

## Application Form for Revised Offering Documents that Incorporate Changes Falling within 7.1 of the Code on Investment-Linked Assurance Schemes (ILAS Code) that Require SFC's Prior Approval

### 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

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 the revised offering documents also contain (i) changes falling within 7.3 of the ILAS Code; (ii) changes to investment options which fall within 7.1 of the ILAS Code but do not require the SFC's prior approval ("UF Driven Changes")<sup>1</sup>; and/or (iii) merger, termination and/or withdrawal of authorization of investment options,<sup>1</sup> please also complete "Filing Form for Revised Offering Documents that Do Not Require SFC's Prior Approval in respect of Investment-Linked Assurance Schemes".
- If there are changes in the offering document which require the SFC's prior approval, please also complete the "Application Form for Scheme Change(s) in respect of Investment-Linked Assurance Schemes".
- The issuer/applicant is reminded to tick ALL boxes that are applicable in this application form.
- On application, please provide soft copies of the submitted documents 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) of the scheme(s) as referred in paragraph 2 below pursuant to  
section 105 of the SFO.
2. The revised offering document(s) is/are related to the following Investment-Linked Assurance  
Scheme(s) ("ILAS") authorized by the Commission:-

Name of the ILAS

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

<sup>1</sup> The Circular to Issuers of SFC-authorized ILAS dated 12 November 2013 entitled "Streamlined Measures to Enhance the Processing of Application for Scheme Changes and Revision of Offering Documents in respect of ILAS" (the "Circular") sets out, among other things, the streamlined measures introduced by the Commission with respect to the UF Driven Changes and revisions to offering documents to reflect the merger, termination and/or withdrawal of authorization of investment options. UF Driven Changes are changes to investment options that fall within 7.1 of the ILAS Code which solely reflect the changes made to the corresponding SFC-authorized underlying funds. Issuer/applicant should ensure compliance of, among others, the ILAS Code and other guidelines that are published by the Commission from time to time.



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

3. The offering documents of each of the scheme(s) as referred in paragraph 2 above comprise the following:-

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

4. Document(s) to be revised (including revisions by way of addendum/addenda to existing document(s))

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

5. We confirm that:-

(a) the change(s) in the document(s) as referred in paragraph 4 above has/have incorporated change(s) that were:-

approved by the Commission; or

Page reference in the document(s)	Brief description of change(s)	Approval date

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



submitted to the Commission for approval;

Page reference in the document(s)	Brief description of change(s)	Submission date

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

- (b) apart from the change(s) as referred in item (a) above, other change(s) (if any) in the revised document(s) as referred in paragraph 4 above fall(s) within 7.3 of the ILAS Code or fall(s) within 7.1 of the ILAS Code but do(es) not require the SFC's prior approval;
- (c)  other than the investment options linked to pools of assets internally managed by \_\_\_\_\_ [state the name of applicant] on a discretionary basis (if any), all investment options available under the scheme(s) are linked to a class (or classes) of the corresponding underlying funds that are offered to the public investors in Hong Kong;  
 disclosures have been made in the offering documents of the scheme(s) alerting investors that certain investment option(s) available under the scheme(s) may not link to a class (or classes) of the corresponding underlying funds that are offered to the public investors in Hong Kong;
- (d) the disclosures in the offering documents of the scheme(s) as referred in paragraph 2 above in respect of the underlying fund(s) corresponding to each of the investment option(s) are consistent with the disclosures in the offering documents of the respective underlying fund(s);
- (e) the content of the revised document(s) as referred in paragraph 4 above is consistent with other parts of the offering documents of the respective scheme(s);
- (f) the content of the revised offering documents of the scheme(s) as referred in paragraph 2 above is consistent with the policy contract and constitutive documents of the respective scheme(s);
- (g) the product key facts statement(s) of the scheme(s) (if any) as referred in paragraph 2 above is/are consistent with the other parts of the offering documents of the respective scheme(s);
- (h) all documents required to be submitted to the Commission for the purposes of the application for authorization of the revised offering document(s) of the scheme(s) as referred in paragraph 2 above have been submitted and are in compliance with the ILAS Code and the applicable provisions in the Overarching Principles Section of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products ("SFC Handbook");
- (i) nothing in any of the documents required to be submitted to the Commission for the purposes of the application for authorization of the revised offering document(s) of the scheme(s) as referred in paragraph 2 above would in any way contradict or result in any breach of the applicable provisions of the ILAS Code and the applicable provisions in the Overarching Principles Section of the SFC Handbook; and
- (j) 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.



6. (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: \_\_\_\_\_

Yours faithfully,

\_\_\_\_\_

Name:

Position:

Duly authorized

For and on behalf of

[*Applicant's name*]

Date: \_\_\_\_\_