

## **Annex F: Confirmation of fulfilment of authorization conditions**

Dated: \_\_\_\_\_ (*Note*)

To: Securities and Futures Commission (the “SFC”)

Name of the UAE fund(s): \_\_\_\_\_ (the “UAE fund(s)”)

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

### **Confirmations/undertakings**

We hereby confirm our agreement to all the conditions for the authorization of the UAE 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 UAE fund(s).

*(Please tick if applicable)* In particular:

- (Applicable only to UAE 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 UAE 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 UAE investors and has/have obtained the necessary approval from/completed the required notification to/filing with the Capital Market Authority.
- 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 UAE fund(s) in accordance with Chapter 9 of the UT Code.
- (Applicable only to UAE Passive/ Active ETF(s) that seek to be listed in Hong Kong and propose to appoint an overseas auditor) (Applicable in the case that the overseas auditor has not been recognized by the AFRC prior to the date of the authorization letter)* We confirm that the overseas auditor proposed to be appointed for the UAE Fund(s) has been recognized by the Accounting and Financial Reporting Council (“AFRC”) to carry out a PIE engagement (as defined under Part 1 of Schedule 1A of the Accounting and Financial Reporting Council Ordinance (“AFRCO”)) for the UAE Fund(s) on [date].] We [further] confirm that we shall inform the SFC promptly if (1) the recognition of the overseas auditor of the UAE Fund(s) has expired (and not renewed) or been [subsequently] revoked or suspended by the AFRC or (2) an overseas auditor is no longer appointed by the UAE Fund(s).
- 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)*

\_\_\_\_\_  
\_\_\_\_\_

\* 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.

**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 UAE 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 G to the Information Checklist for Application for Authorization of UAE funds under the Mutual Recognition of Funds Arrangement
- Chinese version of the HKOD and the executed Chinese translation confirmation(s)
- (*Applicable only to UAE Passive/ Active ETFs*) Listing approval granted to the UAE Fund(s) by The Stock Exchange of Hong Kong Limited
- (*Applicable only to UAE Passive/ Active ETFs that seek to be listed in Hong Kong and propose to appoint an overseas auditor*) Recognition application granted by the AFRC to the UAE Fund(s) for the appointment of the overseas auditor to carry out a PIE engagement (as defined under Part 1 of Schedule 1A of the AFRCO) for the UAE Fund(s)
- Please list out such other documents that are required to be submitted pursuant to the Authorization Letter: (use separate sheet(s) if necessary)*

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Signed for and on behalf of:

Applicant :  (*For self-managed UAE fund(s) only*)  
The board of directors of the UAE fund(s)

(*For UAE fund(s) which is/are not self-managed UAE fund(s)*)  
(*Please insert below the name of the management company of the UAE fund(s)*)

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

*(Insert name of at least one executive director<sup>1</sup> (or above) of the UAE fund(s))*

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

*(Insert name of at least one executive director<sup>1</sup> (or above) of the management company of the UAE fund(s))*

Signature :

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<sup>1</sup> 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.



Title / Position : \_\_\_\_\_

Date (date / month / year) : \_\_\_\_\_