

## Application Form for Scheme Change(s)

### Application for Approval of Change(s) to an Authorized Scheme pursuant to 11.1 of the Code on Unit Trusts and Mutual Funds (UT Code)

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 SFO.

- If you are also applying for authorization of the revised offering document, please also complete the "Application Form for Revised Offering Documents that Incorporate Changes Falling within 11.1 of the UT Code that Require SFC's Prior Approval". If there are (i) changes which do not fall within 11.1 of the UT Code and/or (ii) immaterial changes which fall within 11.1 of the UT Code but do not require the SFC's prior approval ("Immaterial Changes")<sup>1</sup> in the notice, please also complete the "Filing Form for Notice of Scheme Change(s) falling within 11.1B of the UT Code and Do Not Require SFC's Prior Approval".
- The issuer/applicant is reminded to tick ALL boxes that are applicable in this application form.

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

Dear Sirs,

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 application for approval of change(s) to the scheme(s) referred in paragraph 3 below pursuant to 11.1 of the UT Code.

2. The change(s) is/are related to the following scheme(s) authorized by the Commission:-

(a) Name of the umbrella fund

\_\_\_\_\_

(b) Name of the sub-fund(s)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

<sup>1</sup>The Circular to Management Companies of SFC-authorized Funds dated 14 June 2013 entitled "Streamlined Measures to Enhance the Processing of Application for Scheme Changes and Revision of Offering Documents of SFC-authorized Funds" (the "Circular") sets out, among other things, the streamlined measures introduced by the Commission with respect to the Immaterial Changes. Illustrative examples of Immaterial Changes can be found in the Frequently Asked Questions on Post Authorization Compliance Issues of SFC-authorized Unit Trusts and Mutual Funds published on the Commission's website, which are subject to amendments and updates from time to time. Issuer/applicant should ensure compliance of, among others, the UT Code and other guidelines that are published by the Commission from time to time.



4. \_\_\_\_\_

5. \_\_\_\_\_  
(Please use separate sheet(s), if necessary)

(c) Name of the single fund(s)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_  
(Please use separate sheet(s), if necessary)

3. Is/are the scheme(s) mentioned in paragraph 2 above established in a recognized jurisdiction?

- Yes, please state the name of home regulator: \_\_\_\_\_  
("Home Regulator")
- No

4. We confirm that the change(s) is/are subject to the Commission's prior approval pursuant to 11.1 of the UT Code. Nature of the change(s) is set out below:-

- (i) Change of constitutive documents (please enclose a copy of the revised constitutive documents with mark up changes)

**Note:** If the reason(s) for the change of constitutive documents is/are attributable to any of the item(s) (ii) to (v) below, please also tick the relevant box(es). Otherwise, please tick the box immediately below this Note.

- The reason(s) for the change of constitutive documents is/are not attributable to any of item(s) (ii) to (v) below
- (ii) Change of key operators (or their regulatory status or controlling shareholder):
- management company or its delegate(s) (please also respond to Question 5)
  - trustee/custodian
  - Hong Kong representative
  - Others \_\_\_\_\_
- (iii) Change of investment objectives, policies and restrictions
- (iv) Change in fee structure, dealing and pricing arrangements
- (v) Other changes that may materially prejudice holders' rights or interests
- \_\_\_\_\_

5. The new management company or its delegate is:

- currently managing SFC-authorized funds
- subject to the on-going supervision of an acceptable inspection regime

6. Brief description of the change(s) as referred in paragraph 4 above.

\_\_\_\_\_



7. Reason(s) for the change(s) as referred in paragraph 4 above.

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8. Effective date of the change(s) as referred in paragraph 4 above.

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9. Proposed notice period to be served to investors regarding the change(s) as referred in paragraph 4 above.

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10. (If applicable) 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: \_\_\_\_\_

11. We confirm that the change(s) as referred in paragraph 4 above:-

- (a) has/have been approved by the Home Regulator of the scheme(s) [if applicable];
- (b) has/have been notified to the trustee/custodian and the trustee/custodian does not have any objection thereto;
- (c) has/have been notified to the Mandatory Provident Fund Schemes Authority (the "MPFA") and the MPFA does not have any objection thereto [for MPF schemes and approved pooled investment funds marketed to retail public];
- (d)  require(s) unitholders' prior approval pursuant to the constitutive documents of the scheme(s);  
 does/do not require unitholders' prior approval pursuant to the constitutive documents of the scheme(s);
- (e)  does/do not materially prejudice the interests of investors of the scheme(s)(except otherwise specified in this application below);  
 may materially prejudice the interests of investors of the scheme(s);

Note: If you have ticked the second box under (e) above, please state clearly which of the proposed change(s) as referred to in paragraph 4 may materially prejudice the interests of investors of the scheme(s), how / in what ways it may materially prejudice investor interest, as well as why the applicant still wishes to proceed with such change(s).

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- (f) is/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; and
- (g) contain(s) nothing that 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.

12. We confirm 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 SFC website.

Yours faithfully,

\_\_\_\_\_  
Name:  
Position:  
Duly authorized  
For and on behalf of  
[Applicant's name]  
Date: \_\_\_\_\_