

## **National rules for marketing of European UCITS units/shares in Hungary and other specific national regulations related to the notification procedure**

**1) Member State:** Hungary

**2) Date of last update:** 19<sup>th</sup> November, 2007.

### **3) Supporting documents or information to the notification letter that are not required by the Directive but by national law:**

a) The prospectus issued for the marketing of the fund units/shares in Hungary must provide the information hereafter for the attention of the Hungarian investors (eventually in the form of an addendum to the prospectus if the information are not inserted in the prospectus):

- the list of the collective investment instruments intended to market in Hungary
- the name and address of the distributor or agent in Hungary that may make services in relation to subscription and redemption of units/shares of the UCITS in Hungary;
- the place where the investors may present subscription, redemption or conversion requests of units/shares of the UCITS;
- the place where Hungarian investors may obtain the net asset values (e.g. website or national newspaper), the issue and redemption prices, the last prospectus, the last financial reports, the fund rules/articles of incorporation and, as far as enabled, an access to the contracts arranged with the UCITS;
- the name of the newspaper/website where any notice to the unit holders/shareholders will be published.

b) The draft of the distribution or agency agreement to be signed by the UCITS and the distributor or agent

c) UCITS attestation and notification letter in English

d) Decision of the UCITS about the marketing in Hungary

e) Self-certification by the notifying UCITS (or a third person empowered by written mandate to act on behalf of the notifying UCITS) to attest that the notification documents are the latest versions of the documents as approved by or filed with the home State authority.

f) Documents (for example: copy of constitutional documents) certifying the representatives of the UCITS (regarding the point e).

### **4) Additional information:**

#### **1. Recognition of electronic means for submitting documents e.g. per fax or e-mail? NO**

The required documents have to be sent to the HFSA in a form of a hard copy. Documents might be also submitted to the HFSA electronically, in which case the two-months period starts from the date of the electronic submission, however a hard copy should be submitted to the HFSA in any case.

**2. May the two-month period be shortened? YES**

After the issuance of the resolution of the HFSA, in which it is stated that all the requirements considering the marketing arrangement are fulfilled, the marketing activity starts, even if the two-month period is not over yet.

**3. Confirmation of the date of receipt of the complete notification within one month? YES**

If there are missing/incomplete documents the HFSA sends a letter to the UCITS asking for the completion of the documentation. In case of licensing procedures of 1 month, the deadline for call for completion of documentation is 15 days. If there is no communication from the HFSA it can be assumed that the notification is complete.

**4. Maximum submission period for missing documents and information in the case of incomplete notification:**

Two months. After the two-month period, the HFSA may prohibit the beginning of marketing in case of incomplete notification.

**5) Language of translations** Required documents must be submitted in Hungarian or English. Translations are not required to be sworn as true.

**6) Transitional provisions with respect to the General reservation under point 3 of CESR's guidelines to simplify the notification procedure of UCITS (Ref: CESR/06-120b): NONE**

**7) Documented evidence of fee payment NONE**

**8) Conditions for ending marketing / registration**

The issuer shall inform the Hungarian investors concerning the conditions for trading (including the ending) by way of a notice, and shall verify of having maintained the appropriate conditions for trading (including the ending of marketing) to the HFSA.

The HFSA shall suspend the trading of units/shares of the UCITS if the appropriate trading conditions are not met. The HFSA shall ban trading if compliance with the legal requirements is not restored within thirty days from the order of suspension, or if suspension is warranted for the second time.

**9) Other issues**

During the notification procedure the HFSA acts in accordance with the provisions of Act CXX of 2001 on the Capital Market, Act CXL of 2004 on the General Rules of Administrative Procedures and Services and CESR guidelines to simplify the notification procedure of UCITS.