

(Unofficial translation)

Decree of the Ministry of Finance on the fund prospectus and the simplified fund prospectus

2.4.2004/233

Pursuant to the decision of the Ministry of Finance, the following shall be enacted under section 92, subsection 3, and section 93 subsection 3 of the Act on Common Funds of 29 January 1999 (48/1999), as they are amended by Act 224/2004:

CHAPTER 1

General provisions

Section 1

Scope of application

This Decree shall apply to the minimum contents and form of presentation of the fund prospectus referred to in section 92 and the simplified fund prospectus referred to in section 93 of the of the Act on Common Funds (48/1999).

Section 2

The form of presentation of the information given in the prospectuses

The prospectus shall be dated as well as clearly titled as a fund prospectus or simplified fund prospectus to distinguish it from other prospectuses. The information required to be given in the prospectus shall be presented in as clear and comprehensible form as possible taking into account the typical investor target group of the said common fund. The prospectuses shall, on request, be available in printed form.

If the fund prospectus consists of separate entities, these entities shall be clearly indicated. A simplified fund prospectus may be combined with the fund prospectus and presented as a detachable summary thereof. If the simplified fund prospectus is presented as a summary of

the fund prospectus, the information presented therein need not be repeated in the other entities of the fund prospectus.

CHAPTER 2

Simplified fund prospectus

Section 1

Presentation of a common fund

The simplified fund prospectus shall briefly state:

- 1) the name of the common fund;
- 2) the latest date of confirmation of the fund rules and the country of confirmation, the data of commencement of the operations and the term of the common fund, if determined;
- 3) the trade name of the management company in charge of the management of the common fund;
- 4) the extent to which the management company uses representatives in its operations;
- 5) the trade name of the custodian of the common fund;
- 6) the names of the auditors of the common fund as well as of their deputies or the name of the certified audit organisation; as well as
- 7) the financial Group possibly attending to the marketing of the common fund in addition to the management company.

Section 2

Information on the investments of the common fund

The simplified fund prospectus shall briefly state the following of the common fund:

- 1) investment activity, its goals and risks especially related thereto;
- 2) the earlier yield development and the related warning to the effect that the value of an investment made in the common fund may increase or decrease and that the investor may, when redeeming his investment, get less than he originally invested therein; as well as
- 3) the investor target group.

The information referred to in subsection 1 (1) shall indicate at least whether the aim is to achieve the goals of investment activity through active or passive asset management and the main investment targets as well as, with regard to funds investing in interest-yielding invest-

ments, any restrictions relating to the average period of maturity and, with regard to funds investing in shares, any restrictions relating to the degree of investment in share markets. If the common fund invests in derivatives contracts, the information referred to in the said paragraph shall especially indicate whether the derivatives contracts may be used only to avert the risks relating to investment activity or also otherwise as a part of the investment activity in accordance with the goals of the common fund. The information referred to in the paragraph shall also indicate if the value of the common fund is likely to vary considerably due to the composition of its assets or the methods used in their management.

Section 3

Information on investment in a common fund

The simplified fund prospectus shall briefly state the following of the common fund:

- 1) a short description necessary for the unit-holders of the taxation applicable to the common fund and the unit-holder;
- 2) the costs arising to a unit-holder from the subscription of a fund unit and its redemption and the basis for their determination;
- 3) any other possible costs arising from the operations and the basis for their determination divided into costs payable by the common fund and by its unit-holder;
- 4) the date and place of and manner for the issue and redemption of fund units;
- 5) the date and place of and manner for the payment of the yield of fund units; as well as
- 6) the date and place of and manner for the publication of the value of a fund unit.

The information referred to in subsection 1 (3) shall indicate at least the annual total cost ratio of the mutual fund and the turnover of the investment portfolio as well as an account of the manner for their calculation.

Section 4

Other information

The simplified fund prospectus shall state:

- 1) the availability, free of charge, of the fund prospectus drawn up of the common fund as well as of its fund rules, annual report, semi-annual report and, with regard to a special common fund, its quarter-annual report, before subscribing for a fund unit and thereafter as well as the place where they are available;
- 2) contact information for acquiring additional information;

- 3) the authority supervising the management company and the common fund; as well as
- 4) the date of publication of the simplified fund prospectus.

CHAPTER 3

Fund prospectus

Section 1

Information on the common fund

In addition to that required to be stated in a simplified fund prospectus in chapter 2, section 1 (1) - (2) and (6) as well as in sections 2 and 3, the fund prospectus shall state:

- 1) the place where the annual report, semi-annual report and, with regard to a special common fund, also the quarter-annual report are kept available;
- 2) the closing date of the annual account of the common fund;
- 3) the rules relating to the valuation of the assets of the common fund;
- 4) the fact that a fund unit entitles to a portion of the assets of the common fund divided in proportion to the number of units taking into account the relative values of the series and classes of units;
- 5) information on the General Meeting of the Unit-holders as well as on the right to exercise voting rights at the General Meeting of the Unit-holders;
- 6) information on regulated market places where the units are subject to public trade;
- 7) circumstances in which the repurchase and redemption of units may be interrupted;
- 8) the manner and time interval for determining the subscription and redemption prices of the units;
- 9) the place and manner for publishing the subscription and redemption prices of fund units; as well as
- 10) the goals of the owner steering of the common fund.

If altogether more than one-tenth of the assets of a common fund may, in accordance with its fund rules, be invested in units in other common funds or in UCITS, the fund prospectus shall especially state the maximum total of the management fees payable for the management of the common fund or the common funds or UCITS in which the common fund invests.

Section 2

Information on the management company

In addition to that required to be stated in a simplified fund prospectus in chapter 2, section 1 (3) and (4), the fund prospectus shall state:

- 1) the registered office of the management company and its principal administrative establishment if different from the registered office;
- 2) the date of establishment and lifetime of the management company, where determined;
- 3) the branch of the management company;
- 4) information on other common funds managed by the management company;
- 5) names of the members and deputy members of the Board of Directors of the management company;
- 6) name of the managing director of the management company; as well as
- 7) the share capital of the management company.

The fund prospectus shall state detailed information on the main assignment outside the management company of the persons referred to in subsection 1 (5) and (6) if these functions are of significance to the management company.

Section 3

Information on the custodian

In addition to that required to be stated in a simplified fund prospectus in chapter 2, section 1 (5), the fund prospectus shall state:

- 1) the main branch of the custodian; as well as
- 2) the registered office of the custodian and its principal administrative establishment if different from the registered office.

Section 4

Exemptions from the contents of the fund prospectus

The information referred to in sections 1-3 may, with the exception of information referred to in the preamble and paragraph 8 of section 1, subsection 1, be excluded from the fund prospectus if it is included in the rules appended to the fund prospectus.

CHAPTER 4

Entry into force

Section 1

Entry into force

This Decree enters into force on 8 April 2004.

This Decree shall be applied to fund prospectuses and simplified fund prospectuses to be published at the latest on 1 October 2004 or thereafter.

Directive 2001/107/EC of the European Parliament and of the Council (32001L01107); Official Journal L 041, 13.2.2002 p. 20-34, Directive 2001/108/EC of the European Parliament and of the Council (32001L01108); Official Journal L 041, 13.2.2002 p. 35-42