



## Information Checklist for Application for Authorization of Mainland Funds seeking SFC's Authorization under the Mutual Recognition of Funds Arrangement

### A. Introduction

An applicant seeking authorization of a publicly offered fund registered with the China Securities Regulatory Commission ("CSRC") under the Securities Investment Fund Law of the People's Republic of China ("Mainland Fund") pursuant to the Mutual Recognition of Funds between the Mainland and Hong Kong ("MRF") must complete this information checklist and submit it to the Investment Products Division of the Securities and Futures Commission ("SFC"), together with relevant documents required for an application. References to the fund in this information checklist refer to the fund under application. The SFC reserves the right to request for more information and/or documents in reviewing and considering each application.

Name of the fund(s) under application<sup>1</sup> :

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Name of the applicant<sup>2</sup> :

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### B. Instructions for Completing the Checklists

Please find attached a set of standard compliance checklists that sets out the basic requirements in support of an application for authorization of a Mainland Fund and relevant confirmations of compliance against the requirements as stipulated in the circular on "Mutual Recognition of Funds between the Mainland and Hong Kong" dated 22 May 2015 as amended from time to time ("Circular"). The information requested under the compliance checklists should not be considered as exhaustive and where appropriate, an applicant should submit additional material information that is relevant to the application.

When completing the checklists, please note the following:

1. each relevant requirement in Checklists II and III should be referenced to the document and/or page number in the document where the requirement is complied with;
2. while the checklists provide only a small amount of space for comments, you may attach a separate sheet of paper to the checklist(s) and cross-reference all comments to the appropriate requirement when necessary;
3. where your answer to an item on Checklist II or Checklist III is "No / N" or "Not Applicable" ("N/A"), the reason for such response should be clearly disclosed in the "Reference to documents / Comments" column and if necessary, on a separate page cross-referenced to the checklist(s); and

<sup>1</sup> Please provide the English and Chinese names of the fund(s)

<sup>2</sup> The applicant should be the management firm of the fund

4. A tick placed in the “Yes” column in the checklists shall be read as a representation that the requirements set out opposite the tick have been satisfied.

This is a standard form document. Unless otherwise specified, when completing the checklists please do not make any deletion, addition or amendment to the form or headings.

**The SFC reserves the right to return forthwith, without processing, an incomplete application to the extent the checklists and/or the accompanying documents are not properly or fully completed or annotated, and/or where negative responses in the checklists are not properly explained, and/or such application is accompanied by documents that do not meet the specified requirements, not in good order or otherwise not suitable for clearance. The SFC reserves the right to request the applicant to submit updated and duly signed checklist(s), confirmation(s) or undertaking(s) before authorization of a fund.**

We, the undersigned, hereby confirm that all information contained in this information checklist and the documents submitted relating thereto are true and accurate.

Signed on behalf of:

Applicant<sup>3</sup> :

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Name of authorized signatory<sup>4</sup> :

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Position :

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Date :

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<sup>3</sup> The applicant should be the management firm of the fund.

<sup>4</sup> Insert name of senior management of the applicant, or in the case of Hong Kong Representative or legal adviser, insert name of the firm and the name of the signatory.

## Checklist I - Information Relating to the Fund to be Provided to the SFC

Name of the fund(s)<sup>5</sup>: \_\_\_\_\_

The list below is not exhaustive. The SFC may require additional information.

### Part 1: General Information Relating to the Fund

Item	Details of the Fund	Notes [Y = Yes; N = No]
1.	Is the fund established and managed and operating in accordance with the Mainland laws and regulations and its constitutive documents?	Y/N
2.	Is the fund a publicly offered securities investment fund registered with the CSRC?	Y/N
3.	Are there any waivers granted or special requirements and/or conditions imposed on the fund by the CSRC?	Y/N <i>If yes, please provide details.</i>
4.	Has the fund been established for more than 1 year?	Y/N  <i>Please specify the date of establishment.</i>
5.	Fund type	Equity fund / bond fund / mixed fund / unlisted index fund / physical index-tracking exchange traded fund  If other types of fund, please specify.
6.	Does the fund have a minimum fund size of not less than RMB 200 million or its equivalent in a different currency?	Y/N  <i>Please specify the latest fund size and the reference date.</i>
7.	Does the fund primarily invest in the Hong Kong market?  Investment objective(s)	Y/N  <i>Please state the investment objective for each fund.</i>
8.	Does the fund use or invest in financial derivative instruments (FDI)?	Y/N  <i>If yes, please specify the objective and risk management policy in relation to the use of FDI by the fund, including but not limited to (i) the purpose of the use of FDI (e.g. hedging or investment); (ii) the type of FDI used or to be used; (iii) information relating to the strategy being employed in order to achieve the intended purpose of the use of FDI; or in the absence of strategy, a negative statement; (iv) the</i>

<sup>5</sup> Please provide the English and Chinese names of the fund

		<i>counterparty involved; and (v) the expected or maximum leverage and gross exposure on a commitment/notional basis as a result of the use of FDI and a brief explanation as to the basis of such calculation.</i>
9.	Does the fund engage in stock lending, repo and/or similar transactions?	Y/N  <i>If yes, please specify the details of such arrangements and the related risk management policy of the fund, including but not limited to haircut policy, selection criteria for counterparties of these transactions, collateral policy and the maximum level of the fund's assets available for such transactions.</i>
10.	Does the fund use external leverage (borrowing)?	Y/N  <i>If yes, please specify the objective and risk management policy in relation to the use of leverage by the fund, including but not limited to, (i) the maximum level of leverage exposure; (ii) the basis of calculation of leverage exposure.</i>
11.	Valuation and dealing frequency	<i>Daily/Weekly/Monthly/Other (Please specify)</i>

## Part 2: Operating Parties to the Fund

	<b>Operating Parties</b>	<b>Notes [Y = Yes; N = No]</b>
12.	<b>Management firm</b> - Name - Registered/business address	
13.	Is the management firm registered and operating in the Mainland in accordance with Mainland laws and regulations?	Y/N
14.	Is the management firm licensed by the CSRC to manage publicly offered securities investment funds?	Y/N
15.	Are there restrictions attached to the management firm's license?	Y/N <i>If yes, please provide details.</i>
16.	Has the management firm been the subject of any major regulatory actions by the CSRC in the past 3 years or, if it has been established for less than 3 years, since the date of its establishment?	Y/N <i>If yes, please provide details.</i>
17.	Are the directors of the management firm aware of any current or pending investigation of the management firm or its directors?	Y/N <i>If yes, please provide details.</i>

18.	Is the management firm currently managing any SFC-authorized funds?	Y/N
19.	Is there any delegation of investment management functions/activities?  Does the delegate operate within or outside the Mainland?	Y/N <i>If yes, please provide details.</i>  Y/N <i>If yes, please provide details.</i>
20.	<b>Custodian</b> - Name - Registered/business address - Principal supervisory authority	
21.	Does the custodian currently act as custodian of any SFC-authorized funds?	Y/N
22.	Does the custodian qualify to act as custodian for publicly offered securities investment funds in Mainland pursuant to Mainland laws and regulations?	Y/N

### Part 3: Information of the Hong Kong Representative

Item	Hong Kong Representative	Notes
23.	<b>Hong Kong Representative</b> - Name - Registered/business address - Name of ultimate holding company	<i>Please state whether the Hong Kong Representative is an affiliate of the management firm / custodian</i>  <i>Please state whether it is currently acting as the Hong Kong Representative of any SFC-authorized funds</i>
24.	Is the Hong Kong Representative (i) licensed or registered under the Securities and Futures Ordinance (Chapter 571 of the laws of Hong Kong) (“SFO”) or (ii) a trust company registered under Part VIII of the Trustee Ordinance (Chapter 29 of the laws of Hong Kong) which is an affiliate of an authorized financial institution defined under the SFO?	Y/N  <i>Please indicate whether the Hong Kong Representative is (i) licensed or registered under the SFO or (ii) a trust company registered under Part VIII of the Trustee Ordinance (Chapter 29 of the laws of Hong Kong) which is an affiliate of an authorized financial institution defined under the SFO</i>
25.	Contact Persons - Name of person(s) for contact with the SFC - Contact details of the above person(s) (telephone / fax / postal and email address (es))	<i>Please specify person(s) for contact in relation to (if applicable):</i> - <i>compliance matters</i> - <i>administrative matters (e.g. SFC fee collection)</i>

## Checklist II - Documents to Be Submitted to the SFC

Name of the fund<sup>5</sup>: \_\_\_\_\_

The list below is not exhaustive. The SFC may require additional information.

Please notify the SFC immediately if there are any changes to the information provided.

On application, please submit 3 sets of all documents except for financial statements, where a soft copy only would suffice. Please also provide soft copies of these documents in text-searchable format. The Commission may accept drafts of confirmations/undertakings/agreements (marked in “\*” below). However, duly executed confirmations/undertakings/agreements are required to be submitted prior to authorization.

Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

### Application Form and Application Fee

- (1) Completed Application Form
- (2) Completed Information Checklist
- (3) Application fee in the form of a cheque<sup>6</sup>


### Hong Kong Offering Document<sup>7</sup>

- (4) English version of CSRC-registered offering documents
- (5) English version of Hong Kong covering document annotated against the applicable disclosure provisions as set out in Checklist III
- (6) English version of Product key facts statement (“Product KFS”)


### Constitutive Documents<sup>8</sup>

- (7) Constitutive documents<sup>9</sup>
- (8) A confirmation that:
  - (a) the constitutive documents have complied with all applicable Mainland laws and regulations and the CSRC’s requirements;\* **(See Annex C)** and
  - (b) such constitutive documents are the latest version that have been submitted to/filed with the CSRC.\* <sup>10</sup> **(See Annex C)**


### Fund

- (9) Latest audited financial report of the fund and if more recent, its latest quarterly or semi-annual report<sup>11</sup>


<sup>6</sup> Please refer to the update fee schedule posted on the SFC’s website.

<sup>7</sup> The Hong Kong offering document can be a simple Hong Kong wrapper complementing the offering document approved or registered by CSRC.

<sup>8</sup> “Constitutive documents” means the fund contract of a Mainland Fund.

<sup>9</sup> Constitutive documents may be submitted in simplified Chinese. Specific information regarding the constitutive documents should be made available to Hong Kong investors in traditional Chinese and/or English upon request.

<sup>10</sup> Please be reminded that it is the responsibility of the applicant to submit to the SFC the final versions of the constitutive documents that are submitted to/filed with the CSRC.

<sup>11</sup> The financial report may be submitted in simplified Chinese. Specific information regarding the financial report should be made available to Hong Kong investors in traditional Chinese and/or English upon request.

Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

### Approved Person

- (10) The letter from the management firm nominating an individual to be approved by the SFC as an approved person for the fund pursuant to 1.3(g) of the UT Code\* <sup>12</sup> **(See Annex D)**
- (11) A letter from the nominated approved person to the SFC confirming matters stated in 1.6 of the UT Code\* **(See Annex E)**


### Hong Kong Representative

- (12) (a) Confirmation that the Hong Kong Representative agreement contains provisions in compliance with 9.3 of the UT Code to cover the functions of a Representative;\* or  
(b) Confirmation that the Hong Kong Representative agreement has not been amended since the confirmation in (a) above was last submitted to the SFC.\* **(See Annex C)**
- (13) Written undertaking from the Hong Kong Representative pursuant to 9.7 of the UT Code\* **(See Annex F)**


### Chinese Translation<sup>13</sup>

- (14) A confirmation that each of the traditional Chinese and English versions of the Hong Kong offering document (the Relevant Document) is a true and accurate translation of each other; and that where any text of the Relevant Document is derived from the original simplified Chinese text of the offering document approved or registered by the CSRC, the Relevant Document is a true and accurate reflection of the original simplified text, taking into account market practice and customary use of Chinese language in Hong Kong.\* <sup>14</sup> **(See Annex G)**


### Confirmations

- (15) Confirmation that all documents required to be submitted to the SFC for the purpose of application for authorization of the fund have been submitted and are in compliance with the requirements in the Circular. <sup>15</sup> **(See Annex A)**
- (16) Confirmation that the Hong Kong offering document of the fund is consistent with the Mainland offering document which has been approved or registered by the CSRC<sup>15</sup> **(See Annex A)**


<sup>12</sup> UT Code refers to the Code on Unit Trusts and Mutual Funds.

<sup>13</sup> Please refer to the SFC's circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=H480> and FAQ 9 in the Frequently Asked Questions on the Application Procedures for Authorization of Unit Trusts and Mutual Funds.

<sup>14</sup> The finalized Chinese version of the Hong Kong offering document together with the signed Chinese translation confirmation may be submitted when the English Hong Kong offering document is ready before final authorization is given.

<sup>15</sup> Executed confirmation should be provided on application. An updated confirmation is required to be submitted prior to authorization.

- (17) Confirmation that the Product KFS of the fund is consistent with the Hong Kong offering document<sup>15</sup> **(See Annex A)**
- (18) Confirmation that unless otherwise specifically allowed for in the Application Form for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products, the Information Checklist for Application for Authorization of Mainland Funds seeking SFC's Authorization under the Mutual Recognition of Funds Arrangement or related prescribed form(s) of confirmation, no deletion, addition or amendment has been made to the standard templates of these current prescribed documents as published on the SFC website.<sup>15</sup> **(See Annex A)**
- (19) Confirmation as required by the Circular to Product Providers of SFC-authorized unit trusts and mutual funds, SFC-authorized investment-linked assurance schemes and SFC-authorized unlisted structured investment products dated 30 April 2014 entitled "Guidance on Internal Product Approval Process"<sup>16</sup> **(See Annex B)**.

Submitted? (please tick, if applicable)			Reference to documents / Comments
Yes	No	N/A	

<sup>16</sup> The Circular to Product Providers of SFC-authorized unit trusts and mutual funds, SFC-authorized investment-linked assurance schemes and SFC-authorized unlisted structured investment products dated 30 April 2014 entitled "Guidance on Internal Product Approval Process" can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=14EC25>. Executed confirmation should be submitted on application.



## Checklist III – Content Checklist for Hong Kong Offering Document

Name of the fund<sup>5</sup>: \_\_\_\_\_

Applicants should note the following in preparing the Hong Kong offering document of the fund

1. The offering document should be complete, accurate, fair, clear, effective, and written in plain language so as to facilitate investors' understanding of the fund.
2. The following checklist is prepared on the basis that a Mainland Fund would utilize its offering documents registered with the CSRC, supplemented with a Hong Kong covering document and a Product KFS, as its Hong Kong offering documents. The Hong Kong covering document shall comply with the disclosure requirements set out in the Circular, details of which are summarized in the checklist below. If, however, a Mainland Fund intends to prepare a standalone offering document for public offering in Hong Kong instead of utilizing its offering documents registered with the CSRC, such standalone offering document shall comply with all applicable disclosure requirements in the OPS<sup>17</sup> and UT Code (and such other requirements that may be required by the SFC from time to time).
3. The following list is not intended to be exhaustive. The management firm is obliged to disclose any information necessary for investors to make an informed judgment or such other information as required by the Circular from time to time.

Item No.	Relevant Provisions of the OPS and UT Code	Complied with?			Comments (Please state the reasons here if you select "No" in the previous column)	Hong Kong offering document page reference
		Yes	No	N/A		
<b>Bilingual offering document</b>						
1	5.6 of OPS of SFC Handbook					
<b>Product KFS</b>						
2	6.2A of UT Code					
<b>Enquiries and complaint handling</b>						
3	7.4 of OPS of SFC Handbook					
<b>Mention of SFC authorization</b>						
4	1.10 of OPS of SFC Handbook					
<b>Other disclosure</b>						
5	Clause 3(d) of Appendix C					
6	Clause 12 of Appendix C					
7	Clause 16 of Appendix C					
8	Clause 18 of Appendix C					
9	Clause 18A of Appendix C					
10	Clause 19(a) of Appendix C					
11	Clause 20 of Appendix C					

<sup>17</sup> OPS refers to the "Overarching Principles" section of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products

Item No.	Relevant Provisions of the OPS and UT Code	Complied with?			Comments (Please state the reasons here if you select "No" in the previous column)	Hong Kong offering document page reference
		Yes	No	N/A		
12	Clause 23 of Appendix C					
13	Disclosure on stock lending as per FAQ 21 in the Frequently Asked Questions on the Code on Unit Trusts and Mutual Funds or (in respect of physical index-tracking exchange traded funds) FAQ 7 in the Frequently Asked Questions on the Exchange Traded Funds and Listed Funds					
14	Other information which may have a significant impact on the investors in Hong Kong					

## ANNEX A

### FORM OF CONFIRMATION ON COMPLIANCE<sup>18</sup>

To: Securities and Futures Commission (“SFC”)

From: [Name and title of authorized signatory]

Date: [Date of application] / [Date prior to final authorization is given]

Name of the fund(s): [\*] (the “Fund”)

We hereby confirm that

- all documents required to be submitted to the SFC for the purposes of application for authorization of the Fund have been submitted and are in compliance with the Circular on “Mutual Recognition of Funds between the Mainland and Hong Kong” dated 22 May 2015 as amended from time to time (“Circular”);
- the Hong Kong offering document of the Fund is consistent with the Mainland offering document which has been approved or registered by the China Securities Regulatory Commission;
- the Product KFS of the Fund is consistent with the Hong Kong offering document; and
- unless otherwise specifically allowed for in the Application Form for Unit Trusts and Mutual Funds, Investment-Linked Assurance Schemes and Unlisted Structured Investment Products, the Information Checklist for Application for Authorization of Mainland Funds seeking SFC’s Authorization under the Mutual Recognition of Funds Arrangement or related prescribed form(s) of confirmation, no deletion, addition or amendment has been made to the standard templates of these current prescribed documents as published on the SFC website.

This confirmation is submitted in support of our application for the authorization of the Fund by the SFC pursuant to section 104 of the Securities and Futures Ordinance.

Name of the applicant<sup>19</sup>

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Name of authorized signatory :

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Position of authorized signatory :

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Signature :

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<sup>18</sup> Duly executed confirmation as set out in Annex A is required to be submitted at the time of application. An updated confirmation is required to be submitted prior to authorization.

<sup>19</sup> The applicant should be the management firm of the fund

## ANNEX B

### FORM OF CONFIRMATION OF COMPLIANCE WITH GUIDANCE ON INTERNAL PRODUCT APPROVAL PROCESS<sup>20</sup>

To: Securities and Futures Commission  
From: [*Name of the applicant*]  
Date: [*Date of application*<sup>21</sup>]  
Subject of application: [\*] (“Application”)

We hereby confirm and undertake that all requirements set out in the Circular to product providers of SFC-authorized unit trusts and mutual funds, SFC-authorized investment-linked assurance schemes and SFC-authorized unlisted structured investment products dated 30 April 2014 entitled “Guidance on Internal Product Approval Process” have been and will be complied with in respect of the product(s) under the Application.

This confirmation is submitted in support of our application for the authorization of the Fund by the SFC pursuant to section 104 of the Securities and Futures Ordinance.

Signed on behalf of the applicant:

Name of applicant<sup>22</sup> :

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Name of authorized signatory :

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Position of authorized signatory<sup>23</sup> :

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Signature :

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<sup>20</sup> The Circular (the “Circular”) to Product Providers of SFC-authorized unit trusts and mutual funds, SFC-authorized investment-linked assurance schemes and SFC-authorized unlisted structured investment products dated 30 April 2014 entitled “Guidance on Internal Product Approval Process” can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=14EC25>

<sup>21</sup> Executive confirmation should be submitted on application.

<sup>22</sup> The applicant should be the management company of the scheme. For the purposes of a self-managed scheme, the applicant should be the board of directors of the scheme.

<sup>23</sup> The confirmation must be signed by a person of sufficient seniority with the necessary authority to sign on behalf of the applicant acceptable to the Commission. As set out in paragraph 8 and footnote 2 of the Circular, the confirmation in respect of unit trusts and mutual funds must be signed by (i) the Responsible Officer (in respect of Type 9 Regulated Activity) of the management company (if SFC-licensed), (ii) an executive director (or above) of the management company (if not SFC-licensed) or (iii) an executive director (or above) of the fund (in case of a self-managed scheme).

## ANNEX C

### FORM OF CONFIRMATION ON COMPLIANCE<sup>24</sup>

To: Securities and Futures Commission (“SFC”)

From: *[Name and title of authorized signatory]*

Date: *[Date of application]* / *[Date prior to final authorization is given]*

Name of the fund(s): *[\*]* (the “Fund”)

We hereby confirm that

- the constitutive documents of the Fund submitted to the SFC on *[\*\*]* have complied with all applicable Mainland laws and regulations and the China Securities Regulatory Commission’s (“CSRC”) requirements;
- such constitutive documents are the latest version that have been submitted to/filed with the CSRC;
- the Hong Kong Representative agreement entered into with *[name of appointed Hong Kong Representative]*, the Hong Kong Representative of the Fund, contains provisions in compliance with 9.3 of the Code on Unit Trusts and Mutual Funds (“UT Code”) to cover the functions of a Representative;

OR

the Hong Kong Representative agreement has not been amended since the confirmation of compliance with 9.3 of the UT Code was last submitted to the SFC.

*[delete where appropriate]*

This confirmation is submitted in support of our application for the authorization of the Fund by the SFC pursuant to section 104 of the Securities and Futures Ordinance.

Name of the applicant<sup>25</sup>

Name of authorized signatory

:

Position of authorized signatory

:

Signature

:

<sup>24</sup> The Commission may accept drafts of this confirmation as set out in Annex C at the time of application. However, duly executed confirmation is required to be submitted prior to authorization.

<sup>25</sup> The applicant should be the management firm of the fund.

**ANNEX D**

**FORM OF NOMINATION OF APPROVED PERSON<sup>26</sup>**

To: Securities and Futures Commission (“SFC”)  
From: [Name and title of authorized signatory]  
Date: [Date of application] / [Date prior to final authorization is given]  
Name of the fund(s): [\*] (the “Fund”)

Pursuant to 1.3(g) of the Code on Unit Trusts and Mutual Funds, we hereby nominate [name] as Approved Person for the Fund for the purposes of section 104(2) and 105(2) of the Securities and Futures Ordinance (Cap 571), his/her details are as follow:

- Name: [xxx]
- Employer: [xxx]
- Position: [xxx]
- Address: [xxx]
- Telephone number: [xxx]
- Facsimile number: [xxx]
- Email: [xxx]

Name of the applicant<sup>27</sup>

Name of authorized signatory

:

Position of authorized signatory

:

Signature

:

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<sup>26</sup> The Commission may accept drafts of this confirmation as set out in Annex D at the time of application. However, duly executed confirmation is required to be submitted prior to authorization.

<sup>27</sup> The applicant should be the management firm of the fund.

## ANNEX E

### FORM OF CONFIRMATION BY THE APPROVED PERSON<sup>28</sup>

To: Securities and Futures Commission ("SFC")

From: [Name and title of authorized signatory]

Date: [Date of application] / [Date prior to final authorization is given]

Name of the fund(s): [\*] (the "Fund")

I, [name], have been nominated as the approved person of the Fund for the purposes of being served by the Commission with notices and decisions for, respectively, the Fund and the issue of any advertisement, invitation or documents relating to the Fund, pursuant to sections 104(3) and 105(3) of the Securities and Futures Ordinance ("SFO") and confirm that:

1. I ordinarily reside in Hong Kong;
2. I have informed the SFC of my current contact details, including, in so far as applicable, the address, telephone and facsimile numbers, and electronic mail address;
3. I am capable of being contacted by the SFC by post, telephone, facsimile and electronic mail during business hours;
4. I will inform the SFC of any change in my contact details within 14 days after the change takes place; and
5. I will comply with any other requirements the SFC considers appropriate in relation to the functions as approved person for the Fund.

Name of the approved person

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Signature

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<sup>28</sup> The Commission may accept drafts of this confirmation as set out in Annex E at the time of application. However, duly executed confirmation is required to be submitted prior to authorization.

**ANNEX F**

**FORM OF HONG KONG REPRESENTATIVE UNDERTAKING<sup>29</sup>**

To: Securities and Futures Commission (“SFC”)

From: [*Name and title of authorized signatory*]

Date: [*Date of application*] / [*Date prior to final authorization is given*]

Name of the fund(s): [\*] (the “Fund”)

Pursuant to 9.7 of the Code on Unit Trusts and Mutual Funds, we, [*name of company*], appointed as the Hong Kong representative of the Fund, undertakes to perform the duties required of a Representative under the Code on Unit Trusts and Mutual Funds.

Name of the Hong Kong Representative<sup>30</sup>

\_\_\_\_\_

Name of authorized signatory :

\_\_\_\_\_

Position of authorized signatory :

\_\_\_\_\_

Signature :

\_\_\_\_\_

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<sup>29</sup> The Commission may accept drafts of this confirmation as set out in Annex F at the time of application. However, duly executed confirmation is required to be submitted prior to authorization.

<sup>30</sup> The Hong Kong Representative of the Fund should sign this Undertaking



**ANNEX G  
FORM OF CHINESE TRANSLATION CONFIRMATION<sup>31</sup>**

**Option 1: One Confirmation to be Issued**

To: Securities and Futures Commission (“SFC”)

From: *[Name and title of authorized signatory]*

Date: *[Date of application]* / *[Date prior to final authorization is given]*

Name of the fund: *[\*]* (the “Fund”)

I hereby certify and confirm that:

1. *[[name of the appointee]* is fully conversant in traditional and simplified Chinese and English language / I am fully conversant in traditional and simplified Chinese and English language *[delete where appropriate]* and competent to review and ensure each of the traditional Chinese and English versions of the Hong Kong offering document of the Fund, comprising of *[name of relevant document(s)]* (the “Relevant Document”) is a true and accurate translation of each other; and
2. *[I have appointed [name of the appointee] to review and ensure that / I have reviewed and ensured that] [delete where appropriate]*
  - (a) each of the traditional Chinese and English versions of the Relevant Document is a true and accurate translation of each other; and
  - (b) where any text of the Relevant Document is derived from the original simplified Chinese text of the offering document approved or registered by the CSRC, the Relevant Document is a true and accurate reflection of the original simplified text, taking into account market practice and customary use of Chinese language in Hong Kong.

*[Name of the party issuing confirmation]*<sup>32</sup>

Name of authorized signatory :

Position of authorized signatory :

Signature :

<sup>31</sup> The Commission may accept drafts of this confirmation as set out in Annex G at the time of application. However, duly executed confirmation is required to be submitted prior to authorization.

<sup>32</sup> Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=H480> and Question 9 of the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code which can be downloaded at <http://www.sfc.hk/web/EN/faqs/product-authorization/application-procedures-for-authorization-of-unit-trusts-and-mutual-funds.html>

**Option 2: Two Confirmations to be Issued (Comprising the First Confirmation and Second Confirmation Below)**

**First Confirmation**

To: Securities and Futures Commission (“SFC”)

From: [Name and title of authorized signatory]

Date: [Date of application] / [Date prior to final authorization is given]

Name of the fund: [\*] (the “Fund”)

I hereby certify and confirm that:

1. [name of the translation company] is a company with qualified personnel who are fully conversant in the traditional and simplified Chinese and the English language and competent to review and ensure each of the traditional Chinese and English versions of the Hong Kong offering document of the Fund, comprising of [name of relevant document(s)] (the “Relevant Document”) is a true and accurate translation of each other; and
2. I have appointed [name of the translation company] to review and ensure that each of the traditional Chinese and English versions of the Relevant Document is a true and accurate translation of each other; and that where any text of the Relevant Document is derived from the original simplified Chinese text of the offering document approved or registered by the CSRC, the Relevant Document is a true and accurate reflection of the original simplified text, taking into account market practice and customary use of Chinese language in Hong Kong.

[Name of the party issuing  
confirmation]<sup>33</sup>

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Name of authorized signatory

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Position of authorized signatory

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Signature

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<sup>33</sup> Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=H480> and Question 9 of the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code which can be downloaded at <http://www.sfc.hk/web/EN/faqs/product-authorization/application-procedures-for-authorization-of-unit-trusts-and-mutual-funds.html>

## Second Confirmation

To: Securities and Futures Commission (“SFC”)

From: *[Name and title of authorized signatory]*

Date: *[Date of application]* / *[Date prior to final authorization is given]*

Name of the fund: *[\*]* (the “Fund”)

I hereby certify and confirm that

- (i) *[name of the translation company]* has been appointed by *[name of appointing party]* to review and ensure each of the traditional Chinese and English versions of the Hong Kong offering document of the Fund, comprising of *[name of relevant document(s)]* (the “Relevant Document”) is a true and accurate translation of each other; and that where any text of the Relevant Document is derived from the original simplified Chinese text of the offering document approved or registered by the CSRC, the Relevant Document is a true and accurate reflection of the original simplified text, taking into account market practice and customary use of Chinese language in Hong Kong.
- (ii) *[name of translator]* of this office is fully conversant in the traditional and simplified Chinese and the English language and competent to review and ensure each of the traditional Chinese and English versions of the Relevant Document is a true and accurate translation of each other; and
- (iii) each of the traditional Chinese and English versions of the Relevant Document is/are a true and accurate translation of each other; and that where any text of the Relevant Document is derived from the original simplified Chinese text of the offering document approved or registered by the CSRC, the Relevant Document is a true and accurate reflection of the original simplified text, taking into account market practice and customary use of Chinese language in Hong Kong.

*[Name of the translator]*<sup>34</sup> :

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Name of authorized signatory :

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Position of authorized signatory :

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Signature :

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<sup>34</sup> Please refer to the SFC’s circular regarding streamlining of authorization process (30 December 2005) which can be downloaded at: <http://www.sfc.hk/edistributionWeb/gateway/EN/circular/openFile?refNo=H480> and Question 9 of the FAQ on the Application Procedure for Authorization of Unit Trusts and Mutual Funds under the UT Code which can be downloaded at <http://www.sfc.hk/web/EN/faqs/product-authorization/application-procedures-for-authorization-of-unit-trusts-and-mutual-funds.html>