

Application Form for Scheme Change(s) in respect of MPF Products¹

Application for Approval of Change(s) to an Authorized Scheme pursuant to 8.2 of the SFC Code on MPF Products (MPF 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.

- In respect of application for authorization of the revised offering document, please also complete the “Application Form for Revised Offering Documents that Incorporate Changes Falling within 8.2 of the MPF Code that Require SFC’s Prior Approval”. If there are (i) changes which do not fall within 8.2 of the MPF Code and/or (ii) immaterial changes which fall within 8.2 of the MPF Code but do not require the SFC’s prior approval (“Immaterial Changes”)² in the notice, please also complete the “Filing Form for Notice of Scheme Change(s) falling within 8.2B of the MPF 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 MPF issuer*] (*please delete if the MPF issuer 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 2 below pursuant to 8.2 of the MPF Code.

2. The change(s) is/are related to the following scheme(s) authorized by the Commission:-
 - (a) Name of the MPF scheme/umbrella fund (for approved pooled investment funds (“APIFs”))

 - (b) Name of the constituent fund(s) (for MPF scheme)/sub-fund(s) (for APIFs)
 1. _____
 2. _____
 3. _____
 4. _____

¹For funds which are also authorized under the Code on Unit Trusts and Mutual Funds, applicant may refer to the “Application Form for Scheme Change(s)” in respect of items 2 and 5 to 9.

²The Circular to Issuers of SFC-authorized MPF Products dated 10 April 2014 entitled “Streamlined Measures to Enhance the Processing of Application for Scheme Changes and Revision of Offering Documents of SFC-authorized MPF Products” (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 MPF products 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 MPF Code and other guidelines that are published by the Commission from time to time.

5. _____
(Please use separate sheet(s), if necessary)
(c) Name of the single fund(s) (for APIFs)

1. _____

2. _____

3. _____

4. _____

5. _____

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

3. We confirm that the change(s) to the offering documents as a result of the following change(s) is/are subject to the Commission's prior approval pursuant to 8.2 of the MPF 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):

investment manager or its delegate(s) (please also respond to Question 4)

MPF issuer

trustee/custodian

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 rights or interests of scheme participants or fund holders

4. Where there are changes to the investment manager or its delegate(s):

the investment manager or its delegate(s) is/are currently managing SFC-authorized funds

the investment manager is incorporated in Hong Kong

its delegate(s) is/are subject to the on-going supervision of an acceptable inspection regime

5. Brief description of the change(s) as referred in paragraph 3 above.

6. Reason(s) for the change(s) as referred in paragraph 3 above.

7. Effective date of the change(s) as referred in paragraph 3 above.

8. Proposed notice period to be served to investors regarding the change(s) as referred in paragraph 3 above.

9. (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: _____

10. We confirm that the change(s) as referred in paragraph 3 above:-

(a) has/have been notified to the trustee/custodian and the trustee/custodian does not have any objection thereto;

(b) has/have been notified to the Mandatory Provident Fund Schemes Authority (the "MPFA") and the MPFA does not have any objection thereto;

(c) require(s) prior approval of the scheme participants or fund holders pursuant to the constitutive documents of the scheme(s);
 does/do not require prior approval of the scheme participants or fund holders pursuant to the constitutive documents of the scheme(s);

(d) does/do not materially prejudice the interests of the scheme participants or fund holders (except otherwise specified in this application below);
 may materially prejudice the interests of the scheme participants or fund holders;

Note: If you have ticked the second box under (d) above, please state clearly which of the proposed change(s) as referred to in paragraph 3 may materially prejudice the interests of scheme participants or fund holders, how / in what ways it may materially prejudice the interests of scheme participants or fund holders, as well as why the applicant still wishes to proceed with such change(s).

(e) is/are in compliance with the applicable provisions of the MPF Code; and

(f) contain(s) nothing that would in any way contradict or result in any breach of the applicable provisions of the MPF Code.

11. 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: _____