



SECURITIES AND
FUTURES COMMISSION
證券及期貨事務監察委員會

Application Form for Approval of Change of Name of an Open-ended Fund Company or Sub-fund of an Open-ended Fund Company

This Application Form should be used by an applicant for an application for a change of name of any open-ended fund company (“OFC”) pursuant to rule 9 of the Securities and Futures (Open-ended Fund Companies) Rules (“OFC Rules”), or for a change of name of any sub-fund of any OFC pursuant to rule 161 of the OFC Rules. This Application Form is applicable to an application for both public OFCs and private OFCs as defined in the Code on Open-ended Fund Companies (“OFC Code”) and the sub-fund(s) thereof.

The 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 Securities and Futures Commission (the “Commission” or the “SFC”) 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 may constitute an offence under either section 383(1), 384(1) and/or 384(3) of the Securities and Futures Ordinance (“SFO”).

- Where the proposed change of name is in respect of a public OFC or publicly offered sub-fund(s) of an OFC, the applicant is reminded to observe the relevant requirements concerning scheme change and/or revision to offering documents as applicable to SFC-authorized funds, in addition to the submission of this Application Form.
- The 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,

Re: _____ [*state the subject of the application*]

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 approval of a change of name for the OFC referred in paragraph 2 below pursuant to rule 9 of the OFC Rules / sub-fund(s) of the OFC referred in paragraph 2 below pursuant to rule 161 of the OFC Rules (*please delete as appropriate*).



2. The change(s) is/are related to the following OFC / sub-fund(s) (please delete as appropriate):-

- Existing name of the umbrella OFC

Proposed new name of the umbrella OFC

- Change of name of the following sub-fund(s)

Existing name of the sub-fund(s)	Proposed new name of the sub-fund(s)

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

- Existing name of the single OFC

Proposed new name of the single OFC

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

3. Reason for the proposed change¹:

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

4. We confirm that all notice(s) (if any) to and approval(s) (if any) required from shareholders for the proposed change of name have been served / obtained in accordance with the instrument of incorporation and offering documents of the OFC.
5. We undertake that all requirement(s) in the instrument of incorporation and offering documents of the OFC for notices (if any) to be served on shareholders for the change of name subsequent to such change will be duly complied with.

¹ Pursuant to 4.6 of the OFC Code, the proposed change must be supported with explanations having regard to the requirements in chapter 4 of the OFC Code.



6. We confirm that the proposed change of name for the OFC / sub-fund(s) of the OFC (*please delete as appropriate*) is compliant with the requirements under the SFO, OFC Rules and OFC Code².

7. Other key information in relation to the proposed change of name to which the applicant wishes to draw the Commission's attention is as follows:

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

8. We have instructed _____ [*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: _____

9. (*Applicable to private OFCs or privately offered sub-fund(s)*³) A cheque numbered _____ [*Cheque number*] drawn on _____ [*Bank*] for HK\$ _____ is enclosed being payment of the application fee, as prescribed under the Securities and Futures (Open-ended Fund Companies) (Fees) Regulation.

[Please elaborate below if there is any submission regarding the fees chargeable under the Securities and Futures (Open-ended Fund Companies) (Fees) Regulation]

10. The applicant acknowledges that unless otherwise agreed by the Commission:-

- (a) this application will lapse if no approval is granted within the applicable processing time period as indicated in the first requisition issued by the Commission (if issued);
- (b) no fees paid to the Commission in respect of this application shall be repayable if this application is for any reason withdrawn, cancelled or rejected by the Commission or if it lapses under paragraph (a); and
- (c) (*Applicable to private OFCs or privately offered sub-fund(s)*) if a new application is made for the OFC after an application is for any reason withdrawn, cancelled or rejected by the Commission or if it lapses under paragraph (a), further application fee will be payable in accordance with the provisions of the Securities and Futures (Open-ended Fund Companies) (Fees) Regulation.

² Including section 112H of the SFO, rule 9 and/or rule 161 of the OFC Rules, and 4.4 and 4.5 of the OFC Code (as applicable).

³ This refers to sub-fund(s) which have not obtained an authorization by the SFC under section 104 of the SFO.



11. The applicant confirms 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 authorized⁴
For and on behalf of
[Applicant's name]

Date:

⁴ The signatory should be a director of the OFC or a senior-ranking executive of the investment manager of the OFC (or an appropriate person designated by the senior-ranking executive of the investment manager of the OFC), who is duly authorized by the board of directors of the OFC.