

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

This Filing Form should be used by applicant in support of any filing submitted to the Securities and Futures Commission (the "Commission" or the "SFC") on or after 1 August 2017 for revised offering documents that (i) incorporate changes falling within 11.1B of the UT Code; and/or (ii) reflect immaterial changes which fall within 11.1 of the UT Code but do not require the SFC's prior approval ("Immaterial Changes")¹.

- The issuer/applicant is reminded to use/fill in this Filing Form for the purpose of filing for revised offering documents that (i) incorporate changes falling within 11.1B of the UT Code; and/or (ii) reflect Immaterial Changes.
- The issuer/applicant is reminded to tick ALL boxes that are applicable in this Filing 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 management company] (please delete if the management company is making this filing directly)) hereby file to the Commission the revised offering document(s) of the scheme(s) referred in paragraph 2 below pursuant to 11.1B of the UT Code.

2. The revised offering document(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. _____

4. _____

5. _____

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

¹The 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 (including certain amendments to constitutive documents that are Immaterial CD Amendments) can be found in "Section 2: Others" under 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.



(c) Name of the single fund(s)

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

3. We confirm that:

(a) the revised offering document(s) of the scheme(s) referred in paragraph 2 above has/have been updated to incorporate or reflect the following matters, further details of which are set out in paragraph 3(b) below:

- changes falling within 11.1B of the UT Code as filed to the Commission on _____.
- Immaterial Changes as filed to the Commission on _____.
- withdrawal of authorization in Hong Kong of the following scheme(s) that was / were approved by the Commission on _____:-

1. _____
2. _____
3. _____

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

(b) the change(s) mentioned in paragraph 3(a) above:

- was/were made to comply with the “Other Disclosure Requirements” as referred to in item 30 of the Frequently Asked Questions on the Code of Unit Trusts and Mutual Funds; and
- relate(s) to matters in addition to compliance with the “Other Disclosure Requirements” (the “Additional Changes”). The nature of the Additional Changes is set out below:

Immaterial Change(s)

Item	Relevant heading(s) and/or section(s) of the revised offering documents ²	Nature/brief details of change(s)
1.		
2.		

²Please provide the relevant heading(s) and/or section number(s) (if applicable) in the revised offering documents reflecting the respective changes indicated in the table.



3.		
4.		
5.		

Change(s) falling within 11.1B of the UT Code

Item	Relevant heading(s) and/or section(s) of the revised offering documents ²	Nature/brief details of change(s)
1.		
2.		
3.		
4.		
5.		

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

- (c) unless otherwise annotated in the revised offering documents, the changes that are marked-up in the revised offering documents are Immaterial Changes and/or change(s) falling within 11.1B of the UT Code ;
 - (d) the content and format of such document(s) remains fundamentally the same as the version previously authorized;
 - (e) the revised offering document(s) complies/comply 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;
 - (f) the product key facts statement(s) of the scheme(s) is/are consistent with the revised offering document(s);
 - (g) in the event that disclosures relating US Foreign Account Tax Compliance Act (“FATCA”) have been included in the offering document(s) of the scheme(s) referred to in paragraph 2, competent tax advice and opinion have been obtained on the FATCA status of the scheme(s) and on the FATCA disclosures in the offering document(s) of the scheme(s) being true and accurate; and
 - (h) unless otherwise specifically allowed for in this Filing Form, no deletion, addition or amendment has been made to the standard template of the current prescribed Filing Form as published on the SFC website.
4. (If applicable) We have instructed _____
[Please state name of law firm] to act on our behalf in relation to this filing. The contact details of the lawyer(s) handling the matter are as follows:-

Name of lawyer-in-charge: _____

Position: _____

Telephone number: _____

Email: _____

Address: _____



Yours faithfully,

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

³The 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 filing.