

## **Tell's Arrow Opportunities Bond Fund**

Trust Agreement including Fund-specific Appendix and Prospectus

Undertaking for collective investment in transferable securities ("UCITS") under Liechtenstein law with the legal form of a collective trust

(hereinafter called "the UCITS" or "the Fund")

### **UCITS V**

(single fund)

Status: 27 November 2023

**In case of doubt of interpretation, the German document always takes precedence.**

LLB Fund Services Aktiengesellschaft

Äulestrasse 80 · PO Box 1238 · 9490 Vaduz · Liechtenstein

Tel. +423 236 94 00 · Fax +423 236 94 06 · [www.llb.li/fundservices](http://www.llb.li/fundservices)

## Overview of the organisation of the UCITS

Management Company	LLB Fund Services AG Äulestrasse 80 FL-9490 Vaduz
Board of Directors	Current status pursuant to the Commercial Register at the registered domicile: Office of Justice (AJU), 9490 Vaduz, Liechtenstein
Management Board	Current status pursuant to the Commercial Register at the registered domicile: Office of Justice (AJU), 9490 Vaduz, Liechtenstein
Promoter	Genève Invest (Europe) S.A. 10, rue Michel Rodange L-2430 Luxembourg
Asset Manager	Genève Invest (Europe) S.A. 10, rue Michel Rodange L-2430 Luxembourg
Custodian	Liechtensteinische Landesbank AG Städtle 44 FL-9490 Vaduz
Auditors	PricewaterhouseCoopers AG, Kornhausstrasse 25, Postfach, 9000 St. Gallen
Institution / contact point for Germany	LLB Fund Services AG Äulestrasse 80 FL-9490 Vaduz
Institution / contact point for Sweden	LLB Fund Services AG Äulestrasse 80 FL-9490 Vaduz

## Overview of the UCITS

Name of the UCITS	Tell's Arrow Opportunities Bond Fund
Legal structure	UCITS in the legal form of a trusteeship ("unit trust") pursuant to the Act of 28 June 2011 concerning Specific Undertakings for Collective Investment in Transferable Securities (UCITSG)
Country of foundation	Liechtenstein
Founding date of the UCITS	13 November 2023
Financial year	The financial year of the UCITS begins on 1 January and ends on 31 December
Accounting currency of the UCITS	EUR
Competent supervisory authority	Liechtenstein Financial Market Authority (Finanzmarktaufsicht Liechtenstein ("FMA")); <a href="http://www.fma-li.li">www.fma-li.li</a>

## **Information for investors / sales restriction**

UCITS units are acquired on the basis of the Prospectus, the Trust Agreement and the Key Investor Information Document (the "PRIIP KID") – as well as the last annual report and, insofar already published, the subsequent interim report. Only the information contained in the Prospectus and in particular in the Trust Agreement, including Appendix A, is valid. With the acquisition of units, these are deemed to have been approved by the investor.

This Prospectus does not represent an offer or an invitation to subscribe to UCITS units by a person in a jurisdiction in which an offer of this nature or an invitation of this nature is unlawful or in which the person issuing an offer or an invitation of this nature is not qualified to do so, or does so vis-à-vis a person who may not lawfully receive an offer or an invitation of this nature. Information that is not contained in this Prospectus and Trust Agreement or in publicly accessible documents is deemed to be unauthorised and unreliable.

Potential investors should inform themselves about possible tax consequences, the legal preconditions and possible currency restrictions or control regulations that are applicable in the countries of their nationality, their domicile or their place of residence and that could be of significance to the subscription, the holding, the exchanging, the redemption or the alienation of units. Further tax considerations are set out in Fig. 11 "Tax regulations".

The UCITS units are not licensed for distribution in all countries of the world. The issue, the conversion and the redemption of units abroad are subject to the provisions that are in force in the respective foreign country.

Investors should read and take into account the risk description set out in Fig. 8 "Risk notice" before buying units in the fund.

### **Sales restrictions**

Fund units may in particular not be offered, sold or delivered within the USA. The units have not been and are not registered in accordance with the United States Securities Act of the year 1933 in its valid version ("the Act of 1933") or in accordance with the securities laws of a federal state or a territorial corporation of the United States of America or of its territories, possessions or other districts subject to its legal sovereignty, including the Commonwealth of Puerto Rico ("the United States").

The units may not be offered, sold, or otherwise transferred in the United States of America to or on the behalf of US persons (within the meaning of the Act of 1933). Subsequent transfers of units in the United States or to US persons are not permitted. The units are offered and sold on the basis of an exemption from the registration regulations of the Act of 1933 pursuant to Regulation S of this Act.

The Management Company has not been and will not be registered either in accordance with the United States Investment Company Act of the year 1940 in its valid version or in accordance with any other US federal laws. This consequently means that the units may not be sold, offered or otherwise transferred in the United States of America to or on the behalf of US persons (within the meaning of the Act of 1933).

The units have neither been approved by the US Securities and Exchange Commission ("SEC") or any other supervisory authority in the United States, nor has any such approval been rejected; in addition, neither the SEC nor any other supervisory authority in the United States has ruled on the accuracy or the reasonableness of this Prospectus or on the benefits of the units.

This Prospectus may not be circulated in the United States. The distribution of this Prospectus and the offering of the units may also be subject to restrictions under other legal systems.

Units of the fund may furthermore not be offered, sold or delivered to citizens of the USA or persons domiciled in the USA and/or other natural persons or legal entities whose income and/or revenues, irrespective of its origin, is subject to US income tax, financial institutions that are not subject to the provisions concerning the Foreign Account Tax Compliance Act ("FATCA", in particular Sections 1471 - 1474 of the US Internal Revenue Code as well as a possible treaty with the United States of America concerning cooperation for the facilitated implementation of FATCA, insofar as applicable in each case), and are not insofar as necessary registered with the US Internal Revenue Service as a FATCA participant institution, as well as persons who pursuant to Regulation S of the US Securities Act of 1933 and/or the US Commodity Exchange Act in the respective valid version are deemed to be US persons. This means that the fund may in particular not be acquired by the following investors (this list is not definitive):

- US citizens, incl. holders of dual nationality;
- Persons who are resident or domiciled in the USA;
- Persons who are based in the USA (green card holders) and/or who live mainly in the USA;
- Companies, trusts, assets etc. domiciled in the USA;
- Companies who qualify as transparent for US tax purposes, and who have investors named in this section, as well as companies whose revenues from a consolidated perspective are attributable to investors named in this section for US tax purposes;

- Financial institutions that are not subject to the provisions pursuant to the Foreign Account Tax Compliance Act ("FATCA", in particular Sections 1471 - 1474 of the US Internal Revenue Code as well as any possible treaty with the United States of America concerning cooperation for the facilitated implementation of FATCA, insofar as applicable in each case), and are not insofar as necessary registered with the US Internal Revenue Service as a FATCA participant institution; or
- US persons defined in the respective valid version of Regulation S of the United States Securities Act 1933.

## Table of contents

Overview of the organisation of the UCITS .....	2
Overview of the UCITS.....	3
Information for investors / sales restriction .....	4
PART I: THE PROSPECTUS .....	10
1 Sales documents .....	10
2 The Trust Agreement.....	10
3 General information about the UCITS.....	10
4 Further information about the UCITS .....	11
4.1 Duration of the UCITS.....	11
4.2 Unit classes .....	11
4.3 Performance of the UCITS to date.....	11
5 Organisation.....	12
5.1 Country of domicile / Competent supervisory authority.....	12
5.2 Legal relationships.....	12
5.3 Management Company.....	12
5.4 Board of Directors and Management Board.....	12
5.5 Asset Manager.....	12
5.6 Distribution Agent .....	13
5.7 Custodian.....	13
5.8 Auditors of the Management Company;.....	14
5.9 Auditors of the UCITS.....	14
6 General investment principles and investment restrictions .....	14
6.1 Objective of the investment policy .....	14
6.2 Investment policy of the UCITS .....	14
6.3 Accounting currency / reference currency of the UCITS.....	14
6.4 Profile of the typical Investor.....	14
7 Investment regulations.....	14
7.1 Approved investments .....	14
7.2 Prohibited investments.....	15
7.3 Investment limits.....	15
7.4 Borrowing limit as well as prohibition on issuing loans and sureties .....	18
7.5 Utilisation of derivatives, methods and instruments .....	18
7.6 Risk management procedures.....	19
7.7 Derivative financial instruments .....	19
7.8 Securities lending .....	20
7.9 Repurchase transactions .....	20
7.10 Borrowing.....	20
7.11 Collateral policy and investment of collateral .....	20
7.12 Use of benchmarks.....	23
7.13 Investments in units of other UCITSs or in other undertakings for collective investment that are comparable to a UCITS .....	23
8 Risk notices.....	24
8.1 Fund-specific risks .....	24
8.2 General risks.....	24

9	Participation in the UCITS.....	28
9.1	Sales restrictions .....	28
9.2	General information about the units .....	29
9.3	Calculation of the net asset value per unit .....	29
9.4	Issue of units.....	30
9.5	Redemption of units .....	31
9.6	Conversion of units .....	31
9.7	Suspension of the calculation of the net asset value and the issue, the redemption and the conversion of units.....	32
10	Appropriation of profits.....	32
11	Tax regulations .....	33
11.1	Fund assets .....	33
11.2	Natural persons with tax domicile in Liechtenstein .....	33
11.3	Persons with tax domicile outside Liechtenstein.....	33
12	Costs and fees.....	34
12.1	Costs and fees payable by the investor .....	34
12.2	Costs and fees payable by the UCITS.....	34
13	Information for investors .....	36
14	Duration, dissolution, merger and structural measures of the UCITS .....	37
14.1	Duration .....	37
14.2	Dissolution .....	37
14.3	Merger .....	38
15	Applicable law, place of jurisdiction and relevant language .....	38
16	Specific information for individual distribution countries.....	38
	Part II Investment Fund Trust Agreement.....	39
I.	General provisions .....	39
Art. 1	The UCITS.....	39
Art. 2	Management Company.....	39
Art. 3	Assignment of responsibilities.....	39
Art. 4	Custodian.....	39
Art. 5	Auditors.....	39
Art. 6	Calculation of the net asset value per unit .....	40
Art. 7	Issue of units.....	41
Art. 8	Redemption of units .....	41
Art. 9	Conversion of units .....	42
Art. 10	Late trading and market timing .....	42
Art. 11	Prevention of money laundering and terrorism finance.....	43
Art. 12	Suspension of the calculation of the net asset value and the issue, the redemption and the conversion of units.....	43
Art. 13	Sales restrictions .....	44
II.	Structural measures.....	44
Art. 14	Merger .....	44
Art. 15	Information for investors, approval and investor rights.....	44
Art. 16	Cost of the merger .....	44
III.	Dissolution of the UCITS and its unit classes .....	45
Art. 17	In general.....	45
Art. 18	Resolution to dissolve.....	45

Art. 19	Reasons for the dissolution.....	45
Art. 20	Cost of the dissolution.....	45
Art. 21	Dissolution and bankruptcy of the Management Company or of the Custodian.....	45
Art. 22	Termination of the custodian agreement.....	45
IV.	Unit classes and formation of sub-funds.....	45
Art. 23	Unit classes and formation of sub-funds.....	45
V.	General investment principles and investment restrictions.....	46
Art. 24	Investment policy.....	46
Art. 25	General investment principles and investment restrictions.....	46
Art. 26	Approved investments.....	46
Art. 27	Prohibited investments.....	47
Art. 28	Utilisation of derivatives, methods and instruments.....	47
Art. 29	Investment limits.....	47
VI.	Costs and fees.....	50
Art. 30	Current fees.....	50
Art. 31	One-off costs charged to the investors.....	52
Art. 32	Performance-related fee (performance fee).....	52
Art. 33	Foundation costs.....	52
Art. 34	Appropriation of profits.....	52
Art. 35	Inducements.....	53
Art. 36	Information for investors.....	53
Art. 37	Reports.....	53
Art. 38	Financial year.....	54
Art. 39	Amendments of the Trust Agreement.....	54
Art. 40	Limitation period.....	54
Art. 41	Applicable law, place of jurisdiction and relevant language.....	54
Art. 42	General.....	54
Art. 43	Entering into force.....	54
Appendix A:	Overview of the Fund.....	55
1	Master data and information relating to the UCITS.....	55
2	Assignment of responsibilities.....	56
2.1	Asset Manager.....	56
2.2	Distribution Agent.....	56
3	Custodian.....	56
4	Auditors.....	56
5	Investment principles of the UCITS.....	56
5.1	Investment objective and investment policy.....	56
5.2	Accounting currency / reference currency of the UCITS.....	57
5.3	Profile of the typical Investor.....	57
6	Valuation.....	57
7	Risks and risk profiles of the UCITS.....	58
7.1	Specific risks of the UCITS.....	58
7.2	General risks.....	58
8	Costs that are reimbursed from the UCITS.....	58
9	Performance-related remuneration/performance fee.....	58
Appendix B:	Specific information for individual distribution countries.....	61



1	Distribution in the Federal Republic of Germany.....	61
1.1	Institution /Contact Point in Germany.....	61
1.2	Publications .....	61
1.3	Tax information .....	61
2	Distribution in Sweden .....	62
2.1	Institutions in Sweden.....	62

## **PART I: THE PROSPECTUS**

The issue and redemption of units in the UCITS is performed on the basis of the current valid Trust Agreement and the Appendix A "Overview of the Fund". This Trust Agreement is supplemented by the respective most recent annual report. If the reporting date of the annual report is more than eight months ago, the interim report must also be offered to the buyer. In good time before the acquisition of units, the "Key Investor Information Document, PRIIP KID" shall also be made available to the investor free of charge.

It is not permitted to issue information or explanations that differ from the Prospectus, Trust Agreement, Appendix A "Overview of the Fund" or the Key Investor Information Document. The Management Company shall not be liable if and to the extent that information or explanations are issued that differ from the current Prospectus, Trust Agreement or the Key Investor Information Document.

In the present case, the Prospectus and the Trust Agreement including Appendix A "Overview of the Fund" are shown in a single document. The essential foundation document for the fund is the Trust Agreement including Appendix A "Overview of the Fund". Only the Trust Agreement including the special provisions pertaining to the investment policy set out in Appendix A "Overview of the Fund" is subject to the material legal appraisal of the Liechtenstein Financial Market Authority.

### **1 Sales documents**

The Prospectus, the Key Investor Information Document (PRIIP KID), the Trust Agreement and the Appendix A "Overview of the Fund" as well as the most recent annual and interim reports, insofar as these have already been published, are available free of charge on a permanent data carrier from the Management Company, the Custodian, the payment agents and from all authorised distribution agents in Liechtenstein and abroad as well as from the website of the LAFV Liechtenstein Investment Fund Association under [www.lafv.li](http://www.lafv.li).

At the request of the investor, the aforementioned documents shall also be made available free of charge in paper form. Further information on the UCITS is available on the internet under [www.llb.li/fundservices](http://www.llb.li/fundservices) and from LLB Fund Services Aktiengesellschaft, Äulestrasse 80, 9490 Vaduz, Liechtenstein, during office hours.

### **2 The Trust Agreement**

The Trust Agreement comprises a general section as well as the Appendix A "Overview of the Fund". The Trust Agreement and the Appendix A "Overview of the Fund" are printed in their entireties. The Trust Agreement and the Appendix A "Overview of the Fund" may be amended or supplemented by the Management Company wholly or in part at any time. Amendments of the Trust Agreement and of Appendix A "Overview of the Fund" are subject to the prior approval of the FMA.

Every amendment of the Trust Agreement as well as of the Appendix A "Overview of the Fund" shall be published in the organ of publication of the UCITS and shall then be legally binding for all investors. The organ of publication of the UCITS is the website of the LAFV Liechtenstein Investment Fund Association (Liechtensteinischer Anlagefondsverband) [www.lafv.li](http://www.lafv.li).

### **3 General information about the UCITS**

The investment fund, Tell's Arrow Opportunities Bond Fund, (hereinafter: UCITS) was established on 13 November 2023 as an Undertaking for Collective Investment in Transferable Securities (UCITS) under the law of the Principality of Liechtenstein in the legal form of a unit trust.

The Trust Agreement and the Appendix A "Overview of the Fund" were approved by the FMA on 13 November 2023 and the UCITS was entered in the Liechtenstein Commercial Register on 16 November 2023.

The Trust Agreement and the Appendix A "Overview of the Fund" first came into force on 13 November 2023. The UCITS is a legally independent undertaking for collective investment in securities of the open type, and is governed by the Act of 28 June 2011 concerning specific undertakings for collective investment in securities (hereinafter called: "UCITSG").

The UCITS has the legal form of a unit trust. A unit trust constitutes entering into a trusteeship of identical content with an unspecified number of investors for the purpose of asset investment and management on the account of the investors, whereby the individual investors participate in accordance with their share in this trusteeship and are personally liable only up to the level of the investment sum.

The UCITS is a single fund.

The management of the UCITS entails above all investing the financial assets collected from the public on collective account in accordance with the principle of risk diversification in securities and/or in other liquid financial assets pursuant to

Art. 51 UCITSG. The UCITS constitutes special assets for the benefit of its investors. In the event of the dissolution or bankruptcy of the Management Company, the special assets will not be deemed part of the bankruptcy assets of the Management Company.

The investment assets in which the Management Company may invest the money and the provisions that it must thereby adhere to are set out in the UCITSG, the Trust Agreement and Appendix A "Overview of the Fund", which govern the legal relationship between the owners of the units (hereinafter called "the Investors") the Management Company and the Custodian. Unless otherwise stipulated in the UCITSG, the legal relationships between the investors and the Management Company shall be governed by the Trust Agreement and, insofar as no provisions are set out therein, by the provisions of the Liechtenstein Persons and Companies Act (Personen- und Gesellschaftsrecht ("PGR") concerning trusteeships. The Trust Agreement comprises a general section (the Trust Agreement) as well as the Appendix A "Overview of the Fund". The Trust Agreement and Appendix A "Overview of the Fund" and each of its amendments must be approved by the Liechtenstein Financial Market Authority (FMA) in order to be valid.

The securities and other assets of the UCITS are managed in the interest of the investors. Only the investors in this UCITS are entitled to all the assets of that UCITS in proportion to their units.

The Management Company may at any time set up different unit classes with specific characteristics within the respective UCITS. The present Prospectus as well as the Trust Agreement including Appendix A "Overview of the UCITS" shall be updated each time an additional unit class is created.

By acquiring units in the UCITS, each investor recognises the Trust Agreement incl. fund-specific appendices, which stipulates the contractual relationships between investors, the Management Company and the Custodian, as well as the properly performed amendments of this document. With the publication of amendments to the Trust Agreement and Prospectus, the annual or interim report or other documents on the website of the LAFV Liechtensteinischer Anlagefondsverband [www.lafv.li](http://www.lafv.li), these amendments shall become binding for investors.

#### **4 Further information about the UCITS**

Investors participate in the fund assets of the UCITS in proportion with the number of units that they have acquired.

The units are not certificated. Instead they shall be kept in book-entry form. That is to say, no certificates shall be issued. A meeting of the investors is not planned. By subscribing to or acquiring units, the Investor recognises the Trust Agreement and the Appendix A "Overview of the Fund": Investors, heirs or other authorised parties may not demand the splitting or the dissolution of the UCITS. Details about the UCITS are set out in Appendix A "Overview of the Fund".

All of the units of the UCITS essentially incorporate the same rights, unless the Management Company resolves in accordance with Art. 23 of the Trust Agreement to issue different unit classes within the UCITS.

Vis-à-vis third parties, the assets of the UCITS shall be liable merely for liabilities that were entered into by the UCITS.

This Prospectus and the Trust Agreement, including Appendix A "Overview of the Fund" is applicable to the UCITS.

##### **4.1 Duration of the UCITS**

The duration of the UCITS is set out in Appendix A "Overview of the Fund".

##### **4.2 Unit classes**

The Management Company may resolve to form several unit classes within the UCITS.

Pursuant to Art. 23 of the Trust Agreement of the UCITS, unit classes may be established in future that differ from the existing unit classes in terms of the utilisation of profits, the issue premium, the reference currency and the utilisation of currency hedging transactions, the management remuneration, the minimum investment sum or a combination of these characteristics. The rights of the investors who have acquired units in existing unit classes shall however remain unaffected.

Any possible unit classes that are created in conjunction with the UCITS, as well as the fees and remuneration associated with the units of the UCITS, are specified in Appendix A "Overview of the Fund". Further information about the unit classes is set out in Fig. 9.2.

##### **4.3 Performance of the UCITS to date**

The performance of the UCITS or of the unit classes to date is set out on the website of the LAFV Liechtenstein Investment Fund Association under [www.lafv.li](http://www.lafv.li). The past performance of a unit is no guarantee for its current and future performance. The value of a unit may rise or fall at any time.

## **5 Organisation**

### **5.1 Country of domicile / Competent supervisory authority**

Liechtenstein / Liechtenstein Financial Market Authority (FMA); [www.fma-li.li](http://www.fma-li.li).

### **5.2 Legal relationships**

The legal relationships between the investors and the Management Company shall be in accordance with the Act of 28 June 2011 concerning Specific Undertakings for Collective Investment in Securities ("UCITSG") and the Ordinance of 5 July 2011 concerning Specific Undertakings for Collective Investment in Securities ("UCITSV") and, insofar as these do not contain regulations, in accordance with the provisions of the Liechtenstein Persons and Companies Act ("PGR") concerning Trusteeships.

### **5.3 Management Company**

LLB Fund Services Aktiengesellschaft (hereinafter called: "the Management Company"), Äulestrasse 80, FL-9490 Vaduz, Public Register number FL-0002-030-385-2.

The Management Company was founded on 06 December 2000 in the form of a stock corporation with domicile and head office in Vaduz, Principality of Liechtenstein, for an indefinite duration. On 30 January 2001 the Liechtenstein government granted the Management Company a licence to commence its business activities. Pursuant to Chapter III of the Act concerning Undertakings for Collective Investment, the Management Company has been licensed by the Liechtenstein Financial Market Authority and is included in the official list of Liechtenstein management companies.

The share capital of the Management Company amounts to CHF 2 million and is fully paid in.

The purpose of the Management Company is the management and distribution of undertakings for collective investment under Liechtenstein law.

The Management Company manages the UCITS on the account and in the exclusive interest of the Investors in accordance with the principle of risk diversification and in accordance with the provisions of the Trust Agreement and Appendix A "Overview of the Fund".

The Management Company is equipped with the widest-possible powers to perform in its name and on the account of the investors all administrative procedures. It is in particular entitled to buy, to sell, to subscribe and to exchange securities and other assets, as well as to exercise all rights that are directly or indirectly associated with the assets of the UCITS.

An overview of the UCITSs managed by the Management Company is to be found on the website of the LAFV Liechtenstein Investment Fund Association under [www.lafv.li](http://www.lafv.li).

The Management Company is subject to the statutory supervisory provisions that are applicable to their remuneration systems. In addition, the Remuneration Guidelines of Liechtensteinische Landesbank AG are also applicable. These define uniform group-wide standards for the structuring of remuneration systems. They contain inter alia the remuneration principles, e.g. for the structuring of the variable remuneration and the relevant remuneration parameters. Implementation of the Remuneration Guidelines is designed to take account of the long-term perspective of the remuneration systems, thereby avoiding false incentives to enter into excessive risks.

The remuneration system of LLB Fund Services AG is reviewed at least once per annum by the Group Internal Audit of Liechtensteinische Landesbank AG in respect of its appropriateness and adherence to all statutory supervisory conditions pertaining to remuneration.

A summary of the key content of the Remuneration Guideline is published on [www.llb.li](http://www.llb.li). This includes a description of the calculation methods for remuneration and other emoluments paid to specific categories of employees, as well as the identity of the persons responsible for allocating the remuneration and other emoluments. At the request of the investor, the information shall also be made available to him by the Management Company free of charge in paper form.

### **5.4 Board of Directors and Management Board**

Current information about the members of the Board of Directors and of the Management Board is available in the commercial register extracts of the Management Company.

Commercial register at the registered domicile: Office of Justice (AJU), 9490 Vaduz, Liechtenstein

### **5.5 Asset Manager**

Genève Invest (Europe) S.A., 10, rue Michel Rodange, L-2430 Luxembourg acts as Asset Manager of the UCITS.

Genève Invest (Europe) S.A. specialises in asset and portfolio management for institutional and private clients and is subject to the prudential supervision of the CSSF (Commission de Surveillance du Secteur Financier, Luxembourg).

The Asset Manager is responsible in particular for independently implementing the investment policy on a daily basis and for exercising the day-to-day business of the UCITS as well as for other associated services subject to the supervision, control and responsibility of the Management Company. These duties are fulfilled in accordance with the principles of the investment policy and investment restrictions of the UCITS, as described in Appendix A "Overview of the fund", as well as the statutory investment restrictions.

The Asset Manager is entitled, at its own expense and on its own responsibility, to obtain advice from third parties, in particular from various investment consultants.

The precise execution of the commission is governed by an asset management agreement concluded between the Management Company and Genève Invest (Europe) S.A..

## **5.6 Distribution Agent**

The Management Company acts as Distribution Agent for the UCITS.

The Management Company may deploy distribution agents in different distribution countries at any time. The Asset Manager may at any time propose himself or other distributors and sub-distributors in various countries.

## **5.7 Custodian**

Liechtensteinische Landesbank AG, Städtle 44, FL-9490 Vaduz, Liechtenstein, acts as the Custodian for the UCITS.

The Custodian holds the financial instruments that are capable of being held in custody on the account of the UCITS. It may wholly or in part use the services of other banks, financial institutions and recognised clearing houses that meet the statutory requirements for custody purposes.

The function of the Custodian and its liability shall be in accordance with the Act of 28 June 2011 concerning Specific Undertakings for Collective Investment in Transferable Securities ("UCITSG") and the corresponding Ordinance in the respective valid version, the custody agreement and the constituting documents of the UCITS. It operates independently of the Management Company and exclusively in the interest of investors.

UCITSG makes provision for a separation of the management and the custody of UCITS. The Custodian shall keep the financial instruments that are capable of being held in custody in separate accounts opened in the name of the UCITS or of the Management Company acting on behalf of the UCITS, and shall monitor whether the instructions issued by the Management Company pertaining to the assets correspond to the regulations of the UCITSG and the constituting documents. For this purpose, the Custodian shall monitor in particular adherence by the UCITS to the investment restrictions and debt limits.

On behalf of the Management Company it shall also maintain the register of Units of the Fund.

The responsibilities of the Custodian shall be in accordance with Art. 33 UCITSG. The Custodian shall ensure that

- the sale, issue, redemption, payout and cancellation of units of the UCITS correspond to the provisions of the UCITSG and the constituting documents;
- the valuation of the units of the UCITS is performed in accordance with the provisions of the UCITSG and the constituting documents;
- in the case of transactions with assets of the UCITS, the proceeds are remitted to the UCITS within the normal deadlines;
- the earnings of the UCITS are used in accordance with the provisions of the UCITSG and the constituting documents;
- the cash-flow of the UCITS is properly monitored, and in particular that steps are taken to ensure that all of the payments made by investors or in the name of investors when subscribing the units of a UCITS have been received, and that all of the financial resources of the UCITS have been recorded in accordance with the provisions of the UCITSG and the constituting documents.

### **Sub-custodian**

The Custodian may assign the custodian task to other companies (sub-custodians).

Custody of the assets held on the account of the UCITS can be exercised by the sub-custodians listed on the website of Liechtensteinische Landesbank AG under [www.llb.li](http://www.llb.li).

This assignment does not give rise to any conflicts of interest.

### **Information about the Custodian**

Investors in the UCITS have the opportunity at any time to inform themselves in person at the Custodian free of charge about the latest status of the duties and obligations of the Custodian, the sub-custodian, the possible conflicts of interest associated with the activity of the Custodian and the sub-custodian, as well as information about the UCITS using the above-specified contact data.

The Custodian is subject to the provisions of the Liechtenstein FATCA Treaty as well as the corresponding execution provisions set out in the Liechtenstein FATCA Act.

#### **5.8 Auditors of the Management Company;**

KPMG (Liechtenstein) AG, Aeulestrasse 2, FL-9490 Vaduz.

The Management Company must subject its business activities to an annual audit by auditors who are independent of them and who are recognised by the FMA pursuant to the UCITSG.

#### **5.9 Auditors of the UCITS**

PricewaterhouseCoopers AG, Kornhausstrasse 25, Postfach, CH-9001 St. Gallen.

The UCITS must subject its business activities to an annual audit by auditors who are independent of them and who are recognised by the FMA pursuant to the UCITSG.

### **6 General investment principles and investment restrictions**

The fund assets shall be invested in accordance with the principle of risk diversification within the meaning of the rules of the UCITSG and in accordance with the investment policy principles set out in Article 25 of the Trust Agreement and in Appendix A "Overview of the Fund" as well as within the investment restrictions.

#### **6.1 Objective of the investment policy**

The objective of the investment policy of the UCITS is described in Appendix A "Overview of the Fund".

#### **6.2 Investment policy of the UCITS**

The specific investment policies of the UCITS are set in Appendix A "Overview of the Fund".

The general investment principles and investment restrictions set out in Art. 25 of the Trust Agreement are applicable to the UCITS, insofar as no deviations or supplements for the UCITS are contained in Appendix A "Overview of the Fund":

#### **6.3 Accounting currency / reference currency of the UCITS**

The accounting currency of the UCITS as well as the reference currency per unit class are specified in Appendix A "Overview of the Fund".

The accounting currency is the currency in which the accounts of the UCITS are kept. The reference currency is the currency in which the performance and the net asset value of the unit classes are calculated. The investments are made in the currencies that are most suitable for the performance of the UCITS.

#### **6.4 Profile of the typical Investor**

The profile of the typical Investor in the UCITS is described in Appendix A "Overview of the Fund".

### **7 Investment regulations**

#### **7.1 Approved investments**

The UCITS may invest the assets on the account of its investors exclusively in one or more of the following assets:

##### **7.1.1 Securities and money market instruments:**

- a) that are listed or traded on a regulated market within the meaning of Art. 4 (1) (21) of the Directive 2014/65/EU;
- b) that are traded on another regulated market of an EEA member state that is recognised, open to the public and whose procedures are proper;
- c) that are officially listed on a securities exchange of a third-party state or that are traded on another market of a European, American, Asian, African or Oceanic country that is recognised, open to the public and whose procedures are proper.

- 7.1.2 Securities from new issues, insofar as:
- a) the issue conditions contain the obligation to achieve an official listing or trading at one of the securities exchanges mentioned under Fig. 7.1.1 a) to c) or at one of the regulated markets mentioned there, and
  - b) this approval is achieved at the latest before one year has passed since the issue.
- 7.1.3 units in a UCITS and other comparable undertakings for collective investment within the meaning of Art. 3 (1) (17) UCITSG, insofar as these are permitted pursuant to their constituting documents to invest no more than 10 % of their assets in units in another UCITS or comparable undertaking for collective investment;
- 7.1.4 Sight deposits or terminable deposits with a maximum maturity of twelve months at financial institutions whose registered domicile is located in an EEA member state or in a third-party state whose supervisory law is comparable to that of EEA law;
- 7.1.5 Derivatives whose underlying securities constitute investment instruments within the meaning of Art. 51 UCITSG or financial indices, interest rates, exchange rates or currencies. In the event of transactions with OTC derivatives, the counterparties must be supervised financial institutions in an FMA-approved category and the OTC derivatives must be subject to a reliable and verifiable valuation on a daily basis and must at all times be capable at the initiative of the UCITS of being alienated, liquidated or closed out by a counter transaction;
- 7.1.6 Money market instruments that are not traded on a regulated market, insofar as the issue or the issuer of these instruments is subject to regulations concerning investment and investor protection, provided that they are:
- a) issued or guaranteed by a central state, regional or local corporation or by the central bank of an EEA member state, the European Central Bank, the European Union or the European Investment Bank, a third-party state or, insofar as this is a federal state, a member state of the federation or an international institution having the character of an institution under public law to which at least one member of the EEA belongs;
  - b) traded by a company whose securities are traded on the regulated markets listed under Letter a);
  - c) issued or guaranteed by an institution that is subject to supervision pursuant to the criteria set out under EEA law by an institution whose supervisory law is comparable to EEA law, and that complies with this law; or
  - d) issued by an issuer that belongs to a category approved by the FMA, insofar as the same investor protection regulations apply to investments in these instruments of the letters a) to c) and the issuer is either a company with equity capital of at least EUR 10 million and that draws up and publishes its annual financial statements in accordance with the provisions of Directive 78/660/EEC, in Liechtenstein implemented through the PGR, or is a legal entity that is part of a group with responsibility for the financing of the corporate group with at least one listed company, or is a legal entity that is intended to finance the securities underlying its liabilities by using a credit line extended by a bank.
- 7.1.7 The Management Company may additionally hold liquid assets.

## **7.2 Prohibited investments**

The Management Company may not:

- 7.2.1 invest more than 10 % of the assets of the UCITS in securities and money market instruments other than those specified in Fig. 7.1;
- 7.2.2 acquire precious metals or precious metal certificates;
- 7.2.3 perform uncovered short selling.

## **7.3 Investment limits**

**The following investment limits must be adhered to by the UCITS:**

- 7.3.1 The UCITS may invest no more than 5 % of its assets in securities or money market instruments of the same issuer and no more than 20 % of its assets in deposits of the same issuer.

- 7.3.2 The default risk of transactions performed by the UCITS with OTC derivatives with a bank as counterparty whose registered domicile is in an EEA member state or in a third-party state whose supervisory law is comparable to that of EEA law, may not exceed 10 % of the assets of the UCITS; in the case of other counterparties, the maximum default risk may not exceed 5 % of the assets.
- 7.3.3 Insofar as the total value of the securities and money market instruments of issuers in which the UCITS may in each case not invest more than 5 % of its assets does not exceed 40 % of its assets, the issuer limit specified in Fig. 7.3.1 is raised from 5 % to 10 %. The 40 % limit is not applicable to deposits or transactions with OTC derivatives with supervised financial institutions. In the event of the increase being exercised, the securities and money market instruments pursuant to Fig. 7.3.5 and the debentures pursuant to Fig. 7.3.6 shall not be taken into account.
- 7.3.4 Irrespective of the individual upper limits pursuant to Fig. 7.3.1 and 7.3.2, a UCITS may not combine the following if this would lead to an investment of more than 20 % of its assets in one and the same institution:
- a) securities or money market instruments issued by this institution;
  - b) deposits at this institution;
  - c) OTC derivatives acquired by this institution.
- 7.3.5 Insofar as the securities or money market instruments are issued or guaranteed by an EEA member state or by one of its territorial corporations, by a third-party state or by an international institution having the character of an institution under public law belonging to at least one EEA member state, then the upper limit specified in Fig. 7.3.1 shall be raised from 5 % to a maximum of 35 %.
- 7.3.6 Insofar as debentures are issued by a bank domiciled in an EEA member state that, on account of statutory regulations to protect the holders of these debentures is subject to special public supervision and in particular is required to invest the revenues from the issue of these debentures in assets that throughout the entire maturity of the debentures provide sufficient cover for the resulting liabilities and are primarily earmarked for the repayment of the capital and of the interest due in the event of the default of the issuer, then the upper limit specified in Fig. 7.3.1 for such debentures shall be raised from 5 % to a maximum of 25 %. In this event the total value of the investments may not exceed 80 % of the assets of the UCITS.
- 7.3.7 The limits specified in Figs. 7.3.1 to 7.3.6 may not be cumulated. The maximum issuer limit amounts to 35 % of the assets of the fund.
- 7.3.8 In derogation of Fig. 7.3.3 and in accordance with Art. 56 UCITSG as well as in accordance with the principle of risk diversification, up to 100 % of the assets may be invested in securities and money market instruments of different issues that are issued or guaranteed by one and the same state issuer. The UCITS must hold securities in at least six different issues, whereby the securities from a single issue may not exceed 30 % of the total sum of the assets.
- 7.3.9 The Management Company may invest more than 35% of the value of the UCITS on behalf of the UCITS in debentures of the following issuers, insofar as the issuer or guarantor is one of the following public law corporations and organisations:
- all OECD states
  - all OECD corporations under public law
  - African Development Bank
  - Asian Development Bank
  - Council of Europe Social Development Fund
  - Eurofima
  - European Atomic Energy Community
  - European Bank for Reconstruction & Development
  - European Economic Community
  - European Investment Bank
  - European Patent Organization
  - IBRD (World Bank)
  - Inter-American Development Bank



- International Finance Corporation
  - Nordic Investment Bank;
- 7.3.10 Companies that are part of the same group of companies are deemed to be a single issuer for the purpose of calculating the "investment limits" specified in Fig. 7.3 In the case of investments in securities and money market instruments of the same group of companies, the issuer limit shall be collectively lifted to 20 % of the assets of the UCITS.
- 7.3.11 A UCITS may invest up to 10 % of its assets in units in other UCITSs or in other undertakings for collective investment that are comparable with a UCITS.
- 7.3.12 The UCITS may subscribe, acquire and/or hold units to be issued by or that have been issued by one or more other UCITS, insofar as:
- the target fund does not for its part invest in the UCITS that invests in this target fund; and
  - the proportion of the assets that the target fund that is planned to be acquired may invest, pursuant to its prospectus or its articles of association, in units of other target funds of the same UCITS-comparable undertaking for collective investment, does not in overall terms exceed 10 %; and
  - the possible voting rights associated with the respective securities are suspended for as long as they are held by the respective UCITS, irrespective of a reasonable evaluation in the financial statements and in the periodic reports; and
  - in each case the value of these securities is taken into account in the calculation of the net asset value of the UCITS stipulated by the UCITSG for the purpose of verifying the minimum level of the net assets pursuant to the UCITSG, insofar as these securities are held by the UCITS; and
  - there is no duplication of the fees for the issue or redemption of units, on the one hand at the level of the UCITS that has invested in the target fund, or on the other at the level of the target fund.
- 7.3.13 If the investments pursuant to Fig. 7.3.11 account for a significant proportion of the assets of the UCITS, then the fund-specific appendix must provide information about the maximum level and the annual report must provide information about the maximum share of the management fees that are to be borne by the UCITS itself and by the undertaking for collective investment pursuant to Fig. 7.3.11 whose units have been acquired.
- 7.3.14 If units are managed directly or indirectly by the Management Company of the UCITS or by a company with which the Management Company of the UCITS is affiliated through joint administration, control or qualified participation, then neither the Management Company nor the other company may charge the fund fees for the issue or redemption of units.
- 7.3.15 A Management Company shall not acquire for any of the UCITSs under its management voting shares of the same issuer with which it is able to exercise a significant influence over the management of the issuer. A significant influence is presumed to be established by holdings of 10 % or more of the voting shares in the issuer. If a lower limit exists for the acquisition of voting shares of the same issuer in another EEA member state, this shall be binding for the Management Company if it acquires for a UCITS shares in an issuer domiciled in this EEA member state.
- 7.3.16 The UCITS may acquire financial instruments of the same issuer amounting to no more than:
- a) 10 % of the share capital of the issuer, insofar as this relates to non-voting shares;
  - b) 10 % of the total par value of the debentures or money market instruments of the issuer in circulation, insofar as this relates to debentures or money market instruments. This limit does not need to be adhered to if the total par value at the time of acquisition cannot be determined;
  - c) 25 % of the units in the same undertaking, insofar as this relates to units of other UCITS or undertakings for collective investment that are comparable to UCITSs. This specific limit does not need to be adhered to if the total par value at the time of acquisition cannot be determined;
- 7.3.17 Fig. 7.3.15 and 7.3.16 are not to be applied:
- a) to securities and money market instruments that are issued or guaranteed by a state issuer;
  - b) to shares that the UCITS owns in the capital of a company of a third-party state that invests its assets essentially in securities of issuers that are domiciled in this third-party state, if the statutory regulations of this

third-party state mean that a participation of this nature represents the only opportunity for the UCITS to invest in securities issued by issuers of this country. In this conjunction, the preconditions of the UCITSG must be observed;

- c) to shares of management companies held in the capital of their subsidiaries that in the domiciliary country exclusively organise the redemption of shares at the request of the investors on behalf of the Management Company.

**Deviation from the investment limits shall be permitted in the following cases:**

- 7.3.18 The fund does not have to adhere to the investment limits when exercising subscription rights arising out of securities or money market instruments that are associated with its assets, although it must correct these within a reasonable period of time.
- 7.3.19 In the event of the aforementioned limits being exceeded, the fund must endeavour as a matter of priority to make sales to normalise this situation, while taking the interests of the investors into account.
- 7.3.20 The UCITS may deviate from the investment limits of this chapter during the first six months after the capital has been paid-up. Sections 7.1 and 7.2 remain unaffected by this exception and must be complied with at all times. The principle of risk diversification must continue to be observed.

**Active investment limit breaches:**

- 7.3.21 A loss that is suffered on account of an active breach of the investment limits/investment regulations must be reimbursed to the UCITS without delay in accordance with the respective valid code of conduct.

**7.4 Borrowing limit as well as prohibition on issuing loans and sureties**

- 7.4.1 The fund may not be pledged or otherwise encumbered, transferred for security or assigned for security, unless this constitutes borrowing within the meaning of the following Fig. 7.4.2 or the provision of security within the framework of the settlement of transactions in financial instruments.
- 7.4.2 Borrowing by the UCITS is limited to temporary loans, whereby the borrowing may not exceed 10 % of the assets of the fund; the limit does not apply to the acquisition of foreign currencies by means of a "back-to-back" loan.
- 7.4.3 A UCITS may not grant loans, nor may it provide third parties with sureties. Neither the UCITS nor the investors shall be bound by arrangements that breach these prohibitions.
- 7.4.4 Fig. 7.4.3 does not represent an obstacle to the acquisition of financial instruments that have not yet been fully paid up.

Vis-a-vis the Custodian, the UCITS shall not be entitled to exercise the maximum permissible credit facility. The Custodian is exclusively responsible for deciding in accordance with its credit and risk policy whether, in what manner and to what extent a loan is to be granted. Under certain circumstances, this policy may change during the term of the UCITS.

**7.5 Utilisation of derivatives, methods and instruments**

The overall risk associated with derivatives may not exceed the total net value of the fund assets. The Management Company may perform investments in derivatives as part of its investment strategy within the limits stipulated in Art. 53 UCITSG, insofar as the overall risk of the underlying securities does not exceed the investment limits defined in Art. 54 UCITSG. When calculating this risk, the market value of the underlying securities, the default risk, future market fluctuations and the liquidation period of the positions shall be taken into account.

Insofar as this is not incompatible with the protection of investors and the public interest, investments made by the UCITS in index-based derivatives shall not be taken into account in relation to the upper limits stipulated under Art. 54 UCITSG.

With the approval of the FMA, subject to adherence to the provisions of the UCITSG, the UCITS may for the efficient management of the portfolios deploy methods and instruments that have securities and money market instruments as their object.

## **7.6 Risk management procedures**

The Management Company uses a basic model to calculate the risks arising out of the investment instruments, in particular in relation to derivative financial instruments, thereby applying generally accepted calculation methods. It must ensure that the risk arising from derivative financial instruments at no time exceeds the total value of the portfolio and, in particular, that no positions are taken that represent an unlimited risk for the assets. When calculating the overall risk, both the credit default risk and the leverage effect achieved with derivative financial instruments must also be considered. Combinations of derivative financial instruments and securities must also fulfil these criteria at all times.

The Management Company may in particular use the following derivative financial instruments, methods and instruments for the UCITS:

## **7.7 Derivative financial instruments**

The Management Company may use derivative transactions for the UCITS for the purpose of hedging, efficient portfolio control and to generate additional returns, and as part of the investment strategy. This may have the effect of raising the loss risk of the UCITS, at least temporarily.

The risk associated with derivative financial instruments may not exceed 100 % of the net fund assets. In this conjunction, the total risk may not exceed 200 % of the net fund assets. If a loan is taken out pursuant to UCITSG (Fig. 7.4.2), the overall risk may not exceed 210 % of the respective net fund assets.

The Management Company applies the commitment approach as a risk management procedure.

The Management Company may deploy exclusively the following basic forms of derivatives, or combinations thereof arising out of these derivatives or combinations of other assets that may be acquired for the UCITS, together with these derivatives in the UCITS:

- 7.7.1 Futures contracts on securities, money market instruments, financial indices within the meaning of Art. 9 (1) of the Directive 2007/16/EC, interest rates, exchange rates or currencies;
- 7.7.2 Options or option certificates on securities, money market instruments, financial indices within the meaning of Art. 9 (1) of the Directive 2007/16/EC, interest rates, exchange rates or currencies and on futures contracts pursuant to Fig. 7.7.1, if:
  - a) exercise is possible either throughout the entire maturity or as at the end of the maturity, and;
  - b) the option value is a fraction or a multiple of the difference between the strike price and the market price of the underlying security, and is zero if the difference has the respective other minus or plus sign.
- 7.7.3 Interest rate swaps, currency swaps or interest currency swaps;
- 7.7.4 Options on swaps pursuant to Fig. 7.7.3, insofar as these exhibit the characteristics described under Fig. 7.7.2 (Swaptions);
- 7.7.5 Credit default swaps, insofar as these serve exclusively and demonstrably to hedge the credit risk of precisely attributable assets of the UCITS.

The aforementioned financial instruments may either be independent assets or integral parts of assets.

### **Futures contracts**

The Management Company may conclude futures contracts on the account of the UCITS within the framework of the investment principles on the securities and money market instruments that may be acquired for the UCITS as well as on financial indices within the meaning of Art. 9 (1) of the Directive 2007/16/EC, interest rates, exchange rates or currencies. Futures contracts constitute unconditional binding agreements for both contracting parties to buy or to sell on a specific date, the due date, or within a specific period, a specific quantity of a specific underlying security at a price determined in advance.

### **Options**

The Management Company may conclude call options or put options on the account of the UCITS within the framework of the investment principles on the securities and money market instruments as well as on financial indices within the meaning of Art. 9 (1) of the Directive 2007/16/EC, interest rates, exchange rates or currencies, and may also trade in warrants. Option transactions entail granting a third party the right, in return for a fee (option premium), to demand the delivery or the acceptance of assets or the payment of a differential, or alternatively to acquire corresponding option rights, during a specific period or at the end of a specific period, at a price agreed in advance (strike price). The options

or option certificates must require the exercise thereof during the overall maturity or at the end of the term. In addition, the option value must be a fraction or a multiple of the difference between the strike price and the market price of the underlying security, and is zero if the difference has the respective other minus or plus sign.

### **Swaps**

The Management Company may on the account of the UCITS and within the framework of the investment principles conclude interest rate swaps, currency swaps and interest-currency swaps. Swaps are exchange contracts where the payment flows or risks underlying the transaction are exchanged between the contracting parties.

### **Swaptions**

"Swaptions" are options on swaps. Such swaptions may be acquired on the account of the UCITS only if these comprise a combination of the above-described options and swaps. A swaption constitutes the right, but not the obligation, to enter at a specific time or within a specific period into a swap whose terms and conditions have been precisely defined. In other respects the principles set out in conjunction with option transactions are applicable.

### **Credit default swaps**

Credit default swaps are credit derivatives that make it possible to transfer one potential loan default volume to another. In return for assuming the credit default risk, the seller of the risk pays a premium to his contracting party. The Management Company may only acquire simple, standardised credit default swaps for the UCITS that are deployed to hedge individual credit risks within the UCITS. In other respects the information set out under swaps is analogously applicable.

### **Financial instruments certificated in securities**

The Management Company may also acquire the above-described financial instruments if these are certificated in securities. In this conjunction, the transactions that are the object of the financial instruments may also be only partially contained in securities (e.g. warrant-linked bonds). The statements relating to opportunities and risks are correspondingly applicable to such certificated financial instruments, although subject to the caveat that the loss risk in the case of certificated financial instruments is limited to the value of the security.

### **OTC derivative transactions**

The Management Company may conclude derivative transactions that are approved for trade on a stock exchange or that are obtained from another organised market, as well as so-called over-the-counter (OTC) transactions.

The Management Company may perform derivatives transactions that are not approved for trade on a stock exchange or obtained from another organised market only with suitable banks or financial services providers on the basis of standardised framework agreements. In the case of OTC derivative transactions, the counterparty risk relating to a contractual party shall be limited to 5 % of the value of the fund assets. If the contracting party is a bank domiciled in the European Union, the European Economic Area or a third-party state with a comparable level of supervision, then the counterparty risk may amount to up to 10 % of the value of the fund assets. OTC derivatives transactions that are performed with the central clearing office of a stock exchange or other organised market as contracting party, shall not be taken into account for the counterparty limit if the derivatives are subject to a daily valuation at market prices with a daily margin offset.

Claims of the fund against an intermediary trader shall however be taken into account for the limit, even if the derivative is traded on a stock exchange or other organised market.

The aforementioned methods and instruments may if necessary be extended by the Company if other instruments are offered on the market that correspond to the investment objective and if the UCITS is permitted to apply these.

### **7.8 Securities lending**

The fund does not engage in any securities lending.

### **7.9 Repurchase transactions**

The Management Company does not engage in any repurchase transactions.

### **7.10 Borrowing**

Borrowing by a UCITS is limited to temporary loans, whereby the borrowing may not exceed 10 % of the assets of the UCITS; the limit does not apply to the acquisition of foreign currencies by means of a "back-to-back" loan.

### **7.11 Collateral policy and investment of collateral**

#### **General**

In conjunction with transactions in OTC financial derivatives and efficient portfolio management techniques, the Management Company can in the name and on the account of the fund take receipt of collateral in order to reduce its counterparty risk. Received collateral must be deposited for the fund with the Custodian or with its agent. This section describes the collateral policy applied by the Management Company in these cases. All of the assets received by the management company in the name and on the account of the UCITS (securities lending, securities repurchase transactions, reverse repurchase transactions) within the context of efficient portfolio management techniques shall be treated as collateral within the meaning of this section.

#### **Admissible collateral as well as diversification and correlation strategies**

The Management Company can use the collateral it receives to reduce the counterparty risk, provided that it adheres to the criteria set out in the respective applicable statutory provisions, regulations and guidelines issued by the FMA, above all in terms of liquidity, valuation, creditworthiness of the issuer, correlation, risks associated with the administration of collateral and realisability. Collateral should fulfil above all the following conditions:

##### **Liquidity**

Any collateral other than cash or sight deposits must be highly liquid at a transparent price and must be traded on a regulated market or within a multilateral trading system. In addition, collateral with a short settlement cycle is preferable to collateral with a long settlement cycle because it can be converted into cash more quickly.

##### **Valuation**

The value of the collateral must be calculated at least every trading day and must always be up-to-date. The inability to determine the value independently jeopardises the UCITS. This also applies to “mark to model” valuations and assets that are rarely traded.

##### **Creditworthiness**

The issuer of the collateral has a high credit rating. If a very high credit rating is not available, valuation discounts (haircuts) must be applied. In the event of high volatility in the value of the collateral, this is only permissible if appropriate conservative haircuts are applied.

##### **Correlation**

The collateral is not provided, issued or guaranteed by the counterparty or by an entity belonging to the counterparty group and does not show a high correlation with the performance of the counterparty. However, investors are advised that in difficult market environment experience has shown that the correlation between different issuers increases massively, regardless of the type of security.

##### **Diversification of the collateral**

The collateral received is sufficiently diversified in terms of countries, markets and issuers. The criterion of sufficient diversification in terms of issuer concentration is deemed to be met if the fund receives collateral where the maximum exposure to any single issuer does not exceed 20% of the net asset value of the sub-fund. In the event of collateral from several securities lending transactions, OTC derivative transactions and repurchase agreements attributable to the same issuer, issuer or guarantor, the total risk vis-à-vis this issuer shall be added together for the calculation of the overall risk limit. Notwithstanding this sub-section, UCITSs may be fully collateralised by various securities and money market instruments issued or guaranteed by an EEA member state, by one or more of its territorial corporations, by a third country or by an international institution having the character of an institution under public law of which at least one EEA member state is a member. This UCITS should hold securities issued within the context of at least six different issues and the securities from any one issue should not exceed 30% of the net asset value of the UCITS.

A sub-fund may deviate with these regulations in accordance with the regulations set out above under 7.3.5 – 7.3.7.

##### **Safekeeping and exploitation**

Insofar as the ownership of the transferred collateral has been transferred to the Management Company on behalf of the UCITS, the collateral received shall be held for safekeeping by the Custodian of the UCITS. Otherwise, the collateral must be held by a third-party custodian that is subject to prudential supervision and is independent of the service provider or is legally protected against the default of the affiliated party.

Steps must be taken to ensure that the UCITS may at any time immediately realise the collateral without reference to or the consent of the counterparty.

##### **Investment of the collateral**

Collateral, with the exception of sight deposits (liquid assets), may not be sold, reinvested or pledged.

Collateral consisting of liquid assets (sight and terminable deposits) must be used exclusively in one of the following ways:

- Sight deposits pursuant to Art. 51 (1) (d) UCITSG with a maximum maturity of twelve months at financial institutions whose registered domicile is located in an EEA member state or in a third-party state whose supervisory law is comparable to that of the EEA;
- Debentures with high credit ratings issued by governments;
- Investments within the context of a repurchase agreement within the meaning of Art. 70 UCITSV, provided that the counterparty to the repurchase agreement is a credit institution domiciled in an EEA member state or a third country whose supervisory law is equivalent to that of the EEA;
- Investments in money market funds with short maturity structure pursuant to ESMA/2014/937 (43) (j).

The reinvestment of sight deposits and terminable deposits must comply with the provisions regarding the risk diversification of non-cash collateral.

When assessing the value of collateral exposed to a non-negligible risk of fluctuation, the UCITS must apply prudential discount rates. The Management Company shall have a valuation discount policy for the UCITS for each type of asset received as collateral and shall take into account the characteristics of the assets, in particular the creditworthiness and price volatility of the respective assets and the results of the stress tests that have been performed. The valuation discount policy shall be documented and any decision to apply or not to apply a valuation discount in respect of the respective asset category shall be made clear.

#### **Level of the collateral**

The Management Company shall stipulate the necessary level of the collateral for transactions with OTC derivatives and for efficient portfolio management techniques by referring to the applicable limits set out in the Sales Prospectus for counterparty risks and taking account of the nature and the characteristics of the transactions, the creditworthiness and the identity of the counterparties as well as the prevailing market conditions.

#### **Rules for haircuts (must be defined individually)**

Collateral shall be valued daily on the basis of available market prices and taking account of reasonable conservative discounts (haircuts), that the Management Company prescribes for each investment class on the basis of its rules for haircuts. Depending upon the nature of the received collateral, these rules take account of various factors, such as for example the creditworthiness of the issuer, the duration, the currency, the price volatility of the assets and if necessary the result of liquidity stress tests that the Investment Company has conducted under normal and extraordinary liquidity conditions. The table set out below shows the haircuts that the Management Company considers reasonable on the day of this Prospectus. The respective values are subject to change.

<b><i>Collateral instrument</i></b>	<b><i>Valuation multiplier (%)</i></b>
<i>Cash (in the reference currency of the fund)</i>	95
<i>Cash (not in the reference currency of the fund)</i>	85
<i>Government bonds (debentures issued or expressly guaranteed by the following countries (does not, for example, contain any implicitly guaranteed liabilities): Austria, Belgium, Denmark, France, Germany, the Netherlands, Sweden, the United Kingdom and the USA, insofar as these respective countries have a minimum rating of AA-/Aa3 and such debentures can be valued daily at market prices (mark to market).)</i>	
<i>Maturity ≤ 1 year</i>	90
<i>Maturity &gt; 1 year and residual maturity ≤ 5 years</i>	85
<i>Maturity &gt; 5 years and residual maturity ≤ 10 years</i>	80
<i>Corporate securities (debentures that have been issued or expressly guaranteed by a company (with the exception of financial institutions) and (i) have a minimum rating of AA-/Aa3, (ii) are furnished with a residual maturity of up to 10 years, and (iii) are denominated in USD, EUR or GBP)</i>	
<i>Maturity ≤ 1 year</i>	90
<i>Maturity &gt; 1 year and residual maturity ≤ 5 years</i>	85
<i>Maturity &gt; 5 years and residual maturity ≤ 10 years</i>	80

#### **Total return swaps**

Total return swaps may be performed for the UCITS or for its sub-funds. Total return swaps are derivatives in which all income and fluctuations in the value of an underlying security are exchanged for an agreed fixed interest payment. One contracting party, the collateral recipient, thereby transfers the entire credit and market risk from the underlying instrument to the other contracting party, the collateral provider. In return, the collateral recipient pays a premium to the collateral provider. The Management Company may use total return swaps for hedging purposes and as part of the investment strategy of the UCITS. It is essentially the case that all assets eligible for the UCITS or its sub-funds may be subject to total return swaps. Up to 100 percent of the sub-fund assets may be the subject of such transactions. The Management Company expects that in individual cases no more than 50 per cent of the sub-fund assets will be subject to total return swaps. This is merely an estimated value, however, that may be exceeded in individual cases. Income from total return swaps – following the deduction of transaction costs – shall pass in full to the UCITS or to its sub-funds respectively.

Contracting parties for total return swaps are selected according to the following criteria:

- Price of the financial instrument,
- Cost of order execution,
- Speed of execution,
- Probability of execution or settlement,
- Scope and type of order,
- Timing of order,
- Other factors influencing the execution of the order (inter alia creditworthiness of the counterparty)

The criteria may be differently weighted, depending on the nature of the trading order.

#### **7.12 Use of benchmarks**

ESMA maintains a benchmark register in accordance with Regulation (EU) 2016/1011 of the European Parliament. Supervised companies (such as management companies / AIFM) may use benchmarks within the meaning of the Benchmark Regulation within the EEA, insofar as the benchmark is provided by a registered administrator who is listed in the benchmark register or is listed as a third-state benchmark in the benchmark register.

Benchmarks may also be used by certain investment funds for comparative purposes or as references to measure the performance of an investment fund, whereby the investment funds may nevertheless freely and independently select the securities in which they invest. As the investment decisions are made at the discretion of the Investment Manager, the actual holdings and fund performance may differ materially from that of the benchmark(s). The benchmark index may change over time. In this case the constituting documents will be updated at the earliest opportunity.

The Management Company assumes no liability for the quality, accuracy or completeness of the data of the benchmark index. In addition, no liability is assumed that the respective benchmark index is managed in accordance with the index methodology described.

The Management Company has prepared a written plan of actions that it will take with respect to the UCITS or its sub-funds if the index changes significantly or ceases to be provided. Information about this plan is available free of charge upon request at the registered domicile of the Management Company.

The use of the benchmarks of the individual sub-fund is set out in Appendix A "Overview of sub-funds".

#### **7.13 Investments in units of other UCITSs or in other undertakings for collective investment that are comparable to a UCITS**

A UCITS may invest up to 10 % of its assets in units in other UCITSs or in other undertakings for collective investment that are comparable with a UCITS. These other undertakings for collective investment may, pursuant to their prospectuses or foundation documents, invest no more than 10 % of their assets in units of another UCITS or of another comparable undertaking for collective investment. This consequently means the UCITS does not exhibit a fund-of-funds structure.

The attention of investors is drawn to the fact that additional indirect costs and fees are incurred and remuneration and fees are charged at the indirect investment level, although these are borne directly by the individual indirect investments.

If units are managed directly or indirectly by the Management Company of the UCITS or by a company with which the Management Company of the UCITS is affiliated through joint administration, control or qualified participation, neither the Management Company of the UCITS nor the other company may charge the UCITS fees for the issue or redemption of units.

## **8 Risk notices**

### **8.1 Fund-specific risks**

The performance of the units is dependent upon the investment policy as well as the market performance of the individual UCITS investments, and cannot be determined in advance. In this conjunction it is important to draw attention to the fact that the value of the units can rise or fall relative to the issue price at any time. It cannot be guaranteed that the investor will receive back their invested capital.

The fund-specific risks of the UCITS are set out in Appendix A "Overview of the Fund".

### **8.2 General risks**

In addition to the fund-specific risks, the investments of the UCITS may also be exposed to general risks.

All investments in UCITS entail risks. The risks may comprise or be associated inter alia with equity and bond market risks, exchange rate, interest rate change, credit and volatility risks as well as political risks. Any of these risks may occur together with other risks. This section briefly examines a number of these risks. It is important to note, however, that this does not represent a definitive list of all possible risks.

Potential investors need to be aware of the risks associated with an investment in the units, and should take an investment decision only when they have been advised comprehensively by their legal, tax and financial advisers, auditors or other experts about the suitability of an investment in units of the UCITS, taking account of their personal financial and tax situation as well as other circumstances, the information and the investment policy of the UCITS contained in the present Prospectus.

#### **Derivative financial instruments**

The UCITS may deploy derivative financial instruments. These may be used not only for hedging purposes, but may also represent part of the investment strategy. The use of derivative financial instruments for hedging purposes may alter the general risk profile by correspondingly lowering the opportunities and risks. The use of derivative financial instruments for investment purposes may alter the general risk profile by generating additional opportunities and risks.

Derivative financial instruments are not independent investment instruments. Instead, they constitute rights whose valuation is derived primarily from the price and the price fluctuations and price expectations of an underlying instrument. Investments in derivatives are subject to the general market risk, the management risk, the credit and the liquidity risk.

On account of the particular features of the derivative financial instruments, the aforementioned risks may however manifest themselves in different ways and may on occasion be higher than the risks of an investment in the underlying instruments.

For this reason, the deployment of derivatives requires not merely an understanding of the underlying instrument, but also thorough knowledge of the derivative itself.

Derivative financial instruments also entail the risk that the UCITS may suffer a loss if another party to the derivative financial instrument (as a rule a "counterparty") fails to fulfil their obligations.

In general, the credit risk for derivatives that are traded on a stock market is lower than the risk for OTC derivatives, as the clearing office acting as the issuer or counterparty of each derivative traded on the stock exchange assumes a settlement guarantee. In order to reduce the overall default risk, this guarantee is supported by a daily payment system maintained by the clearing office, which calculates the assets required to provide this cover. In the case of derivatives traded OTC, no comparable clearing office guarantee exists, and the UCITS needs to take account of the creditworthiness of every counterparty of derivatives traded OTC when evaluating the potential credit risk.

In addition, liquidation risks also exist, as specific instruments may be difficult to buy or to sell. If derivatives transactions are particularly large, or if the corresponding market is not liquid (as can be the case for derivatives traded OTC), it may not be possible at all times to perform transactions comprehensively, or under certain circumstances the liquidation of a position may entail increased costs.

Further risks in conjunction with the deployment of derivatives constitute the incorrect price determination or valuation of derivatives. In addition, it is also possible that derivatives do not fully correlate with the underlying assets, interest rates and indices. Many derivatives are complex and are often subjectively valued. Improper valuations may lead to increased payment claims from counterparties or to a loss in value for the UCITS. Derivatives do not always have a direct or parallel relationship with the value of the assets, interest rates or indices from which they are derived. For this reason the use of derivatives by the UCITS does not always represent an effective means of achieving the investment objective of the UCITS, but instead can even have the reverse effect.



### **Risk arising out of collateral management in conjunction with OTC financial derivatives and efficient portfolio management techniques**

If the UCITS conducts OTC transactions, then this may expose it to risks in conjunction with the creditworthiness of the OTC counterparties: when concluding futures contracts, options and swap transactions, or using other derivative methods, the UCITS is subject to the risk of an OTC counterparty failing (or being unable) to fulfil its obligations arising out of a specific contract or several contracts. The counterparty risk may be reduced by the deposition of a security. If the UCITS is owed a security in accordance with applicable agreements, then this shall be held for safekeeping by the or for the Custodian on behalf of the UCITS. Incidents of bankruptcy and insolvency or other credit default events at the Custodian or within its sub-custodians or network of correspondence banks may cause the rights of the UCITS in conjunction with the security to be shifted or limited in another manner. If the UCITS owes the OTC counterparty a security in accordance with the applicable agreements, then a security of this nature must be assigned, as agreed between the UCITS and the OTC counterparty, to the OTC counterparty. Cases of bankruptcy and insolvency or other credit default events affecting the OTC counterparty, the Custodian or within its network of sub-custodians or correspondence banks may cause the rights or the recognition of the UCITS to be delayed, restricted or even excluded in respect of the security, thus obliging the UCITS to fulfil its obligations within the framework of the OTC transaction irrespective of any possible securities that were provided to cover an obligation of this nature.

The risk associated with the management of collateral, in particular the operational or legal risk, is identified, managed and mitigated by the risk management system applied to the UCITS or to the sub-fund.

The UCITS or the sub-fund may disregard counterparty risk provided that the value of the collateral, valued at market price and with reference to appropriate discounts, exceeds the amount of risk at all times.

A UCITS or the sub-fund may suffer losses when investing the cash collateral that it has received. A loss of this nature may result from a decline in the value of the investments performed using the received cash collateral. If the value of the invested cash collateral falls, this shall reduce the sum of the collateral that is available to the sub-fund for returning to the counterparty when concluding the transaction. The UCITS or the sub-fund would be required to cover the difference in value between the original received collateral and the sum available for returning to the counterparties that would lead to the sub-fund suffering a loss.

#### **Issuer's risk (creditworthiness risk)**

The deterioration in the solvency or indeed the bankruptcy of an issuer may result in at least a partial loss for the assets.

#### **Counterparty risk**

The risk consists of the fact that the fulfilment of transactions that are concluded for the account of the assets are jeopardised by liquidity difficulties or the bankruptcy of the corresponding counterparty.

#### **Monetary value risk**

Inflation can reduce the value of the investments of the assets. The purchasing power of the invested capital sinks if the inflation rate is higher than the returns generated by the investments.

#### **Economic risk**

This is the risk of price losses brought about by a failure to take proper or correct account of economic developments at the time of the investment decision, resulting in investments being made in securities at the wrong time, or in securities being held during an unfavourable economic phase.

#### **Country or transfer risk**

Country risk refers to circumstances when a non-domestic debtor is unable to render his performances within the deadline or not at all, despite being solvent, on account of his domiciliary country being unwilling or unable to perform the transfer (e.g. on the grounds of currency restrictions, transfer risks, moratoriums or embargoes). This means, e.g. that payments to which the UCITS is entitled may remain unpaid, or may be performed in a currency that is no longer transferable on account of currency restrictions.

#### **Operational risk**

Operational risk is the risk of loss for the assets of a sub-fund resulting from inadequate internal processes and from human or system failure at the Management Company or from external events, and includes legal, documentation and reputational risks as well as risks resulting from the trading, settlement and valuation procedures operated for the assets of a sub-fund.

### **Settlement risk**

Investments in unlisted securities, in particular, entail the risk of the settlement being executed by a transfer system in a manner contrary to expectations on account of a payment or delivery being delayed or performed in a manner other than that which had been agreed.

### **Liquidity risk**

For the UCITS, assets may also be acquired that are not licensed on a stock exchange or included in another organised market. The acquisition of such assets entails the risk that problems may arise in particular when reselling the assets to third parties.

In the case of stocks of smaller companies (small caps), there is a risk of the market not being liquid during certain phases. A possible consequence of this may be that the stock cannot be traded at the desired time and/or not in the desired quantity and/or not at the expected price.

Assets that are traded on an organised market may also be subject to the risk that the market may be temporarily illiquid. This may mean that the assets cannot be sold at the desired time and/or in the desired quantity and/or not at the desired price.

### **Possible investment spectrum**

Taking account of the investment principles and investment limits stipulated by the UCITSG and the Trust Agreement, which specify a very broad scope for the UCITS, the actual investment policy may also aim to acquire predominantly specific types of assets, e.g. in only a small number of sectors, markets or regions/countries. This concentration on a small number of specific investment sectors may generate special opportunities, although these will also be offset by corresponding risks (e.g. market constraints, high fluctuation bands within specific economic cycles). The annual report provides retrospective information about the investment policy for the past financial year.

### **Concentration risk**

Further risks may be caused by the fact that the investments are concentrated in specific assets or markets. In this case the UCITS may be particularly heavily dependent upon the performance of these assets or markets.

### **Market risk**

This is a general risk associated with all investments, consisting of the fact that the value of a specific investment may change in a manner contrary to the interests of the UCITS.

### **Price risk**

There may be losses in value of the investments in which the UCITS or the sub-fund invests. In this case, the market value of the investments develops disadvantageously compared to the cost price. Investments are also exposed to different price fluctuations (volatility). In extreme cases, there is a risk of the complete loss of value of the corresponding assets.

### **Psychological market risk**

Sentiment, opinions and rumour can trigger significant price falls, even though the profitability and the prospects of the companies in which investments have been made need not necessarily have undergone any lasting changes. Equities are particularly susceptible to psychological market risk.

### **Settlement risk**

This is the loss risk of the UCITS resulting from the fact that a concluded transaction cannot be fulfilled as expected because a counterparty has failed to pay or to deliver, or because losses can arise due to errors at the operational level within the framework of the settlement of a transaction.

### **Legal and tax risk**

The buying, holding or sale of UCITS investments may be subject to statutory fiscal regulations (e.g. deduction of withholding tax) outside the country of domicile of the UCITS. Furthermore, the legal and tax treatment of the UCITS may change in an unforeseen and uncontrollable manner. A change in incorrectly ascertained UCITS taxation principles for past financial years (e.g. on the basis of external tax audits) may, in the case of an essentially disadvantageous tax correction for the Investor, mean that the Investor is required to bear the tax burden for past financial years arising out of the correction, even though he might not have even been invested in the UCITS at this time. Conversely, the investor may not benefit from an essentially advantageous tax correction for the current and previous financial years in which he participated in the OGAW because of the redemption or alienation of the units prior to implementation of the corresponding correction. In addition, a correction of tax data may mean that taxable earnings or taxable benefits may be assessed in

an assessment period other than that in which they were actually attributed, which could have a negative impact on the individual investor.

#### **Custody risk**

Custody of assets entails a risk of loss, which may result from insolvency or breaches of due diligence by the Custodian or force majeure.

#### **Entrepreneurial risk**

Investments in equities represent a direct participation in the economic success or failure of a company. In extreme circumstances – e.g. bankruptcy – this may mean the complete loss of the value of the corresponding investment.

#### **Currency risk**

If the UCITS holds assets that are denominated in a foreign currency or foreign currencies, these will be exposed to a direct currency risk (insofar as foreign currency positions have not been hedged). Falling exchange rates reduce the value of foreign currency assets. On the other hand, the currency market also offers opportunities for profits. In addition to direct currency risks, there are also indirect currency risks. Internationally-active companies are dependent, to a greater or lesser extent, on exchange rate developments. This can also have an indirect impact on the performance of investments.

#### **Change of investment policy**

A change of the investment policy within the statutory and contractually permitted investment spectrum could change the content of the risk associated with the UCITS. The Management Company may change the investment policy of the UCITS within the applicable Trust Agreement by changing the Prospectus and the Trust Agreement including Appendix A at any time and to a significant extent.

#### **Amending the Trust Agreement**

In the Trust Agreement the Management Company reserves the right to amend the trust conditions at any time. Furthermore, pursuant to the Trust Agreement it may comprehensively dissolve the UCITS or merge it with another UCITS. This consequently means that for investors there is a risk that the holding period they had planned cannot be realised.

#### **Redemption suspension risk**

It is essentially the case that investors may demand from the Management Company the redemption of their units in accordance with the valuation interval of the UCITS. The Management Company may however temporarily suspend the redemption of the units in the event of exceptional circumstances, and may then redeem the units only at a later date and in accordance with the then valid price (also see in detail "Suspension of the calculation of the net asset value and the issue, the redemption and the conversion of units"). This price may be lower than that prior to the suspension of the redemption.

#### **Key persons risk**

UCITSs whose investment result is very positive during a specific period also owe this success to the suitability of the acting persons and consequently the correct decisions of their management. The composition of the personnel of the fund management may however change. It is possible that new decision-makers may not act so successfully.

#### **Interest rate change risk**

Insofar as the UCITS invests in interest-bearing securities, it will be exposed to interest rate change risks. If the market interest rate rises, the market value of the interest-bearing securities can fall substantially. This applies in particular to the extent that the assets also include interest-bearing securities with longer residual maturities and low nominal interest returns.

#### **Hedging risk**

Unit classes whose reference currency is not the same as the portfolio currency may be hedged against exchange rate fluctuations (hedging). This is intended to protect investors in the respective unit class as far as possible against possible losses brought about by negative exchange rate developments. At the same time, however, they will not be able to benefit fully from positive exchange rate developments. Fluctuations in the volume hedged in the portfolio and ongoing subscriptions and redemptions mean that it is not always possible to maintain hedges at exactly the same level as the net asset value of the unit class that is being hedged. It is therefore possible that the net asset value per unit in a hedged unit class may not develop identically to the net asset value per unit in a non-hedged unit class.

#### **Risks associated with the use of benchmarks**

If a benchmark index is used, then a suitable alternative benchmark must be identified if the benchmark is changed or if the index provider does not comply with the Benchmark Regulation. In certain cases this may prove difficult or impossible. If a suitable substitute benchmark cannot be identified, this may have a negative impact on the relevant sub-fund. Compliance with the Benchmark Regulation may also result in additional costs for the sub-fund in question.

### **Sustainability risks**

The term “sustainability risks” means the risk of an actual or potential value loss of an investment due to the occurrence of environmental, social, or governance (ESG) events. The Management Company considers sustainability risks in its investment decisions in accordance with its corporate strategy.

Their assessment exhibits no relevant effects on yield because the specific investment policy and the restrictions on the “uranium sector” and the performance achieved in the past do not suggest a relevant impact on the overall portfolio although the past performance obviously cannot be extrapolated to the future.

## **9 Participation in the UCITS**

### **9.1 Sales restrictions**

The UCITS units are not licensed for distribution in all countries of the world.

The issue, the conversion and the redemption of units abroad are subject to the provisions that are in force in the respective foreign country.

The issue, the conversion and the redemption of units abroad are subject to the provisions that are in force in the respective foreign country. Fund units may in particular not be offered, sold or delivered within the USA. The units have not been and are not registered in accordance with the United States Securities Act of the year 1933 in its valid version (“the Act of 1933”) or in accordance with the securities laws of a federal state or a territorial corporation of the United States of America or of its territories, possessions or other districts subject to its legal sovereignty, including the Commonwealth of Puerto Rico (“the United States”).

The units may not be offered, sold, or otherwise transferred in the United States of America to or on the behalf of US persons (within the meaning of the Act of 1933). Subsequent transfers of units in the United States or to US persons are not permitted. The units are offered and sold on the basis of an exemption from the registration regulations of the Act of 1933 pursuant to Regulation S of this Act.

The Management Company has not been and will not be registered either in accordance with the United States Investment Company Act of the year 1940 in its valid version or in accordance with any other US federal laws. This consequently means that the units may not be sold, offered or otherwise transferred in the United States of America to or on the behalf of US persons (within the meaning of the Act of 1933).

The units have neither been approved by the US Securities and Exchange Commission (“SEC”) or any other supervisory authority in the United States, nor has any such approval been rejected; in addition, neither the SEC nor any other supervisory authority in the United States has ruled on the accuracy or the reasonableness of this Prospectus or on the benefits of the units.

This Prospectus may not be circulated in the United States. The distribution of this Prospectus and the offering of the units may also be subject to restrictions under other legal systems.

Units of the fund may furthermore not be offered, sold or delivered to citizens of the USA or persons domiciled in the USA and/or other natural persons or legal entities whose income and/or revenues, irrespective of its origin, is subject to US income tax, financial institutions that are not subject to the provisions concerning the Foreign Account Tax Compliance Act (“FATCA”, in particular Sections 1471 - 1474 of the US Internal Revenue Code as well as a possible treaty with the United States of America concerning cooperation for the facilitated implementation of FATCA, insofar as applicable in each case), and are not insofar as necessary registered with the US Internal Revenue Service as a FATCA participant institution, as well as persons who pursuant to Regulation S of the US Securities Act of 1933 and/or the US Commodity Exchange Act in the respective valid version are deemed to be US persons. This means that the fund may in particular not be acquired by the following investors (this list is not definitive):

- US citizens, incl. holders of dual nationality;
- Persons who are resident or domiciled in the USA;
- Persons who are based in the USA (green card holders) and/or who live mainly in the USA;
- Companies, trusts, assets etc. domiciled in the USA;
- Companies who qualify as transparent for US tax purposes, and who have investors named in this section, as well as companies whose revenues from a consolidated perspective are attributable to investors named in this section for US tax purposes;

- Financial institutions that are not subject to the provisions pursuant to the Foreign Account Tax Compliance Act ("FATCA", in particular Sections 1471 - 1474 of the US Internal Revenue Code as well as any possible treaty with the United States of America concerning cooperation for the facilitated implementation of FATCA, insofar as applicable in each case), and are not insofar as necessary registered with the US Internal Revenue Service as a FATCA participant institution; or
- US persons defined in the respective valid version of Regulation S of the United States Securities Act 1933.

## 9.2 General information about the units

The units shall be kept only in book-entry form. That is to say, no certificates shall be issued.

The Management Company is entitled to form units of different classes within the UCITS as well as to abolish or to merge different classes.

The various unit classes may differ in terms of the management fee and the reference currency, including in respect of the currency hedging transactions.

The unit classes that are created in conjunction with the UCITS, as well as the fees and remuneration associated with the units of the UCITS, are specified in Appendix A "Overview of the Fund".

In addition, certain other fees, remuneration and costs shall be settled using the assets of the UCITS. In this conjunction, see Figs. 11 and 12 (Tax regulations as well as Commission and costs).

## 9.3 Calculation of the net asset value per unit

The net asset value ("NAV") per unit of the UCITS or unit class shall be calculated by the Management Company or by an authorised representative of the Management Company on the respective valuation date and as at the end of the financial year.

The NAV of a unit in a unit class of the UCITS is expressed in the accounting currency of the UCITS or, if different, in the reference currency of the corresponding unit class, and results from the proportion of the assets of this UCITS attributable to the respective unit class, less any possible debt obligations that are allocated to the same UCITS, divided by the number of units in the corresponding unit class that are in circulation. The respective figure shall be rounded off at the time of the issue and redemption of units as follows:

- to the nearest CHF 0.01 if this entails Swiss francs; and
- to the nearest EUR 0.01 if this entails euros.

The respective net fund assets shall be valued in accordance with the following principles:

1. Securities that are officially listed on a stock exchange shall be valued in accordance with the most recent available price. If a security is listed on several stock exchanges, the most recent available price of the respective stock exchange that represents the principal market for this security shall be relevant.
2. Securities that are not officially listed on a stock exchange, but that are traded on a market that is open to the public, shall be valued in accordance with the most recent available price. If a security is traded on various markets that are open to the public, then in case of doubt the most recently available price of the market that reports the highest liquidity shall be taken into account.
3. Securities or money market instruments with a residual maturity of less than 397 days may be depreciated or appreciated on a straight line basis with the difference between the purchase price (acquisition price) and the redemption price (price at the time of maturity). A valuation at the current market price may be omitted if the redemption price is known and fixed. Any possible credit rating changes shall also be taken into account.
4. Investments whose price is not market compliant and those assets that are not covered by Fig. 1, Fig. 2 and Fig. 3 above shall be valued at the price that they would probably achieve if sold in good faith at the time of the valuation, which shall be determined in good faith by the management of the Management Company or under their direction or supervision by authorised representatives.
5. OTC derivatives shall be valued on a daily basis, using verifiable valuation principles to be stipulated by the Management Company, as defined by the Management Company in good faith, at the sales price achieved if sold in accordance with generally recognised valuation principles that are verifiable by auditors and based on the sales value that would probably be achieved.
6. UCITSs or other undertakings for collective investment (UCI) shall be valued at the most recently ascertained and available inventory price. If the redemption of units has been suspended, or if no redemption price is ascertained, these units shall be valued like all other assets at the respective market price, which shall be determined by the Management Company in good faith using generally accepted valuation models that are verifiable by auditors.

7. If no trading price is available for the respective assets, these assets shall be valued like all other assets legally permissible at the respective market price, which shall be determined by the Management Company in good faith and in accordance with generally recognised valuation principles that are verifiable by auditors and based on the sales value that would probably be achieved.
8. Liquid assets shall be valued at their nominal value plus accrued interest.
9. The market price of securities and other investments that are denominated in a currency other than the respective fund currency shall be converted into the corresponding fund currency at the most recent mean rate of exchange.

The Management Company shall be entitled, on a temporary basis, to apply other appropriate valuation principles to the fund assets if the aforementioned valuation criteria are deemed impossible or unreasonable as the result of extraordinary events. In the event of massive redemption applications, the Management Company may value the units of the corresponding fund assets on the basis of the prices at which the necessary sales of securities would probably be performed. In this case, the same calculation method shall be applied for subscription and redemption applications that are submitted simultaneously.

#### **9.4 Issue of units**

Units of the UCITS may be acquired in accordance with Appendix A "Overview of the Fund" at the net asset value per unit of the corresponding unit class of the UCITS, plus the possible due issue premium and plus any possible taxes and duties.

The units are not certificated as securities.

Subscription applications must be submitted to the Custodian at the latest by the acceptance deadline. If a subscription order is received after the acceptance deadline, it shall be reserved for the following valuation date. In the case of applications placed with distribution agents in Liechtenstein and abroad, earlier deadlines for the subscription of orders may be set to ensure the punctual forwarding of these orders to the Custodian in Liechtenstein. These deadlines may be obtained from the individual distribution agents.

Information about the issue date, the valuation interval, the acceptance deadline as well as the level of the possible due maximum issue premium is set out in Appendix A "Overview of the Fund".

Payment must be received within two bank working days following the valuation date.

The Management Company shall ensure that the issue of units is settled on the basis of a net asset value per unit that is unknown to the investor at the time of the application (forward pricing).

All taxes and duties incurred in conjunction with the issue of units shall also be charged to the investor. If units are acquired through banks that have not been entrusted with the distribution of the units, it will not be possible to exclude the possibility that such banks may impose additional transaction fees.

If the payment is made in a currency other than the reference currency, the equivalent sum derived from the conversion of the payment currency into the reference currency, less any possible charges, shall be used to acquire units.

The minimum investment that must be held by an Investor in a specific unit class is set out in Appendix A "Overview of the Fund".

The Management Company may furthermore also decide to suspend the issue of units on a complete or temporary basis if new investments might hinder the attainment of the investment objective.

At the request of an investor, units may with the approval of the Management Company also be subscribed in return for the assignment of investments at the respective daily rate (contribution of tangible assets or payment in specie). The Management Company is not obliged to accept an application of this nature.

Contributions in kind shall be assessed and evaluated by the Management Company on the basis of objective criteria. The assigned investments must be in accordance with the investment policy of the UCITS, and a current investment interest in the stocks must exist in the view of the Management Company. The value of the contributions in kind must be assessed by the Auditors. All costs incurred in this conjunction (including the cost of the auditor, other expenses as well as possible taxes and duties) shall be borne by the respective Investor and may not be charged to the respective assets.

The issue of units shall in particular be temporarily suspended if the net asset value per unit ceases to be calculated. If units cease to be issued, the investors shall be informed without delay in the organ of publication as well as in the media specified in the Prospectus and in the Trust Agreement or by means of permanent data carriers (letter, fax, e-mail or comparable) about the reason and the timing of the cessation.

## 9.5 Redemption of units

Units of a UCITS shall be redeemed on the acceptance deadline for unit transactions in accordance with Appendix A "Overview of the Fund" at the net asset value per unit of the corresponding unit class of the UCITS, less the possible due redemption premium and any possible taxes and duties.

Redemption applications must be submitted to the Custodian at the latest by the acceptance deadline. If a redemption application is received after the acceptance deadline, it shall be reserved for the following redemption date. In the case of applications placed with distribution agents in Liechtenstein and abroad, earlier deadlines for the subscription of orders may be set to ensure the punctual forwarding of these orders to the Custodian in Liechtenstein. These deadlines may be obtained from the individual distribution agents.

Information about the redemption date, the valuation interval, the acceptance deadline as well as the level of the possible due maximum redemption premium is set out in Appendix A "Overview of the Fund".

As it is necessary to ensure that the assets of the UCITS contain a reasonable proportion of liquid assets, units will be paid out within two bank working days following the calculation of the redemption price. This shall not apply in the event that in accordance with statutory regulations, such as for example foreign exchange and transfer restrictions or due to other circumstances that lie beyond the control of the Custodian, the transfer of the redemption amount is rendered impossible.

If the payment, at the request of the investor, is to be performed in a currency other than the currency in which the respective units have been invested, the sum that is to be paid out shall be calculated in accordance with the proceeds of the conversion from the reference currency into the payment currency, less any fees.

With the payment of the redemption price, the corresponding unit shall be extinguished.

The Management Company and/or the Custodian may redeem units unilaterally in return for payment of the redemption price, insofar as this is deemed necessary in the interest of or for the protection of the Investor, of the Management Company or of the UCITS, in particular if:

- a) there is a suspicion that by acquiring the units the respective investor is engaging in "market timing", "late trading" or other market techniques that could be detrimental to the investors as a whole;
- b) the investor does not meet the conditions for the acquisition of the units; or
- c) the units are distributed in a state in which the UCITS is not licensed for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The Management Company shall ensure that the redemption of units is settled on the basis of a net asset value per unit that is unknown to the Investor at the time of the application (forward pricing).

If the execution of a redemption application means that the holding of the respective Investor falls below the minimum investment in the corresponding unit class specified in Appendix A "Overview of the Fund", then the Management Company may without issuing further notification to the Investor treat his redemption application as an application to redeem all of the units in this unit class held by the corresponding Investor.

The redemption of fund units may be suspended if Art. 12 is applicable.

Material expenses are not permitted.

## 9.6 Conversion of units

Insofar as different unit classes are offered, units may be converted from one unit class to another unit class. No conversion fee shall be imposed for conversion within a UCITS. If a conversion of units is not possible for specific unit classes, then this shall be mentioned for the respective unit class in Appendix A "Overview of the Fund".

The number of units into which investors may exchange their holdings shall be calculated in accordance with the following formula:

$$A = \frac{(B \times C)}{(D \times E)}$$

A = Number of units in the new sub-fund or the possible unit class into which the conversion is to be made

B = Number of units in the sub-fund or in the possible unit class out of which the conversion is to be made

C = net asset value or redemption price of the units presented for conversion

D = Foreign exchange rate between the respective sub-fund or possible unit classes. If both sub-funds or unit classes are valued with the same accounting currency, this coefficient is 1.

E = Net asset value of the units in the sub-fund or in the possible unit class into which the conversion is to be made, plus taxes, fees or other duties

In certain cases, when converting from one unit class to another, duties, taxes and stamp duties may be incurred in certain countries.

The Management Company may at any time reject a conversion application for a unit class if this is deemed to be in the interest of the UCITS, of the Management Company or in the interest of the investors, in particular if:

1. there is a suspicion that by acquiring the units the respective Investor is engaging in "market timing", "late trading" or other market techniques that could be detrimental to the investors as a whole;
2. the investor does not meet the conditions for the acquisition of the units; or
3. the units are distributed in a state in which the UCITS or the respective unit class is not licensed for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The Management Company shall ensure that the conversion of units is settled on the basis of a net asset value per unit that is unknown to the Investor at the time of the application (forward pricing).

The conversion of fund units may be suspended if Fig. 9.7 is applicable.

#### **9.7 Suspension of the calculation of the net asset value and the issue, the redemption and the conversion of units**

The Management Company may temporarily suspend the calculation of the net asset value and/or the issue, the redemption and the conversion of units in the UCITS, insofar as this is deemed to be in the interest of the investors, in particular:

- a) if a market that forms the basis for the valuation of a significant proportion of the UCITS assets is unexpectedly closed or if trade on such a market is restricted or suspended;
- b) in the event of political, economic or other emergencies; or
- c) if transactions cannot be executed for the UCITS due to restrictions on the transfer of assets;

The Management Company may furthermore also decide to suspend the issue of units on a complete or temporary basis if new investments might hinder the attainment of the investment objective.

The issue of units shall in particular be temporarily suspended if the net asset value per unit ceases to be calculated. If units cease to be issued, the investors shall be informed without delay in the organ of publication as well as in the media specified in the Prospectus and in the Trust Agreement or by means of permanent data carriers (letter, fax, e-mail or comparable) about the reason and the timing of the cessation.

In addition, the Management Company shall be entitled, provided that the interests of the investors are safeguarded, to execute substantial redemptions only, i.e. to temporarily suspend the redemption, after it proves possible to sell corresponding assets of the UCITS without delay while safeguarding the interests of the investors.

So long as the redemption of the units is suspended, no new units of this UCITS shall be issued.

The Management Company shall take steps to ensure that sufficient liquid assets are available to the fund to enable it to redeem units at the request of investors without delay under normal circumstances.

The Management Company shall without delay report the suspension of the redemption and payout of units to the FMA and by appropriate means to the investors. Subscription and redemption orders shall be settled following recommencement of the calculation of the net asset value. Investors may withdraw their subscription or redemption applications prior to the recommencement of trading in the units.

#### **10 Appropriation of profits**

The profit of a UCITS consists of the net income as well as the realised price gains.

The Management Company may distribute the profit generated by a UCITS or a unit class to the investors in this UCITS or in this unit class, or may reinvest this profit in the UCITS or respective unit class.

##### **Reinvested:**

The profit generated by the UCITS or Unit class that is subject to a profit utilisation of the type "REINV" pursuant to Appendix A "Overview of the Fund" shall be reinvested on an ongoing basis.



**Distributed:**

The profit generated by the UCITS or unit classes that are subject to a profit utilisation of the type "DISTR" pursuant to Appendix A "Overview of the Fund" shall be distributed on an annual basis. The Management Company may decide at its own discretion about the level of the distribution.

A part of the net profit of the UCITS may be carried forward to the new account.

Distributions will be paid out on the units that have been issued on the distribution day.

No interest will be paid on declared distributions from the time of their due date onwards.

**11 Tax regulations****11.1 Fund assets**

All Liechtenstein UCITSs having the legal form of a (contractual) investment fund or unit trust are fully subject to tax in Liechtenstein and are subject to income tax. Income from the managed assets represents tax-free income.

**Issue and sales duties<sup>1</sup>**

The establishment (issue) of units in a UCITS of this nature is not subject to issue and sales duty. The transfer of ownership in investor units for pecuniary consideration is subject to sales duty insofar as one party or a broker is a domestic securities trader. The redemption of investor units is exempted from sales duty. The contractual investment fund or the unit trust constitute investors that are exempted from sales tax.

**Withholding taxes and/or payment agent taxes**

Income as well as capital gains, whether distributed or reinvested, depending on the entity in question that holds the units of the UCITS directly or indirectly, may be partially or wholly subject to a so-called payment agent tax (e.g. flat-rate withholding tax, European savings income tax, Foreign Account Tax Compliance Act).

The UCITS in the legal form of the contractual Investment Fund or unit trust is not subject to any withholding tax obligation in the Principality of Liechtenstein, and in particular is not subject to any coupon tax or withholding tax obligation. Non-domestic earnings and capital gains generated by the UCITS in the legal form of the contractual investment fund or unit trust may be subject to the respective withholding tax deductions of the country of investment. Any possible double taxation conventions remain reserved.

The UCITS has the following tax status:

**Automatic Exchange of Information (AEOI)**

In respect of the UCITS or the sub-fund, a Liechtenstein paying agent may be obliged to report unit holders to the local tax authorities or to carry out the corresponding statutory reporting in accordance with the AIA agreements.

**FATCA**

The UCITS or any possible sub-fund respectively are subject to the provisions of the Liechtenstein FATCA Treaty as well as the corresponding execution provisions set out in the Liechtenstein FATCA Act.

**11.2 Natural persons with tax domicile in Liechtenstein**

Private investors domiciled in the Principality of Liechtenstein must declare their units as assets, and these are subject to asset tax. Any possible income distributions or reinvested income of the UCITS in the legal form of the contractual investment fund or unit trust are exempted from income tax. Capital gains realised from the sale of units are exempted from income tax. Capital losses cannot be deducted from taxable earnings.

**11.3 Persons with tax domicile outside Liechtenstein**

In the case of investors domiciled outside the Principality of Liechtenstein, the tax burden and the other fiscal consequences of holding or buying or selling investor units shall be in accordance with the statutory tax regulations of the respective country of domicile.

---

<sup>1</sup> Pursuant to the Customs Union between Switzerland and Liechtenstein, Swiss stamp duty legislation is also applicable in Liechtenstein. Within the meaning of Swiss stamp duty legislation, the Principality of Liechtenstein is consequently treated as domestic territory.

## **Disclaimer**

The fiscal considerations are based on the currently applicable legal situation and practice. Changes to legislation, jurisprudence or the rulings and practice of tax authorities remain expressly reserved.

Investors are advised to consult their own professional advisors with regard to the applicable tax consequences. Neither the Management Company, the Custodian nor their agents can accept responsibility for the individual tax consequences that may arise as a result of the investor buying, selling or holding units.

## **12 Costs and fees**

### **12.1 Costs and fees payable by the investor**

#### **12.1.1 Issue premium**

To cover the costs incurred by the placement of the units, the Management Company may impose an issue commission on the net asset value of the newly-issued units payable to the Management Company, to the Custodian and/or to the distribution agents in Liechtenstein or abroad in accordance with Appendix A "Overview of the Fund".

#### **12.1.2 Redemption premium**

In respect of the payout of redeemed units, the Management Company shall impose a redemption premium on the net asset value of the redeemed units in accordance with Appendix A "Overview of the Fund".

#### **12.1.3 Conversion fee**

In respect of the conversion from one unit class to another unit class, insofar as this is requested by the Investor, the Management Company shall impose a fee on the net asset value of the original unit class in accordance with Appendix A "Overview of the Fund".

### **12.2 Costs and fees payable by the UCITS**

#### **12.2.1 Fees that are dependent upon the assets**

##### **Management remuneration**

The Management Company shall charge an annual remuneration in respect of the management, risk management and administration of the UCITS in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets of the UCITS, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. The level of the management remuneration shall be specified in the annual report.

##### **Custodian fee**

In return for fulfilling its responsibilities arising out of the custodian agreement, the Custodian shall receive remuneration in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. The level of the Custodian remuneration shall be specified in the annual report.

##### **Asset management fee**

Insofar as an Asset Manager has entered into a contractual obligation, the Asset Manager may receive remuneration from the fund assets in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. In addition, the Asset Manager may also receive a performance-based remuneration from the respective net fund assets ("performance fee"). The level of the management fee shall be specified in the annual report.

##### **Advisory fee**

Insofar as an investment advisor has been commissioned, the investment manager may receive remuneration whose maximum level, calculation and payment is set out in the respective Appendix A "Overview of the Fund". In addition, the investment advisor may also receive a performance-based remuneration from the respective net fund assets ("performance fee"). The level of the advisory fee shall be specified in the annual report.

##### **Distributor fee**

Insofar as a distribution agent has been contractually commissioned, the distribution agent may receive remuneration from the Fund assets whose maximum level, calculation and payment is set out in Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and

shall be charged pro rata temporis at the end of each quarter. The level of the distributor fee shall be specified in the annual report.

#### 12.2.2 Fees that are independent of the assets:

The Management Company and the Custodian are also entitled to the reimbursement of the following expenses that they incur in the exercise of their function:

- a) The cost of preparing, printing and distributing the annual and interim reports, as well as further publications prescribed by law;
- b) The cost of legal consultancy and the exercise of rights incurred by the Management Company or the Custodian when acting in the interests of investors;
- c) the cost of publishing the notices addressed to investors in the organs of publication and possible additional newspapers or electronic media chosen by the Management Company, including the publication of prices;
- d) fees and the cost of licences as well as for supervision in Liechtenstein and abroad;
- e) all taxes imposed on the assets of a UCITS as well as on the income and expenses of a UCITS;
- f) fees incurred in conjunction with any possible listing and with the securing of a distribution licence in Liechtenstein and abroad (e.g. consultancy, legal, translation costs);
- g) Charges, costs and fees incurred in conjunction with the determination and publication of tax factors in the countries of the EU/EEA and/or all countries where distribution licences exist and/or private placements are made, in accordance with the effective overheads incurred at market rates;
- h) Fees and costs arising out of other legal or regulatory requirements to be complied with by the Management Company in the course of implementing the investment strategy (such as reporting and other costs arising during the course of compliance with the European Market Infrastructure Regulation (EMIR, EU Regulation 648/2012)
- i) Fees for payment agents, representatives and other delegates with comparable functions in Liechtenstein and abroad;
- j) A reasonable share of the cost of printed materials and advertising incurred in direct association with the offering and sale of units;
- k) Fees of the auditor and of tax advisers, insofar as these expenses are incurred in the interest of the investors;
- l) Internal and external costs of reclaiming non-domestic withholding taxes, insofar as this can be performed on the account of the UCITS or of the respective sub-fund. With regard to the recovery of non-domestic withholding taxes, it should be noted that the Management Company does not undertake to recover such taxes and any such recovery will only be made if the procedure is justified on the basis of the criteria of materiality of the amounts and proportionality of the costs in relation to the possible amount to be recovered. With respect to investments that are the subject of securities lending, the Management Company shall not reclaim withholding tax;
- m) Costs relating to the valuation of special investments (e.g. expert opinions) and associated overheads of the Management Company;
- n) Cost of specialist expertise and specialist advice within the context of the purchase and sale of fund assets in the best interest of the investors, in particular in the field of unlisted assets, and the associated overheads of the Management Company;
- o) Cost of potential sub-custodians of the fund assets in the event that parts thereof are not kept for safekeeping directly at the Custodian;
- p) Cost of establishing and maintaining additional counterparties, if this is in the interest of the investors.
- q) Royalties for the use of any possible benchmarks.
- r) Cost and expense of regular reports provided inter alia to insurers, pension funds and other financial services companies (e.g. GroMiKV, Solvency II, VAG, MiFID II, ESG- / SRI reports or sustainability ratings, etc.);
- s) External cost of assessing the sustainability ratings (ESG research) of the assets of the UCITS or of its target investments

The level of the expenses shall be specified in the annual report.

#### **Transaction costs**

In addition, the UCITS shall bear all ancillary costs arising out of the management of the assets in conjunction with the acquisition and sale of the investments (standard market brokerage fees, commission, duties) as well as all taxes

imposed on the assets of the UCITS as well as on its earnings and expenses (e.g. withholding taxes on non-domestic earnings). The UCITS shall furthermore bear any possible external costs, i.e. fees charged by third parties that are incurred when buying and selling the investments. These costs shall be offset directly against the cost and sales value of the investments concerned.

Counter-performances that are included in a fixed flat-rate fee may not be additionally charged as separate expenses. Any possible compensation for commissioned third parties shall however already be included in the fees pursuant to Art. 35 of the Trust Agreement.

#### **Any possible costs for currency hedging of unit classes**

The possible cost of currency hedging of unit classes will be allocated to the corresponding unit class.

#### **Service fee**

A periodic service fee pursuant to Appendix A "Overview of the fund" shall be imposed for additional services rendered by the Custodian and Management Company.

#### **Liquidation fees**

In the event of the dissolution of the UCITS, the Management Company may charge a liquidation fee amounting to no more than CHF 10,000.00, payable to the Management Company. In addition to this amount, all third-party costs incurred in connection with the liquidation shall be borne by the UCITS.

#### **Extraordinary management costs**

In addition, the Management Company may charge the fund assets costs for extraordinary management activities.

Extraordinary management costs comprise the expenses incurred exclusively for the purpose of safeguarding the interests of the investors, which are incurred during the course of the regular business activities, and which were not foreseeable at the time of the foundation of the UCITS. Extraordinary management costs comprise in particular the cost of legal compliance in the interest of the UCITS or of the investors. Furthermore, this is deemed to include any possible necessary extraordinary management activities pursuant to UCITSG and UCITSV (e.g. amendments of the fund documents).

#### **Inducements**

In conjunction with the acquisition and the sale of assets and rights on behalf of the UCITS or of its sub-funds, the Management Company, the Custodian as well as any possible authorised representatives shall ensure in particular that any inducement benefit directly or indirectly to the UCITS or to its sub-funds respectively.

#### **Current fees (total expense ratio, TER)**

The total sum of the current fees before any possible performance fee and before any possible extraordinary administrative fees shall be calculated in accordance with general principles set out in the code of conduct, and comprise, with the exception of the transaction costs, all costs and fees that are charged to the assets of the UCITS on an ongoing basis.

The TER shall be reported in the interim and annual report as well as in publications of the interim or annual report on the website of the Liechtenstein Investment Fund Association "LAFV" [Liechtensteinischer Anlagefondsverband] under [www.lafv.li](http://www.lafv.li).

#### **One-off costs charged to the investors**

Issue, redemption and conversion fees as well as any possible associated taxes and duties shall be payable by the investor.

##### **12.2.3 Performance-related fee (performance fee)**

In addition, the Management Company may charge a performance fee. The extent to which a performance fee shall be charged is set out in detail in Appendix A "Overview of the Fund".

#### **Foundation costs**

The cost of founding the UCITS and the initial issue of units shall be amortised over a period of 5 years at the expense of the assets of the fund.

### **13 Information for investors**

The organ of publication of the UCITS is the website of the LAFV Liechtenstein Investment Fund Association [www.lafv.li](http://www.lafv.li).

All communications to investors, including in respect of amendments of the Trust Agreement and the Appendix A "Overview of the Fund", shall be published on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as in the other media and data carriers specified in the Prospectus.

The net asset value as well as the issue and redemption price of the units of the UCITS or unit class respectively shall be reported on each valuation date on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as in the other media and permanent data carriers specified in the Prospectus (letter, fax, e-mail or similar).

The annual report, audited by an auditor and the interim report, which does not need to be audited, shall be made available to investors free of charge at the headquarters of the Management Company and of the Custodian.

## **14 Duration, dissolution, merger and structural measures of the UCITS**

### **14.1 Duration**

The UCITS has been established for an indefinite period.

### **14.2 Dissolution**

#### **In general**

The provisions relating to the dissolution of the UCITS are also applicable to its sub-funds.

#### **Dissolution resolution**

The dissolution of the UCITS shall be performed on a mandatory basis in the cases for which provision has been made by law. In addition, the Management Company shall be entitled to dissolve the UCITS at any time.

Investors, heirs or other authorised parties may not demand the splitting or the dissolution of the UCITS or of a unit class.

The resolution concerning the dissolution shall be published on the website of the Liechtenstein Investment Fund Association LAFV ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as using other media and permanent data carriers specified in the Prospectus (letter, fax, e-mail or similar). From the day of the dissolution resolution onwards, no further units shall be issued, converted or redeemed.

In the event of the dissolution of the UCITS, the Management Company may liquidate the assets of the UCITS without delay in the best interests of the investors. In other respects, the liquidation of the UCITS shall be performed in accordance with the provisions of the Liechtenstein Persons and Companies Act (Personen- und Gesellschaftsrecht - "PGR").

If the Management Company dissolves a unit class without dissolving the UCITS, then all of the units of this class shall be redeemed on the basis of their net asset value applicable at the time. This redemption shall be published by the Management Company, and the redemption price shall be paid out to the former investors by the Custodian.

#### **Reasons for the dissolution**

Insofar as the net asset value of the UCITS or one of its sub-funds falls below a level that is necessary for cost-effective management, as well as in the event of a significant change in the political, economic or monetary policy environment or within the framework of a rationalisation, the Management Company may resolve to redeem or to annul all units of the UCITS, or a sub-fund or of a unit class at the net asset value (taking account of the actual realisation prices and realisation costs of the investments) of the valuation date on which the corresponding resolution becomes effective.

#### **Cost of the dissolution**

The cost of the dissolution shall be borne by the net fund assets of the UCITS or of a sub-fund.

#### **Dissolution and bankruptcy of the Management Company or of the Custodian**

In the event of the dissolution and of the bankruptcy of the Management Company, the assets managed for the purpose of collective capital investment on the account of the investors shall not become part of its liquidation assets and shall not be dissolved together with its own assets. The UCITS or a sub-fund constitute special assets for the benefit of their investors. Each of the special assets must be transferred to another management company with the approval of the FMA or dissolved by means of separate satisfaction for the benefit of the investors in the UCITS or of a sub-fund.

In the event of the bankruptcy of the Custodian, the managed assets of the UCITS or of a sub-fund pursuant to Art. 31 (2) UCITSG must be transferred with the approval of the FMA to another custodian or dissolved by means of separate satisfaction for the benefit of the investors of the UCITS or of a sub-fund.

#### **Termination of the custodian agreement**

In the event of the termination of the custodian agreement, the net investment fund assets of the UCITS or of a sub-fund must be transferred with the approval of the FMA to another custodian or dissolved by means of separate satisfaction for the benefit of the investors of the UCITS or of a sub-fund.

### **14.3 Merger**

Within the meaning of Art. 38 UCITSG, the Management Company may at any time and at its complete discretion, subject to the approval of the corresponding supervisory authority, resolve to merge the UCITS with one or more other UCITSs, irrespective of the legal form of the UCITS and whether the other UCITS is domiciled in Liechtenstein or not. The UCITS and its unit classes may also be merged with one or more other UCITSs or their sub-funds and unit classes.

Information for investors, approval and investor rights

Investors shall be informed about the planned merger. The information for investors must enable the investors to draw well-founded conclusions about the repercussions of the procedure on their investments and on the exercise of their rights pursuant to Arts. 44 and 45 UCITSG.

Investors do not have any right of co-determination in respect of the merger.

The UCITS and unit classes may also be split.

#### **Cost of the merger**

Legal consultancy, consultancy or administrative costs associated with the preparation of the merger shall be charged neither to the sub-fund assets involved in the merger nor to the investors.

In the case of structural measures pursuant to Art. 49 (a) to (c) UCITSG, this shall be analogously applicable.

If a sub-fund exists in the form of a master UCITS, a merger shall become effective only if the respective sub-fund provides its investors and the responsible public authorities of the originating member state of its feeder UCITS up to 60 days before the proposed effective date with the information stipulated by law. In this event, the sub-fund in question shall furthermore grant the feeder UCITS the opportunity, before the merger becomes effective, to redeem or to pay out all units, unless the responsible public authority of the originating member state of the feeder UCITS does not approve the investment in units of the master UCITS resulting from the merger.

### **15 Applicable law, place of jurisdiction and relevant language**

The UCITS is governed by Liechtenstein law. The exclusive place of jurisdiction for all disputes between the investors, the Management Company and the Custodian is Vaduz, Liechtenstein.

The Management Company and/or the Custodian may however, in respect of claims brought by investors from these countries, subject themselves to the place of jurisdiction of the countries in which units are offered and sold.

The legally-binding language for the Prospectus, the Trust Agreement as well as for Appendix A "Overview of the Fund" is the German language.

The present Prospectus came into force on 27 November 2023.

### **16 Specific information for individual distribution countries**

Under applicable law in the Principality of Liechtenstein, the foundation documents shall be approved by the FMA. This approval relates only to details relating to the implementation of the provisions of the UCITSG. For this reason, Appendix B "Specific information for individual distribution countries", which is based on non-domestic law, is not subject to checks by the FMA and is excluded from the approval.

The Management Company:

LLB Fund Services Aktiengesellschaft, Vaduz

The Custodian:

Liechtensteinische Landesbank Aktiengesellschaft, Vaduz

## **Part II Investment Fund Trust Agreement**

The Trust Agreement and Appendix A "Overview of the Fund" constitute a significant unit.

Insofar as a matter is not regulated by this Trust Agreement, the legal relationships between the investors and the Management Company shall be in accordance with the Act of 28 June 2011 concerning Specific Undertakings for Collective Investment in Securities ("UCITSG") and the Ordinance of 5 July 2011 concerning Specific Undertakings for Collective Investment in Securities ("UCITSV") and, insofar as these do not contain regulations, in accordance with the provisions of the Liechtenstein Persons and Companies Act ("PGR") concerning Trusteeships.

### **I. General provisions**

#### **Art. 1 The UCITS**

The Investment Fund ("the UCITS") was founded on 23 February 2011 as an undertaking for collective investment in transferable securities (UCITS) under the law of the Principality of Liechtenstein for an indefinite period.

The UCITS is governed by the Act of 28 June 2011 concerning Specific Undertakings for Collective Investment in Securities (UCITSG).

The UCITS has the legal form of a collective trusteeship. A unit trust constitutes entering into a trusteeship of identical content with an unspecified number of investors for the purpose of asset investment and management on the account of the investors, whereby the individual investors participate in accordance with their share in this trusteeship and are personally liable only up to the level of the investment sum.

The UCITS is a single fund.

The UCITS may invest in securities and in other assets in accordance with its investment policy. The investment policy of the UCITS shall be stipulated within the framework of the investment objectives. The net fund assets of the UCITS or of each individual unit class and the net asset values of the units of the UCITS or unit classes shall be expressed in the respective reference currency.

The respective rights and obligations of the owners of the units (hereinafter called "the Investors") and of the Management Company and Custodian are governed by the present Trust Agreement.

By acquiring units in the UCITS ("the Units"), each Investor recognises the Trust Agreement, which stipulates the contractual relationships between the investors, the Management Company and the Custodian, as well as the properly performed amendments of this document.

#### **Art. 2 Management Company**

The UCITS is managed by LLB Fund Services AG, which was founded in the legal form of a stock corporation with domicile in Vaduz, Liechtenstein, in accordance with the present Trust Agreement. The Management Company is licensed pursuant to the UCITSG by the Liechtenstein Financial Market Authority ("FMA") and is included in the official list of approved Liechtenstein management companies published by the FMA.

The Management Company manages the UCITS on the account and in the exclusive interest of the investors in accordance with the principle of risk diversification and in accordance with the provisions of the Trust Agreement and Appendix A "Overview of the Fund".

The Management Company is entitled in its own name to dispose of the assets belonging to the UCITS in accordance with the statutory provisions and the Trust Agreement, and to exercise all rights arising therefrom.

#### **Art. 3 Assignment of responsibilities**

Subject to adherence to the provisions of the UCITSG and the UCITSV, the Management Company may assign a part of its responsibilities to third parties for the purpose of efficient management. The precise execution of the commission shall in each case be set out in an agreement concluded between the Management Company and the commissioned agent.

#### **Art. 4 Custodian**

The Management Company has appointed a bank or securities company domiciled or based in the Principality of Liechtenstein as the Custodian for the assets of the fund. The assets of the UCITS may be held for safekeeping by different custodians. The Custodian exercises its function in accordance with the UCITSG, the custodian agreement, this Trust Agreement as well as the Prospectus.

#### **Art. 5 Auditors**

The audit of the annual reports of the UCITS must be assigned to an auditor that is licensed in the Principality of Liechtenstein.

## Art. 6 Calculation of the net asset value per unit

The net asset value ("NAV") per unit of the UCITS or unit class shall be calculated by the Management Company or by an authorised representative of the Management Company on the respective valuation date and as at the end of the financial year.

The NAV of a unit in a unit class of the UCITS is expressed in the accounting currency of the UCITS or, if different, in the reference currency of the corresponding unit class, and results from the proportion of the assets of the UCITS attributable to the respective unit class, less any possible debt obligations of the same UCITS attributable to the same unit class, divided by the number of units in the corresponding unit class that are in circulation. The respective figure shall be rounded off at the time of the issue and redemption of units as follows:

- to the nearest CHF 0.01 if this entails Swiss francs; and
- to the nearest EUR 0.01 if this entails euros.

The respective net fund assets shall be valued in accordance with the following principles:

1. Securities that are officially listed on a stock exchange shall be valued in accordance with the most recent available price. If a security is listed on several stock exchanges, the most recent available price of the respective stock exchange that represents the principal market for this security shall be relevant.
2. Securities that are not officially listed on a stock exchange, but that are traded on a market that is open to the public, shall be valued in accordance with the most recent available price. If a security is traded on various markets that are open to the public, then in case of doubt the most recently available price of the market that reports the highest liquidity shall be taken into account.
3. Securities or money market instruments with a residual maturity of less than 397 days may be depreciated or appreciated on a straight line basis with the difference between the purchase price (acquisition price) and the redemption price (price at the time of maturity). A valuation at the current market price may be omitted if the redemption price is known and fixed. Any possible credit rating changes will also be taken into account.
4. Investments whose price is not market compliant and those assets that are not covered by Fig. 1, Fig. 2 and Fig. 3 above shall be valued at the price that they would probably achieve if sold in good faith at the time of the valuation, which shall be determined in good faith by the management of the Management Company or under their direction or supervision by authorised representatives.
5. OTC derivatives shall be valued on a daily basis, using verifiable valuation principles to be stipulated by the Management Company, as defined by the Management Company in good faith, at the sales price achieved if sold in accordance with generally recognised valuation principles that are verifiable by auditors and based on the sales value that would probably be achieved.
6. UCITSs or undertakings for collective investment (UCI) shall be valued at the most recently ascertained and available inventory value. If the redemption of units has been suspended, or if no redemption price can be ascertained, these units shall be valued like all other assets at the respective market price, which shall be determined by the Management Company in good faith using generally accepted valuation models that are verifiable by auditors.
7. If no trading price is available for the respective assets, these assets shall be valued like all other assets legally permissible at the respective market price, which shall be determined by the Management Company in good faith and in accordance with generally recognised valuation principles that are verifiable by auditors and based on the sales value that would probably be achieved.
8. Liquid assets shall be valued at their nominal value plus accrued interest.
9. The market value of securities and other investments that are denominated in a currency other than the fund currency shall be converted into the corresponding fund currency at the most recent mean rate of exchange. The valuation shall be performed by the Management Company.

The Management Company shall be entitled, on a temporary basis, to apply other appropriate valuation principles to the fund assets of the UCITS if the aforementioned valuation criteria are deemed impossible or unreasonable as the result of extraordinary events. In the event of massive redemption applications, the Management Company may value the units of the fund assets on the basis of the prices at which the necessary sales of securities would probably be performed. In this case, the same calculation method shall be applied for subscription and redemption orders that are submitted simultaneously.

The further principles are described in detail, fully and transparently in the Prospectus. This means that effective checks can be performed by the Custodian, the Management Company and the Auditors.



## **Art. 7 Issue of units**

Units shall be issued on the acceptance deadline for unit transactions in accordance with Appendix A "Overview of the Fund" at the net asset value per unit of the corresponding unit class of the UCITS, plus the possible due issue premium and plus any possible taxes and duties.

The units are not certificated as securities.

Subscription applications must be submitted to the Custodian at the latest by the acceptance deadline. If a subscription application is received after the acceptance deadline, then it will be reserved for the following issue date. In the case of applications placed with distribution agents in Liechtenstein and abroad, earlier deadlines for the subscription of orders may be set to ensure the punctual forwarding of these orders to the Custodian in Liechtenstein. These deadlines may be obtained from the individual distribution agents. Information about the issue date, the acceptance deadline as well as the level of the possible due maximum issue premium is set out in Appendix A "Overview of the Fund".

The payment must be received within two bank working days following the valuation date on which the issue price of the units was stipulated.

The Management Company shall ensure that the issue of units is settled on the basis of a net asset value per unit that is unknown to the investor at the time of the application (forward pricing).

All taxes and duties incurred in conjunction with the issue of units shall also be charged to the investor. If units are acquired through banks that have not been entrusted with the distribution of the units, it will not be possible to exclude the possibility that such banks may impose additional transaction fees.

If the payment is made in a currency other than the reference currency, the equivalent sum derived from the conversion of the payment currency into the reference currency, less any possible charges, shall be used to acquire units.

The minimum investment that must be held by an Investor in a specific unit class is set out in Appendix A "Overview of the Fund".

Contributions in kind are permitted and shall be assessed and evaluated by the Management Company on the basis of objective criteria. The procedures and the principles applicable to the provision of contributions in kind are described in greater detail in the Prospectus. The intrinsic value of the contribution in kind must be assessed by the Auditor and the cost of this assessment may not be charged to the assets of the UCITS.

The Custodian and/or the Management Company may reject a subscription application at any time or may temporarily restrict, suspend or definitively discontinue the issue of units if this is deemed necessary in the interest of the investors, in the public interest, to protect the Management Company or the UCITS or the investors. In this case the Custodian shall reimburse incoming payments on subscription applications that have not yet been executed, without interest. If necessary, this shall be performed with the support of the Payment Agents.

The issue of Fund units may be suspended if Art. 12 is applicable.

## **Art. 8 Redemption of units**

Units of a UCITS shall be redeemed on the acceptance deadline for unit transactions in accordance with Appendix A "Overview of the Fund" at the net asset value per unit of the corresponding unit class of the UCITS, less the possible due redemption premium and any possible taxes and duties.

Redemption applications must be submitted to the Custodian at the latest by the acceptance deadline. If a redemption application is received after the acceptance deadline, it shall be reserved for the following redemption date. In the case of applications placed with distribution agents in Liechtenstein and abroad, earlier deadlines for the subscription of orders may be set to ensure the punctual forwarding of these orders to the Custodian in Liechtenstein. These deadlines may be obtained from the individual distribution agents. Information about the redemption date, the acceptance deadline as well as the level of the possible due maximum redemption premium is set out in Appendix A "Overview of the Fund".

As it is necessary to ensure that the assets of the UCITS contain a reasonable proportion of liquid assets, Units will be paid out within two bank working days following the calculation of the redemption price. This shall not apply in the event that in accordance with statutory regulations, such as for example foreign exchange and transfer restrictions or due to other circumstances that lie beyond the control of the Custodian, the transfer of the redemption sum is rendered impossible.

If the payment, at the request of the investor, is to be performed in a currency other than the currency in which the respective units have been invested, the sum that is to be paid out shall be calculated in accordance with the proceeds of the conversion from the reference currency into the payment currency, less any fees and duties.

With the payment of the redemption price, the corresponding unit shall be extinguished.

The Management Company and/or the Custodian may withdraw units unilaterally in return for payment of the redemption price, insofar as this is deemed necessary in the interest of or for the protection of the investors, of the Management Company or of the UCITS, in particular if:

- a) there is a suspicion that by acquiring the units the respective Investor is engaging in "market timing", "late trading" or other market techniques that could be detrimental to the investors as a whole;
- b) the investor does not meet the conditions for the acquisition of the units; or
- c) the units are distributed in a state in which the UCITS is not licensed for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The Management Company shall ensure that the redemption of units is settled on the basis of a net asset value per unit that is unknown to the investor at the time of the application (forward pricing).

The redemption of Fund units may be suspended if Art. 12 is applicable.

Material expenses are not permitted.

#### **Art. 9 Conversion of units**

Insofar as different unit classes are offered, units may be converted from one unit class to another unit class. No conversion fee shall be imposed for conversion within a UCITS. If a conversion of units is not possible for specific unit classes, then this shall be mentioned for the respective unit class in Appendix A "Overview of the Fund".

A conversion of units into another unit class is possible only insofar as the Investor fulfils the conditions for the direct acquisition of the units in the respective unit class.

If a conversion of units is not possible for specific unit classes, then this shall be mentioned for the respective unit class in the fund-specific Appendix A "Overview of the Fund".

The number of units into which investors may convert their holdings is calculated in accordance with the following formula:

$$A = \frac{(B \times C)}{(D \times E)}$$

A = the number of units of the possible unit class into which the conversion is to be made

B = the number of units in the possible unit class out of which the conversion is to be made

C = net asset value or redemption price of the units presented for conversion

D = foreign exchange rate between any possible unit classes. If both unit classes are valued in the same accounting currency, this coefficient is 1.

E = net asset value of the units of the possible unit class into which the conversion is to be made, plus taxes, fees or other duties

In certain cases, when converting from one unit class to another, duties, taxes and stamp duties may be incurred in certain countries.

The Management Company may at any time reject a conversion application for a unit class if this is deemed to be in the interest of the Management Company or in the interest of the investors, in particular if:

1. there is a suspicion that by acquiring the units the respective Investor is engaging in "market timing", "late trading" or other market techniques that could be detrimental to the investors as a whole;
2. the investor does not meet the conditions for the acquisition of the units; or
3. the units are distributed in a state in which the UCITS is not licensed for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The Management Company shall ensure that the conversion of units is settled on the basis of a net asset value per unit that is unknown to the Investor at the time of the application (forward pricing).

The conversion of fund units may be suspended if Art. 12 is applicable.

#### **Art. 10 Late trading and market timing**

If it is suspected that an applicant is engaged in late trading or market trading, then the Management Company and/or the Custodian shall refuse to accept the subscription, conversion or redemption application until the applicant has removed any doubt about his application.

## **Late trading**

Late trading means the acceptance of a subscription, conversion or redemption application that is received after the acceptance deadline for the orders (cut-off time) of the respective day, whereby the execution thereof is performed in accordance with the price based upon the NAV applicable on this date. By engaging in late trading, an investor may profit from his knowledge of events or information that were published after the acceptance deadline for the orders, but that is not yet reflected by the price at which the order of the investor is to be settled. Thus, such investors have an advantage over investors who complied with the official deadline. The benefit for this investor can be even greater if he is able to combine the late trading with market timing.

## **Market timing**

Market timing means the arbitrage process that an Investor uses to systematically subscribe and redeem or convert units in the same UCITS or in the same unit class, by exploiting time differences and/or system errors or weaknesses to calculate the net asset value of the UCITS or of the unit class.

### **Art. 11 Prevention of money laundering and terrorism finance**

The Management Company and the Custodian are obliged to observe the regulations of the Liechtenstein Due Diligence Act ("Sorgfaltspflichtgesetz") and of the associated Due Diligence Ordinance ("Sorgfaltspflichtverordnung") as well as the guidelines of the FMA in the respective valid version applicable in the Principality of Liechtenstein. The Management Company is also responsible for ensuring that the domestic distribution agents undertake to adhere to the aforementioned regulations.

Insofar as domestic distribution agents accept money directly from investors, they are obliged in their capacity as parties bound by due diligence regulations in accordance with the provisions of the Liechtenstein Due Diligence Act and the Liechtenstein Due Diligence Ordinance, to identify the subscriber, to determine the beneficial owner, to draw up a profile of the business relationship and to adhere to all applicable local regulations designed to prevent money laundering.

Furthermore, the distributors and their sales agents shall respect all provisions related to the prevention of money laundering and terrorism financing that apply in the respective countries of distribution.

### **Art. 12 Suspension of the calculation of the net asset value and the issue, the redemption and the conversion of units**

The Management Company may temporarily suspend the calculation of the net asset value and/or the issue, the redemption and the conversion of units in the UCITS, insofar as this is deemed to be in the interest of the investors, in particular:

- a) if a market which forms the basis for the valuation of a significant proportion of the asset of the UCITS is closed or if trade on such a market is restricted or suspended;
- b) in the event of political, economic or other emergencies; or
- c) if transactions cannot be executed for the UCITS due to restrictions on the transfer of assets;

The Management Company may furthermore also decide to suspend the issue of units on a complete or temporary basis if new investments might hinder the attainment of the investment objective.

The issue of units shall in particular be temporarily suspended if the net asset value per unit ceases to be calculated. If units cease to be issued, the investors shall be informed without delay in the organ of publication as well as in the media specified in the Prospectus and in the Trust Agreement or by means of permanent data carriers (letter, fax, e-mail or comparable) about the reason and the timing of the cessation.

In addition, the Management Company shall be entitled, provided that the interests of the investors are safeguarded, to execute substantial redemptions only, i.e. to temporarily suspend the redemption, after it proves possible to sell corresponding assets of the UCITS without delay while safeguarding the interests of the investors.

So long as the redemption of the units is suspended, no new units of this UCITS shall be issued. The conversion of units whose redemption is temporarily restricted is not possible.

The Management Company shall take steps to ensure that sufficient liquid assets are available to the fund to enable it to redeem or to convert units at the request of investors without delay under normal circumstances.

The Management Company shall without delay report the suspension of the redemption and payout of units to the FMA and by appropriate means to the investors. Subscription, redemption or conversion applications shall be settled following recommencement of the calculation of the net asset value. Investors may withdraw their subscription, redemption or conversion applications prior to the recommencement of trading in the units.

### **Art. 13 Sales restrictions**

The UCITS units are not licensed for distribution in all countries of the world. The issue, the conversion and the redemption of units abroad are subject to the provisions that are in force in the respective foreign country. Further details are set out in the Prospectus.

## **II. Structural measures**

### **Art. 14 Merger**

Within the meaning of Art. 38 UCITSG, the Management Company may at any time and at its complete discretion, subject to the approval of the corresponding supervisory authority, resolve to merge the UCITS with one or more other UCITSs, irrespective of the legal form of the UCITS and whether the other UCITS is domiciled in Liechtenstein or not. The UCITSs and unit classes may also be merged with one or more other UCITSs or their sub-funds and unit classes.

The UCITS and unit classes may also be split.

All of the assets of the UCITS may, subject to the approval of the corresponding supervisory authority, be transferred at the end of the financial year (transfer reporting date) to another existing UCITS or to a UCITS which is being newly founded by the merger. The UCITS may also be merged with a UCITS that was established in another EU or EEA state and that likewise corresponds to the criteria of Directive 2009/65/EC. Subject to the approval of the Liechtenstein Market Authority (FMA), another transfer reporting date may be stipulated. As at the end of the financial year or as at another transfer reporting date, all of the assets of another UCITS or of a non-domestic directive-compliant UCITS may be transferred to a UCITS. Furthermore, it is also possible that only the assets of a non-domestic directive-compliant UCITS are transferred to the UCITS, i.e. without its liabilities.

At the latest 35 working days prior to the planned transfer reporting date, the custody account holders of the investors shall report to the investors in paper form or in electronic form information about the reasons for the merger, the potential consequences for the investors, their rights in conjunction with the merger as well as about relevant procedural aspects. The investors shall also be provided with the Key Investor Information Documents about the special assets or the UCITS that remains in existence or that is newly founded by the merger.

The investors have the opportunity up to five working days prior to the planned transfer reporting date either to redeem their units without paying a redemption premium, or exchange their units for units of another UCITS that is also managed by the Management Company and that has a similar investment policy to that of the UCITS that is to be merged.

On the transfer reporting date the values of the transferring and of the transferred special assets or UCITS shall be calculated, the conversion ratio shall be specified and the overall procedure shall be checked by the auditor. The conversion ratio shall be determined by the ratio of the net asset value of the transferring and of the transferred special assets at the time of the transfer. The investors shall receive the number of units in the new special assets corresponding to the value of his units in the special assets that are being transferred. It is also possible for investors in the special assets that are being transferred to be paid up to 10 % of the value of their units in cash. If the merger takes place during the current financial year of the special assets that are being transferred, its Management Company must draw up a report as at the transfer reporting date that corresponds to the criteria of an annual report.

The Management Company shall report in the organ of publication of the UCITS, the website of the LAFV Liechtenstein Investment Fund Association [www.lafv.li](http://www.lafv.li), once the UCITS has merged with another UCITS and once the merger has become effective. Should the UCITS cease to exist as the consequence of a merger, the announcement shall be performed by the Management Company that manages the acquired or newly-founded UCITS.

The transfer of all of the assets of this UCITS to another domestic UCITS or to another non-domestic UCITS shall be performed only with the approval of the Liechtenstein Financial Market Authority (FMA).

### **Art. 15 Information for investors, approval and investor rights**

Investors shall be informed in a reasonable manner and in detail about the planned merger. The information for investors must enable the investors to draw well-founded conclusions about the repercussions of the procedure on their investments and on the exercise of their rights pursuant to Arts. 44 and 45 UCITSG.

Investors do not have any right of co-determination in respect of structural measures.

### **Art. 16 Cost of the merger**

Legal consultancy, consultancy or administrative costs associated with the preparation and execution of the merger shall be charged neither to the UCITS involved in the merger nor to the investors.

In the case of structural measures pursuant to Art. 49 (a) to (c) UCITSG, this shall be analogously applicable.

If a UCITS exists in the form of a master UCITS, then a merger shall become effective only if the respective UCITS provides its investors and the responsible public authorities of the originating member state of its feeder UCITS up to 60 days before the proposed effective date with the information stipulated by law. In this event, the UCITS in question shall furthermore grant the feeder UCITS the opportunity, before the merger becomes effective, to redeem or to pay out all units, unless the responsible public authority of the originating member state of the feeder UCITS does not approve the investment in units of the master UCITS resulting from the merger.

### **III. Dissolution of the UCITS and its unit classes**

#### **Art. 17 In general**

The provisions relating to the dissolution of the UCITS are also applicable to its unit classes.

#### **Art. 18 Resolution to dissolve**

The dissolution of the UCITS shall be performed on a mandatory basis in the cases for which provision has been made by law. In addition, the Management Company shall be entitled to dissolve the UCITS or individual unit classes at any time.

Investors, heirs or other authorised parties may not demand the splitting or the dissolution of the UCITS or of an individual unit class.

The resolution concerning the dissolution of the UCITS or of a unit class shall be published on the website of the Liechtenstein Investment Fund Association LAFV ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as using other media and permanent data carriers specified in the Prospectus (letter, fax, e-mail or similar). From the day of the dissolution resolution onwards, no further units shall be issued, converted or redeemed.

In the event of the dissolution of the UCITS, the Management Company may liquidate the assets of the UCITS without delay in the best interests of the investors. In other respects, the liquidation of the UCITS shall be performed in accordance with the provisions of the Liechtenstein Persons and Companies Act (Personen- und Gesellschaftsrecht - "PGR").

If the Management Company dissolves a unit class without dissolving the UCITS, then all of the units of this class shall be redeemed on the basis of their net asset value applicable at the time. This redemption shall be published by the Management Company, and the redemption price shall be paid out to the former Investors by the Custodian.

#### **Art. 19 Reasons for the dissolution**

Insofar as the net asset value of the UCITS falls below a level that is necessary for cost-effective management, as well as in the event of a significant change in the political, economic or monetary policy environment or within the framework of a rationalisation, the Management Company may resolve to redeem or to annul all units of the UCITS or of a unit class at the net asset value (taking account of the actual realisation prices and realisation costs of the investments) of the valuation date on which the corresponding resolution becomes effective.

#### **Art. 20 Cost of the dissolution**

The cost of the dissolution shall be borne by the net fund assets of the UCITS.

#### **Art. 21 Dissolution and bankruptcy of the Management Company or of the Custodian**

In the event of the dissolution and of the bankruptcy of the Management Company, the assets managed for the purpose of collective capital investment on the account of the investors shall not become part of its liquidation assets and shall not be dissolved together with its own assets. The UCITS constitutes special assets for the benefit of its investors. Each of the special assets must be transferred to another management company with the approval of the FMA or dissolved by means of separate satisfaction for the benefit of the investors in the UCITS.

In the event of the bankruptcy of the Custodian, the managed assets of the UCITS must be transferred with the approval of the FMA to another custodian or dissolved by means of separate satisfaction for the benefit of the investors of the UCITS.

#### **Art. 22 Termination of the custodian agreement**

In the event of the termination of the custodian agreement, the net fund assets of the UCITS must be transferred with the approval of the FMA to another custodian or dissolved by means of separate satisfaction for the benefit of the investors of the UCITS.

### **IV. Unit classes and formation of sub-funds**

#### **Art. 23 Unit classes and formation of sub-funds**

The Management Company may resolve to form several unit classes for the UCITS.

Unit classes may be established that differ from the existing unit classes in terms of the utilisation of profits, the issue premium, the reference currency and the utilisation of currency hedging transactions, the management remuneration, the minimum investment sum or a combination of these characteristics. The rights of the investors who have acquired units in existing unit classes shall however remain unaffected.

The unit classes that are created in conjunction with the UCITS, as well as the fees and remuneration associated with the units of the UCITS, are specified in Appendix A "Overview of the Fund".

The UCITS is not an umbrella structure and sub-funds consequently do not exist. The management Company may resolve at any time to convert the UCITS into an umbrella structure and consequently to establish sub-funds at any time. In this event the Prospectus must be amended accordingly.

## **V. General investment principles and investment restrictions**

### **Art. 24 Investment policy**

The specific investment policies of the UCITS are set out in Appendix A "Overview of the Fund".

The following general investment principles and investment restrictions are applicable to the UCITS, insofar as no deviations or supplements for the UCITS are contained in Appendix A "Overview of the Fund".

### **Art. 25 General investment principles and investment restrictions**

The respective fund assets shall be invested in accordance with the principle of risk diversification within the meaning of the rules of the UCITSG and in accordance with the below-described investment policy principles as well as within the investment restrictions.

### **Art. 26 Approved investments**

The UCITS may invest the assets on the account of its investors exclusively in one or more of the following assets:

1. Securities and money market instruments:
  - a) that are listed or traded on a regulated market within the meaning of Art. 4 (1) (21) of the Directive 2014/65/EU;
  - b) that are traded on another regulated market of an EEA member state that is recognised, open to the public and whose procedures are proper;
  - c) which are officially listed on a securities exchange of a third-party state or that are traded on another global market that is recognised, open to the public and whose procedures are proper.
2. Securities from new issues, insofar as:
  - a) the issue conditions contain the obligation to achieve an official listing or trading at one of the securities exchanges mentioned under Fig. 1 a) to c) or at one of the regulated markets mentioned there, and
  - b) this approval is achieved at the latest before one year has passed since the issue.
3. Units in a UCITS and other comparable undertakings for collective investment within the meaning of Art. 3 (1) (17) UCITSG, insofar as these are permitted pursuant to their constituting documents to invest no more than 10 % of their assets in units in another UCITS or comparable undertaking for collective investment;
4. Sight deposits or terminable deposits with a maximum maturity of twelve months at financial institutions whose registered domicile is located in an EEA member state or in a third-party state whose supervisory law is comparable to that of EEA law;
5. Derivatives whose underlying instrument within the meaning of this article constitutes investment instruments or financial indices, interest rates, exchange rates or currencies. In the event of transactions with OTC derivatives, the counterparties must be supervised financial institutions in an FMA-approved category and the OTC derivatives must be subject to a reliable and verifiable valuation on a daily basis and must at all times be capable at the initiative of the UCITS of being alienated, liquidated or closed out by a counter transaction;
6. Money market instruments that are not traded on a regulated market, insofar as the issue or the issuer of these instruments is subject to regulations concerning investment and investor protection, provided that they are:
  - a) issued or guaranteed by a central state, regional or local corporation or by the central bank of an EEA member state, the European Central Bank, the European Union or the European Investment Bank, a third-party state or, insofar as this is a federal state, a member state of the federation or an international institution having the character of an institution under public law that at least belongs to an EEA member state;

- b) by a company whose securities are traded on the regulated markets listed under Letter a);
- c) issued or guaranteed by an institution that is subject to supervision pursuant to the criteria set out under EEA law by an institution whose supervisory law is comparable to EEA law, and that complies with this law; or
- d) issued by an issuer that belongs to a category approved by the FMA, insofar as equivalent investor protection regulations apply to investments in these instruments of the Fig. 1 to 3 and the issuer is either a company with equity capital of at least EUR 10 million and that draws up and publishes its annual financial statements in accordance with the provisions of Directive 78/660/EEC, in Liechtenstein implemented and published through the PGR, or is a legal entity that is part of a group with responsibility for the financing of the corporate group with at least one listed company, or is a legal entity that is intended to finance the securities underlying its liabilities by using a credit line extended by a bank.

The Management Company may additionally hold liquid assets.

#### **Art. 27 Prohibited investments**

The Management Company may not:

1. invest more than 10 % of the assets in securities and money market instruments other than those specified in Art. 26;
2. acquire precious metals or precious metal certificates;
3. perform uncovered short selling.

#### **Art. 28 Utilisation of derivatives, methods and instruments**

The overall risk associated with derivatives may not exceed the total net value of the fund assets. As part of the investment strategy, the Management Company may invest in derivatives within the limits stipulated in Art. 53 UCITSG. When calculating this risk, the market value of the underlying securities, the default risk, future market fluctuations and the liquidation period of the positions shall be taken into account. The fund may perform investments in derivatives as part of its investment strategy within the limits stipulated in Art. 53 UCITSG, insofar as the overall risk of the underlying securities does not exceed the investment limits defined in Art. 54 UCITSG.

Insofar as this is not incompatible with the protection of investors and the public interest, investments made by the UCITS in index-based derivatives shall not be taken into account in relation to the upper limits stipulated under Art. 54 UCITSG.

If a derivative is embedded in a security or money market instrument, this must also be taken into account in respect of adherence to the provisions of Art. 54 UCITSG.

With the approval of the FMA, subject to adherence to the provisions of the UCITSG, the Management Company may for the efficient management of the portfolios deploy methods and instruments that have securities and money market instruments as their object.

Borrowing, securities lending and repurchase agreements are permitted within the scope of the limits set out in the UCITSG and in the corresponding ordinance.

#### **Art. 29 Investment limits**

**The following investment limits must be adhered to by the UCITS:**

1. The fund may invest no more than 5 % of its assets in securities or money market instruments of the same issuer and no more than 20 % of its assets in deposits of the same issuer.
2. The default risk of transactions performed by the UCITS with OTC derivatives with a bank as counterparty whose registered domicile is in an EEA member state or in a third-party state whose supervisory law is comparable to that of EEA law, may not exceed 10 % of the assets of the UCITS; in the case of other counterparties, the maximum default risk may not exceed 5 % of the assets.
3. Insofar as the total value of the securities and money market instruments of issuers in which the UCITS may in each case not invest more than 5 % of its assets does not exceed 40 % of its assets, the issuer limit specified in Para. 1 is raised from 5 % to 10 %. The 40 % limit is not applicable to deposits or transactions with OTC derivatives with supervised financial institutions. In the event of the increase being exercised, the securities and money market instruments pursuant to Fig. 5 and the debentures pursuant to Fig. 6 shall not be taken into account.
4. Irrespective of the individual upper limits pursuant to Fig. 1 and 2, the UCITS may not combine the following if this would lead to an investment of more than 20 % of its assets in one and the same institution:

- a) securities or money market instruments issued by this institution;
  - b) deposits at this institution;
  - c) OTC derivatives acquired by this institution.
5. Insofar as the securities or money market instruments are issued or guaranteed by an EEA member state or by one of its territorial corporations, by a third-party state or by an international institution having the character of a public institution belonging to at least one EEA member state, the upper limit specified in Para. 1 shall be raised from 5 % to a maximum of 35 %.
  6. Insofar as debentures are issued by a bank domiciled in an EEA member state that, on account of statutory regulations to protect the holders of these debentures is subject to special public supervision and in particular is required to invest the revenues from the issue of these debentures in assets that throughout the entire maturity of the debentures provide sufficient cover for the resulting liabilities and are primarily earmarked for the repayment of the capital and of the interest due in the event of the default of the issuer, the upper limit specified in Para. 1 for such debentures shall be raised from 5 % to a maximum of 25 %. In this event the total value of the investments may not exceed 80 % of the assets of the UCITS.
  7. The limits specified in Figs. 1 to 6 may not be cumulated. The maximum issuer limit is 35 % of the fund assets

In the event of an exemption being approved by the FMA, this limit may also exceed 35 %. This must be clearly stated in the Prospectus as well as in the advertising material. The Management Company is entitled, in accordance with the principle of risk diversification, to invest up to 100 % of a UCITS in securities and money market instruments of the same issuer, insofar as these are issued or guaranteed by a state, a public-law corporation from the OECD or by international organisations having the character of a public-law institution. These securities and money market instruments must be divided into at least six different issues, whereby the securities or money market instruments from one and the same issue may not exceed 30 % of the total sum of the assets of a UCITS. The aforementioned securities and money market instruments shall not be taken into account when applying the 40 % limit pursuant to Fig. 3. In this conjunction, these investments encompass in particular corporate and government bonds.

8. Companies that are part of the same group of companies are deemed to be a single issuer for the purpose of calculating the investment limits specified in this Article. In the case of investments in securities and money market instruments of the same group of companies, the issuer limit shall be collectively lifted to 20 % of the assets of the UCITS.
9. A UCITS may invest up to 10 % of its assets in units in other UCITSs or in other undertakings for collective investment that are comparable with a UCITS.
10. The UCITS may subscribe, acquire and/or hold units to be issued by or that have been issued by one or more other UCITS, insofar as:
  - the target fund does not for its part invest in the UCITS that invests in this target fund; and
  - the proportion of the assets that the target fund that is planned to be acquired may invest, pursuant to its prospectus or its articles of association, in units of other target funds of the same UCITS-comparable undertaking for collective investment, does not in overall terms exceed 10 %; and
  - the possible voting rights associated with the respective securities are suspended for as long as they are held by the respective UCITS, irrespective of a reasonable evaluation in the financial statements and in the periodic reports; and
  - in each case the value of these securities is taken into account in the calculation of the net asset value of the UCITS stipulated by the UCITSG for the purpose of verifying the minimum level of the net assets pursuant to the UCITSG, insofar as these securities are held by the UCITS; and
  - there is no duplication of the fees for the issue or redemption of units, on the one hand at the level of the UCITS that has invested in the target fund, or on the other at the level of the target fund.
11. If the investments pursuant to Fig. 9 account for a significant proportion of the assets of the UCITS, then the fund-specific appendix must provide information about the maximum level and the annual report must provide information about the maximum share of the management fees that are to be borne by the UCITS itself and by the undertaking for collective investment pursuant to Fig. 9 whose units have been acquired.
12. If units are managed directly or indirectly by the Management Company or by a company with which the Management Company is affiliated through joint administration, control or qualified participation, then neither the Management Company nor the other company may charge the fund fees for the issue or redemption of units.



13. A Management Company shall not acquire for any of the UCITSs under its management voting shares of the same issuer with which it is able to exercise a significant influence over the management of the issuer. A significant influence is presumed to be established by holdings of 10 % or more of the voting shares in the issuer. If a lower limit exists for the acquisition of voting shares of the same issuer in another EEA member state, this shall be binding for the Management Company if it acquires shares in an issuer domiciled in this EEA member state for a UCITS.
14. For the UCITS, financial instruments of the same issuer may be acquired amounting to no more than:
  - a) 10 % of the share capital of the issuer, insofar as this relates to non-voting shares;
  - b) 10 % of the total par value of the debentures or money market instruments of the issuer in circulation, insofar as this relates to debentures or money market instruments. This limit does not need to be adhered to if the total par value at the time of acquisition cannot be determined;
  - c) 25% of the shares in the same undertaking, insofar as this relates to units of other UCITS or undertakings for collective investment that are comparable to UCITSs. This specific limit does not need to be adhered to if the total par value at the time of acquisition cannot be determined;
15. Fig. 13 and 14 are not to be applied:
  - a) to securities and money market instruments that are issued or guaranteed by a state issuer;
  - b) to shares that a UCITS owns in the capital of a company of a third-party state that invests its assets essentially in securities of issuers that are domiciled in this third-party state, if the statutory regulations of this third-party state mean that a participation of this nature represents the only opportunity for the UCITS to invest in securities issued by issuers of this country. In this conjunction, the preconditions of the UCITSG must be observed;
  - c) to shares of management companies held in the capital of their subsidiaries that in the domiciliary country exclusively organise the redemption of shares at the request of the investors on behalf of the Management Company.

In addition to the listed restrictions pursuant to Art. 29 (Fig. 1 – 15), further possible restrictions set out in Appendix A "Overview of the Fund" must be observed.

**Deviation from the investment limits shall be permitted in the following cases:**

1. A fund does not have to adhere to the investment limits when exercising subscription rights arising out of securities or money market instruments that are associated with its assets.
2. In the event of the aforementioned limits being exceeded, the fund must endeavour as a matter of priority to make sales to normalise this situation, while taking the interests of the investors into account.
3. UCITSs may deviate from the investment limits of this chapter "Investment policy provisions" during the first six months after the capital has been paid-up. Articles 26 and 27 remain unaffected by this exception and must be complied with at all times. The principle of risk diversification must continue to be observed.

**Active investment limit breaches**

A loss that is suffered on account of an active breach of the investment limits/investment regulations must be reimbursed to the UCITS without delay in accordance with the respective valid code of conduct.

**Special methods and instruments relating to securities and money market instruments**

As specified under Art. 26 Fig. 5 of this Agreement, the Management Company may, subject to the conditions stipulated by statute and within the limits stipulated by statute, use special methods and financial instruments as a central element for achieving the investment policy for the UCITS whose underlying securities are securities, money market instruments and other financial instruments.

The Management Company must apply a risk management procedure that enables it at all times to monitor and to measure the risk associated with the investment positions as well as their share of the overall risk profile of the investment portfolio; it must furthermore apply a procedure that facilitates a precise and independent assessment of the value of the OTC derivatives. The Management Company must report to the FMA at least once per annum, providing information that describes the actual situation of the derivatives deployed for the UCITS under its management, of the underlying risks, the investment limits and the methods that are applied to estimate the risks associated with the derivative transactions.

The Management Company is furthermore permitted, while adhering to the conditions and limits stipulated by the FMA, to use the methods and instruments relating to the securities and money market instruments, insofar as the purpose of the utilisation of these methods and instruments is to ensure the efficient administration of the portfolio. If these

transactions relate to the utilisation of derivatives, the conditions and limits must be in accordance with the provisions of the UCITSG.

Under no circumstances may the UCITS deviate from its investment objectives with these transactions.

The Management Company shall ensure that the overall risk associated with derivatives does not exceed the total net value of the UCITS. When calculating the risks, the market value of the underlying securities, the default risk, future foreseeable market developments and the liquidation period of the positions shall be taken into account.

The Management Company may perform investments in derivatives as part of its investment strategy in accordance with Art. 26 Fig. 5, insofar as the overall risk of the underlying securities does not exceed the investment limits defined in Art. 30 "Investment limits". Investments of a UCITS in index-based derivatives do not have to be taken into account in respect of the investment limits specified in Art. 29 "Investment limits".

If a derivative is embedded in a security or money market instrument, this must also be taken into account in respect of adherence to the provisions of Art. 29 "Investment limits".

The Management Company may not perform any securities lending.

The Management Company may not engage in any repurchase transactions.

## **VI. Costs and fees**

### **Art. 30 Current fees**

#### **Fees that are dependent upon the assets:**

##### **Management remuneration**

The Management Company shall charge an annual remuneration in respect of the management, risk management and administration of the UCITS in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets of the UCITS, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. The level of the management remuneration of the UCITS/unit class shall be specified in the annual report.

##### **Custodian fee**

In return for fulfilling its responsibilities arising out of the custodian agreement, the Custodian shall receive remuneration in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. The level of the custodian fee of the UCITS/unit class shall be specified in the annual report.

##### **Asset management fee**

Insofar as an Asset Manager has entered into a contractual obligation, the Asset Manager may receive remuneration from the fund assets in accordance with Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. In addition, the Asset Manager may also receive a performance-based remuneration from the respective net fund assets ("performance fee"). The level of the asset management fee of the UCITS/unit class shall be specified in the annual report.

##### **Advisory fee**

Insofar as an investment advisor has been commissioned, the investment manager may receive remuneration whose maximum level, calculation and payment is set out in the respective Appendix A "Overview of the Fund". In addition, the investment advisor may also receive a performance-based remuneration from the respective net fund assets ("performance fee"). The level of the advisory fee of the UCITS/unit class shall be specified in the annual report.

##### **Distributor fee**

Insofar as a distribution agent has been contractually commissioned, the distribution agent may receive remuneration from the assets whose maximum level, calculation and payment is set out in Appendix A "Overview of the Fund". This shall be calculated on the basis of the average net assets, shall be deferred on the valuation reporting date and shall be charged pro rata temporis at the end of each quarter. The level of the distributor fee of the UCITS/unit class shall be specified in the annual report.

#### **Fees that are independent of the assets:**

The Management Company and the Custodian are also entitled to the reimbursement of the following expenses that they incur in the exercise of their function:

- a) The cost of preparing, printing and distributing the annual and interim reports, as well as further publications prescribed by law;
- b) The cost of legal consultancy and the exercise of rights incurred by the Management Company or the Custodian when acting in the interests of investors;
- c) the cost of publishing the notices of the UCITS addressed to investors in the organs of publication and possible additional newspapers or electronic media chosen by the Management Company, including the publication of prices;
- d) fees and the cost of licences as well as for the supervision of the UCITS in Liechtenstein and abroad;
- e) all taxes imposed on the assets of a UCITS as well as on the income and expenses of a UCITS;
- f) fees incurred in conjunction with any possible listing of a UCITS and with the securing of a distribution licence in Liechtenstein and abroad (e.g. consultancy, legal, translation costs);
- g) Charges, costs and fees incurred in conjunction with the determination and publication of tax factors in the countries of the EU/EEA and/or all countries where distribution licences exist and/or private placements are made, in accordance with the effective overheads incurred at market rates;
- h) Fees and costs arising out of other legal or regulatory requirements to be complied with by the Management Company in the course of implementing the investment strategy (such as reporting and other costs arising during the course of compliance with the European Market Infrastructure Regulation (EMIR, EU Regulation 648/2012)
- i) Fees for payment agents, representatives and other delegates with comparable functions in Liechtenstein and abroad;
- j) A reasonable share of the cost of printed materials and advertising incurred in direct association with the offering and sale of units;
- k) Fees of the auditor and of tax advisers, insofar as these expenses are incurred in the interest of the investors;
- l) Internal and external costs of reclaiming non-domestic withholding taxes, insofar as this can be performed on the account of the UCITS or of the respective sub-fund. With regard to the recovery of non-domestic withholding taxes, it should be noted that the Management Company does not undertake to recover such taxes and any such recovery will only be made if the procedure is justified on the basis of the criteria of materiality of the amounts and proportionality of the costs in relation to the possible amount to be recovered. With respect to investments that are the subject of securities lending, the Management Company shall not reclaim withholding tax;
- m) Costs relating to the valuation of special investments (e.g. expert opinions) and associated overheads of the Management Company;
- n) Cost of specialist expertise and specialist advice within the context of the purchase and sale of fund assets in the best interest of the investors, in particular in the field of unlisted assets, and the associated overheads of the Management Company;
- o) Cost of potential sub-custodians of the fund assets in the event that parts thereof are not kept for safekeeping directly at the Custodian;
- p) Cost of establishing and maintaining additional counterparties, if this is in the interest of the investors.
- q) Royalties for the use of any possible benchmarks.
- r) Cost and expense of regular reports provided inter alia to insurers, pension funds and other financial services companies (e.g. GroMiKV, Solvency II, VAG, MiFID II, ESG- / SRI reports or sustainability ratings, etc.);
- s) External cost of assessing the sustainability ratings (ESG research) of the assets of the UCITS or of its target investments

The respective applicable level of the expenses of the UCITS/unit class shall be specified in the annual report.

#### **Transaction costs**

In addition, the UCITS bears all ancillary costs arising out of the management of the assets in conjunction with the acquisition and sale of the investments (standard market brokerage fees, commission, duties), whereby the transaction costs of the Custodian (excluding currency hedging costs) are contained in the administrative costs (operations fees) as well as all taxes imposed on the assets of the UCITS as well as on its earnings and expenses (e.g. withholding taxes on non-domestic earnings). The UCITS shall furthermore bear any possible external costs, i.e. fees charged by third parties that are incurred when buying and selling the investments. These costs shall be offset directly against the cost and sales value of the investments concerned. In addition, any possible currency hedging costs shall also be charged to the respective unit classes.

Services included in a fixed flat charge shall not be chargeable again as an individual expense. Any possible compensation for commissioned third parties shall however already be included in the fees pursuant to Art. 34 of the Trust Agreement.

#### **Any possible costs for currency hedging of unit classes**

The possible cost of currency hedging of unit classes will be allocated to the corresponding unit class.

#### **Service fee**

A periodic service fee pursuant to Appendix A "Overview of the Fund" shall be imposed for additional services rendered by the Custodian and Management Company.

#### **Liquidation fees**

In the event of the dissolution of the UCITS, the Management Company may charge a liquidation fee amounting to no more than CHF 10,000.00, payable to the Management Company. In addition to this amount, all third-party costs incurred in connection with the liquidation shall be borne by the UCITS.

#### **Extraordinary management costs**

In addition, the Management Company may charge the fund assets costs for extraordinary management activities.

Extraordinary management costs comprise the expenses incurred exclusively for the purpose of safeguarding the interests of the investors, which are incurred during the course of the regular business activities, and which were not foreseeable at the time of the foundation of the UCITS. Extraordinary management costs comprise in particular the cost of legal compliance in the interest of the UCITS or of the investors. Furthermore, this is deemed to include any possible necessary extraordinary management activities pursuant to UCITSG and UCITSV (e.g. amendments of the fund documents).

#### **Inducements**

In conjunction with the acquisition and the sale of assets and rights on behalf of the UCITS or of its sub-funds, the Management Company, the Custodian as well as any possible authorised representatives shall ensure in particular that any inducement benefit directly or indirectly to the UCITS or to its sub-funds respectively.

#### **Current fees (total expense ratio, TER)**

The total sum of the current fees before any possible performance fee and before any possible extraordinary administrative fees shall be calculated in accordance with general principles set out in the code of conduct, and comprise, with the exception of the transaction costs, all costs and fees that are charged to the assets of the UCITS on an ongoing basis. The TER of the UCITS shall be reported in the interim and annual report as well as in publications of the interim or annual report on the website of the Liechtenstein Investment Fund Association "LAFV" [Liechtensteinischer Anlagefondsverband] under [www.lafv.li](http://www.lafv.li).

#### **Art. 31 One-off costs charged to the investors**

Issue, redemption and conversion fees as well as any possible associated taxes and duties shall be payable by the investor.

#### **Art. 32 Performance-related fee (performance fee)**

In addition, the Management Company may charge a performance fee. The extent to which a performance fee shall be charged is set out in detail in Appendix A "Overview of the Fund".

#### **Art. 33 Foundation costs**

The cost of founding the UCITS and the initial issue of units shall be amortised over a period of 5 years at the expense of the assets.

#### **Art. 34 Appropriation of profits**

The profit of the UCITS consists of the net income as well as the realised price gains.

The Management Company may distribute the profit generated by a UCITS or a unit class to the investors in this UCITS or in this unit class, or may reinvest this profit in the UCITS or respective unit class.

#### **Reinvested:**

The profit generated by the UCITS or unit class that is subject to a profit utilisation of the type "REINV" pursuant to Appendix A "Overview of the Fund" shall be reinvested on an ongoing basis.

**Distributed:**

The profit generated by the UCITS or unit classes that are subject to a profit utilisation of the type "DISTR" pursuant to Appendix A "Overview of the Fund" shall be distributed on an annual basis. The Management Company may decide at its own discretion about the level of the distribution.

A part of the net profit of the fund may be carried forward to the new account.

Distributions shall be paid out on the units that have been issued on the distribution day.

No interest shall be paid on declared distributions from the time of their due date onwards.

**Art. 35 Inducements**

The Management Company reserves the right to provide incentives to third parties in return for the acquisition of investors and/or for the rendering of services. As a rule, the commission, fees etc. charged to the investors and/or the assets/asset components placed by the Management Company constitute the basis for the determination of such incentives. The level thereof corresponds to a percentage share of the respective calculation basis. Upon request, the Management Company shall at any time provide further details of the agreements concluded with third parties. Investors herewith expressly waive an entitlement to further information vis-à-vis the Management Company, in particular the Management Company shall not be subject to any obligation to render detailed accounts in respect of effectively paid incentives.

The investor acknowledges and accepts that the AIF may be granted incentives, as a rule in the form of portfolio payments, from third parties (including group companies) in conjunction with the brokering of investors, the acquisition/distribution of collective capital investments, certificates, notes etc. (hereinafter called "the Products"; these also include those that are managed and/or issued by a group company). The level of such inducements may differ according to the particular product and product provider. The level of portfolio payments shall as a rule be determined by the level of the volume of a product or of a product type held by the Management Company. The level thereof normally corresponds to a percentage share of the management fees charged for respective product, as is periodically remunerated during the holding period. In addition, distribution commission from securities issuers may also be provided in the form of discounts on the issue price (percentage discount) or in the form of one-off payments, the level of which corresponds to a percentage share of the issue price. Unless otherwise agreed, the investor may at any time before or following the rendering of the service (purchase of the product) demand from the Management Company further details about the agreements concluded with third parties in respect of such inducements. However, the entitlement to further details regarding historic transactions is limited to the 12-month period preceding the date of the request. The investor explicitly waives any further disclosure claims. If the investor does not request further details prior to the rendering of the service or makes use of the service after having requested further details, this shall constitute a waiver of a right of restitution, if any, as provided in § 1009 General Civil Code (Allgemeines Bürgerliches Gesetzbuch - "ABGB").

**Art. 36 Information for investors**

The organ of publication of the UCITS is the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as well as other media specified in the Prospectus.

All communications to investors, including in respect of amendments of the Trust Agreement and of Appendix A "Overview of the Fund" shall be published on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as in the other media and data carriers specified in the Prospectus.

The net asset value as well as the issue and redemption price of the units of the UCITS or of the unit class shall be reported on each valuation date on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the UCITS as well as in the other media and permanent data carriers specified in the Prospectus (letter, fax, email or similar).

The annual report, audited by an auditor and the interim report, which does not need to be audited by an auditor, shall be made available to investors free of charge at the headquarters of the Management Company and of the custodian.

**Art. 37 Reports**

The Management Company shall draw up an audited annual report for each UCITS as well as an interim report in accordance with the statutory provisions in the Principality of Liechtenstein.

At the latest four months after the end of each financial year, the Management Company shall publish an audited annual report in accordance with the provisions of the Principality of Liechtenstein.

Two months after the end of the first six months of the financial year, the Management Company shall publish an unaudited interim report.

Additional audited and unaudited six-monthly reports may also be drawn up.

**Art. 38 Financial year**

The financial year of the UCITS begins on 1 January of each year and ends on 31 December of the year.

**Art. 39 Amendments of the Trust Agreement**

This Trust Agreement may be amended or supplemented by the Management Company wholly or in part at any time.

Amendments of the Trust Agreement shall be subject to the prior approval of the FMA.

**Art. 40 Limitation period**

The claims of investors against the Management Company, the liquidator, trustee or the Custodian shall be statute-barred once the period of five years has passed following the occurrence of the damage, although at the latest one year after the redemption of the unit or after the damage becomes known.

**Art. 41 Applicable law, place of jurisdiction and relevant language**

The UCITS is governed by Liechtenstein law. The exclusive place of jurisdiction for all disputes between the investors, the Management Company and the Custodian is Vaduz, Liechtenstein.

The Management Company and/or the Custodian may however, in respect of claims brought by investors from these countries, subject themselves and the UCITS to the place of jurisdiction of the countries in which units are offered and sold. Other mandatory statutory places of jurisdiction remain reserved.

The legally-binding language for this Trust Agreement is the German language.

**Art. 42 General**

In other respects, reference is made to the provisions of the UCITSG, the provisions of the Liechtenstein Persons and Companies Act (Personen- und Gesellschaftsrecht - "PGR") concerning collective trusteeships as well as the general provisions of the PGR in the respective valid version.

**Art. 43 Entering into force**

This Trust Agreement shall enter into force on 27/11/2023.

The Management Company:

LLB Fund Services Aktiengesellschaft, Vaduz

The Custodian:

Liechtensteinische Landesbank Aktiengesellschaft, Vaduz

## Appendix A: Overview of the Fund

The Trust Agreement and this Appendix represent a significant single entity and for this reason supplement each other.

### 1 Master data and information relating to the UCITS

Name of the Investment Fund	Tell's Arrow Opportunities Bond Fund		
Unit class <sup>2</sup>	ISF CHF-hedged	EUR	EUR Class I
Securities number	130353068	130353067	130353066
ISIN-number	LI1303530680	LI1303530672	LI1303530664
Suitable as a UCITS target fund	Yes		
Duration of the UCITS	Indefinite	Indefinite	Indefinite
Listing	No	No	No
Accounting currency of the sub-fund	Euro (EUR)		
Reference currency of the unit classes	Swiss franc (CHF)	Euro (EUR)	Euro (EUR)
Minimum investment	1 unit	1 unit	EUR 100,000 <sup>3</sup>
Initial issue price	CHF 10	EUR 10	EUR 10
Initial subscription date	27 December 2023	29 November 2023	30 November 2023
Initial valuation date	29 December 2023	01 December 2023	04 December 2023
Valuation date <sup>45</sup>	On each bank working day in Liechtenstein		
Valuation interval	daily		
Acceptance deadline for unit transactions	2.00 pm (CET)		
Issue/redemption date	Each valuation date		
Valuation date for issue and redemption date (T+2)	Two bank working days following calculation of the net asset value/NAV		
Denomination	Fractions possible, 3 decimal places		
Certification	Book-entry / no issue of certificates		
End of financial year	In each case as at 31 December		
End of the first financial year	31 December 2024		
Use of profits	Reinvested		

### Costs charged to the investor<sup>6 7</sup>

Unit class	ISF CHF-hedged	EUR	EUR Class I
Maximum issue premium	5 %	3 %	0 %
Maximum redemption discount	0%	0%	0%

<sup>2</sup> The specific criteria that must be fulfilled by the investor when purchasing units in a specific unit class are set out in Fig. 9 (participation in the UCITS).

<sup>3</sup> The minimum subscription may be deviated from subject to the consent of the Management Company

<sup>4</sup> If the valuation date falls on a bank holiday in Liechtenstein, the valuation date will be moved to the next following banking day in Liechtenstein.

<sup>5</sup> There is no issue or redemption on 31 December. This valuation date is relevant for the annual report of the sub-fund.

<sup>6</sup> The commission or fee effectively charged is shown in the interim report and annual report.

<sup>7</sup> In the event of the dissolution of the UCITS, the Management Company may charge a liquidation fee amounting to no more than CHF 10,000.00, payable to the Management Company.

Maximum conversion fee when switching from one unit class to another unit class	none	none	none
---	------	------	------

#### Costs charged to the assets of the UCITS <sup>5</sup>

Unit class	ISF CHF-hedged	EUR	EUR Class I
Maximum fee for asset management	0.70 % p.a.	0.60 % p.a.	0.40 % p.a.
Maximum fee for distribution	0.70 % p.a.	0.60 % p.a.	0.40 % p.a.
Maximum performance fee	10 %	10 %	none
Hurdle Rate (Ground-up) <sup>8</sup>	6 %	7 %	n/a
Reference indicator	High-on-High	High-on-High	n/a
Maximum fee for administration, custodian and risk management	0.20 % p.a. plus maximum CHF 30,000.00 p.a.		
Maximum service fee	CHF 2,500.00 p.a.		

#### Use of benchmarks

Benchmark	The sub-fund does not have a benchmark.
Index tracking	No, actively managed.

## 2 Assignment of responsibilities

### 2.1 Asset Manager

Genève Invest (Europe) S.A., 10, rue Michel Rodange, L-2430 Luxembourg acts as Asset Manager of the UCITS.

### 2.2 Distribution Agent

The Management Company acts as Distribution Agent for the UCITS.

The Management Company may deploy distribution agents in different distribution countries at any time. The Asset Manager may at any time propose himself or other distributors and sub-distributors in various countries.

## 3 Custodian

Liechtensteinische Landesbank AG has been appointed as Custodian for this UCITS.

## 4 Auditors

PricewaterhouseCoopers AG has been appointed as the Auditor for this UCITS.

## 5 Investment principles of the UCITS

The following provisions govern the fund-specific investment principles of the fund.

### 5.1 Investment objective and investment policy

The investment objective of the UCITS is primarily to realise long-term capital gains by investing in convertible and high-yield bonds worldwide. The investment strategy of the UCITS aims to secure a substantial absolute increase in value.

It is an actively managed UCITS without reference to a benchmark. No guarantee can be given that the investment goal will be achieved.

<sup>8</sup> Should the UCITS outperform the hurdle rate, the Management Company shall charge the UCITS a performance fee of 10 % of the total performance (ground-up model).



The UCITS invests its assets in accordance with the principle of risk diversification with the aim of generating an appropriate increase in the value of the investment. The intention is to make investments primarily in global convertible bonds and high-yield bonds. The aim is to create a diversified portfolio. The area of investment ranges from high-yield securities and subordinated bank bonds to equity-sensitive convertible bonds. The structure of the portfolio, focussing among other things on equity sensitivity, credit risk, duration, regional and sector allocation, will be actively oriented towards the current and expected future market environment. As a result, important factors influencing the performance of the assets of the UCITS will be the international equity and bond markets as well as the international currencies against the EUR.

Convertible bonds are bonds that can generally be converted into shares or other equity securities at the bondholder's discretion for a certain period of time under predetermined conditions. Convertible bonds offer the security of a bond with the option for potential capital gains. In principle, every convertible bond securitises the same claims as an ordinary bond in addition to the conversion right.

High-yield bonds offer higher interest rates to compensate for the risk associated with companies with lower credit ratings.

The UCITS may invest up to 10 % of its assets in units in other UCITSs or in other undertakings for collective investment that are comparable with a UCITS. These other undertakings for collective investment may, pursuant to their prospectuses, invest no more than 10 % of their assets in units of another UCITS or of another comparable undertaking for collective investment.

*Following the deduction of liquid assets, the UCITS may invest up to 49 % of the fund assets in:*

- *short-term liquid investments such as call money, fixed-term deposits or money market instruments;*
- *equities and book-entry equities as well as fixed and variable-interest debt securities and debt book-entry securities of companies and issuers;*
- *Units of domestic and non-domestic investment funds, ETFs (exchange traded funds) and other investment instruments for collective capital investment that invest their assets globally;*
- *derivative financial instruments on the aforementioned securities and book-entry securities.*

The UCITS is not subject to any currency allocation restrictions. The proportion of the assets of the UCITS invested in securities not denominated in EUR will vary depending on market conditions. To minimise currency risk, assets denominated in currencies other than the accounting currency of the UCITS may be temporarily or permanently hedged. The currency risks of the currency class issued in CHF may be hedged in whole or in part; this may have a negative impact on the NAV of the currency class issued in EUR. The possible cost of currency hedging of the unit class issued in CHF will be allocated to the corresponding unit class.

No guarantee can be given that the investment goal will be achieved. Accordingly, the value of the units and the returns may increase or decrease.

Due to the investment policy applied and the investment objective of the fund management, the fund does not take environmental/social criteria into account, nor does it endeavour to make sustainable investments. The impact of sustainability risks on the return of the fund is considered to be irrelevant.

The investments underlying this financial product do not take into account the EU criteria for environmentally sustainable economic activities.

## **5.2 Accounting currency / reference currency of the UCITS**

The accounting currency of the UCITS as well as the reference currency per unit class are specified in the table "Master data and information relating to the UCITS" in lit. 1 of this Appendix A "Overview of the Fund".

The accounting currency is the currency in which the accounts of the UCITS are kept. The reference currency is the currency in which the performance and the net asset value of the unit classes are calculated. The investments are made in the currencies that are most suitable for the performance of the UCITS.

## **5.3 Profile of the typical Investor**

The UCITS is suitable for investors who have knowledge of the financial markets, who wish to invest in a portfolio of convertible bonds and high-yield bonds and who are prepared to tolerate fluctuations in value. A medium-term investment horizon is required.

## **6 Valuation**

The valuation shall be performed by the Management Company.

## 7 Risks and risk profiles of the UCITS

### 7.1 Specific risks of the UCITS

The performance of the units is dependent upon the investment policy as well as the market performance of the individual fund investments, and cannot be determined in advance. In this conjunction it is important to draw attention to the fact that the value of the units can rise or fall relative to the issue price at any time. It cannot be guaranteed that the investor will receive their invested capital back.

It should be noted that the assets of the UCITS are partly invested in convertible bonds of small and medium-sized companies whose shares are traded on local stock exchanges or over-the-counter. Various rating agencies categorise the creditworthiness of the convertible bonds of these companies as speculative. In general, convertible bonds have a significantly lower fixed interest rate (coupons) than ordinary bonds. As a result, the market value of the convertible bond during its term is highly dependent on the performance of the share price of the company to which the conversion right relates.

Due to the predominant investment of the assets of the UCITS in convertible and high-yield bonds, there is not only an interest rate risk with this type of investment, but also a market risk. This can have a negative impact on the net assets. Other risks such as issuer risk, liquidity risk and currency risk may also materialise.

The risk associated with derivative financial instruments may not exceed 100 % of the net assets. In this conjunction, the overall risk associated with derivative financial instruments may not exceed 200 % of the net assets. If a loan is taken out pursuant to UCITSG (Prospectus Fig. 7.4.2), the overall risk may not exceed 210 % of the net assets.

The Management Company applies the commitment approach as a risk management procedure.

### 7.2 General risks

In addition to the specific risks, the investments may also be exposed to general risks. An exemplary and not definitive list is shown under Fig. 8.2 of the Prospectus.

## 8 Costs that are reimbursed from the UCITS

An overview of the costs which are reimbursed from the UCITS and its unit classes is set out in the table "Master data and information relating to the UCITS" from lit. 1 of the present Appendix A "Overview of the Fund".

## 9 Performance-related remuneration/performance fee

In addition, the Management Company imposes a performance fee in accordance with the present Appendix A "Overview of the Fund"

Should the UCITS outperform the hurdle rate, the Management Company shall charge the UCITS a performance fee of 10% of the total performance (ground-up model). The performance fee relates to the achieved increase in value of the assets of the OGAW. The high-on-high model is used here, according to which the performance fee may only be paid out if the relevant net asset value ("NAV") is above the NAV at which the performance fee was last paid out.

The following conditions shall be applicable to the calculation of any possible payout of the performance fee:

Condition 1: The net asset value after deduction of all costs reaches a new high-on-high and thus exceeds all previous net asset values at the end of the year.

Condition 2: The net asset value after deduction of all costs generates an outperformance compared to the hurdle rate in the period under review.

The performance fee is calculated and accrued each time the NAV is calculated. If the increase in the net asset value in the period under review after deduction of all costs exceeds the high-on high, a performance fee shall be charged to the assets of the OGAW.

Payment is to be made in the year following the period under review. The observation period is the respective financial year. A possible shortfall in the hurdle rate at the end of a previous period under review does not have to be made up for in the subsequent period under review. This means that the hurdle rate is only relevant for one period under review and starts anew for each period under review.

Schematic calculation example for the performance fee (ground-up):

#### Basic data

High-on-High	100.00
adjustment High-on-High	annually

Hurdle rate p.a.	6.00000 %
Hurdle rate per day	0.01644 %
Performance fee rate, ground up	10 %
Calculation	daily
Disbursement	annually

Date	NAV before PF	Shares	Shares ø	NAV target	Performance	Perf. YTD	Perf. Fee Ground UP	NAV before PF
<b>01/01/202X</b>	<b>100.0000</b>	<b>1,000</b>		<b>100.00</b>				
02.01.202X	101.0000	1,000	1,000.00	100.03	0.9000	0.9000	100.00	101.00
03.01.202X	103.0000	1,000	1,000.00	100.05	1.7000	2.7000	300.00	103.00

.. Calculated daily

31.03.202X	102.0000	1,000	1,000.00	101.48	-1.2000	1.8000	200.00	102.00
30.06.202X	101.0000	1,000	1,000.00	102.98	-1.0000	1.0000	0.00	101.00
30.09.202X	105.0000	1,000	1,000.00	104.49	3.5000	4.5000	500.00	105.00
31.12.202X	106.0000	1,000	1,000.00	106.00	1.0000	6.0000	0.00	106.00

High-on-High	<b>106.00</b>
--------------	---------------

Date	NAV before PF	Shares	Shares ø	NAV target	Performance	Perf. YTD	Perf. Fee Ground UP	NAV before PF
<b>01/01/202X +1</b>	<b>106.0000</b>	<b>1,000</b>		<b>106.00</b>				
02/01/202X +1	104.0000	1,000	1,000.00	106.03	-2.0000	-2.0000	0.00	104.00
03/01/202X +1	103.0000	1,000	1,000.00	106.05	-1.0000	-3.0000	0.00	103.00

.. Calculated daily

31/03/202X +1	102.0000	1,000	1,000.00	107.59	-1.0000	-4.0000	0.00	102.00
30/06/202X +1	110.0000	1,000	1,000.00	109.17	7.6000	3.6000	400.00	110.00
30/09/202X +1	105.0000	1,000	1,000.00	110.77	-5.0000	-1.0000	0.00	105.00
31/12/202X+1	112.0000	1,000	1,000.00	112.38	7.0000	6.0000	0.00	112.00

High-on-High	<b>106.00</b>
--------------	---------------

Date	NAV before PF	Shares	Shares ø	NAV target	Performance	Perf. YTD	Perf. Fee Ground UP	NAV before PF
<b>01/01/202X +2</b>	<b>112.0000</b>	<b>1,000</b>		<b>112.00</b>				
02/01/202X +2	115.0000	1,000	1,000.00	112.04	2.7000	2.7000	300.00	115.00
03/01/202X +2	110.0000	1,000	1,000.00	112.06	-5.0000	-2.0000	0.00	110.00

.. Calculated daily

31/03/202X +2	120.0000	1,000	1,000.00	113.66	9.2000	7.2000	800.00	120.00
30/06/202X +2	110.0000	1,000	1,000.00	115.33	-10.0000	-2.0000	0.00	110.00
30/09/202X +2	130.0000	1,000	1,000.00	117.03	18.2000	16.2000	1,800.00	130.00
31/12/202X+2	150.0000	1,000	1,000.00	118.72	16.2000	34.2000	3,800.00	150.00

High-on-High	<b>150.00</b>
--------------	---------------

The Management Company:

LLB Fund Services Aktiengesellschaft, Vaduz

The Custodian:

Liechtensteinische Landesbank Aktiengesellschaft, Vaduz

## **Appendix B: Specific information for individual distribution countries**

Under applicable law in the Principality of Liechtenstein, the foundation documents shall be approved by the FMA. This approval relates only to details relating to the implementation of the provisions of the UCITSG. For this reason the following, Appendix B to the Prospectus "Specific information for individual distribution countries", which is based on non-domestic law, is not subject to checks by the FMA and is excluded from the approval.

### **1 Distribution in the Federal Republic of Germany**

The Management Company reported its plans to distribute the UCITS units to the public in the Federal Republic of Germany to the Federal Financial Supervisory Authority, and has been entitled to distribute these to the public following completion of the notification procedure.

#### **1.1 Institution /Contact Point in Germany**

Institution /Contact Point in Germany pursuant to Section 306a KAGB [Capital Investment Code] ist:

LLB Fund Services AG,

Äulestrasse 80

9490 Vaduz

Email: fundservices@llb.li

The Prospectus, the Key Investor Information Document (PRIIP KID), the Trust Agreement as well as the respective latest annual report and - insofar as this has already been published – the latest interim report can be obtained from the aforementioned agent in paper form free of charge. The issue, redemption and conversion prices may also be requested from that agent free of charge.

Subscription, payment, redemption and conversion orders for the units are processed in accordance with the sales documents. Investors will be informed by the institution on how the aforementioned orders can be placed and how redemption proceeds are to be paid out.

The Management Company shall provide for suitable procedures and precautions to safeguard investor rights in accordance with Article 15 of Directive 2009/65/EC in conjunction with Section 28(2) KAGB. Investors can obtain information on this from the institution.

The institution assumes the role of contact point for communication with BaFin.

#### **1.2 Publications**

The issue and redemption price, the sales documents and other information for investors shall be published on the electronic platform [www.fundinfo.com](http://www.fundinfo.com).

Investors in Germany shall also be informed pursuant to Section 167 KAGB by means of permanent data carriers about:

- a) the suspension of the redemption of the units of an investment fund,
- b) the termination of the management of an investment fund or its settlement
- c) changes to the Trust Agreement that are incompatible with the previous investment principles, which touch upon the essential Investor rights or which affect the remuneration and expenses reimbursement that may be drawn from the investment assets,
- d) the merger of investment assets in the form of merger information that must be provided pursuant to Art. 43 of the Directive 2009/65/EC, and
- e) the conversion of an investment undertaking into a feeder fund or the modification of a master fund in the form of information that must be drawn in accordance with Art. 64 of the Directive 2009/65/EC.

#### **1.3 Tax information**

Investors and potential investors are urgently advised to obtain advice from their tax advisers in respect of the German and non-German tax consequences of acquiring and holding units in the fund as well as disposing of the units or of the rights arising therefrom. The Management Company shall not assume any liability should certain tax implications arise. The nature of the taxation and the level of the taxable earnings are subject to the assessment of the federal tax authorities (Bundesamt für Finanzen).

## **2 Distribution in Sweden**

The Management Company reported its plans to distribute the UCITS units to the public in Sweden to the Federal Financial Supervisory Authority and has been entitled to distribute these to the public following completion of the notification procedure.

### **2.1 Institutions in Sweden**

Institutions for retail investors in accordance with the provisions of Art. 92 of the Directive 2009/65/EC in Sweden:

LLB Fund Services AG,  
Äulestrasse 80  
9490 Vaduz  
Email: fundservices@llb.li

Liechtensteinische Landesbank AG  
Städtle 44  
FL-9490 Vaduz  
Email: fundsdealing@llb.li

LLB Fund Services AG performs the tasks for the UCITS pursuant to Art. 92 (1) (b-f) of Directive 2009/65/EC and receives investor complaints relating to the UCITS, which are sent to the above-mentioned postal or email address of LLB Fund Services AG.

Liechtensteinische Landesbank AG performs the task for the UCITS in accordance with Art. 92 (1) (a) of the Directive 2009/65/EC. Investors in Sweden who wish to receive payments from the UCITS directly via the institution for retail investors and who wish to arrange the repurchase and redemption of units in the UCITS directly via Liechtensteinische Landesbank AG are generally offered the opportunity to open a corresponding account or custody account with Liechtensteinische Landesbank AG. The opening of this account or custody account is subject to the usual (e.g. compliance law) checks of the potential bank customer (investor) and his/her assets. As a result, Liechtensteinische Landesbank AG is free to decide whether to enter into such a client relationship.

### **Publication media**

LAFV (Liechtensteinischer Anlagefondsverband), 9490 Vaduz, Liechtenstein (LI), [www.lafv.li](http://www.lafv.li)

### **Documents and publications**

The UCITS V prospectus including constitutive documents, the key investor information document (KID) as well as the annual and interim reports are available from the institution for retail investors upon request or can be obtained from the above-mentioned website of the official publication media of the fund.

The subscription, redemption and conversion prices of the units of the sub-funds and any notices to investors in Sweden are available on the above-mentioned website of the official publication medium of the fund. This document replaces all previous documents relating to this topic, subject to any necessary, timely approvals by the supervisory authorities.

Versions of this document may exist in other languages. In the event of differences between these versions, the German version shall take precedence.