

Checklist for NRI CIS Application Form

Name of NRI CIS: _____

Name of CIS Operator: _____

Home Jurisdiction: _____

- 1. Form 69 – CIS full (*completed by CIS Operator*)
- 2. Evidence demonstrating that NRI CIS is legally established under the law of Home Regulator’s jurisdiction
(*issued by Home Regulator*)
- 3. Evidence on the appointment of a brokerage firm to perform duty as local intermediary in Thailand
(*issued by CIS Operator*)
- 4. Evidence on the appointment of a local representative in Thailand as the agent of CIS Operator
(*issued by CIS Operator*)
- 5. Evidence on the appointment of an authorised person of CIS Operator
(*issued by CIS Operator*)
- 6. A document demonstrating that the investment policy and product restrictions of NRI CIS are in accordance with those specified by the Notification of the SEC Thailand relating to investment of the mutual fund
(*issued by CIS Operator*)
- 7. Master fund’s prospectus and fact sheet/ product highlight sheet
(required only for an application of a feeder fund)
- 8. A document demonstrating a comparison between the laws and regulations of Home and Host regulators relating to management of NRI CIS
(*issued by CIS Operator*)
- 9. A fee of THB100,000 (VAT exclusive) payable in the form of:
 - Bank draft / Corporate cheque / Cash
 - Receipt of money transfer
- 10. Other supporting documents (please specify)

Please print this checklist and include it as part of the package of this form

NRI CIS Application Form

**To: Secretary-General
Securities and Exchange Commission, Thailand**

Re: Application to offer NRI CIS to non-retail investors in Thailand

I/We _____ as an operator of
(name of the CIS Operator of the NRI CIS)

_____ hereby notify the Securities and
(name of the NRI CIS)

Exchange Commission, Thailand of our intention to offer the NRI CIS to non-retail investors in Thailand. In this regard, I/we have completed the application form and enclosed all relevant documents in support of this application (if applicable).

Part A: Fund Information

1) Name of NRI CIS: _____

Class (if applicable): _____

2) Home Jurisdiction: _____

3) Home Regulator: _____

4) Legal form of NRI CIS:

Legal entity¹ Unit trust Any other structure acceptable to participating jurisdictions

5) Type of NRI CIS: (more than one answer is possible)

Equity Fund Fixed Income Fund Multi-Asset Strategy Fund
 Money Market Fund Feeder Fund Fund of Funds
 Exchange-Traded Fund Index Fund Capital-Guaranteed Fund
 Any other type, please specify _____

¹ **Legal entity** refers to the legal form of Thai CIS. CIS in Thailand is set up as a legal entity separate from the CIS Operator. In short, after obtaining approval from the SEC Thailand to set up a mutual fund and offer investment units to investors, the money received from such offer shall constitute a pool of assets that is required to be registered as a mutual fund with the Thai SEC.

6) Is the NRI CIS a sub-fund of an umbrella fund?

Yes No

If “Yes”, please state the name of the umbrella fund

7) Is the NRI CIS authorised/approved by its Home Regulator?

Yes No

If “Yes”, is the NRI CIS authorised/approved for the offer to non-retail or retail investors in Home Jurisdiction?

Non-retail investors Retail investors

8) Has the NRI CIS been offered in the Home Jurisdiction?

Yes No

If “Yes”, please state the AUM as at the latest practicable date

If “No”, please specify the expected commencement of the offer of NRI CIS

9) Please provide the investment objective/policy of the NRI CIS:

Part B: Information on CIS Operator

10) Name of CIS Operator: _____

11) Home Jurisdiction of CIS Operator: _____

12) Home Regulator of CIS Operator: _____

13) Address of registered office:

Company’s website: _____

14) Details of contact person at the CIS Operator:

Name/Position (at least CEO or equivalent): _____

Email address: _____

Tel No.: _____ Fax No.: _____

15) Is the CIS Operator currently licensed or authorised to conduct fund management in the jurisdiction of its principal place of business?

Yes No

If “No”, please specify _____

16) Number of years the CIS Operator has managed funds : _____

Total assets under management (latest available figures):

in Home Jurisdiction _____

offered cross-border _____

Total _____

As at (date) _____

Part C: Distribution of NRI CIS and CIS Operator’s Local Representative

Arrangement for Distribution

17) Units in NRI CIS will be offered/ marketed in Thailand by the following intermediaries who are licensed or regulated by the SEC Thailand :

- Asset Management Company
- Licensed Bank/ Financial Institution
- Licensed Securities Company
- Licensed Institution/ Corporation/ Organisation (e.g. insurance company)
- Other bodies (please provide details: _____)

Please specify the name and address of the intermediary (please use an enclosure if there is more than one intermediary):

Name: _____

Address of registered office: _____

Details of distributor's contact person:

Name/Position (at least CEO or equivalent): _____

Email address: _____

Tel No.: _____ Fax No.: _____

Representative

18) Name of proposed representative in Thailand:

19) Is such representative regulated by or acceptable to the SEC Thailand?

Yes No

Address of registered office:

20) Details of contact person:

Name/Position (at least CEO or equivalent): _____

Email address: _____

Tel No.: _____ Fax No.: _____

21) Details of where and how unit prices will be published:

Part D: Trustee/ Fund Supervisor

22) Name of Trustee/ Fund Supervisor:

Address of registered office:

Email address: _____

Tel No.: _____ Fax No.: _____

Part E: Custody of Assets

- Same as Trustee/Fund Supervisor No [if “No”, please provide further information below]

23) Name of Custodian:

Address of registered office:

Email address: _____

Tel No.: _____ Fax No.: _____

Part F: Declaration

I/We certify the following:

1. I/We am/are under supervision of Home Regulator which has the authority to impose sanctions or to order the CIS Operator to act or refrain from acting in case there is an action which may cause damages to the interest of the investors.

Yes No

If “No”, please specify _____

2. I/We am/are not currently being subject to any suspension or revocation order or action by Home Regulator regarding the license or business activities.

Yes No

If “No”, please specify _____

3. I/We have not had any record of violation of the laws or regulations of Home Jurisdiction in matters relating to the disclosure of material information to investors or Home Regulator, and have not failed to submit such material information to investors or Home Regulator.

Yes No

If “No”, please specify _____

4. I/We affirm that the offering document and the information of the NRI CIS being disclosed and distributed to investors in Home Jurisdiction will be disclosed and distributed without delay to investors in Thailand.

Yes No

If “No”, please specify _____

5. I/We affirm that the units of the NRI CIS have been or would be offered for sale in Home Jurisdiction, and have not been the subject of any banning or prohibition order of sale by Home Regulator.

Yes No

If “No”, please specify _____

6. I/We affirm that the units of the NRI CIS will be offered entirely to non-retail investors, including institutional, high net worth and ultra-high net worth investors whose qualifications are as specified by the SEC Thailand.

Yes No

If “No”, please specify _____

I/We have duly examined the information contained in this application form hereto and declare that to the best of our knowledge and belief all information given in this application form and the documents enclosed are true, accurate and complete. The text of each document is the same as that previously submitted to the Home Regulator, and is an accurate translation of that text (where applicable). In this regard, as evidence that each and every page of the documents is of the exact documents to which I/we have certified, I/we have also signed my/our initial or signature on each and every page of the documents and the amendments thereto. Accordingly, any document without my/our initial or signature shall not be regarded as the information to which I/we have certified.

Dated this _____ day of _____ 20____ .

Signature: _____

(full name)

(company)

(* The application form shall be signed either by the CIS Operator of the NRI CIS or an authorised person of the CIS Operator of the NRI CIS. The person who signs shall state his/her full name and capacity, and shall ensure the declaration is dated.)