

Checklist for ASEAN CIS Application Form

Name of ASEAN CIS: _____

Name of Qualifying CIS Operator: _____

Home Jurisdiction: _____

- 1. Form 69 – CIS full (*completed by Qualifying CIS Operator*)
- 2.* Standard letter issued by the Home Regulator to a Qualifying CIS Operator (as per Appendix I of the Handbook for CIS Operators of ASEAN CISs)
- 3* ASEAN CIS Application Form (as per Appendix II of the Handbook for CIS Operators of ASEAN CISs)
- 4.* Undertaking to submit to the non-exclusive jurisdiction of the Host Jurisdiction's courts (as per Appendix III of the Handbook for CIS Operators of ASEAN CISs)
- 5. Evidence on the appointment of a brokerage firm to perform duty as local intermediary in Thailand (*issued by Qualifying CIS Operator*)
- 6. Evidence on the appointment of a local representative in Thailand as the agent of the Qualifying CIS Operator (*issued by Qualifying CIS Operator*)
- 7. Evidence on the appointment of an authorised person of the Qualifying CIS Operator (*issued by Qualifying CIS Operator*)
- 8. Master fund's prospectus and fact sheet/ product highlight sheet (required only for an application of a feeder fund)
- 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*)

* Documents 2. – 4. shall be prepared in accordance with the formats set out in Appendices of the Handbook for CIS Operators of ASEAN CISs.

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

ASEAN CIS Application Form

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

Re: Application to offer ASEAN CIS publicly in Thailand

I/We _____ as an operator of
(name of the Qualifying CIS Operator)
_____ hereby notify the Securities and
(name of the ASEAN CIS)

Exchange Commission, Thailand of our intention to offer the ASEAN CIS to the public in Thailand. In this regard, I/we have completed the application form and enclosed all relevant documents in support of this application, including the completed ASEAN CIS Application Form (as per Appendix II of the Handbook for CIS Operators of ASEAN CISs) which contains information relating to ASEAN CIS, the Qualifying CIS Operator and its appointed distributors, representative, trustee and custodian.

I/We hereby certify the following:

1. I/We am/are under supervision of Home Regulator which has the authority to impose sanctions or to order the Qualifying 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/prospectus and the information of the ASEAN CIS will be disclosed and distributed to investors in Thailand within the same period as having the duty to disclose and distribute such information to investors in Home Jurisdiction.

Yes No

If “No”, please specify _____

5. I/We affirm that the ASEAN CIS is completely in compliance with Part I : Qualifications of the CIS Operator, Trustee/ Fund Supervisor, and requirements relating to Approval, Valuation, and Operational Matters and Part II : The Product Restrictions of Qualifying CIS as prescribed in Appendix C : Standards of Qualifying CIS of the Memorandum of Understanding on Streamlined Authorisation Framework for Cross-border Public Offers of ASEAN Collective Investment Schemes (“MOU”), and is under supervision of Home Regulator who is a signatory to the MOU.

Yes No

If “No”, please specify _____

6. I/We affirm that the units of the ASEAN 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 _____

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 Qualifying CIS Operator or an authorised person of the Qualifying CIS Operator. The person who signs shall state his/her full name and capacity, and shall ensure the declaration is dated.)