

**Application Form for Revised Offering Documents  
that Incorporate Changes Falling within 11.1 of the Code on Unit  
Trusts and Mutual Funds (UT Code) that  
Require SFC's Prior Approval**

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**Application for Authorization  
under Part IV of the Securities and Futures Ordinance (SFO)  
for the Issue of Revised Document Pursuant to  
Section 105 of the SFO**

This Application Form should be used by applicant in support of any application submitted to the Securities and Futures Commission (the "Commission" or the "SFC") for authorization on or after 1 August 2017 under Part IV of the SFO for the issue of revised document pursuant to section 105 of the SFO that incorporates changes falling within 11.1 of the UT Code that require the SFC's prior approval. 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.

- The SFC reserves the right to return forthwith, without processing, an incomplete or non-compliant application to the extent this Application Form and/or the accompanying documents are not properly or fully completed, and/or where negative responses in this Application Form are not properly explained, and/or such application is accompanied by documents that do not meet the applicable requirements, not in good order or otherwise not suitable for clearance. The SFC reserves the right to request the applicant to submit more information and/or documents and/or updated and duly completed and properly executed form(s), confirmation(s) or undertaking(s) before authorization of the revised document pursuant to section 105 of the SFO.
- 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") in the revised offering document(s), please also complete "Filing Form for Revised Offering Documents that Incorporate Changes Falling within 11.1B of the Code on Unit Trusts and Mutual Funds (UT Code) and Do Not Require SFC's Prior Approval".
- If there are changes in the revised offering document(s) which require the SFC's prior approval, please also complete the "Application Form for Scheme Change(s)".
- The issuer/ applicant is reminded to tick ALL boxes that are applicable in this Application Form.

On application, please submit 3 sets of revised offering document(s) and product key facts statement(s). Please submit soft copies of the revised offering document(s) (including product key facts statement(s), where applicable) with proper annotation(s) of the changes falling within 11.1 of the UT Code in text-searchable format.

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 authorization for the issue of the  
revised offering document(s) referred in paragraph 2 below pursuant to section 105 of the SFO.

2. The issue of the revised offering document(s) is 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. \_\_\_\_\_

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)*

(d) Offering document(s) revised

\_\_\_\_\_

(e) Has/have the product key facts statement(s) of the scheme(s) mentioned in paragraphs 2(b)  
and (c) been revised in connection with the revised offering document(s) as mentioned in  
paragraph 2(d) above?

Yes, please state the name of the single fund(s) / sub-fund(s)

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

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

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

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

5. \_\_\_\_\_

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

No

3. Is/are the scheme(s) mentioned in paragraphs 2(a), (b) and (c) above established in a recognized jurisdiction?

Yes, please state the name of home regulator: \_\_\_\_\_  
("Home Regulator")

No

4. (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: \_\_\_\_\_

5. We confirm that:-

(a) The revised offering document(s) referred in paragraph 2 above has/have incorporated all changes that were approved by the Commission on \_\_\_\_\_;

Annotation(s) in the revised offering document(s) <sup>1</sup>	Nature/brief details of change(s)
11.1 - 1	
11.1 - 2	
11.1 - 3	
11.1 - 4	
11.1 - 5	

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

<sup>1</sup> Please properly annotate the corresponding change(s) as set out in this table in the revised offering document(s).

- (b)  Apart from the changes as mentioned above, other changes in the revised offering document(s) referred in paragraph 2 above do not require the approval of the Commission under 11.1 of the Code on Unit Trusts and Mutual Funds (“UT Code”);
- (c) ***(Applicable only to overseas scheme(s) primarily regulated by an overseas regulator)***  
The revised offering document(s) referred in paragraph 2 above:
- (i) *(please tick one of the following)*
- has/have been authorized/approved by the Home Regulator of the scheme(s);
  - is/are in the process of obtaining authorization/approval<sup>2</sup> from the Home Regulator of the scheme(s);
  - has/have been filed with (and with no subsequent comments from) the home regulator of the scheme(s) in the case where authorization/approval of the scheme(s)’ overseas offering document(s) by such home regulator is not required;
- (ii) *(please tick if applicable)*
- is/are consistent with the scheme(s)’ overseas offering document(s) [Note: only for scheme(s) whose Hong Kong offering document(s) is/are different from the overseas offering document(s).];
- (d) All documents required to be submitted to the SFC for the purposes of the application for authorization of the revised offering document(s) as referred in paragraph 2 above 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;
- (e) Nothing in any of the documents required to be submitted to the SFC for the purposes of the application for authorization of the revised offering document(s) as referred in paragraph 2 above 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;
- (f) The product key facts statement(s) of the scheme(s) as mentioned in paragraphs 2(b) and (c) above is/are consistent with the revised offering document(s) referred to in paragraph 2(d) above;
- (g) Where the change(s) to the revised offering document(s) is/are attributable to change(s) in the constitutive document(s), all disclosures in the revised offering document(s) as referred in paragraph 2 above relating to the constitutive document(s) are consistent with the relevant provisions in the constitutive document(s); and
- (h) 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.

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<sup>2</sup> In any event, before the authorization of the revised offering document(s) by the Commission may become effective, the applicant must confirm in writing that the finalized drafts of the Hong Kong offering document(s) is/are consistent with the overseas offering document(s) as approved/authorized by the home regulator of the scheme(s).

6. We enclose with this Application Form the draft translation certificate for the revised Chinese [name of revised offering document(s)]<sup>3</sup>.
7. The applicant acknowledges that unless otherwise agreed by the SFC, this application will lapse if no authorization (or approval-in-principle in respect of approved pooled investment funds offered to retail investors, where applicable) is granted within the applicable processing time period as indicated in the first requisition issued by the SFC (if issued).

Yours faithfully,

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Name:  
Position:  
Duly authorized<sup>4</sup>  
For and on behalf of  
[Applicant's name]  
Date:

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<sup>3</sup> The Chinese translation certificate (together with the bilingual revised offering document(s) with proper annotation(s) indicating changes falling within 11.1 of the UT Code for the English version) must be executed and submitted before the authorization (if granted by the SFC) becoming effective.

<sup>4</sup> The signatory is expected to be a senior-ranking executive of the management company (or an appropriate person designated by the senior-ranking executive of the management company) with overall responsibility for the application.