to reflect 11.1 Scheme Change(s) by way of revising only the Hong Kong wrapper, is the revised offering documents subject to home regulator's approval?	Where revision is only made to the Hong Kong wrapper without any revision to the overseas prospectus which forms part of the Hong Kong offering documents, applicant should consider whether such revision would have any impact on the overseas prospectus which may require approval from the home regulator. In completing the application form, where applicable, the applicant may indicate that the revised offering document(s) is not required to be approved by or filed to the home regulator together with the reasons (e.g. revision is only made to the Hong Kong wrapper which is not subject to home regulator's approval).
21.	If the change(s) made to the offering documents to reflect 11.1 Scheme Change(s) which is subject to the SFC's prior approval is only related to certain sub-fund(s), can the Chinese translation confirmation covers only part of the revised offering documents?	Yes, if a translator is appointed by the relevant competent party <sup>Note</sup> , the Chinese translation confirmation issued by the translator can cover the relevant part of the revised offering documents (e.g. KFS of certain sub-fund(s)) provided that the relevant competent party is able to confirm the truth and accuracy of the Chinese translation of the full set of the English version of the offering documents.  <i>(Note: For the "relevant competent party", please refer to Question 10 of <a href="#">Frequently Asked Questions on Application Procedures for Authorization of Unit Trusts and Mutual Funds under the Revamped Process.</a>)</i>
22.	What are the requirements for submitting post-authorization documents to the SFC?	Set out below are the requirements for submitting documents to the SFC in connection with post-authorization matters of SFC-authorized funds.  <i>A) <u>Submission of documents by soft copy only</u></i>  Fund managers are no longer required to submit hard copy of post-authorization documents. Instead, fund managers shall submit documents by soft copy only for all applications and post-filings, including but not limited to documents submitted for fulfilment of post-authorization conditions.

	Question	Answer
		<p>The official receipt date of an application or a post-filing shall be a business day on which the full and complete set of soft copy documents is received by the SFC.</p> <p><i>B) <u>Alternatives for signing documents</u></i></p> <p>Option 1: We will accept submission of un-signed copies of the relevant application forms, filing forms, confirmations and other relevant documents (the “Relevant Forms”), which are required to be completed, as applicable, by a fund manager, trustees/custodian, investment delegate of the fund or other parties, provided that the Relevant Forms shall be submitted with an email confirmation (from a person who meets the signatory requirements) that all information and, where applicable, confirmations and undertakings contained in the Relevant Forms (and all documents submitted relating thereto) are true and accurate.</p> <p>Option 2: A fund manager may submit scanned copies of the Relevant Forms signed by a person who meets the signatory requirements.</p> <p>For the avoidance of doubt, submission of hard copies of the Relevant Forms is not required under both options.</p>

*Last updated: 7 August 2020*