



Form of Confirmation and Undertaking

To: Securities and Futures Commission (the “SFC”)

From: [*Name of the applicant*] (the “Applicant”)

Date: [*Date of application*]

[*Name of the paper gold scheme*] (the “Scheme”)

This confirmation and undertaking is provided to the SFC in support of the Applicant’s application for the authorization of the Scheme and its offering documents pursuant to sections 104 and 105 of the Securities and Futures Ordinance (Cap. 571) (the “SFO”).

- (1) We hereby confirm and undertake to the SFC that the Applicant and the Scheme comply, and will continue to comply, with the “Overarching Principles Section” of the SFC Handbook for Unit Trusts and Mutual Funds, Investment-linked Assurance Schemes and Unlisted Structured Investment Products.
- (2) We undertake to the SFC that all advertisements in respect of, and other invitations to invest in, the Scheme will comply with the Advertising Guidelines Applicable to Collective Investment Schemes Authorized under the Product Codes promulgated by the SFC in July 2008 (and as amended from time to time), wherever applicable, as if the same were applicable to the Scheme.
- (3) We confirm to the SFC that we shall nominate an individual for approval by the SFC as an approved person¹ for (a) the Scheme; and (b) the issue of any related advertisement, invitation or document for the purpose of section 104(2) and section 105(2) respectively of the SFO.

Signed for and on behalf of the Applicant:

Applicant : _____

Name of authorized signatory : _____

Position of authorized signatory : _____

Signature : _____

¹ An approved person shall:

- (a) have his/her ordinary residence in Hong Kong;
- (b) inform the SFC of his/her current contact details, including, in so far as applicable, the address, telephone and facsimile numbers, and electronic mail address;
- (c) be capable of being contacted by the SFC by post, telephone, facsimile and electronic mail during business hours;
- (d) inform the SFC of any change in his/her contact details within 14 days after the change takes place; and comply with any other requirements as the SFC considers appropriate.