

No. S 541

**SECURITIES AND FUTURES ACT
(CHAPTER 289)**

**SECURITIES AND FUTURES (OFFERS OF INVESTMENTS)
(COLLECTIVE INVESTMENT SCHEMES) (AMENDMENT)
REGULATIONS 2003**

In exercise of the powers conferred by sections 286, 287, 289, 296, 300, 305 and 341 of the Securities and Futures Act, the Monetary Authority of Singapore hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Securities and Futures (Offers of Investments) (Collective Investment Schemes) (Amendment) Regulations 2003 and shall come into operation on 22nd December 2003.

Amendment of regulation 2

2. Regulation 2(1) of the Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations 2002 (G.N. No. S 241/2002) (referred to in these Regulations as the principal Regulations) is amended by deleting the definition of “responsible person” and substituting the following definition:

“ “responsible person”, in relation to a restricted scheme, means —

- (a) in the case of a restricted scheme which is authorised under paragraph 2 of the Fifth Schedule or for which an application for authorisation has been made under that paragraph, the manager for the restricted scheme; or
- (b) in the case of a restricted scheme which is recognised under paragraph 3 of the Fifth Schedule or for which an application for recognition has been made under that paragraph —
 - (i) where the restricted scheme is constituted as a corporation, the corporation; or
 - (ii) where the restricted scheme is not constituted as a corporation, the manager for the restricted scheme;”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended by deleting paragraph (2) and substituting the following paragraphs:

“(2) Where there is no relevant form specified in the First Schedule for the document, the document shall be lodged together with Form 7 in the First Schedule.

(3) A form prescribed by these Regulations shall be completed in the English language and in accordance with such directions as may be specified in the form or by the Authority.

(4) The Authority may refuse to accept any form if it is not completed in accordance with this regulation or accompanied by the relevant fee referred to in regulation 5.”.

Deletion of regulation 4

4. Regulation 4 of the principal Regulations is deleted.

Amendment of regulation 6

5. Regulation 6(3) of the principal Regulations is amended by deleting sub-paragraphs (a) to (f) and substituting the following sub-paragraphs:

“(a) any person who is or will be employed by or associated with the public company;

(b) any person whom the Authority considers to be exercising influence over the public company; and

(c) any person whom the Authority considers to be exercising influence over a related corporation of the public company.”.

Amendment of regulation 7

6. Regulation 7(1) of the principal Regulations is amended—

(a) by deleting the word “and” at the end of sub-paragraph (e); and

(b) by deleting the full-stop at the end of sub-paragraph (f) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:

“(g) where that register is not in the language of the prospectus (within the meaning of section 287(13B) of the Act), make available for inspection an accurate translation of the register in that language, free of charge, to the manager for the scheme or any participant during the

business hours of the approved trustee, unless the manager or the participant, as the case may be, has consented to the making available to him for inspection of the register in a language other than the language of the prospectus.”.

Amendment of regulation 8

7. Regulation 8(1) of the principal Regulations is amended—

(a) by deleting sub-paragraph (vii) of sub-paragraph (a) and substituting the following sub-paragraph:

“(vii) to prepare or cause to be prepared —

(A) semi-annual accounts and annual accounts relating to the scheme in the language of the prospectus (within the meaning of section 287(13B) of the Act); and

(B) semi-annual reports and annual reports relating to the scheme in the language of the prospectus (within the meaning of section 287(13B) of the Act),

in accordance with the Code on Collective Investment Schemes;”; and

(b) by deleting sub-paragraphs (ii) and (iii) of sub-paragraph (b) and substituting the following sub-paragraphs:

“(ii) to cause the annual accounts relating to the scheme to be audited at the end of each financial year by an auditor, other than in such cases as may be specified by the Authority in the Code on Collective Investment Schemes, and to ensure that the report of the auditor is prepared in the language of the prospectus (within the meaning of section 287(13B) of the Act); and

(iii) to send or cause to be sent to the participants —

(A) the semi-annual accounts and annual accounts relating to the scheme;

(B) the report of the auditor on the annual accounts; and

(C) the semi-annual report and annual report relating to the scheme,

in accordance with the Code on Collective Investment Schemes;”.

Amendment of regulation 15

8. Regulation 15(3) of the principal Regulations is amended by deleting the words “the person who lodged the document” in sub-paragraph (b) and substituting the words “the responsible person”.

Amendment of regulation 16

9. Regulation 16 of the principal Regulations is amended —

- (a) by deleting the semi-colon at the end of paragraph (1)(d) and substituting a full-stop;
- (b) by deleting sub-paragraph (e) of paragraph (1); and
- (c) by deleting the words “the person who lodged the document” in paragraph (2)(b) and substituting the words “the responsible person or an advocate and solicitor acting on his behalf”.

Amendment of regulation 19

10. Regulation 19 of the principal Regulations is amended by deleting the word “lodged” in the regulation heading and substituting the word “annexed”.

Deletion and substitution of sub-heading in Part III

11. Part III of the principal Regulations is amended by deleting the sub-heading above regulation 20A and substituting the following sub-heading:

“Division 2 ³/₄ Advertising Requirements for Purposes of section 300(1) of Act”.

Deletion of regulation 20A

12. Regulation 20A of the principal Regulations is deleted.

Amendment of regulation 29

13. Regulation 29 of the principal Regulations is amended—

- (a) by deleting sub-paragraph (b) of paragraph (1) and substituting the following sub-paragraph:
 - “(b) in the case of an advertisement or publication appearing in any document, including a newspaper, periodical, magazine or letter, electronic mail or website, shall be in a font size of at least 8-point Times New Roman.”;

- (b) by deleting sub-paragraph (b) of paragraph (2) and substituting the following sub-paragraph:

“(b) in the case of an advertisement or publication appearing in any document, including a newspaper, periodical, magazine or letter, electronic mail or website, be in a font size which is at least 8-point Times New Roman but need not be larger than 14-point Times New Roman.”; and

- (c) by deleting the words “regulations 22(a), 23(a) and 24(1)(a)” in paragraph (3) and substituting the words “regulations 22(a)(iii) and 23(a)(iv)”.

Amendment of regulation 32

14. Regulation 32(1) of the principal Regulations is amended by deleting the words “during the application period” and substituting the words “at any time after the prospectus or profile statement is registered by the Authority but before the close of the offer or invitation”.

Amendment of regulation 33

15. Regulation 33(2) of the principal Regulations is amended by inserting, immediately after the words “misleading statement” in paragraph (a), the words “or matter”.

Amendment of First Schedule

16. The First Schedule to the principal Regulations is amended —

- (a) by deleting the words “, 298(1) and 305(3) and regulation 3” under the heading “*Provision of Act or Regulations*” of the table in relation to corresponding Form 6 and substituting the words “and 298(1)”;
- (b) by deleting the words “(5) information memorandum” in the under the heading “*Description of Form*” of the table in relation to corresponding Form 6;
- (c) by deleting the words “Section 296(10)(e) and regulation 3” under the heading “*Provision of Act or Regulations*” of the table in relation to corresponding Form 7 and substituting the words “Regulation 3”;

(d) by deleting paragraph 7 of Part I of Form 1 and substituting the following paragraph:

“7. This application is to be made by the manager of the collective investment scheme constituted in Singapore as a unit trust seeking authorisation under section 286(1) of the Act, and signed by 2 Directors or a Director and the Secretary of the manager. A Director or the Secretary may authorise a person in writing to sign this application on his behalf, in which case, the authorisation or a copy of the authorisation accompanied by a statement by the person submitting the application verifying that he has compared the copy with the original authorisation and is satisfied that it is a true copy of the original authorisation, shall be annexed to the application.”;

(e) by deleting paragraphs (b), (c) and (d) of question 11 in Part IV of Form 1 and substituting the following paragraph:

“(b) a receiver, a receiver and manager or an equivalent person has been appointed, whether in Singapore or elsewhere, in relation to or in respect of any property of the manager.

Yes No ”;

(f) by deleting the words “questions 11(a) to (d)” in the paragraph below question 11 in Part IV of Form 1 and substituting the words “questions 11(a) and (b)”;

(g) by deleting Form 2 and substituting the following Form:

“

<p>SECURITIES AND FUTURES ACT (CAP. 289)</p> <p>SECURITIES AND FUTURES (OFFERS OF INVESTMENTS) (COLLECTIVE INVESTMENT SCHEMES) REGULATIONS</p>
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<p>FORM</p> <p>2</p>

I EXPLANATORY NOTES

1. Please read the explanatory notes and questions carefully before completing the application form.
2. All questions must be answered. If a question is not applicable, please mark “N.A.” in the space provided. Should there be insufficient space for your answers, please attach annex(es) which should be identified as such and signed by the signatories to this application.
3. Where there is an asterisk (*), please delete whichever is inapplicable.
4. Please tick (√) in the relevant boxes where appropriate.
5. Unless stated otherwise, the information provided in the application form must be correct as at a date not earlier than 14 days before the date of application.
6. All dollar amounts are to be stated in Singapore dollars.
7. This application is to be made by the responsible person of the collective investment scheme constituted outside Singapore seeking recognition under section 287(1) of the Act, and signed by 2 Directors or a Director and the Secretary of the responsible person. A Director or the Secretary may authorise a person in writing to sign this application on his behalf, in which case, the authorisation or a copy of the authorisation accompanied by a statement by the person submitting the application verifying that he has compared the copy with the original authorisation and is satisfied that it is a true copy of the original authorisation, shall be annexed to the application.
8. Where the responsible person of the collective investment scheme has notice of a material change in the information submitted as part of this application prior to recognition being granted by the Monetary Authority of Singapore, the responsible person should notify the Authority immediately.
9. Please attach a cheque made out to “Monetary Authority of Singapore” for the non-refundable application fee prescribed under regulation 5 of the Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations.

FOR OFFICIAL USE ONLY
<p>Application received on:</p> <p>Cheque No.:</p> <p>Remarks:</p>

II APPLICATION IS HEREBY MADE FOR RECOGNITION UNDER SECTION 287(1) OF THE SECURITIES AND FUTURES ACT (CAP. 289).

III INFORMATION ON THE COLLECTIVE INVESTMENT SCHEME

1. Name of the collective investment scheme ("the scheme"):

2. If the scheme is/is to be* a sub-fund of an umbrella fund, state the name of the umbrella fund.

- 3(a) State the type of scheme, and the jurisdiction and applicable law (relating to the type of scheme) under which the scheme is/will be* principally regulated.

- (b) State the jurisdiction in which the scheme was constituted (if different from that stated in question 3(a)).

4. Please attach evidence of the scheme's registered status in the jurisdiction stated in question 3(a). If an application has been made for registration of the scheme there but the scheme has yet to be registered, please submit evidence to the Authority immediately upon the scheme's registration in that jurisdiction.

5. Describe the investment objective(s) of the scheme.

6. Please attach copies of the scheme's prospectus and latest audited financial statements (if applicable).

7. Fund size of the scheme in equivalent Singapore dollars (if applicable):

8. Place where books and records of the scheme are/will be* kept:

9. Indicate the structure of the scheme.
 Unit Trust
 Corporation
 Other (specify) _____
10. Name of trustee/custodian* (if applicable) and place of incorporation:

IV INFORMATION ON THE MANAGER

11. Name of manager of the scheme:

12. Place of incorporation of manager:

13. Name of regulatory authority of manager:

14. Is the manager currently licensed or authorised to conduct fund management in the jurisdiction of its principal place of business?
Yes No
15. Number of years manager has managed funds:

16. Total assets under management (latest available figures):
 Collective investment schemes _____
 Other _____
 Total _____
 as at (date) _____
17. Within the past 10 years, has the manager had judgment given against it in any civil proceedings or incurred penalties imposed by a public authority, in its principal place of business or elsewhere, or are there any proceedings now pending that may lead to such a judgment or imposition of penalty?
Yes No

18. Within the past 10 years, has a receiver, a receiver and manager, a judicial manager or an equivalent person ever been appointed in relation to or in respect of any property of the manager in its principal place of business or elsewhere?

Yes No

19. Within the past 10 years, has the manager been refused the right or restricted in its right to carry on any activity for which a specific licence, registration or other authority is required by law in its principal place of business or elsewhere?

Yes No

20. Within the past 10 years, has the manager been censured, disciplined, suspended or refused membership or registration by a regulatory authority for any activity in its principal place of business or elsewhere?

Yes No

Please attach annex(es), where appropriate, giving all relevant particulars if any answer to questions 17 to 20 is “Yes”.

21. Name of entity in Singapore (either the manager or an entity related to the manager) managing funds either as the holder of a capital markets services licence or as an exempt person:

22. Relationship between the entity in Singapore and the manager (where the entity named in the answer to question 21 is not the manager):

23. Amount of discretionary funds^a managed in Singapore by manager/related entity* (latest available figures):

as at (date) _____

V INFORMATION ON INVESTMENTS IN OTHER COLLECTIVE INVESTMENT SCHEMES

24. Is/Will* more than 10% of the scheme be invested in any other collective investment scheme (“other scheme”)?

Yes No

If the answer to question 24 is “Yes”, please answer question 25. Otherwise, proceed to Part VI.

25. Please attach for each other scheme a copy of its prospectus and annex(es) containing the following details:

^a Funds managed in-house by the manager/related entity, where the manager/related entity has substantial input in the investment management process, and where it has the authority to make investment decisions. If the manager/related entity manages a portion of a fund (e.g. the Asian mandate of a global fund) include only the portion where the manager/related entity has discretionary management responsibility.

- (a) Name of other scheme;
- (b) Percentage of the scheme to be invested in other scheme;
- (c) Place of registration of other scheme;
- (d) Regulatory authority of other scheme;
- (e) Type of scheme and relevant law under which the other scheme is regulated in its place of registration;
- (f) Name of manager of other scheme;
- (g) Place of incorporation of manager of other scheme;
- (h) Name of regulatory authority of manager of other scheme;
- (i) Number of years manager of other scheme has managed funds;
- (j) Amount of funds managed by manager of other scheme;
- (k) Brief description of relationship between manager of other scheme and manager, if applicable.

VI INFORMATION ON SUBMANAGERS

26. Is/Will* more than 10% of the scheme be managed by a submanager?

Yes No

27. If the answer to question 26 is “Yes”, please attach annex(es) containing the following details for each submanager:

- (a) Name of submanager;
- (b) Place of registration of submanager;
- (c) Name of regulatory authority of submanager;
- (d) Number of years submanager has managed funds;
- (e) Amount of funds managed by submanager;
- (f) Brief description of relationship between submanager and manager, if applicable.

VII SCHEME CONSTITUTED AS A CORPORATION

If the scheme is a corporation, please answer questions 28 to 32. Otherwise, proceed to Part VIII.

28. Registration number as a foreign company with the Singapore Registry of Companies and Businesses (“RCB”):

29. Date of registration with the RCB:

30. Address of registered office in foreign jurisdiction:

31. Address of registered office in Singapore:

32(a) Name of an agent (as defined in section 366 of the Companies Act (Cap. 50)) in respect of the corporation:

(b) Telephone No. of the agent:

(c) Email address of the agent:

VIII SCHEME NOT CONSTITUTED AS A CORPORATION

If the scheme is constituted as an entity other than a corporation, please answer questions 33 to 36. Otherwise, proceed to Part IX.

33. Indicate which of the following applies to the manager:

- Foreign company registered under Part XI, Division 2 of the Companies Act
- Company incorporated under the Companies Act

34. Address of registered office of manager in foreign jurisdiction:

35. Address of registered office of manager in Singapore:

36(a) Name and designation of contact person in Singapore:

(b) Telephone No. of contact person:

(c) Email address of contact person:

IX INFORMATION ON THE RESPONSIBLE PERSON

Where the scheme is constituted as a corporation, the responsible person is the corporation itself. Otherwise, the responsible person is the manager of the scheme.

37. Do any of the following situations apply to the responsible person or are there circumstances now existing that are likely to result in the occurrence of any such situation:

(a) the responsible person is in the course of being wound up or otherwise dissolved whether in Singapore or elsewhere.

Yes No

(b) a receiver, a receiver and manager or an equivalent person has been appointed, whether in Singapore or elsewhere, in relation to or in respect of any property of the responsible person.

Yes No

Please attach annex(es), where appropriate, giving all relevant particulars if any answer to questions 37(a) and (b) is "Yes".

X INFORMATION ON THE PROPOSED REPRESENTATIVE

38. Name of proposed representative in Singapore:

- 39(a) Residential address:

(b) Telephone No.: _____

(c) Email address: _____

XI INFORMATION ON THE CUSTODIAN AND, WHERE APPLICABLE, THE TRUSTEE

40. Name(s) of the custodian and, where applicable, the trustee of the scheme:

41. Place(s) of incorporation of the custodian and, where applicable, the trustee:

42. Name(s) of regulatory authority(ies) of the custodian and, where applicable, the trustee:

43. Are the custodian and, where applicable, the trustee currently licensed or authorised to carry out their duties as custodian or trustee, as the case may be, in the jurisdiction of its principal place of business?

Yes No

44. Within the past 10 years, has the trustee or custodian had judgment given against it in any civil proceedings or incurred penalties imposed by a public authority, in its principal place of business or elsewhere, or are there any proceedings now pending that may lead to such a judgment or imposition of penalty?

Yes No

45. Within the past 10 years, has a receiver, a receiver and manager, a judicial manager or an equivalent person ever been appointed in relation to or in respect of any property of the trustee or custodian in its principal place of business or elsewhere?

Yes No

46. Within the past 10 years, has the trustee or custodian been refused the right or restricted in its right to carry on any activity for which a specific licence, registration or other authority is required by law in its principal place of business or elsewhere?

Yes No

47. Within the past 10 years, has the trustee or custodian been censured, disciplined, suspended or refused membership or registration by a regulatory authority for any activity in its principal place of business or elsewhere?

Yes No

Please attach annex(es), where appropriate, giving all relevant particulars if any answer to questions 44 to 47 is "Yes".

XII MISCELLANEOUS

48. Please set out as annex(es) any additional information considered relevant or material to this application.

XIII DECLARATION

Section 329(3) of the Securities and Futures Act (Cap. 289) requires any person who signs a document lodged with the Authority to use due care in ensuring that the document is not false or misleading in any material particular. Any person who fails to do so shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both.

We declare that to the best of our knowledge and belief all information given in this application and in the attached annex(es) is true and correct.

Dated this ____ day of _____ 20 __.

Signature: _____ Signature: _____

 (Name of Director) (Name of Director/Secretary*)

Details of one of the signatories or a contact person designated by the signatories to this form	
Name:	_____
Designation:	_____
Corporation:	_____
Address:	_____
Email address:	_____
Tel No.:	_____ Fax No.: _____

”;

(h) by deleting paragraph 8 of Part I of Form 3 and substituting the following paragraph:

“8. This application is to be signed by 2 Directors or a Director and the Secretary of the applicant. A Director or the Secretary may authorise a person in writing to sign this application on his behalf, in which case, the authorisation or a copy of the authorisation accompanied by a statement by the person submitting the application verifying that he has compared the copy with the original authorisation and is satisfied that it is a true copy of the original authorisation, shall be annexed to the application.”;

(i) by deleting question 11 in Part III of Form 3 and substituting the following question and paragraph:

“11. Describe the compliance systems that the applicant has adopted or plans to adopt, including —

(a) the qualifications and experience of the applicant’s staff involved in the compliance function and the scope of their duties;

- (b) the processes and procedures for ensuring that the applicant complies with applicable legal and regulatory requirements;
- (c) the frequency and extent that the applicant monitors the activities of the manager relating to collective investment schemes for which the applicant acts or will act as trustee (including monitoring for compliance with investment guidelines and restrictions);
- (d) the approach adopted for maintaining a strong control environment and effective control procedures for the operations of the applicant, including the key control procedures that the applicant will use for its day-to-day operations, the degree of supervision by the board of directors and senior management, and the frequency with which the applicant is subject to internal audits; and
- (e) the processes and procedures for ensuring that the following functions are performed properly in relation to collective investment schemes for which the applicant acts or will act as trustee^a:
 - (i) custodial functions such as safe custody of assets, settlement of securities trades, operation of the trust account and corporate actions;
 - (ii) registrar functions such as maintaining the register of participants, sending accounts and reports to participants and processing subscriptions and redemptions;
 - (iii) the keeping of books and the preparation of accounts relating to the schemes;
 - (iv) the pricing of units and valuation of the property of the schemes.

^a Where any function is performed by a party other than the applicant, describe how the applicant will ensure that the function is performed properly by that party.”;

- (j) by deleting paragraph 6 of Part I of Form 4 and substituting the following paragraph:

“6. This application is to be made by the manager of a restricted scheme (as defined in regulation 2 of the Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations) constituted in Singapore as a unit trust seeking authorisation under paragraph 2 of the Fifth Schedule of those Regulations, and signed by 2 Directors or a Director and the Secretary of the manager. A Director or the Secretary may authorise a person in writing to sign this application on his behalf, in which case, the authorisation or a copy of the authorisation accompanied by a statement by the person submitting the application verifying that he has compared the copy with the original authorisation and is

satisfied that it is a true copy of the original authorisation, shall be annexed to the application.”;

- (k) by deleting paragraphs (b), (c) and (d) of question 6 in Part IV of Form 4 and substituting the following paragraph:

“(b) a receiver, a receiver and manager or an equivalent person has been appointed, whether in Singapore or elsewhere, in relation to or in respect of any property of the manager.

Yes No ”;

- (l) by deleting the words “questions 6(a) to (d)” in the paragraph below question 6 in Part IV of Form 4 and substituting the words “questions 6(a) and (b)”;

- (m) by deleting Forms 5, 6 and 7 and substituting the following Forms:

“

<p>SECURITIES AND FUTURES ACT (CAP. 289)</p> <p>SECURITIES AND FUTURES (OFFERS OF INVESTMENTS) (COLLECTIVE INVESTMENT SCHEMES) REGULATIONS</p> <p>APPLICATION FOR RECOGNITION OF A RESTRICTED SCHEME UNDER PARAGRAPH 3 OF THE FIFTH SCHEDULE</p>

<p>FORM</p> <p>5</p>

I EXPLANATORY NOTES

1. Please read the explanatory notes and questions carefully before completing the application form.
2. All questions must be answered. If a question is not applicable, please mark “N.A.” in the space provided. Should there be insufficient space for your answers, please attach annex(es) which should be identified as such and signed by the signatories to this application.
3. Where there is an asterisk (*), please delete whichever is inapplicable.
4. Please tick (√) in the relevant boxes where appropriate.
5. Unless stated otherwise, the information provided in the application form must be correct as at a date not earlier than 14 days before the date of application.
6. This application is to be made by the responsible person of a restricted scheme (as defined in regulation 2 of the Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations) constituted outside Singapore seeking recognition under paragraph 3 of the Fifth Schedule of those Regulations, and signed by 2 Directors or a Director and the Secretary of the responsible person.

A Director or the Secretary may authorise a person in writing to sign this application on his behalf, in which case, the authorisation or a copy of the authorisation accompanied by a statement by the person submitting the application verifying that he has compared the copy with the original authorisation and is satisfied that it is a true copy of the original authorisation, shall be annexed to the application.

7. Where the responsible person of a restricted scheme has notice of a material change in the information submitted as part of this application prior to recognition being granted by the Monetary Authority of Singapore, the responsible person should notify the Authority immediately.
8. Please attach a cheque made out to “Monetary Authority of Singapore” for the non-refundable application fee prescribed under regulation 5 of the Securities and Futures (Offers of Investments) (Collective Investment Schemes) Regulations.

FOR OFFICIAL USE ONLY
Application received on:
Cheque No.:
Remarks:

II APPLICATION IS HEREBY MADE FOR RECOGNITION UNDER PARAGRAPH 3 OF THE FIFTH SCHEDULE OF THE SECURITIES AND FUTURES (OFFERS OF INVESTMENTS) (COLLECTIVE INVESTMENT SCHEMES) REGULATIONS

III INFORMATION ON THE RESTRICTED SCHEME

1. Name of the restricted scheme (“the scheme”):

2. If the scheme is a sub-fund of an umbrella fund, state the name of the umbrella fund.

3. State the jurisdiction under which the scheme is principally governed.

4. Indicate the structure of the scheme.
 - Unit Trust
 - Corporation
 - Other (specify) _____

IV INFORMATION ON THE MANAGER

5. Name of manager for the scheme:

6. Place of incorporation of manager:

7. Name of regulatory authority of manager:

8. Is the manager currently licensed or authorised to conduct fund management in the jurisdiction of its principal place of business?

Yes No

9. Within the past 10 years, has the manager had judgment given against it in any civil proceedings or incurred penalties imposed by a public authority, whether in its principal place of business or elsewhere, or are there any proceedings now pending that may lead to such a judgment or imposition of penalty?

Yes No

10. Within the past 10 years, has a receiver, a receiver and manager, a judicial manager or an equivalent person ever been appointed in relation to or in respect of any property of the manager whether in its principal place of business or elsewhere?

Yes No

11. Within the past 10 years, has the manager been refused the right or restricted in its right to carry on any activity for which a specific licence, registration or other authority is required by law whether in its principal place of business or elsewhere?

Yes No

12. Within the past 10 years, has the manager been censured, disciplined, suspended or refused membership or registration by a regulatory authority for any activity whether in its principal place of business or elsewhere?

Yes No

Please attach annex(es), where appropriate, giving all relevant particulars if any answer to questions 9 to 12 is “Yes”.

V INFORMATION ON THE RESPONSIBLE PERSON

Where the scheme is constituted as a corporation, the responsible person is the corporation itself. Otherwise, the responsible person is the manager of the scheme.

13. Do any of the following situations apply to the responsible person or are there circumstances now existing that are likely to result in the occurrence of any such situation:

(a) the responsible person is in the course of being wound up or otherwise dissolved whether in Singapore or elsewhere.

Yes No

(b) a receiver, a receiver and manager or an equivalent person has been appointed, whether in Singapore or elsewhere, in relation to or in respect of any property of the responsible person.

Yes No

Please attach annex(es), where appropriate, giving all relevant particulars if any answer to questions 13(a) and (b) is “Yes”.

VI MISCELLANEOUS

14. Please set out as annex(es) any additional information considered relevant or material to this application.

VII DECLARATION

Section 329(3) of the Securities and Futures Act (Cap. 289) requires any person who signs a document lodged with the Authority to use due care in ensuring that the document is not false or misleading in any material particular. Any person who fails to do so shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 2 years or to both.

We declare that to the best of our knowledge and belief all information given in this application and in the attached annex(es) is true and correct.

Dated this _____ day of _____ 20__

Signature: _____ Signature: _____

(Name of Director)

(Name of Director/Secretary*)

Details of one of the signatories or a contact person designated by the signatories to this form	
Name:	_____
Designation:	_____
Corporation:	_____
Address:	_____
Email address:	_____
Tel No.:	_____ Fax No.: _____

<p>SECURITIES AND FUTURES ACT (CAP. 289)</p> <p>SECURITIES AND FUTURES (OFFERS OF INVESTMENTS) (COLLECTIVE INVESTMENT SCHEMES) REGULATIONS</p> <p>FORM FOR LODGMENT OF PROSPECTUS AND OTHER OFFERING DOCUMENTS UNDER SECTIONS 296(1)(a)(ii), (2)(b) AND (7) AND 298(1)</p>

<p>FORM</p> <p>6</p>

1. Name of collective investment scheme:

2. Name of umbrella fund (if applicable):

3. Type of scheme:

Authorised scheme	<input type="checkbox"/>	
Recognised scheme	<input type="checkbox"/>	
Restricted authorised scheme	<input type="checkbox"/>	
Restricted recognised scheme	<input type="checkbox"/>	
4. Date of authorisation/recognition: _____
5. Name of responsible person:

6. Company registration no. of responsible person (if applicable):

7. Type of document being lodged:

Prospectus	<input type="checkbox"/>	Profile statement	<input type="checkbox"/>
Updated prospectus	<input type="checkbox"/>	Updated profile statement	<input type="checkbox"/>
Amendment to prospectus	<input type="checkbox"/>	Amendment to profile statement	<input type="checkbox"/>
Supplementary prospectus	<input type="checkbox"/>	Supplementary profile statement	<input type="checkbox"/>
Replacement prospectus	<input type="checkbox"/>	Replacement profile statement	<input type="checkbox"/>
8. Date of lodgment:

LODGED WITH THE AUTHORITY ³/₄

BY THE RESPONSIBLE PERSON OF THE SCHEME:*

Name: _____

Corporation: _____

Address: _____

Email address: _____

Tel No.: _____ Fax No.: _____

Signature of responsible person

**BY THE RESPONSIBLE PERSON OF THE SCHEME THROUGH AN
ADVOCATE AND SOLICITOR ACTING ON HIS BEHALF:***

Name of advocate and solicitor: _____

Corporation/Firm: _____

Address: _____

Email address: _____

Tel No.: _____ Fax No.: _____

Signature of advocate and solicitor

Name of responsible person: _____

Address: _____

Email address: _____

Tel No.: _____ Fax No.: _____

* Please delete whichever is inapplicable.

FOR OFFICIAL USE ONLY

Received on:

Cheque No.:

Remarks:

SECURITIES AND FUTURES ACT
(CHAPTER. 289)
SECURITIES AND FUTURES (OFFERS OF INVESTMENTS)
(COLLECTIVE INVESTMENT SCHEMES)
REGULATIONS
GENERAL LODGMENT FORM

FORM
7

1. Name of collective investment scheme:

2. Name of umbrella fund (if applicable):

3. Name of responsible person:

4. Type of document being lodged:

5. Date of lodgment:

LODGED WITH THE AUTHORITY ³/₄

BY THE RESPONSIBLE PERSON OF THE SCHEME:*

Name: _____

Corporation: _____

Address: _____

Email address: _____

Tel No.: _____ Fax No.: _____

Signature of responsible person

**BY THE RESPONSIBLE PERSON OF THE SCHEME THROUGH AN
ADVOCATE AND SOLICITOR ACTING ON HIS BEHALF:***

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Tel No.: _____ Fax No.: _____

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Email address: _____

Tel No.: _____ Fax No.: _____

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Remarks:

Amendment of Second Schedule

17. The Second Schedule to the principal Regulations is amended —

- (a) by deleting the following paragraph of item 5 under the heading “*Matter*”:

“For the avoidance of doubt, the lodgment fee will be charged on a per prospectus basis, regardless of the number of sub-funds in each prospectus.”,

and substituting the following paragraph:

“For the avoidance of doubt, the lodgment fee will be charged on a per prospectus basis, regardless of the number of schemes or sub-funds in each prospectus.”;

- (b) by deleting the following paragraph of item 6 under the heading “*Matter*”:

“For the avoidance of doubt, the lodgment fee will be charged on a per profile statement basis, regardless of the number of sub-funds in each profile statement.”,

and substituting the following paragraph:

“For the avoidance of doubt, the lodgment fee will be charged on a per profile statement basis, regardless of the number of schemes or sub-funds in each profile statement.”;

- (c) by inserting, immediately below the existing paragraph of item 7 under the heading “*Matter*”, the following paragraph:

“For the avoidance of doubt, the lodgment fee will be charged on a per prospectus or profile statement basis, regardless of the number of schemes or sub-funds in each prospectus or profile statement, as the case may be.”;

- (d) by inserting, immediately below the existing paragraph of item 8 under the heading “*Matter*”, the following paragraph:

“For the avoidance of doubt, the lodgment fee will be charged on a per supplementary or replacement prospectus basis, regardless of the number of schemes or sub-funds in each supplementary or replacement prospectus, as the case may be.”;

- (e) by inserting, immediately below the existing paragraph of item 9 under the heading “*Matter*”, the following paragraph:

“For the avoidance of doubt, the lodgment fee will be charged on a per supplementary or replacement profile statement basis, regardless of the number of schemes or sub-funds in each supplementary or replacement profile statement, as the case may be.”;

- (f) by deleting item 12 and substituting the following item:

“

12		For lodgment of any other document with the Authority, where the fee is not specified in this Schedule.	\$10
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”; and

- (g) by inserting, immediately after item 14, the following item:

“

14A	Section 304(j)	For every application to the Authority for a declaration as an exempt purchaser under section 304(j) of the Act.	\$100
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”.

Amendment of Fifth Schedule

18. The Fifth Schedule to the principal Regulations is amended—

- (a) by deleting sub-paragraphs (i) to (vi) of paragraph 2(3)(b) and substituting the following sub-paragraphs:
- “(i) any person who is or will be employed by or associated with the manager;
 - (ii) any person exercising influence over the manager; or
 - (iii) any person exercising influence over a related corporation of the manager.”;
- (b) by deleting sub-paragraph (b) of paragraph 2(6);
- (c) by deleting the words “, a judicial manager” in paragraph 2(6)(c);
- (d) by deleting the semi-colon at the end of paragraph 2(6)(c) and substituting a full-stop;
- (e) by deleting sub-paragraph (d) of paragraph 2(6);

(f) by deleting sub-paragraphs (i) to (vi) of paragraph 3(2)(b) and substituting the following sub-paragraphs:

- “(i) any person who is or will be employed by or associated with the manager;
- (ii) any person exercising influence over the manager; or
- (iii) any person exercising influence over a related corporation of the manager.”;

(g) by deleting sub-paragraph (b) of paragraph 3(4);

(h) by deleting the words “, a judicial manager” in paragraph 3(4)(c);

(i) by deleting the semi-colon at the end of paragraph 3(4)(c) and substituting a full-stop; and

(j) by deleting sub-paragraph (d) of paragraph 3(4).

Savings and transitional provisions

19. For a period of 6 months from 22nd December 2003, regulation 7(1)(g) of the principal Regulations inserted by these Regulations shall not apply to an approved trustee in respect of a collective investment scheme which was authorised by the Authority before that date under section 286 of the Act in force immediately before that date.

[G.N. Nos. S 543/2002; S 614/2002]

Made this 20th day of November 2003.

KOH YONG GUAN
Managing Director,
Monetary Authority of
Singapore.

[SFD-CFD-028/2003; AG/LEG/SL/289/2002/1 Vol. 3]