



SECURITIES AND
FUTURES COMMISSION
證券及期貨事務監察委員會

Application Form for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products

Application for Authorization under Part IV of the Securities and Futures Ordinance

The issuer/applicant should note that any representation in, or referred to in, this application, and any representation made from time to time in support of this application which is false or misleading in a material particular, the provision of any information to the Commission which is false or misleading in a material particular and the provision of any record or document which is false or misleading in a material particular constitute an offence under either section 383(1), 384(1) and/or 384(3) of the Securities and Futures Ordinance (“SFO”).

Where the application for authorization of the proposed scheme is to be constituted in the form of an open-ended fund company (“OFC”) as defined in section 112A of the SFO or sub-fund of an OFC, the applicant should also submit the “Application Form for Registration of a Public Open-ended Fund Company or Establishment of a Publicly Offered Sub-Fund of an Open-ended Fund Company” in the Annex to this Application Form to the Commission at the same time.

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

Dear Sirs,

Re: _____ [state the subject of the application]

*(Please tick if applicable)

1. We _____ (acting on the instructions of _____ [state the name of applicant] (please delete if the applicant is making the application directly)) hereby apply to the Commission for the following:-

- * authorization in respect of the collective investment scheme(s) referred to in paragraph 3 below pursuant to section 104 of the SFO.
- authorization in respect of structured product(s) referred to in paragraph 3 below pursuant to section 104A of the SFO.
- authorization for the issue of the advertisement, invitation or document referred in paragraph 3 below pursuant to section 105 of the SFO.
- approval of the appointment of approved person referred to in paragraph 5 below pursuant to section 104(3) / section 104A(3) / section 105(3) of the SFO.



2. The subject matter of the application is in relation to the following product(s) :-

- * unit trust or mutual fund → go to paragraph 3(a)
- investment-linked assurance scheme → go to paragraph 3(b)
- unlisted structured investment product → go to paragraph 3(c)

3. Basic description of our application is set out below:-

(a) Unit trust and mutual fund

(i) Structure of the scheme

- * Unit trust
- Mutual fund (other than an OFC)
- Mutual fund in the form of an OFC
- Others (please specify) _____

(ii) Nature of the scheme

- * Single fund Umbrella fund (and its sub-fund(s))
 - Sub-fund(s) of an existing umbrella fund currently authorized by the Commission (*Please specify the name of the umbrella fund*)
- _____

(iii) Place of domicile of the scheme

(iv) Name of the single fund / the new umbrella fund

(v) Name of the new sub-fund(s)

To be listed on The
Stock Exchange of
Hong Kong Limited

- | | |
|----------|----------------------------|
| 1. _____ | * <input type="checkbox"/> |
| 2. _____ | <input type="checkbox"/> |
| 3. _____ | <input type="checkbox"/> |
| 4. _____ | <input type="checkbox"/> |
| 5. _____ | <input type="checkbox"/> |

(Please use separate sheet(s), if necessary)



(vi) Name of the management company

(vii) Name of the trustee / custodian

(viii) Name of guarantor (if applicable)

(ix) Subject offering document(s) or advertisement(s): _____

(b) Investment-linked assurance scheme

Name of issuer: _____

Type of Applications

- * New ILAS application → go to paragraph (i)
- Application of new investment option(s) available under one or more existing ILAS authorized by the Commission → go to paragraph (ii)

(i) New ILAS Application

Name of new ILAS: _____

Name of investment option(s)	Already available under existing authorized ILAS?*
(1)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(2)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(3)	<input type="checkbox"/> Yes <input type="checkbox"/> No

Note: Please use separate sheet(s) if necessary.



- (ii) Application of new investment option(s) available under one or more existing authorized ILAS

Name of new investment option(s)
(1)
(2)
(3)

Note: Please use separate sheet(s) if necessary.

The above new investment option(s) will be made available under the following existing authorized ILAS: (If the above new investment option(s) is/are not available under all of the existing authorized ILAS listed below, please specify.)

Name of existing authorized ILAS
(1)
(2)
(3)

Note: Please use separate sheet(s) if necessary.

- (iii) Subject offering document(s) or advertisement(s):

- (c) Unlisted structured investment product

Name of programme (if applicable): _____

Name of product: _____

Type of product: _____

Variation(s) of product: _____

Name of issuer: _____

Name of guarantor (if applicable): _____



Name of product arranger (if applicable): _____

Name of key product counterparty (if applicable): _____

Subject offering document(s) or advertisement(s): _____

4. We confirm that:-

- * an application in respect of the aforesaid investment product, advertisement, invitation or document has been refused by the Commission and/or (where applicable) the home regulator of the investment product in the last 5 years. Details are as follows:-

- an authorization or approval in respect of the aforesaid investment product, advertisement, invitation or document has been granted by the Commission and/or (where applicable) the home regulator of the investment product, and such authorization or approval has been rejected, revoked, terminated or withdrawn otherwise than upon our own request (where applicable, prior to the stipulated validity period of such authorization or approval) in the last 5 years. Details are as follows:

- none of the above is applicable → go to paragraph 5

5. * Our primary contact in relation to this application is _____, whose details are as follows:-

Employer: _____

Position: _____

Telephone number: _____

Email: _____

Address: _____



- We nominate the following individual to act as the “approved person” for the purpose of * section 104(2) / section 104A(2) / section 105(2) of the SFO:-

Name: _____

Employer: _____

Position: _____

Telephone number: _____

Facsimile number: _____

Email: _____

Address: _____

CE Number: _____

- We have instructed _____ [*Please state name of law firm*] to act on our behalf in relation to this application. The contact details of the lawyer(s) handling the matter are as follows:-

Name of lawyer-in-charge: _____

Position: _____

Telephone number: _____

Email: _____

Address: _____

6. A cheque numbered _____ [*Cheque number*] drawn on _____ [*Bank*] for HK\$_____ is enclosed being payment of the application fee, as prescribed under the Securities and Futures (Fees) Rules.

[Please elaborate below if there is any submission regarding the fees chargeable under the Securities and Futures (Fees) Rules]

7. The applicant acknowledges that unless otherwise agreed by the Commission -
- (a) this application will lapse if no authorization is granted within 6 months from the date this application is taken up by the Commission;
 - (b) no fees paid to the Commission in respect of this application shall be repayable if this application is for any reason withdrawn, cancelled or rejected by the Commission or if



it lapses under paragraph (a); and

- (c) if a new application is made for the product after an application is for any reason withdrawn, cancelled or rejected by the Commission or if it lapses under paragraph (a), further application fee will be payable in accordance with the provisions of the Securities and Futures (Fees) Rules.

Yours faithfully,

Name:
Position:
Duly authorized
For and on behalf of
[Applicant's name¹]

Date: _____

¹ The applicant should be the management company of the scheme in the case of an application in relation to a unit trust or a mutual fund. For an application in relation to an investment-linked assurance scheme, the applicant should be the insurer of the ILAS scheme. For an application in relation to an unlisted structured investment product, the applicant should be the issuer of the relevant offering document(s) or advertisement(s) (as the case may be).



Annex

Application Form for Registration of a Public Open-ended Fund Company or Establishment of a Publicly Offered Sub-fund of an Open-ended Fund Company

This Application Form should be used by an applicant for (i) an application for a registration pursuant to section 112D of the SFO of a proposed public OFC as defined in the Code on Open-ended Fund Companies (“OFC Code”) or (ii) an application for approval of establishment of publicly offered sub-fund(s) of an existing open-ended fund company (“OFC”) under rule 160(1) of the Securities and Futures (Open-ended Fund Companies) Rules (“OFC Rules”).

The information provided by the applicant in the “Application Form for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products - Application for Authorization under Part IV of the Securities and Futures Ordinance” (“Part IV Application Form”) will be reviewed in conjunction with the information in this Annex as part of a proposed public OFC’s application for registration or an existing OFC’s application for approval of establishment of sub-fund(s) under Part IVA of the SFO (as the case may be).

The applicant should note that any representation in, or referred to in, this application, and any representation made from time to time in support of this application which is false or misleading in a material particular, the provision of any information to the Commission which is false or misleading in a material particular and the provision of any record or document which is false or misleading in a material particular may constitute an offence under either section 383(1), 384(1) and/or 384(3) of the SFO.

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

Dear Sirs,

Re: **Application for registration of [state the name of the proposed public OFC] (the “Proposed Public OFC”) / Application for approval of the establishment of publicly offered sub-fund(s) (“Proposed Sub-fund(s)”) of [state the name of the existing umbrella OFC] (please delete as appropriate)**

*(Please tick if applicable)

1. We _____ (acting on the instructions of _____
_____ *[state the name of applicant] (please delete if the applicant is making the application directly)*) hereby apply to the Commission for the following:-

* registration in respect of the proposed single / umbrella *(please delete as appropriate)* public OFC pursuant to section 112D of the SFO.



- approval of the establishment of new Proposed Sub-fund(s) of an existing umbrella OFC pursuant to rule 160(1) of the OFC Rules.
2. * The applicant confirms that a Part IV Application Form in respect of the Proposed Public OFC / Proposed Sub-fund(s) (*please delete as appropriate*) has been submitted to the Commission.
3. * (*Applicable to an application for registration of a proposed public OFC*) The applicant confirms that the basic description and details of the Proposed Public OFC (including the details of the proposed sub-fund(s) of the Proposed Public OFC, if any) are as set out in the Part IV Application Form submitted to the Commission.
4. * (*Applicable to an application for establishment of new publicly offered sub-fund(s) of existing umbrella OFC*) The applicant confirms that the details of the Proposed Sub-fund(s) are as set out in the Part IV Application Form submitted to the Commission.
5. (*Applicable to an application for registration of a proposed public OFC*) Basic description of the key operators and information on registered office of the Proposed Public OFC:

(a) The names of the proposed directors of the Proposed Public OFC are as follows:-

1. _____
2. _____
3. _____
4. _____
5. _____
(*Please use separate sheet(s), if necessary*)

The applicant confirms that for the purpose of sections 112W and 112X of the SFO:-

- * each of the proposed directors of the Proposed Public OFC has attained the age of 18 years; and
- none of the proposed directors is an undischarged bankrupt.

(b) The name of the investment manager of the Proposed Public OFC for the purpose of section 112Z of the SFO:-

- * The applicant confirms for the purpose of section 112Z of the SFO that the investment manager of the OFC is licensed or registered for Type 9 regulated activity under the SFO / has made an application for such licence or registration (*please delete as appropriate*).

(c) The name of the custodian of the Proposed Public OFC for the purpose of section 112ZA of the SFO:-



- (d) The address of the registered office of the Proposed Public OFC for the purpose of section 112I of the SFO:-
-

6. The applicant confirms that the instrument of incorporation of the Proposed Public OFC / the proposed revised instrument of incorporation of the existing umbrella OFC to which the Proposed Sub-fund(s) are proposed to be established (*please delete as appropriate*):-

* has been submitted together with this application; and

is compliant with the requirements under the SFO, the OFC Rules and the OFC Code².

7. The applicant acknowledges that unless otherwise agreed by the Commission this application will lapse if no registration of the Proposed Public OFC / approval for establishment of the Proposed Sub-funds (as the case may be) is granted within 6 months from the date this application is taken up by the Commission.
8. The applicant confirms that unless otherwise specifically allowed for in this Application Form, no deletion, addition or amendment has been made to the standard template of the current prescribed application form as published on the Commission website.

Yours faithfully,

Name:
Position:
Duly authorized³
For and on behalf of
[Applicant's name]

Date:

² Including section 112K of the SFO, rules 3(2)(a) and 13 of the OFC Rules.

³ In the case of an application for registration of a proposed public OFC, the signatory should be a proposed director of the proposed public OFC or a senior-ranking executive of the proposed investment manager of the proposed public OFC (or an appropriate person designated by the senior-ranking executive of the proposed investment manager of the proposed public OFC), who is duly authorized by the applicant. In the case of an application for establishment of new publicly offered sub-fund(s) of an existing OFC, the signatory should be a director of the public OFC or a senior-ranking executive of the investment manager of the public OFC (or an appropriate person designated by the senior-ranking executive of the investment manager of the public OFC), who is duly authorized by the board of directors of the public OFC.