

This checklist ("Information Checklist") should not be interpreted as a replacement of or any departure from the Code on Unit Trusts and Mutual Funds ("UT Code"). Compliance with this Information Checklist does not mean or guarantee full compliance with the UT Code. It is very important that this Information Checklist should be read in conjunction with the full UT Code and reference should be made to the relevant sections of the UT Code in case of doubt.

Information Checklist for Application for Authorization of Unit Trusts and Mutual Funds

A. Introduction

An applicant seeking authorization of a unit trust or mutual fund and its offering document(s) pursuant to sections 104 and 105 of the Securities and Futures Ordinance respectively must complete this Information Checklist and submit it to the Investment Products Department of the Securities and Futures Commission (the "SFC"), together with relevant documents provided hereunder that are required for an application. References to the scheme in this Information Checklist refer to the applicant scheme. The SFC reserves the right to request for more information and/documents in reviewing and considering each application.

Name of the Scheme¹ :

Name of Each of the Relevant Sub-fund(s)¹ under Application :

Name of the Applicant² :

¹ Please also provide the Chinese name of the scheme and each of the relevant sub-funds, if applicable.

² The applicant should be the management company of the scheme. For the purposes of a self-managed scheme, the applicant could be either the board of directors of the scheme or the investment manager.



B. Checklists to be Completed

Completed and Submitted? (please tick, if applicable)			Comments
Yes	No	N/A	

- I. Information relating to the scheme to be provided to the SFC
- II. Documents to be submitted to the SFC
- III. Information on new Trustee/Custodian
- IV. Checklist for non-AIR delegation
- V. Content Checklist for Offering Document

Annex A: Form of Confirmation on Compliance of the Code on Unit Trusts and Mutual Funds

Annex B: Form of Chinese Translation Confirmation(s)

C. Instructions for Completing the Checklists

This Information Checklist contains a set of checklists that sets out the basic documentary requirements in support of an application for authorization of a scheme (either in the form of a unit trust or mutual fund) pursuant to the UT Code. These checklists should not be considered as an exhaustive list of information required by the SFC. Where appropriate, it should be tailored to provide other or further information in order to cater for schemes with different features. **Information that is deemed material and relevant to the application should also be submitted by the applicant in addition to these checklists.**

Unless otherwise specified, terms and expressions used in this Information Checklist are as defined in the UT Code.

When completing the checklists, please note the following:

1. each relevant requirement in the checklists should be referenced to the document and/or page number in the document where the requirement is complied with;
2. while the checklists provide only a small amount of space for comments, you may attach a separate sheet of paper to the checklist(s) and cross-reference all comments to the appropriate requirement when necessary;
3. where your answer to an item on the checklist(s) is “No / N” or “Not Applicable” (“N/A”), the reason for such response should be clearly disclosed in the “Reference to documents / Comments” column and if necessary, on a separate page cross-referenced to the checklist(s); and
4. A tick placed in the “Yes” column in the checklists shall be read as a representation that the requirements set out opposite the tick have been satisfied.



This is a standard form document. Unless otherwise specified, when completing the checklists please do not make any deletion, addition or amendment to the form or headings.

The SFC reserves the right to return forthwith, without processing, an incomplete application to the extent the checklists and/or the accompanying documents are not properly or fully completed or annotated, and/or where negative responses in the checklists are not properly explained, and/or such application is accompanied by documents that do not meet the requirements of the UT Code.

Please note that documents submitted should be in good order and suitable for clearance. The SFC reserves the right to reject draft documents that are not in good order and suitable for clearance and the right to request the applicant to submit updated and duly signed checklist(s), confirmation(s) or undertaking(s) before authorization of a scheme.

We, the undersigned, hereby confirm that all information contained in this Information Checklist and the documents submitted relating thereto are true and accurate.

Signed on behalf of:

Applicant³ :

Name of authorized signatory⁴ :

Position :

Date :

³ The applicant should be the management company of the scheme. For the purposes of a self-managed scheme, the applicant could be either the board of directors of the scheme or the investment manager.

⁴ Insert name of senior management of the applicant, or in the case of Hong Kong Representative or legal adviser, insert name of the firm and the name of the signatory.



Checklist I - Information Relating to the Scheme to be Provided to the SFC

Name of the scheme⁵: _____

Name of the sub-fund(s): _____

The list below is not exhaustive. The SFC may require additional information.

Part 1: General Information Relating to the Scheme

Item	Details of the Scheme	Notes [Y = Yes; N = No]
UTA1	Recognized jurisdiction scheme ("RJS")?	Y/N (Please state the relevant recognized jurisdiction) If no, you are expected to comply with the Code on Unit Trusts and Mutual Funds (the "UT Code") in full.
UTA2	UCITS scheme? If the fund uses financial derivative instruments ("FDI") for investment / non-hedging purposes, it should contain clear disclosure as to whether or not FDI may be so used extensively or primarily. Disclosure that FDI will be used for "investment" or "efficient portfolio management" purposes would not be sufficient and should be clarified / enhanced as to the purpose and extent of the use of FDI accordingly. Where FDI may be used extensively or primarily for investment purposes, the KFS must also disclose regarding, amongst others, (i) the type of FDI to be used; (ii) the key risks relating to investments in FDI with elaboration (e.g. liquidity, volatility, leverage, counterparty risks etc.); (iii) the risk of total/significant loss arising from the extensive use of FDI; (iv) information relating to the strategy being employed in order to achieve the investment target; or in the absence of strategy, a negative statement; and (v) the expected or maximum leverage as a result of the use of FDI and a brief explanation as to the basis of such calculation.	Y/N (Please state whether the scheme will use expanded investment power) Please make the relevant disclosure in the offering document.

⁵ Please also provide the Chinese name of the scheme and each of the relevant sub-funds, if applicable.



	Where FDI is not used extensively or primarily for investment purposes, a negative statement should be disclosed. Please advise if the home regulator has imposed any minimum subscription amount for the UCITS scheme?	<i>Y/N (Please state the minimum subscription amount required by the home regulator)</i>
UTA3	Self-managed scheme? ⁶	<i>Y/N</i>
UTA4	Multi-manager scheme?	<i>Y/N</i>
UTA5	Scheme type	<i>Bond / Equity / Specialized (state applicable Chapter 8 guideline) / Other</i> <i>If it is an index fund, please also complete Part 6</i> <i>If it is a structured fund, please also complete Part 7</i>
UTA6	Date of creation of the scheme	<i>Please specify for each sub-fund</i>
UTA7	Launch date and place	<i>Please specify for each sub-fund</i>
UTA8	Quotation on any stock exchange?	<i>Y/N (Please state name of stock exchanges)</i>
UTA9	Investment objective(s)	<i>Please specify for each sub-fund</i>
UTA10	Currency of denomination	<i>Please specify for each sub-fund</i>
UTA11	Fund size (where applicable)	<i>Please specify for each sub-fund</i>
UTA12	Level of all charges payable by investor	<i>Please specify for each sub-fund</i>
UTA13	Level/basis of calculation of all charges payable by the scheme	<i>Please state current and maximum levels of charges, if applicable</i>
UTA14	Performance fees charged?	<i>Y/N</i>
UTA15	Valuation and dealing frequency	<i>Daily/Weekly/Other</i>
UTA16	Pricing method	<i>Forward/Historic/Other</i>
UTA17	Financial year-end date of the scheme	<i>For a feeder fund, please provide the year-end dates for both the feeder fund and the underlying fund</i>
UTA18	Date of the most recent audited financial	<i>Please also provide the relevant financial</i>

⁶ Items in the information checklist concerning the registered address (Checklist I-UTA22), financial year-end date (Checklist I-UTA23), licensing status of management company (Checklist I-UTA32), financial status at entity level (Checklist I-UTA46) as well as the documents under Checklist II-(12) and (17)(a)-(c), (f) are not applicable to the directors of a self-managed scheme. Save for the above specific items, in general, references in the information checklist (including Checklist I-UTA34 and UTA35) are deemed to be references to the directors of a self-managed scheme.



	report and (if more recent) semi-annual report of the scheme	<i>period reported by the financial report</i>
UTA19	Minimum initial subscription and minimum subsequent holding	<i>Please specify for each sub-fund</i>
UTA20	Place where books and records of the scheme are kept	

Part 2: Operating Parties to the Scheme

	Operating Parties	Notes
UTA21	For self-managed scheme - Name of the directors - Registered/business address of the scheme	Y/N
UTA22	Management company - Name - Registered/business address - Name of ultimate holding company	<i>Please state the acceptable inspection regime, if applicable</i>
UTA23	Financial year-end date of the management company	
UTA24	(Deleted)	
UTA25	Is the management company currently managing any SFC-authorized funds? Does the management company fulfil the requirements under Chapter 5.2 to 5.5 of the UT Code?	Y/N <i>If no, please also complete UTA46</i> Y/N <i>If no, please give details of non-compliance.</i>
UTA26	Delegation of investment management activities/functions?	<i>Y/N (Please specify for each sub-fund, if different)</i>
UTA27	Place where the investment management activities/functions of the scheme are being carried out	<i>Please specify for each sub-fund</i>
UTA28	Entities which carry out the delegated investment management activities/functions of the scheme ("Delegates") - Name - Registered/business address - Name of ultimate holding company - Inspection regime If the delegate is not from an AIR, have you completed Checklist IV?	<i>Please specify for each sub-fund</i> <i>Please also state whether each Delegate is an affiliate of the management company</i> <i>Please state the relevant Acceptable Inspection Regime ("AIR") for each Delegate, if applicable</i> <i>Y/N (applicable to new delegation arrangement between the management company and the delegate. For existing delegation arrangement between the management company and the delegate, the applicant should confirm that the documents</i>



		<i>previously submitted to the SFC pursuant to the SFC's circular – "SFC facilitates delegation of investment management functions to non-AIR jurisdictions" issued in October 2007 to demonstrate the monitoring of the delegate by the management company remain unchanged and continue to be effective)</i>
UTA29	Financial year-end date of the Delegate(s)	
UTA30	(Deleted)	
UTA31	Are the Delegates currently managing any SFC-authorized funds? Do the Delegates fulfil the requirements under Chapter 5.2 to 5.5 of the UT Code?	<i>Y/N (Please specify for each Delegate)</i> <i>If no, please also complete UTA46</i> <i>Y/N</i> <i>If no, please give details of non-compliance</i>
UTA32	Is the management company a corporation licensed by or registered with the SFC to carry out Type 9 regulated activities? Is the management company subject to supervision in an AIR jurisdiction? Registration/licensing status with the SFC or other regulatory authority for the management company and each of the Delegates	<i>Y/N</i> <i>Y/N (Please refer to the "List of Inspection Regime" on the SFC's website.)</i> <i>Please state the relevant regulatory body</i> <i>Please state the type of licence/ registration held under Part V of the SFO, if applicable</i>
UTA33	Trustee or Custodian - Name - Registered/business address - Name of ultimate holding company - Supervisory authority	<i>Does the Trustee or Custodian currently act as a trustee or custodian of any SFC-authorized funds?</i> <i>If no, please also complete UTA47</i>
UTA34	Are the management company and the trustee/custodian connected persons?	<i>Y/N</i> <i>If yes, please provide a brief description of the connected relationship</i>
UTA35	Are the management company and any of the Delegates connected persons?	<i>Y/N</i> <i>If yes, please provide a brief description of the connected relationship</i>
UTA36	Are any of the Delegates and the trustee/custodian connected persons?	<i>Y/N</i> <i>If yes, please provide a brief description of the connected relationship</i>



UTA37	Name of the person(s) who hold appointment(s), as director or officer, with more than one of the trustee/custodian, management company and, if any, the Delegates (If any of your answers to Item UTA34 to UTA36 above is “yes”)	<i>Please state in which of the trustee/custodian, management company and the Delegates (if any) the person(s) hold(s) the appointment(s)</i>
UTA38	Principal broker (if any) - Name - Registered/business address - Name of ultimate holding company	<i>Please state whether the principal broker is an affiliate of the management company / Delegates / trustee / custodian</i>
UTA39	Auditor - Name - Registered/business address	
UTA40	Hong Kong Representative (if any) - Name - Registered/business address - Name of ultimate holding company	<i>Please state whether it is currently acting as the Hong Kong Representative of any SFC-authorized funds</i> <i>Please state whether the Hong Kong Representative is an affiliate of the management company / Delegates / trustee / custodian</i>
UTA41	Name of the two key personnel of the management company (and each of the Delegates) / the self-managed scheme	<i>(for new management company/ delegate(s)/self-managed scheme only)</i>

Part 3: Contact Persons' Information

Item	Contact Persons	Notes
UTA42	Management company - Name of person(s) for contact with the SFC - Contact details of the above person(s) (telephone / fax / postal and email address)	<i>Please specify person(s) for contact in relation to (if applicable):</i> - compliance matters - administrative matters (e.g. SFC fee collection)
UTA43	Hong Kong Representative (if any) - Name of person(s) for contact with the SFC - Contact details of the above person(s) (telephone / fax / postal and email address)	<i>Please specify person(s) for contact in relation to (if applicable):</i> - compliance matters - administrative matters (e.g. SFC fee collection)
UTA44	Approved person of the scheme - Name of person(s) for contact with the SFC - Contact details of the above person(s) (telephone / fax / postal and email address)	<i>Please state whether he / she is currently acting as the approved person of existing SFC-authorized funds.</i> <i>If yes, please state whether he/she has been approved as the approved person for the existing and future sub-funds of the Scheme.</i>



Part 4: Waiver Requests (If Applicable)

	Waiver Sought	Notes
UTA45	Waiver from compliance with the UT Code?	Y/N (Please specify the relevant section(s) of the UT Code)

Part 5: Additional Information Relating to the Scheme

If the application involves new management company or new delegate(s), please complete UTA46 to provide additional information on such new management company and/or each of the new delegates, as the case may be.

If the application involves new trustee or custodian, please complete UTA 47 to provide additional information on such new trustee or custodian.

Item	Questions/Confirmations	Notes
UTA46	<p>New Management Company/New Delegates</p> <p>At the entity level:</p> <ul style="list-style-type: none"> - Please state the minimum issued and paid-up capital and capital reserves of the management company/delegate (in HKD). - Please confirm that the management company/delegate does not lend to a material extent. - Please confirm that the management company/delegate maintain at all times a positive net asset position. <p>At the personnel level:</p> <ul style="list-style-type: none"> - Please confirm that the directors of the management company/delegate possess the necessary experience and qualification for the performance of their duties. - Do the two key personnel possess at least five years investment experience managing unit trusts or other public funds with reputable institutions in the same type of investments as those proposed for the funds seeking authorization? - Please confirm the two key personnel are dedicated full-time staff. 	<p>Y/N</p> <p><i>Please provide information on the most recent five years of public funds investment management experience of each of the two key personnel including the following items (please specify the relevant period):</i></p> <ul style="list-style-type: none"> - name of the reputable institution(s) - the positions and roles - the name of unit trusts or other public funds that they managed - the type of investments under management (please specify whether these investments are the same type of investments as those proposed for the funds seeking authorization.)



UTA47	<p>New Trustee/Custodian</p> <ul style="list-style-type: none"> - Please state the regulator which supervises the trustee/custodian - Please state the minimum issued and paid-up capital and non-distributable capital reserves of the trustee/custodian (in HKD). 	
--------------	---	--

Part 6: Information Relating to Index Funds Only

Item	Details of the Scheme	Notes
UTA48	<p>Please advise if the underlying index is tracked by any other SFC-authorized index fund.</p> <p>If no, please demonstrate the following:</p> <ul style="list-style-type: none"> - The underlying index has a clearly defined objective and/or the market or sector it aims to represent is clear; - The underlying index is broadly based; - The underlying index is investible, where applicable; - The underlying index is transparent and published in an appropriate manner; and - The underlying index is objectively calculated and rules-based. The index provider possesses the necessary expertise and technical resources to construct, maintain and review the methodology/rules of the index. The methodology/rules is well documented, consistent. 	Y/N

Part 7: Information Relating to Structured Funds Only

Item	Details of the Scheme	Notes
UTA49	<p>Is each FDI issuer</p> <ul style="list-style-type: none"> - an authorized financial institution as defined in section 2(1) of the Banking Ordinance; or financial institution with a minimum paid-up capital of HK\$150 million or its equivalent in foreign currency? 	<p>Y/N</p> <p>Y/N</p> <p><i>If yes, please state the amount of paid up capital based on the latest financial reports and the regulator which supervises the FDI issuer.</i></p>



		<i>If no, please also complete UTA 50</i>
UTA50	<p>Is the guarantor of the FDI issuer</p> <ul style="list-style-type: none"> - an authorized financial institution as defined in section 2(1) of the Banking Ordinance; or financial institution with a minimum paid-up capital of HK\$150 million or its equivalent in foreign currency? 	<p>Y/N</p> <p>Y/N</p> <p><i>If yes, please state the amount of paid up capital based on the latest financial reports and the regulator which supervises the guarantor of the FDI issuer.</i></p>
UTA51	<p>In respect of the asset portfolio of a structured fund investing in unfunded swap:</p> <ul style="list-style-type: none"> - Please confirm whether the fund has daily reset mechanism in place to limit the exposure of the scheme to the counterparty risk of the FDI issuer to no more than 10% of the net asset value of the scheme - Please confirm there is no securities lending, repo or other similar over-the-counter transactions - Please specify the selection criteria and nature of the asset portfolio 	<p>Y/N</p> <p>Y/N</p> <p>Y/N</p>
UTA52	<p>Please advise if the business contingency plan adopted by the management company or its Delegate(s) regarding credit events and collapse of the FDI issuer(s) has previously been adopted by other SFC-authorized structured funds managed by the Management Company.</p>	Y/N
UTA53	<p>Please specify, in respect of the valuation of FDI,</p> <ul style="list-style-type: none"> - the entity responsible for valuation and frequency of such valuation - the entity responsible for verification of valuation and frequency of such verification - any costs embedded in the valuation of FDI 	
UTA54	<p>For structured funds which are linked to one or more indices,</p> <ul style="list-style-type: none"> - please also complete UTA 48 	Y/N



	<ul style="list-style-type: none"> - please advise if the index provider is an independent person 	<p>Y/N</p> <p><i>If no,</i></p> <ul style="list-style-type: none"> - <i>please provide a brief description of the connected relationship and demonstrate the functionally and operationally independence from the swap counterparty in terms of personnel and reporting line.</i>
	<ul style="list-style-type: none"> - whether such index is provided for the use of the structured fund only? 	<p>Y/N</p>



Checklist II - Documents to Be Submitted to the SFC

Name of the scheme⁵: _____
 Name of the sub-fund(s)⁵: _____

The list below is not exhaustive. The SFC may require additional information.

On application, please submit 3 sets of all documents except for financial statements, where a soft copy only would suffice. Please also provide soft copies of these documents in text-searchable format. The Commission may accept drafts of confirmations/undertakings/agreements (marked in “*” below). However, duly executed confirmations/undertakings/agreements are required to be submitted prior to authorization.

Submitted? <i>(please tick, if applicable)</i>			Reference to documents / Comments
Yes	No	N/A	

Application Form and Information Relating to the Scheme

- (1) Completed Application Form
- (2) Completed checklist on the information relating to the scheme to be provided to the SFC (see Checklist I.B above)
- (3) Application fee in the form of a cheque⁷

Offering Document

- (4) Offering document annotated against Appendix C and other applicable provisions of the UT Code, and such other applicable Additional Disclosure Requirements (see “Note” below)

Note: The offering document should also comply with the applicable disclosure requirements as set out in the “Overarching Principles Section” of the SFC Handbook for Unit Trusts and Mutual Funds, Investments-Linked Assurance Schemes and Unlisted Structured Investment Products and such other applicable additional disclosure requirements that may be required by the SFC from time to time (“Additional Disclosure Requirements”)⁸.

- (5) Product KFS

⁷ Please refer to the update fee schedule posted on the SFC’s website.

⁸ The Additional Disclosure Requirements generally refers to those additional disclosure requirements on offering documents mentioned in the Circulars and/or Frequently Asked Questions that may be issued by the SFC from time to time that are posted on the SFC’s website.



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

Constitutive Documents⁹

- (6) For UCITS funds (for new umbrella fund, new single fund or new subfund under an SFC-authorized scheme with changes to the constitutive documents from the latest version existing submitted to the SFC),
- (a) constitutive documents; and
 - (b) a confirmation that
 - (i) the trust deed in case of a unit trust or the Articles of Association in case of a mutual fund corporation has/have complied with all applicable home jurisdiction's laws and regulations and home regulators' requirements and has/have complied with Chapter 9.10 of the UT Code; and
 - (ii) such constitutive documents are the latest version that have been submitted to/filed with the home regulator.*

Note: Please be reminded that it is the responsibility of the applicant to submit to the SFC the final versions of the constitutive documents that are submitted to the home regulator.

- (6A) For UCITS funds (for new subfund under an existing SFC-authorized scheme with no change to the constitutive documents from the latest version submitted to the SFC),
- (a) a confirmation that
 - (i) there are no changes made or proposed to be made to the constitutive documents last submitted to the SFC on [please specify the date on which the constitutive documents were last submitted to the SFC in the confirmation];
 - (ii) the constitutive documents have complied with all applicable home jurisdiction's laws and regulations and home regulators' requirements and have complied with Chapter 9.10 of the UT Code; and
 - (iii) such constitutive documents are the latest version that have been submitted to/filed with the home regulator.*

- (7) For non-UCITS funds, annotated constitutive documents against Appendix D and Chapter 4.5(a), 6.6 and 9.10 of the UT Code

Note: Please refer to Question 11A of the Frequently Asked Questions on the Code of Unit Trusts and Mutual Funds.

⁹ "Constitutive documents" means the principal documents governing the formation of the scheme, and includes the trust deed in the case of a unit trust and the Articles of Association of a mutual fund corporation. For the purpose of annotating the constitutive documents against Appendix D, Chapter 4.5(a) and 6.6 of the UT Code in respect of a non-UCITS mutual fund corporation, the Articles of Association of the scheme should be annotated. In addition, the applicant may annotate the custodian agreement and the management agreement to the extent that the Articles of Association do not contain these provisions.



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

Approved Person

- (8) A letter from the management company or the scheme nominating an individual as the approved person for the scheme (including each sub-fund under an umbrella fund) pursuant to Chapter 1.3(g) of the UT Code*
- (9) A letter from the nominated approved person to the SFC confirming matters stated in Chapter 1.6 of the UT Code*

Trustee/Custodian

- (10) Trustee/custodian's letter of consent to the appointment
Note: This is not required for existing SFC-authorized schemes already in existence. For the avoidance of doubt, this is not required for new subfund(s) under an existing authorized umbrella.
- (11) Self-declaration by the trustee/custodian in respect of its independence from the management company (and its delegates for investment management activities / functions, each a "Delegate", together, "Delegates") to demonstrate compliance of Chapter 4.7 of the UT Code*
Note: This is also required for any new schemes of existing authorized umbrella schemes
- (12) Where the trustee/custodian and the management company (and each of the Delegates) are both corporations having the same ultimate holding company:-
 - (a) (i) Evidence to demonstrate that the trustee/custodian and the management company (and/or the relevant Delegate) are subsidiaries of a substantial financial institution, and that none of the above entities are a subsidiary of the others such as group organization chart; and
 - (ii) Confirmation from the management company (and/or the relevant Delegate) that no person is a director or officer of both the trustee/custodian and the management company (and/or the relevant Delegate)*;

or



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	
			(b) Confirmation that there is no change to the information set out in the documents submitted to the SFC in relation to (12)(a)(i) and (12)(a)(ii)*; and (c) A letter of undertaking signed by both the trustee/custodian and the management company (and also, the relevant Delegate (if applicable)) to the effect that they will act independently of each other in their dealings with the scheme* OR (d) In relation to an applicant who wishes to address the independence between the trustee/custodian and the management company using 4.8(b) of the UT Code, evidence that the scheme is established in a jurisdiction where the trustee/custodian and the management company are required by law to act independently of one another (e.g. legal opinion)* <i>Note: This is also required for any new schemes of existing authorized umbrella schemes</i> For Trustee/Custodian which is currently acting as the trustee/custodian of a SFC-authorized fund:- (12A) Confirmation from the trustee/custodian that it continues to comply with Chapter 4.2-4.4 of the UT Code and there is nothing which should be drawn to the attention of the SFC which would affect its ability to act or perform as the trustee/custodian of SFC-authorized funds in compliance with Chapter 4 of the UT Code.*
			For <u>New</u> Trustee/Custodian
			(13) For new trustee/custodian which is not currently acting as the trustee/custodian of a SFC-authorized fund:- (a) Completed checklist on Information of new trustee/custodian (see Checklist III below) (b) Evidence to demonstrate compliance with Chapter 4.2 of the UT Code, including, for example: (i) Certificate of incorporation / registration of the trustee/custodian; (ii) For a bank licensed under section 16 of the Banking Ordinance (Chapter 155 of Laws of Hong Kong), licence issued by the relevant authority;



	Submitted? (please tick, if applicable)			Reference to documents / Comments
	Yes	No	N/A	
<p>(iii) For a subsidiary of licensed bank, documentation showing its relationship with the licensed bank such as group organizational chart; and</p> <p>(iv) For a banking institution or trust company incorporated outside Hong Kong, the appropriate certificate issued by its primary supervisory authority.</p>				
<p>(c) Evidence to demonstrate compliance with Chapter 4.3 or Chapter 4.4 of the UT Code (as the case may be) such as the trustee/custodian's latest audited financial report (and if more recent, its latest semi-annual report), or a standing commitment or an undertaking from the holding company under Chapter 4.4(b) and 4.4(c) of the UT Code (as the case may be)*</p>				
<p>(d) Audit certificate or undertaking regarding internal controls and systems</p> <p><i>Note: Trustees/custodians whose functions are carried out in Luxembourg, Ireland or Guernsey would not normally be required to provide (i) or (ii) below.</i></p> <p>(i) An audit certificate with respect to the trustee/custodian's internal controls and systems; or <i>Note: An audit certificate will usually be required for trustees/custodians whose functions are mainly carried out in Hong Kong, Bermuda, BVI, Netherlands Antilles, Cayman Islands, Switzerland, Netherlands, New Zealand or Belgium.</i></p> <p>(ii) An undertaking from the trustee/custodian to the SFC stating that if the SFC is not satisfied that the trustee/custodian is subject to ongoing regulatory supervision, an independent auditor would be appointed to periodically review its internal controls and systems on terms of reference agreed with the SFC and such report would be filed with the SFC*</p> <p><i>Note: An undertaking will usually be required for trustee/custodian whose functions are mainly carried out in Australia, France, Germany, Malaysia, Taiwan, United Kingdom, United States of America or Isle of Man.</i></p>				



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

For Self-managed Schemes

- (14) Identities of the scheme’s directors and confirm that the directors of the self-managed scheme are of good repute and possess the necessary experience for the performance of their duties pursuant to Chapter 5.4 of the UT Code.*
- (15) Documentation to demonstrate compliance with Chapter 5.9 of the UT Code

For New Management Group

Note: This section is applicable to a new fund group where none of its group companies is currently managing a SFC-authorized scheme.

- (16) For a **new** management group:-
- (a) Documentation setting out the organization of the Management Group including the following:-
- (i) Brief corporate history/ownership; and
 - (ii) Management & organizational structure (include organization chart)
- (b) Documentation setting out the information of the management group’s global investment management activity including the following:-
- (i) Assets under management (global/Hong Kong);
 - (ii) Types of assets under management/client base (global/Hong Kong); and
 - (iii) List of public authorized funds (where authorized/domiciled)
- (c) Documentation setting out the information of the management group’s Hong Kong investment management activity (if applicable) including the following:-
- (i) No. of fund managers and description of size of fund management operation/research (and whether such activities are conducted in house or by third party);
 - (ii) Investment approach (main asset classes / markets / use of derivatives); and
 - (iii) Administration (where/how are administrative arrangements carried out)



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

For New Management Company

Note: This section is applicable to a new management company of the scheme which is not currently managing any SFC-authorized schemes. This would include, for example, any new management company which may belong to the new management group as mentioned in the above section or to a corporate group where one or more of its group companies is currently managing SFC-authorized scheme(s).

(17) For a **new** management company:-

- (a) A self-declaration from the management company with respect to the following*:-
 - (i) Confirmation of its registration status and any restrictions attached to its registration status with its home regulator (including its date of registration and approved status to manage funds);
 - (ii) Under its current registration, whether the management company is allowed to manage investment funds/collective investment schemes (in the case of a management company of a hedge fund, whether the management company under its current registration status is allowed to manage hedge funds);
 - (iii) Disciplinary history of the management company in the past five years or since the date of registration if it has been registered for less than five years, if any (or a statement);
 - (iv) Disciplinary history of its directors, if any (or a nil statement); and
 - (v) Whether the directors of the management company are aware of any current or pending investigation of the management company (or a negative statement)
- (b) Confirmation that the management company complies with Chapter 5.2(a) of the UT Code*
- (c) Evidence to demonstrate compliance with the financial resources requirements in Chapter 5.2(b) to (d) of the UT Code such as its latest audited financial report (and if more recent, its latest semi-annual report)
- (d) Documentation setting out the identities and profiles of the directors and key personnel of the management company to demonstrate fulfilment of the acceptability criteria in Chapter 5.5(a) and (b) of the UT Code



- (e) Documentation to demonstrate fulfilment of the acceptability criteria in Chapter 5.5(c) – (e) of the UT Code including the following:-
- (i) The management & organizational structure (include organization chart); and
 - (ii) Confirmation from the management company that it has adequate internal controls and has put in place written procedures (including, if applicable, procedures for compliance with the Fund Management Code of Conduct) in compliance of Chapter 5.5(d) and, where applicable, 5.5(e) of the UT Code*
- (f) If it is an **overseas** management company:-
- (i) Document(s) evidencing the licensing/registration status of the management company with the overseas regulator concerned including, where applicable, license/registration number; and
 - (ii) Latest ADV form if the management company is a SEC-registrant.

Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

Information Required for Management Company of Hedge Funds

Note: This section would be applicable to the management company of a hedge fund whether or not it is managing a SFC-authorized scheme.

Is the new scheme a hedge fund? If yes, please complete this section. If no, please go to item (29) below.

- (18) Management company profile, including list of hedge funds currently under management, together with their track records, fund sizes, inception dates and strategies. Where the investment management function is delegated, similar profile for the investment manager/adviser
- (19) Evidence to demonstrate the investment experience of key investment personnel, including their resumes and areas of specialization
- (20) Confirmation from the management company that it has put in place suitable internal controls and risk management systems commensurate with the management company's business and risk profile*
- (21) Information on the experience/expertise of key agents e.g. the

Yes	No	N/A	



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

fund administrator, custodian, prime broker, valuation agent

- (22) An organization chart showing the management and operational structure and reporting lines of the management company
- (23) Evidence to demonstrate that the investment management operations of the scheme are based in an acceptable inspection regime. This may include evidence of the regulatory status of the management company/investment adviser in a particular jurisdiction and a description of how the investment management operations are regulated in that jurisdiction
- (24) **(For Fund of Hedge Funds only)** A plan to explain the management company's due diligence process for selection and on-going monitoring of the underlying funds
- (25) Where applicable, profile of the prime broker and substantiation of its financial and regulatory status
- (26) List of Hong Kong distributors appointed/to be appointed for the scheme (if applicable)
- (27) Distribution agreement (if any)*
- (28) Prime broker agreement (if any)*

Delegation of Investment Management Functions (If Applicable)

- (29) For each Delegate which is not currently managing a SFC-authorized scheme, the information/documents as set out in (17) above

--	--	--	--

Same Group Non-AIR Delegation (If Applicable)

- (30) Completed checklist for non-AIR delegation (see Checklist IV below)

--	--	--	--

Hong Kong Representative (for Non-Hong Kong Based Schemes Only)

- (31) (a) Confirmation that the Hong Kong Representative agreement contains provisions in compliance with Chapter 9.3 of the UT Code to cover the functions of a Representative and compliance with Chapter 9.10 of the UT Code regarding jurisdiction*; or

--	--	--	--



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

(b) Confirmation that the Hong Kong Representative agreement has not been amended since the confirmation in (a) above was last submitted to the SFC.*

(32) Evidence that the Hong Kong Representative is licensed or registered under the SFO or is a trust company registered under Part VIII of the Trustee Ordinance (Chapter 29 of the laws of Hong Kong) and such company is an affiliate of an authorized financial institution defined under the SFO

(33) Written undertaking from the Hong Kong Representative pursuant to Chapter 9.7 of the UT Code*

For Structured Funds under Chapter 8.8 of the UT Code

Yes	No	N/A	

Is the new scheme a structured fund under Chapter 8.8 of the UT Code? If yes, please complete this section. If no, please go to item (37) below.

(34) Self-declaration by the management company and its Delegate(s) in respect of its independence from the issuer(s) of the financial derivative instruments in accordance with Chapter 8.8(a) of the UT Code*

(35) Evidence that the majority of the board of directors of the scheme are independent directors in compliance with Chapter 8.8(b) of the UT Codes (*applicable to a scheme which is a mutual fund company only*)

(36) Detailed contingency plans regarding credit events and significant downgrading of credit and the collapse of the issuer of the financial derivative instruments

For Schemes That Invest in Financial Derivative Instruments That are Subject to Chapter 8.9 of the UT Code

(37) Confirmation by the management company and its Delegate(s) that it has put in place suitable and adequate risk management and control systems to monitor, measure, and manage all the relevant risks in relation to the scheme in compliance of Chapter 8.9(c) of the UT Code*

--	--	--	--



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

Additional Information Applicable to UCITS Scheme¹⁰

- (38) Evidence of approval of the scheme and its offering document from the home regulator
- (39) Simplified prospectus (*only if the simplified prospectus will be distributed to the public in Hong Kong*)
- (40) A letter from the scheme or its management company confirming any waivers granted or special requirements and/or conditions imposed by the home regulator that have not been stated in the evidence of approval granted by the home regulator*

Note: If there is no waiver granted or special requirements and/or conditions imposed by the home regulator that have not been stated in the evidence of approval granted by the home regulator, please tick "Yes" and submit a confirmation from the scheme or its management company as such.

For UCITS Schemes Not Using Expanded Investment Powers under UCITS

- (41) Confirmation from the scheme or its management company that the scheme will not use expanded investment powers under UCITS, and, subject to SFC's approval, if the scheme or its management company decides to use expanded investment power under UCITS in future, one month's prior notice will be given to the Hong Kong investors and will be subject to the approval of the SFC*

--	--	--	--

For UCITS Schemes Using Expanded Investment Powers under UCITS

- (42) Confirmation from the management company that there are suitable risk management and control systems which are commensurate with the scheme's risk profile*
- (43) Evidence that the home regulator of the scheme has no comment on or has approved the relevant risk management policy such as a no comment/approval letter from the home regulator or confirmation that the risk management policy is only required to be filed with the home regulator and that no comment has been received from the home regulator on the risk management policy duly filed by the management company*

¹⁰ The circular to Fund Management Companies of SFC-authorized funds for Interim Measures on the Disclosure and Submission Requirements for the authorization of UCITS III Funds domiciled in Luxembourg, Ireland and the United Kingdom by the SFC (31 March 2005), can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H372>.



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

Confirmations

(44) Confirmation of compliance with the UT Code and the applicable provisions in the “Overarching Principles” of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products, and that all documents required to be submitted to the SFC for the purpose of application for authorization of the scheme under the UT Code have been submitted and are in compliance with the UT Code¹¹ (**See Annex A**)

(44A) Confirmation that nothing in the constitutive documents of the Scheme would in any way contradict or result in a breach of the applicable provisions of the UT Code and the applicable provisions in the “Overarching Principles” of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products¹¹ (**See Annex A**)

(45) Confirmation that the Hong Kong offering document is consistent with the overseas offering document which has been approved by the home regulator¹¹ (**See Annex A**)

(46) Confirmation that the Product KFS of the scheme is consistent with the Hong Kong offering document¹¹ (**See Annex A**).

(47) Confirmation that none of the management company and its delegates (if applicable) is the subject of any disciplinary proceeding in respect of its license or registration to conduct any regulated activity, or subject to any action by an exchange, regulated market or self-regulatory organisation for breach of any applicable rules, which may materially affect its financial condition, status as a licensed or regulated entity, or ability to perform its licensed or regulated activity.

(48) For UCITS funds, an undertaking that the scheme complies with D12 of the UT Code*

(49) For **hedge funds**, an undertaking to the SFC, confirming the scheme’s willingness to comply with the Guidelines on Hedge Funds Reporting Requirements (Appendix H of the UT Code)*

¹¹ Executed confirmation should be provided on application. An updated confirmation is required to be submitted prior to authorization. In relation to Checklist II-(45), if the overseas offering document of the Scheme has not been approved/authorized by the Scheme’s home regulator on application, the applicant may provide a confirmation that the Hong Kong offering document of the Scheme is consistent with the overseas offering document in the process of obtaining authorization/approval from its home regulator on application. In any event, the confirmation that the Hong Kong offering document of the Scheme is consistent with its overseas offering document authorized/approved by the Scheme’s home regulator must be submitted prior to authorization.



Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

- (50) Confirmation that unless otherwise specifically allowed for in the Application Form for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products, the Information Checklist for application for authorization of Unit Trusts and Mutual Funds or related prescribed forms of confirmation, no deletion, addition or amendment has been made to the standard templates of these current prescribed documents as published on the SFC website¹¹.

Chinese Translation¹²

- (51) Chinese translation confirmation to certify that the Chinese version of the offering document is a true and accurate translation of the English version (**see Annex B**)*
Note: The signed Chinese translation confirmation may be submitted when the Chinese offering document is ready before final authorization is given.

--	--	--	--

Waivers

- (52) Application for waiver from compliance with a provision of the UT Code, if any

Note: Any waiver application shall be made at the earliest possible time when the application for authorization is submitted. A waiver application must be supported by a formal submission with detailed reasons. The applicant should note that the SFC may exercise its discretion to grant or to refuse to grant any waivers requested.

--	--	--	--

Miscellaneous

- (53) Latest audited report of the scheme and if more recent, its latest semi-annual report
- (54) For a **recognized jurisdiction scheme**, evidence of the scheme's authorized status in the home jurisdiction

--	--	--	--

¹² Please refer to the SFC's circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H480>.



- (55) For a **new** Luxembourg domiciled umbrella scheme, a confirmation from CSSF¹³ that:-
- (i) the scheme will comply with additional audit review procedures for authorization of the scheme in Hong Kong; or
 - (ii) the scheme will prepare a long form audit report as required or in accordance with Luxembourg's rules or regulations

Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

¹³ CSSF refers to the Commission de Surveillance de Secteur Financier



Checklist III - Information on New Trustee/Custodian

Name of the scheme⁵: _____

Name of the sub-fund(s)⁵: _____

Name of trustee/custodian			
Name of contact person			
Title of contact person			
Contact address			
Tel number		Fax number	
Principal country(ies) in which operations in relation to [insert fund names]			
Principal place of operations of the trustee/custodian			
Name of principal supervisory authority			
Financial year-end of the trustee/custodian			



Checklist IV - Checklist for Non-AIR Delegation

Name of the scheme⁵: _____

Name of the sub-fund(s)⁵: _____

Name of delegate: _____

The SFC has issued a circular¹⁴ to fund management companies of SFC-authorized funds in October 2007 to facilitate delegation of investment management functions to affiliates that are not based in an acceptable inspection regime ("non-AIR delegation"). The following is a list of additional documents/information to be submitted to the SFC in respect of an application for authorization with respect of a non-AIR delegation.

The list below is not exhaustive. The SFC may require additional information.

	Submitted? (please tick, if applicable)		Reference to documents / Comments
	Yes	No	
(a) Confirmation and explanation of the relationship between the management company and non-AIR delegated investment firm (the "delegate") to demonstrate that the delegate is an affiliate of the management company and is subject to a system of internal controls and compliance procedures similar to that of the management company and/or the corporate group whom both the management company and the delegate belong to*			
(b) An ongoing monitoring plan of the management company with satisfactory information on how the delegate will be supervised in carrying out the investment management of the relevant fund to demonstrate compliance with Chapter 5.5(e) of the UT Code			
(c) An undertaking from the management company to the effect that*:- (i) the management company remains responsible for the activities of the delegate in respect of the delegated investment management functions of the fund; (ii) it will report, or procure the delegate to report, to the SFC immediately upon the happening of any material breach, infringement of or non-compliance with any laws and regulations administered by the home/principal regulator whom the delegate is licensed with; (iii) it will make appropriate arrangements to make available the transaction records relating to the delegated activities of the fund in Hong Kong for inspection by the SFC on request within a reasonable			

¹⁴ Please refer to the SFC's circular - SFC facilitates delegation of investment management functions to non-AIR jurisdictions which can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H475>.



time;

- (iv) enquiries from the SFC relating to the transaction records relating to the delegated activities of the fund will be answered and the SFC will have access to the relevant officers, directors and other personnel of the delegate for answer to the enquiries;
 - (v) the SFC may instruct accountants/auditors/any other persons to carry out an inspection of the books and records of the fund and such cost should be borne by the management company or the delegate but not be charged to the fund; and
 - (vi) the management company will procure the delegate and the Hong Kong Representative (where applicable) to make appropriate arrangements to enable the management company to carry out its duties stipulated in (i)-(v) above
- (d) An undertaking from the delegate to make the appropriate arrangements to enable the management company to carry out its duties as set out in (c)(ii), (iii), (iv) and (v) above.*

Submitted? (please tick, if applicable)		Reference to documents / Comments
Yes	No	



Checklist V - Content Checklist for Offering Document

Name of the scheme: _____

Name of the sub-fund(s): _____

New sub-fund(s) for existing SFC-authorized umbrella fund: Yes No

Name of the Management Company: _____

Date submitted: _____

Scheme type: Non-specialized schemes:

Falling within Chapter 7 of the Code on Unit Trusts and Mutual Funds (the "UT Code")

UCITS fund(s) Non-UCITS fund(s)

Domicile of the fund(s): _____

You may tick more than one box below if the application is related to more than one sub-fund.

Equity / Bond / Balanced /
Others please specify _____

If any of the sub-funds is a feeder fund, please specify the name of the master fund.

Specialized schemes:

Falling within Chapter 8 of the UT Code

For any scheme that has features falling within the scope of one or more specialized schemes, please tick all relevant boxes:

- | | |
|--|--|
| <input type="checkbox"/> Unit portfolio management funds | <input type="checkbox"/> Money market / cash management funds |
| <input type="checkbox"/> Warrant funds | <input type="checkbox"/> Futures and options funds |
| <input type="checkbox"/> Guaranteed funds | <input type="checkbox"/> Index funds (unlisted) |
| <input type="checkbox"/> Index funds (listed) | <input type="checkbox"/> Hedge funds |
| <input type="checkbox"/> Structured funds | <input type="checkbox"/> Funds that invest in financial derivative instruments |



Applicants should note the following in preparing the Scheme's offering document:

1. This Content Checklist summarizes the current disclosure requirements for an offering document seeking the SFC's authorization and the list is not intended to be exhaustive. The directors of the scheme or the management company are obliged to disclose any information which may be necessary for investors to make an informed judgment.
2. Regardless of the scheme type, please note that all offering documents seeking the SFC's authorization, must comply with the disclosure requirements as set out in the section (1) headed "Basic disclosure requirements". For those schemes with specialized or other features, please also comply with the relevant disclosure requirements as set out in section (2) headed "Additional disclosure requirements for specialized and other schemes", where applicable.
3. You should submit a completed Content Checklist together with the Application Form and Information Checklist upon submitting your application for authorization of the Scheme to the SFC.
4. The offering document should be clear and succinct, and written in plain language so as to facilitate investors' understanding of the Scheme.

Provisions under the SFC Handbook, Circular and Frequently Asked Questions ("FAQ")	Complied with?			Comments (Please state the reasons here if you select "No" in the previous column)	Offering document page reference
	Yes	No	N/A		

1. Basic Disclosure Requirements					
Constitution of the Scheme					
Section II – Appendix C1					
Investment Objectives and Restrictions					
Section II – Appendix C2 ¹⁵					
Core Requirements					
Section II – 7.1 ¹⁶					
Section II – 7.2 ¹⁶					
Section II – 7.3 ¹⁶					
Section II – 7.3A (if applicable) ¹⁶					
Section II – 7.4 ¹⁶					
Section II – 7.5 ¹⁶					
Section II – 7.6(a) ¹⁶					
Section II – 7.6(b) ¹⁶					

¹⁵ Please note that according to FAQ on UT Code – Q27A, any schemes which may use FDIs extensively for investment purposes, including UCITS scheme with expanded investment powers as well as schemes falling within 8.3, 8.4A, 8.7, 8.8 and 8.9 of the UT Code, are required to disclose the risk management policy in place in the offering documents.

¹⁶ The disclosure requirements are deemed to have complied by UCITS funds domiciled in Luxembourg, Ireland and UK. As such, the aforesaid UCITS funds are not required to fill in such items.



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Section II – 7.7 ¹⁶					
Section II – 7.8 ¹⁶					
Section II – 7.9 ¹⁶					
Section II – 7.10 ¹⁶					
Section II – 7.11 ¹⁶					
Section II – 7.11A ^{16, 17} (if applicable)					
Section II – 7.11B ¹⁶ (if applicable)					
Section II – 7.11C ¹⁶					
Section II – 7.11D					
Section II – 7.12(a) (if applicable)					
Section II – 7.12(b) (if applicable)					
Section II – 7.12(c) (if applicable)					
Section II – 7.12(d) (if applicable)					
Section II – 7.14 ¹⁶					
Section II – 7.15 ¹⁶					
Section II – 7.16 ¹⁶					
Section II – 7.17 ¹⁶					
Section II – 7.18 ¹⁶					
Section II – 7.19 ¹⁶					
Section II – 7.20 ¹⁶					
Section II – 7.21 ¹⁶					
Section II – 7.22 ¹⁶					
Section II – 7.23 ¹⁶					
Section II – 7.24 ¹⁶					
FAQ on UT Code – 21(a) (if applicable)					
FAQ on UT Code – 21(b) (if applicable)					
FAQ on UT Code – 21(c) (if applicable)					
FAQ on UT Code – 21(d) (if applicable)					
FAQ on UT Code – 21(e) (if applicable)					

¹⁷ For the purposes of 7.11A of the UT Code, “recognized jurisdiction schemes” means those UCITS III schemes domiciled in Luxembourg, Ireland and the United Kingdom which are currently covered under the Interim Measures.



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Collateral Policy and Criteria (Only Applicable to Structured Funds)					
<input type="checkbox"/> Please tick if the fund(s) under application is not a Structured Fund and hence the following section is not applicable.					
Section II – Appendix C2A(a)					
Section II – Appendix C2A(b)					
Section II – Appendix C2A(c)					
Section II – Appendix C2A(d)					
Section II – Appendix C2A(e) (if any)					
Section II – Appendix C2A(f) (if any)					
Section II – Appendix C2A(g)					
Operators and Principals					
Section II – Appendix C3(a)					
Section II – Appendix C3 (b)					
Section II – Appendix C3 (c)					
Section II – Appendix C3 (d)					
Section II – Appendix C3 (e)(if different from C3(d))					
Section II – Appendix C3 (f)					
Section II – Appendix C3 (g)					
Section II – 5.5(b) (if applicable)					
Characteristics of Units / Shares					
Section II – Appendix C4					
Section II – Appendix C5					
Section II – Appendix C6					
Section II – Appendix C7					
Application and Redemption Procedures					
Section II – Appendix C8					
Section II – Appendix C9					
Section II – Appendix C10					
Section II – Appendix C11					
Section II – Appendix C12					
Distribution Policy					
Section II – Appendix C13 (if applicable)					



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Fees and Charges					
Section II – Appendix C14(a)					
Section II – Appendix C14(b)					
Section II – Appendix C14(c)					
Section II – Appendix C15					
Taxation					
Section II – Appendix C16					
Reports and Accounts					
Section II – Appendix C17					
Section II – Appendix C18					
Section II – Appendix C18A					
Warnings					
Section II – Appendix C19(a)					
Section II – Appendix C19(b)					
Product KFS					
Section II – Appendix C19A					
Section I – 6.8 (if applicable)					
General Information					
Section II – Appendix C20					
Section II – Appendix C21					
Section II – Appendix C22 ¹⁸					
Section II – Appendix C22A (if available)					
Section II – Appendix C23					
Section I – 1.10 / Section II – 11.14 (if applicable)					
Section I – 4.2 (if applicable)					
Section I – 7.4					
Termination of Scheme					
Section II – Appendix C24					

¹⁸ For those schemes which are domiciled in one of the “Recognised Jurisdictions” and the home regulator of such scheme has approved a responsibility statement set out in the offering document of such scheme, the scheme is deemed to have complied with paragraph 22 of Appendix C of the UT Code. For the purposes of this Content Checklist, “Recognised Jurisdictions” means those jurisdictions set out in the “List of Recognised Jurisdiction Schemes” available on the Commission’s website.



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

2. Additional Disclosure Requirements for Specialized and Other Schemes

Applicable only to Unit Portfolio Management Funds

Please tick if the fund(s) under application is not a Unit Portfolio Management Fund and hence the following section is not applicable.

Section II – 8.1(a) ¹⁹					
Section II – 8.1(b) ²⁰					
Section II – 8.1(c) ¹⁹					
Section II – 8.1(d) ¹⁹					
Section II – 8.1(e) ¹⁹					
Section II – 8.1(f) ¹⁹					
Section II – 8.1(g) ¹⁹					
Section II – 8.1(h)					
Section II – 8.1(i)					

Applicable only to Money Market / Cash Management Funds

Please tick if the fund(s) under application is not a Money Market / Cash Management Fund and hence the following section is not applicable.

Section II – 8.2(b)					
Section II – 8.2(c)					
Section II – 8.2(e)					
Section II – 8.2(f)					
Section II – 8.2(g)(i)					
Section II – 8.2(g)(ii)					
Section II – 8.2(g)(iii)					
Section II – 8.2(h)					

Applicable only to Warrant Funds

Please tick if the fund(s) under application is not a Warrant Fund and hence the following section is not applicable.

Section II – 8.3(a)					
Section II – 8.3(b)					
Section II – 8.3(c)					
Section II – 8.3(d)					
Section II – 8.3(e)					
Section II – 8.3(f)					

¹⁹ The disclosure requirements are deemed to have complied by UCITS funds domiciled in Luxembourg, Ireland and UK in accordance with the Circular dated 30 March 2007. As such, the aforesaid UCITS funds are not required to fill in such items.

²⁰ Please note that in accordance with 8.1(b) of the UT Code and the Circular dated 30 March 2007, a UPMF may only invest in units/shares of schemes authorized by the SFC or in recognized jurisdiction schemes domiciled in Luxembourg, Ireland and UK (whether authorized or not), except that not more than 10% of the UPMF’s total net asset value may be invested in non-recognized jurisdiction schemes not authorized by the SFC.



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Section II – 8.3(g)					
Section II – 8.3(h)					
Section II – 8.3(i)					

Applicable only to Futures and Options Funds

Please tick if the fund(s) under application is not a Futures and Options Fund and hence the following section is not applicable.

Section II – 8.4A(a)					
Section II – 8.4A(b)					
Section II – 8.4A(c)					
Section II – 8.4A(d)					
Section II – 8.4A(e)					
Section II – 8.4A(f)					
Section II – 8.4A(g)					
Section II – 8.4A(k)(i)					
Section II – 8.4A(k)(ii)					
Section II – 8.4A(k)(iii)					
Section II – 8.4A(l)					
Section II – 8.4A(m)					

Applicable only to Guaranteed Funds

Please tick if the fund(s) under application is not a Guaranteed Fund and hence the following section is not applicable.

Section II – 8.5(a) ¹⁹					
Section II – 8.5(c)(i)					
Section II – 8.5(c)(ii)					
Section II – 8.5(c)(iii)					
Section II – 8.5(d)(i)					
Section II – 8.5(d)(ii)					
Section II – 8.5(e)(i)					
Section II – 8.5(e)(ii)					
Section II – 8.5(e)(iii)					
Section II – 8.5(e)(iv)					
Section II – 8.5(e)(v) (if relevant)					
Section II – 8.5(f)(i)					
Section II – 8.5(f)(ii)					
Section II – 8.5(f)(iii)					
Section II – 8.5(f)(iv)					



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		
Section II – 8.5(f)(v) (if any)					
Section II – 8.5(f)(vi)					
Section II – 8.5(f)(vii) (if applicable)					
Section II – 8.5(g)					
Section II – 8.5(h)					
Applicable only to Index Funds (Including Exchange-traded Funds)					
<input type="checkbox"/> Please tick if the fund(s) under application is not an Index Fund (including Exchange-traded Fund) and hence the following section is not applicable.					
Section II – 8.6(f)					
Section II – 8.6(h)(i) ¹⁹					
Section II – 8.6(h)(ii) ¹⁹					
Section II – 8.6(i) ¹⁹					
Section II – 8.6(j)(i)					
Section II – 8.6(j)(ii)					
Section II – 8.6(j)(iii)					
Section II – 8.6(j)(iv) (if necessary)					
Section II – 8.6(j)(v)					
Section II – 8.6(j)(vi)					
Section II – 8.6(j)(vii)					
Section II – 8.6(j)(viii)					
Section II – 8.6(j)(ix)					
Section II – 8.6(j)(x)					
Section II – 8.6(j)(xi)					
Section II – 8.6(j)(xii)					
Section II – 8.6(j)(xiii)					
Section II – 8.6(j)(xiv)					
Section II – 8.6(j)(xv)					
Section II – 8.6(k)					
Section II – 8.6(m)					
Applicable only to Hedge Funds					
<input type="checkbox"/> Please tick if the fund(s) under application is not a Hedge Fund and hence the following section is not applicable.					
Section II – 8.7(a)(iv)(Note (c)) (only applicable to funds of hedge funds)					
Section II – 8.7(b)(ii)(Note) (if applicable)					



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Section II – 8.7(b)(iv) (if applicable)					
Section II – 8.7(b)(iv)(Note) (if applicable)					
Section II – 8.7(c)					
Section II – 8.7(d)					
Section II – 8.7(e) (if applicable)					
Section II – 8.7(f)					
Section II – 8.7(g)					
Section II – 8.7(h)					
Section II – 8.7(i) (if applicable)					
Section II – 8.7(i)(Note)					
Section II – 8.7(l)					
Section II – 8.7(m)					
Section II – 8.7(m) (Note)					
Section II – 8.7(n)					
Section II – 8.7(o)					
Section II – 8.7(p)					
Section II – 8.7(q)					
Section II – 8.7(r)(i)					
Section II – 8.7(r)(ii)					
Section II – 8.7(r)(iii)					
Section II – 8.7(r)(iv)					
Section II – 8.7(s)					
Section II – 8.7(t)					

Applicable only to Fund of Hedge Funds

Please tick if the fund(s) under application is not a Fund of Hedge Fund and hence the following section is not applicable.

Section II – 8.7(j)(i)					
Section II – 8.7(j)(ii)					
Section II – 8.7(k)(iii)					
Section II – 8.7(k)(iv)					
Section II – 8.7(k)(v)					
Section II – 8.7(k)(vi) (if applicable)					



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		

Applicable only to Structured Funds (Including Index Funds That Adopt a Synthetic Replication Strategy)²¹

Please tick if the fund(s) under application is not a Structured Fund (including Index Fund that adopt a synthetic replication strategy) and hence the following section is not applicable.

Section II – 8.8(c)					
Section II – 8.8(d)					
Section II – 8.8(e)(i)					
Section II – 8.8(e)(ii)					
Section II – 8.8(e)(iii)					
Section II – 8.8(e)(iv)					
Section II – 8.8(e)(v)					
Section II – 8.8(e)(vi)					
Section II – 8.8(e)(vii)					
Section II – 8.8(e)(viii)					
Section II – 8.8(e)(ix)					
Section II – 8.8(f)					
Section II – 8.8(h)(i)					
Section II – 8.8(h)(ii)					
Section II – 8.8(h)(iii)					

Applicable only to Funds That Invest in Financial Derivative Instruments

Please tick if the fund(s) under application is not a fund that invests in financial derivative instruments and hence the following section is not applicable.

Section II – 8.9(a) ²²					
Section II – 8.9(b) ²²					
Section II – 8.9(c) ²²					
Section II – 8.9(f)(i) ²²					
Section II – 8.9(f)(ii) ²²					
Section II – 8.9(f)(iii) ²²					
Section II – 8.9(g) ²²					
Section II – 8.9(h) ²²					
Section II – 8.9(i) ²²					
Section II – 8.9(j)(i)					
Section II – 8.9(j)(ii)					

²¹ Requirements in 8.8 (e) of the UT Code are also applicable to asset portfolio of a structured fund investing in unfunded swap.

²² UCITS funds domiciled in Luxembourg, Ireland and UK that use financial derivative instruments for investment purposes have already complied with the relevant UCITS requirements and thus are not required to comply with 8.9 except for the disclosure requirements set out in 8.9(j) and 8.9(k) of the UT Code. As such, UCITS schemes are not required to fill in such items.



Provisions under the SFC Handbook, Circular and Frequently Asked Questions (“FAQ”)	Complied with?			Comments (Please state the reasons here if you select “No” in the previous column)	Offering document page reference
	Yes	No	N/A		
Section II – 8.9(j)(iii)					
Applicable only to Exchanged Traded Funds					
<input type="checkbox"/> Please tick if the fund(s) under application is not an Exchanged Traded Fund and hence the following section is not applicable.					
Section II – Appendix I – 17&18 (if applicable)					
Section II – Appendix I – 17A					
Section II – Appendix I – 19&20 (if applicable)					
Section II – Appendix I – 21A					
FAQ on UT Code – 14					
Applicable only to UCITS Schemes Not Using Expanded Investment Powers					
<input type="checkbox"/> Please tick if the fund(s) under application is not a UCITS Scheme not using expanded investment powers and hence the following section is not applicable.					
Circular dated 31 March 2005 – 5.1.1					
Circular dated 31 March 2005 – Note 4					
Applicable to UCITS Schemes Using Expanded Investment Powers Only					
<input type="checkbox"/> Please tick if the fund(s) under application is not a UCITS Scheme using expanded investment powers and hence the following section is not applicable.					
Circular dated 31 March 2005 – 1.2.2 (i)					
Circular dated 31 March 2005 – 1.2.2 (ii) / FAQ on SFC authorization of UCITS III Funds – 2					
Circular dated 31 March 2005 – 1.2.2 (iii)					
Circular dated 31 March 2005 – 1.2.2 (iv)					
Applicable to UCITS Schemes Using a Global Offering Document					
FAQ on SFC Authorization of UCITS III Funds - 9					



ANNEX A

FORM OF CONFIRMATION ON COMPLIANCE OF THE CODE ON UNIT TRUSTS AND MUTUAL FUNDS

To: Securities and Futures Commission (“SFC”)

From: [Name and title of authorized signatory]

Date: [Date of application] / [Date prior to final authorization is given]

Name of the scheme: [*] (the “Scheme”)

We hereby confirm that

- all documents required to be submitted to the SFC for the purposes of application for authorization of the Scheme under the Code on Unit Trusts and Mutual Funds (the “UT Code”) have been submitted and are in compliance with the applicable provisions of the UT Code and the applicable provisions in the “Overarching Principles” of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products;
- nothing in the constitutive documents of the Scheme would in any way contradict or result in any breach of the applicable provisions of the UT Code and the applicable provisions in the “Overarching Principles” of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products;
- the Hong Kong offering document of the Scheme is consistent with its [overseas offering document authorized / approved by the Scheme’s home regulator [Note: this confirmation is required where a scheme is an overseas scheme primarily regulated by an overseas regulator and its Hong Kong offering document is different from its overseas document authorized / approved by the scheme’s home regulator] / its overseas offering document in the process of obtaining authorization / approval from its home regulator]²³; and
- the Product KFS of the Scheme is consistent with the Hong Kong offering document of the Scheme.

Name of the applicant²⁴

Name of authorized signatory :

Position of authorized signatory :

Signature :

²³ If the overseas offering document of the Scheme has not been approved/authorized by the Scheme’s home regulator on application, the applicant may provide a confirmation that the Hong Kong offering document of the scheme is consistent with its overseas offering document in the process of obtaining authorization/approval from its home regulator on application. In any event, the confirmation that the Hong Kong offering document of the Scheme is consistent with its overseas offering document authorized/approved by the Scheme’s home regulator must be submitted prior to authorization.

²⁴ The applicant should be the management company of the scheme. For the purposes of a self-managed scheme, the applicant could be either the board of directors of the scheme or the investment manager.

**ANNEX B
FORM OF CHINESE TRANSLATION CONFIRMATION**

Option 1: One Confirmation to be Issued

To: Securities and Futures Commission (“SFC”)

From: [*Name and title of authorized signatory*]

Date: [*Date of application*] / [*Date prior to final authorization is given*]

Name of the scheme: [*] (the “Scheme”)

I hereby certify and confirm that:

- (a) [I have appointed [*name*], who is fully conversant in the Chinese language and competent to review and ensure the truth and accuracy of the Chinese translation of [*name of relevant document(s)*] (the “Relevant Chinese Document(s)”) in respect of the Scheme, to review and ensure the truth and accuracy of the Relevant Chinese Document(s); and]

OR

[I am fully conversant in Chinese Language and competent to review and ensure the truth and accuracy of the Chinese translation of [*name of relevant document(s)*] (the “Relevant Chinese Document(s)”) in respect of the Scheme, and have reviewed and ensured the truth and accuracy of the Relevant Chinese Document(s); and]

- (b) the Relevant Chinese Document(s) is/are the true and accurate translation of the English version(s) of the same documentation.

[*Name of the party issuing confirmation*]²⁵

Name of authorized signatory

:

Position of authorized signatory

:

Signature

:

²⁵ Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H480> and the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code dated 31 October 2011 which can be downloaded at http://www.sfc.hk/sfc/doc/EN/faqs/products/Frequently%20Asked%20Questions%20on%20Application%20Procedures%20_31%20October%202011_Final_.pdf

Option 2: Two Confirmations to be Issued (Comprising the First Confirmation and Second Confirmation Below)

First Confirmation

To: Securities and Futures Commission (“SFC”)

From: *[Name and title of authorized signatory]*

Date: *[Date of application]* / *[Date prior to final authorization is given]*

Name of the scheme: *[*]* (the “Scheme”)

I hereby certify and confirm that I have appointed *[name of the translation company]*, a company with qualified personnel who are fully conversant in the Chinese language and competent to review and ensure the truth and accuracy of the Chinese translation of *[name of relevant document(s)]* (the “Relevant Chinese Document(s)”) in respect of the Scheme, to review and ensure the truth and accuracy of the Relevant Chinese Document(s).

*[Name of the party issuing confirmation]*²⁶ :

Name of authorized signatory :

Position of authorized signatory :

Signature :

²⁶ Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H480> and the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code dated 31 October 2011 which can be downloaded at http://www.sfc.hk/sfc/doc/EN/faqs/products/Frequently%20Asked%20Questions%20on%20Application%20Procedures%2031%20October%202011_Final_.pdf

Second Confirmation

To: Securities and Futures Commission (“SFC”)

From: [*Name and title of authorized signatory*]

Date: [*Date of application*] / [*Date prior to final authorization is given*]

Name of the scheme: [*] (the “Scheme”)

I hereby certify and confirm that (i) [*name of the translation company*] has been appointed by [*name of appointing party*] to review the Chinese translation of [*name of relevant document(s)*] (the “Relevant Chinese Document(s)”) in respect of the Scheme; (ii) [*name of translator*] of this office is fully conversant in the Chinese language and competent to review and ensure the truth and accuracy of the Relevant Chinese Document(s); and (iii) the Relevant Chinese Document(s) is/are the true and accurate translation of the English version(s) of the same documentation.

[*Name of the translator*]²⁷

:

Name of authorized signatory

:

Position of authorized signatory

:

Signature

:

²⁷ Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/sfcRegulatoryHandbook/EN/displayFileServlet?docno=H480> and the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code dated 31 October 2011 which can be downloaded at http://www.sfc.hk/sfc/doc/EN/faqs/products/Frequently%20Asked%20Questions%20on%20Application%20Procedures%2031%20October%202011_Final_.pdf