

# Investor information

pursuant to Art. 105 AIFMG

and

# Articles of Association

and

# Investment conditions

including sub-fund-specific annexes

Status: 09.2024

## **Accumulus Fund SICAV**

AIF under Liechtenstein law  
in the legal form of an investment company

(hereinafter "the Investment Company" or the "AIF")

(umbrella structure, which may comprise several sub-funds)

Portfolio management:



AIFM:



The organisational structure of the investment company	
Investment company:	Accumulus Fund SICAV Landstrasse 30, FL-9494 Schaan
Board of Directors:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan

  

The organisational structure of the AIFM	
AIFM:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan
Board of Directors:	Heimo Quaderer H.R.H. Archduke Simeon of Habsburg Hugo Quaderer
Management:	Luis Ott Alexander Wymann Michael Oehry Ramon Schäfer
Auditor:	Ernst & Young AG Schanzenstrasse 4a, CH-3008 Berne

  

The AIF at a glance	
Name of the AIF:	<b>Accumulus Fund SICAV</b>
Legal structure:	Third-party managed alternative investment fund (AIF) in the legal form of an investment company with variable capital under Liechtenstein law ("investment company") pursuant to the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG)
Umbrella construction:	Umbrella structure with two sub-funds
Founding country:	Liechtenstein
Date of establishment of the AIF:	21 April 2022
Business year:	The financial year of the AIF begins on 1 January and ends on 31 December.
Accounting currency AIF:	US Dollar (USD)
Portfolio management:	<b>Sub-fund 1: Accumulus Fund AIF</b> ACCUMULUS CAPITAL MANAGEMENT, LLC 110 East 59th Street, 28th Floor, New York, NY 10002  <b>Sub-fund 2: Accumulus Contrarian Fund</b> ACCUMULUS CAPITAL MANAGEMENT, LLC 110 East 59th Street, 28th Floor, New York, NY 10002
Depository:	VP Bank Ltd Aeulestrasse 6, FL-9490 Vaduz
Distributor:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan
Auditor:	BDO (Liechtenstein) AG Wuhrstrasse 14, FL-9490 Vaduz
Responsible Supervisory authority:	Financial Market Authority Liechtenstein (FMA); <a href="http://www.fma-li.li">www.fma-li.li</a>
Information centre for professional and semi-professional investors in Germany:	Hauck Aufhäuser Lampe Privatbank AG Kaiserstrasse 24, D-60311 Frankfurt am Main
Further information on the sub-funds can be found in Appendix B "Sub-funds at a glance".	
In Liechtenstein, distribution is aimed at professional investors within the meaning of Directive 2014/65/EU (MiFID II) and private investors. For any other countries, the provisions set out in Annex C "Specific information for individual countries of distribution" apply.	
German is the legally binding language for investor information and articles of incorporation and investment regulations including sub-fund specific annexes.	

## Note for investors/sales restriction

The acquisition of units of the investment company or the respective sub-fund is based on the respective valid constituent documents (Articles of Association including Annex A "Organisational structure of the AIFM/AIF" and Annex B "Sub-fund overview") as well as the investor information pursuant to Art. 105 AIFMG and the key information documents (**PRIIP-KID**) and the latest annual report. Only the information contained in the above-mentioned documents is valid. With the acquisition of the units, these are deemed to have been authorised by the investor. **The distribution of the AIF or the respective sub-fund in Liechtenstein is aimed at professional investors within the meaning of Directive 2014/65/EU (MiFID II) and private investors.** For any other countries, the provisions set out in Annex C "Specific information for individual countries of distribution" apply.

These Articles of Association and the Terms and Conditions of Investment do not constitute an offer or invitation to subscribe for units of the AIF by any person in any jurisdiction in which such an offer or invitation is unlawful or in which the person making such an offer or invitation is not qualified to do so or to any person to whom it is unlawful to make such an offer or invitation. Information that is not contained in these Articles of Association and the Terms and Conditions of Investment or in documents available to the public is deemed to be unverified and unreliable. Potential investors should inform themselves about possible tax consequences, the legal requirements and possible foreign exchange restrictions or regulations applicable in the countries of their citizenship, residence or domicile and which may be relevant to the subscription, holding, conversion, redemption or sale of units. Further tax considerations are explained in Section 53 "Tax regulations" of the Terms and Conditions of Investment. Appendix C "Specific information for individual distribution countries" contains information regarding distribution in various countries. The units of the AIF are not authorised for distribution in all countries of the world. When units are issued, exchanged and redeemed abroad, the provisions applicable there apply.

The units of this AIF or its sub-funds may not be offered, sold or delivered within the USA and its territories. Units of this AIF or its sub-funds may not be offered, sold or delivered to US citizens or persons resident or domiciled in the USA and/or other natural persons or legal entities whose income and/or earnings, regardless of origin, are subject to US income tax or to persons who are deemed to be US persons pursuant to provision S of the US Securities Act of 1933 and/or the US Commodity Exchange Act, as amended. In general, units of the AIF may not be offered in jurisdictions and to persons in which or to whom this is not permitted.

## Table of contents

Organisational structure Investment company / AIFM .....	2
The organisational structure of the Investment Company .....	2
The organisational structure of the AIFM .....	2
The AIF at a glance .....	2
Note for investors/sales restriction .....	3
Table of contents .....	4
<b>PART I: INVESTOR INFORMATION PURSUANT TO ART. 105 AIFMG .....</b>	<b>8</b>
1 General information .....	8
2 Supplementary investor information pursuant to Art. 105 AIFMG .....	8
3 Specific information for individual sales countries .....	11
<b>PART II: ARTICLES OF ASSOCIATION FOR THE EXTERNALLY MANAGED INVESTMENT COMPANY..</b>	<b>12</b>
<b>I. General provisions .....</b>	<b>12</b>
Art. 1 Name of the Investment Company .....	12
Art. 2 Registered office of the Investment Company .....	12
Art. 3 Purpose of the Investment Company .....	12
Art. 4 Duration of the Investment Company .....	12
<b>II. Share capital and shares.....</b>	<b>12</b>
Art. 5 Share capital (founder's shares).....	12
Art. 6 Investor shares (units) .....	13
<b>III Boards of the Investment Company .....</b>	<b>13</b>
<b>A. General Meeting .....</b>	<b>13</b>
Art. 7 Rights of the General Meeting .....	13
Art. 8 Ordinary General Meeting .....	14
Art. 9 Extraordinary General Meeting .....	14
Art. 10 Convening .....	14
Art. 11 Organisation.....	14
Art. 12 Adoption of resolutions and voting rights.....	15
<b>B. Board of Directors .....</b>	<b>15</b>
Art. 13 Composition .....	15
Art. 14 Self-constitution .....	15
Art. 15 Tasks .....	15
Art. 16 Determination of the management .....	16
Art. 17 Adoption of resolutions and meeting .....	16
Art. 18 Representation of the Investment Company .....	16
Art. 19 Incompatibility provisions/conflict of interests .....	16
<b>C. Auditors.....</b>	<b>17</b>
Art. 20 Duties and appointment of the auditors .....	17
<b>IV The formation of the investment company .....</b>	<b>17</b>
Art. 21 Formation costs.....	17
Art. 22 Information to the founding shareholders .....	17
Art. 23 Information to investors and third parties .....	17
Art. 24 Financial year .....	17

<b>V.</b>	<b>Dissolution of the Investment Company .....</b>	<b>18</b>
Art. 25	Resolution on dissolution .....	18
Art. 26	Costs of dissolution .....	18
Art. 27	Dissolution and bankruptcy of the Investment Company .....	18
<b>VI</b>	<b>Final provisions .....</b>	<b>18</b>
Art. 28	Applicable law, place of jurisdiction and authoritative language .....	18
Art. 29	Entry into force .....	18
<b>PART III: .....</b>	<b>INVESTMENT CONDITIONS FOR THE EXTERNALLY MANAGED INVESTMENT COMPANY</b>	<b>19</b>
<b>A.</b>	<b>General provisions .....</b>	<b>19</b>
§ 1	The AIF.....	19
§ 2	General information on the sub-funds.....	20
<b>B.</b>	<b>The organisation .....</b>	<b>21</b>
§ 3	Country of domicile / Competent supervisory authority .....	21
§ 4	Legal relationships.....	21
§ 5	The AIFM .....	21
§ 6	Transfer of tasks.....	22
§ 7	Investment Adviser .....	23
§ 8	Depository .....	23
§ 9	Prime broker .....	24
§ 10	Auditors of the AIFM and the AIF .....	25
<b>C.</b>	<b>Distribution .....</b>	<b>25</b>
§ 11	Sales information / sales restrictions .....	25
§ 12	Professional investor / Private investor .....	25
<b>D.</b>	<b>Changes to the investment conditions / structural measures .....</b>	<b>27</b>
§ 13	Amendments to the Terms and Conditions of Investment .....	27
§ 14	General information on structural measures .....	27
§ 15	Merger .....	27
§ 16	Information, consent and investor rights .....	28
§ 17	Costs of structural measures .....	29
<b>E.</b>	<b>Dissolution of the Investment Company, its sub-funds and unit classes .....</b>	<b>29</b>
§ 18	In general .....	29
§ 19	Resolution on the dissolution of the AIF .....	29
§ 20	Reasons for cancellation .....	30
§ 21	Costs of dissolution .....	30
§ 22	Dissolution and bankruptcy of the AIFM or the depository .....	30
§ 23	Termination of the Determination Agreement or the Depository Agreement.....	30
<b>F.</b>	<b>Creation of sub-funds and unit classes.....</b>	<b>30</b>
§ 24	Formation of sub-funds .....	30
§ 25	Duration of the individual sub-funds .....	31
§ 26	Creation of unit classes.....	31
<b>G.</b>	<b>General investment principles and restrictions .....</b>	<b>31</b>
§ 27	Investment objective .....	31
§ 28	Investment policy .....	32
§ 29	Accounting and reference currency .....	32
§ 30	Profile of the typical investor .....	32
§ 31	Authorised installations .....	32
§ 32	Non-authorised installations.....	32
§ 33	Investment limits .....	32

§ 34	Use of derivatives, techniques and instruments .....	33
§ 35	Investments in other undertakings for collective investment (UCIs) .....	38
§ 36	Limitation of borrowing .....	39
§ 37	Joint administration .....	39
<b>H.</b>	<b>Risk warnings .....</b>	<b>39</b>
§ 38	AIF-specific risks .....	39
§ 39	General risks .....	39
<b>I.</b>	<b>Valuation and share transactions .....</b>	<b>44</b>
§ 40	Calculation of the net asset value per unit .....	44
§ 41	Issue of shares .....	45
§ 42	Redemption of shares .....	46
§ 43	Exchange of shares .....	47
§ 44	Suspension of the calculation of the net asset value and of the issue and redemption of units .....	48
§ 45	Lock-up period for the redemption of units .....	49
§ 46	Late Trading and Market Timing .....	49
§ 47	Prevention of money laundering and terrorist financing .....	49
<b>J.</b>	<b>Costs and fees .....</b>	<b>50</b>
§ 48	Current fees .....	50
§ 49	Costs borne by the investors .....	52
<b>K.</b>	<b>Final provisions .....</b>	<b>53</b>
§ 50	Utilisation of profit .....	53
§ 51	Use of reference values ("benchmarks") .....	53
§ 52	Benefits .....	54
§ 53	Tax regulations .....	55
§ 54	Information for investors .....	56
§ 55	reports .....	56
§ 56	Financial year .....	56
§ 57	Statute of limitations .....	56
§ 58	Applicable law, place of jurisdiction and authoritative language .....	56
§ 59	General information .....	57
§ 60	Entry into force .....	57
	<b>Appendix A: Overview of the Investment Company's organisational structure .....</b>	<b>58</b>
	The organisational structure of the investment company .....	58
	The organisational structure of the AIFM .....	58
	The AIF at a glance .....	58
	<b>Appendix B: Sub-funds at a glance .....</b>	<b>59</b>
<b>B1</b>	<b>Sub-fund 1: Accumulus Fund AIF .....</b>	<b>59</b>
B1.1	The sub-fund at a glance .....	59
B1.2	Delegation of tasks by the AIFM .....	65
B1.3	Investment advisor .....	65
B1.4	Depository .....	65
B1.5	Auditor .....	65
B1.6	Investment principles of the sub-fund .....	65
B1.7	Investment regulations .....	70
B1.8	Rating .....	72
B1.9	Risks and risk profiles of the sub-fund .....	73
B1.10	Costs reimbursed from the sub-fund .....	75
B1.11	Performance fee .....	75

<b>B2</b>	<b>Sub-fund 2: Accumulus Contrarian Fund .....</b>	<b>76</b>
B2.1	The sub-fund at a glance .....	76
B2.2	Delegation of tasks by the AIFM .....	77
B2.3	Investment advisor .....	77
B2.4	Depositary .....	77
B2.5	Auditor .....	78
B2.6	Investment principles of the sub-fund .....	78
B2.7	Investment regulations .....	82
B2.8	Rating .....	85
B2.9	Risks and risk profiles of the sub-fund .....	86
B2.10	Costs reimbursed from the sub-fund .....	88
B2.11	Performance fee .....	88
	<b>Appendix C: Specific information for individual sales countries.....</b>	<b>89</b>
	Information for professional and semi-professional investors in Germany .....	89
	<b>Appendix D: Regulatory disclosure.....</b>	<b>90</b>
	Regulatory disclosure .....	90

# PART I: INVESTOR INFORMATION ACCORDING TO ART. 105 AIFMG

---

IFM Independent Fund Management AG, Schaan, as AIFM, provides the investors of the **Accumulus Fund SICAV with** the following information in its current form.

In addition to this information, explicit reference is made to the constituent documents (Articles of Association, Terms and Conditions of Investment, Appendix A "Overview of the Investment Company's organisational structure" and Appendix B "Overview of the sub-funds"). With the acquisition of the units, these are deemed to have been approved by the investor. This document is not a substitute for careful examination of the constituent documents.

This AIF is aimed at **professional investors** within the meaning of Directive 2014/65/EC (MiFID II) as well as **private investors**.

## 1 General information

The medium of publication of the Investment Company is the website of LAFV Liechtensteinischer Anlagefondsverband ([www.lafv.li](http://www.lafv.li)) and other media specified in the investment conditions.

All notices to investors, including those relating to changes to the Terms of Investment conditions and Annex A "Overview of the Investment Company's organisational structure" and Annex B "Overview of the sub-funds", are published on the website of LAFV Liechtensteinischer Anlagefondsverband ([www.lafv.li](http://www.lafv.li)) as the medium of publication of the Investment Company and on other media and data carriers specified in the Terms of Investment.

The net asset value and the issue and redemption price of the units of the Investment Company or of each sub-fund or unit class are published on each valuation day on the website of the LAFV Liechtensteinischer Anlagefondsverband ([www.lafv.li](http://www.lafv.li)) as the organ of publication of the Investment Company as well as in other media and permanent data carriers (letter, fax, email or similar) specified in the fund documents.

The annual report audited by an auditor is made available to investors free of charge at the registered office of the AIFM and depositary.

## 2 Supplementary investor information pursuant to Art. 105 AIFMG

The following investor information applies in principle to all sub-funds. Any deviations for individual sub-funds are listed separately in the relevant section.

- 2.1 Description of the investment strategy and objectives of the AIF (Art. 105 para. 1 lit. a AIFMG)**  
See Appendix B "Sub-fund overview" under "Investment principles of the sub-fund fund".
- 2.2 Information on the registered office of any master AIF if the AIF is a feeder AIF (Art. 105, no. 1, lit. b AIFMG)**  
The sub-funds are not feeder AIFs.



**2.3 Information on the domicile of the target funds if the AIF is a fund of funds (Art. 105, no. 1, lit. c AIFMG)**

The target funds are open-ended funds or closed-ended funds of any legal structure traded on a stock exchange or another regulated market open to the public, in particular collective investment agreements or investment companies, trusts or limited partnerships, the majority of which are valued at least monthly and the majority of which permit redemptions at least quarterly. The AIF or the respective sub-fund invests primarily in foreign funds **worldwide** for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile. There is no restriction on the domicile of foreign target funds, i.e. their domicile or registered office may be outside Liechtenstein in any country.

**2.4 Description of the type of assets in which the AIF may invest (Art. 105 no. 1 lit. d 1st AIFMG)**

See Appendix B "Sub-fund overview" under "Investment principles of the sub-fund".

**2.5 Description of the techniques it is authorised to use and any associated risks, any investment restrictions, the circumstances in which the AIF may use leverage, the nature and source of permitted leverage and associated risks, other restrictions on the use of leverage and collateral and asset reuse arrangements and the maximum amount of leverage the AIFM may use for the account of the AIF (Art. 105 no. 1 lit. d 2nd AIFMG)**

See Investment Conditions "General risks" and Appendix B "Sub-fund overview" under "Risks and risk profiles of the sub-fund".

**2.6 Description of the procedure and conditions for changing the investment strategy and policy (Art. 105, no. 1, lit. d, 3 AIFMG)**

A change in the investment policy within the legally and contractually permissible investment spectrum may change the risk associated with the AIF or the sub-fund. The AIFM may significantly change the investment policy of the AIF or the corresponding sub-fund within the applicable investment conditions at any time by amending the investment conditions, including Annex B "Sub-funds at a glance". Information on the publication requirements can be found in section 1 "General information".

**2.7 Description of the main legal characteristics of the contractual relationship entered into for the investment, including information on the competent courts (Art. 105, no. 1, lit. e, 1 AIFMG)**

The AIFM and the AIF with its launched sub-funds are subject to Liechtenstein law. The exclusive place of jurisdiction for all disputes between the investors, the AIFM, authorised third-party companies and the Depositary is Vaduz.

However, the AIFM and/or the Depositary may subject themselves and the AIF to the jurisdiction of the countries in which units of the AIF or the sub-fund are offered and sold with regard to claims of investors from these countries. The right is reserved to submit to other mandatory legal jurisdictions.

The legally binding language for these Terms and Conditions of Investment and Annex A "Overview of the Investment Company's organisational structure" and Annex B "Overview of the sub-funds" is German.

**2.8 Description of the main legal characteristics of the contractual relationship entered into for the investment, including the applicable law (Art. 105, no. 1, lit. e, 2 AIFMG)**

The AIFM or the AIF with its established sub-funds is subject to Liechtenstein law.

**2.9 Description of the most important legal features of the contractual relationship entered into for the investment, including the enforceability of judgements in the country of domicile of the AIF (Art. 105, no. 1, lit. e, 3 AIFMG)**

However, the AIFM and/or the Depositary may subject themselves and the AIF with its sub-funds to the jurisdiction of the countries in which units of the AIF or the sub-fund are offered and sold with regard to claims by investors from these countries. The right is reserved to submit to other mandatory legal jurisdictions.

The enforceability of judgements in Liechtenstein is governed by the Exekution-sordnung (EO). The enforceability of a foreign judgement in the Principality of Liechtenstein (country of domicile of the AIF) may require separate proceedings in the Principality of Liechtenstein.

**2.10 Information on the identity and duties of all service providers acting on behalf of the AIF, in particular the AIFM, the depositary of the AIF and the auditor, with a description of the rights of investors; (Art. 105 (1) (f) AIFMG)**

See Chapter B of the Terms and Conditions of Investment "The Organisation" and Appendix A "Overview of the Investment Company's organisational structure" and Appendix B "Overview of the sub-funds".

**2.11 Description of how the AIFM covers potential liability arising from professional activities; (Art. 105 para. 1 lit. g AIFMG)**

See investment conditions "The AIFM".

**2.12 Description of delegated management or custody functions, the name of the agent and any conflict of interest associated with the delegation (Art. 105 para. 1 lit. h AIFMG)**

See Appendix B "Sub-funds at a glance" under "Delegation of duties by the AIFM" and "Depositary" as well as Appendix D Regulatory disclosure.

**2.13 Description of the valuation procedures and methods used by the AIF (Art. 105 no. 1 lit. i AIFMG)**

See Appendix B "Sub-funds at a glance" under "Valuation".

**2.14 Description of the procedures for dealing with liquidity risks of the AIF, taking into account redemption rights under normal and exceptional circumstances and the redemption agreements with investors (Art. 105 (1) (k) AIFMG)**

See "General risks" in the Terms and Conditions of Investment and, if applicable, Annex B "Sub-fund overview" under "Sub-fund-specific risks".

**2.15 Description of all fees, charges and other costs, stating the respective maximum amount, insofar as these are to be borne directly or indirectly by the investors (Art. 105 no. 1 lit. l AIFMG)**

See Investment Conditions "Costs and fees" and Appendix B "Sub-fund overview".

**2.16 A description of the manner in which the AIFM ensures fair treatment of investors and a description of any preferential treatment granted, indicating the type of beneficiary investors and, where applicable, the legal or economic links between these investors, the AIF or the AIFM (Art. 105 no. 1 lit. m AIFMG)**

The AIFM always acts in the interests of the AIF or its sub-funds, the investors and market integrity. The equal treatment of investors is paramount. Favouring individual investors is expressly excluded.

Every investor is treated equally:

- ◆ Information is always published simultaneously in a known manner

- ◆ Subscription and redemption of fund units are the same for each unit class for each investor
- ◆ No investor is informed individually or receives benefits

- 2.17 The last annual report; (Art. 105 no. 1 lit. n AIFMG)**  
See investment conditions "Information for investors".
- 2.18 Procedure and conditions for the issue and sale of units of an AIF; (Art. 105 no. 1 lit. o AIFMG)**  
See investment conditions under "Issue of units" and under "Redemption of units".
- 2.19 Last net asset value of the AIF or the last market price of its units pursuant to Art. 43 AIFMG (Art. 105 (1) (p) AIFMG)**  
See investment conditions "Information for investors".
- 2.20 Past performance of the AIF (Art. 105 no. 1 lit. q AIFMG)**  
See investment conditions "Information for investors".
- 2.21 if applicable to the prime broker: its identity (Art. 105, para. 1, lit. r, 1 AIFMG)**  
n/a
- 2.22 if applicable to the prime broker: a description of any material agreement between the AIF and the prime brokers, the manner in which any conflicts of interest in this regard are resolved, the provision in the contract with the depositary on the possibility of transfer and reutilisation of assets of the AIF and information on any transfer of liability to the prime broker (Art. 105, no. 1, lit. r, 2 AIFMG)**  
n/a
- 2.23 Description of how and when the information required under Art. 106 para. 1 let. b and para. 2 will be disclosed (Art. 105, no. 1, lit. s AIFMG)**  
The information required under Art. 106 para. 1 let. b and para. 2 AIFMG is disclosed in the annual report.

### 3 Specific information for individual sales countries

Under current law in the Principality of Liechtenstein, the constituent documents are notified to the FMA. This distribution notification only relates to information concerning the implementation of the provisions of the AIFMG. For this reason, the following Annex C "Specific information for individual distribution countries", which is based on foreign law, is not subject to review by the FMA and is excluded from the distribution notification.

Current status of this document, which was brought to the attention of the FMA:  
5 September 2024

# PART II: ARTICLES OF ASSOCIATION FOR THE EXTERNALLY MANAGED INVESTMENT COMPANY

---

## Preamble

Insofar as a matter is not regulated in these Articles of Association, the legal relationships between the investors, the investment company and the AIFM are governed by the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG), the Ordinance on Alternative Investment Fund Managers (AIFMV) in the current version and, insofar as no provisions are made therein, by the provisions of the Personen- und Gesellschaftsrecht (PGR) on the stock corporation.

## I. General provisions

### Art. 1 Company of the investment company

**Accumulus Fund SICAV** (the "Investment Company") is an investment company in the form of a public limited company with variable share capital.

The investment company is an umbrella structure that can comprise several sub-funds at.

### Art. 2 Registered office of the investment company

The company is based in Schaan, Principality of Liechtenstein.

### Art. 3 Purpose of the investment company

The sole purpose of the Investment Company is to invest the capital collected from a number of investors for their benefit in accordance with the investment strategy laid down in the Articles of Association, including the sub-fund-specific annexes.

The Investment Company may take all measures and actions that it deems appropriate to fulfil its corporate purpose, taking into account the restrictions set out in the AIFMG.

### Art. 4 Duration of the investment company

The investment company is established for an indefinite period.

## II. Share capital and shares

### Art. 5 Share capital (founders' shares)

The share capital (own assets) of the investment company amounts to USD 75,000 (in words US dollars seventy-five thousand) and is divided into 750 registered founders' shares with a nominal value of USD 100 each. The shares are fully paid up.

Founder shares are issued to the founders of the investment company. They securitise the right to participate in the Annual General Meeting and entitle the holder to exercise voting rights at the Annual General Meeting. There is a reciprocal pre-emptive right among the founding shareholders.

The share capital of the founders' shares represents the investment company's own assets and is separate from the assets under management. Founder shareholders participate exclusively in the investment company's own assets.

The Board of Directors may issue share certificates for any number of founders' shares instead of individual founders' shares or waive the issue of share certificates.

## **Art. 6 Investor shares (units)**

In addition to the founders' shares, the Investment Company will issue bearer investor shares (units) with no par value to investors, whereby the value of the individual unit is calculated by dividing the value of the sub-fund's assets held for investment purposes by the number of investor shares (units) in circulation. They do not securitise any right to participate in the General Meeting, have no voting rights and also do not embody any right to participate in the profits of the Investment Company's own assets.

The share capital can be increased by gradually issuing new investor shares (units) to existing investors or third parties and the share capital can be reduced by gradually repaying the share capital in full or in part by redeeming investor shares (units), without having to follow the procedure provided for increasing or reducing the share capital. There is no general subscription right when new shares are issued.

The General Meeting of Shareholders may resolve to convert registered shares into bearer shares or from bearer shares into registered shares.

The assets of the founding shareholders are separated from the assets of the investors.

There is no entitlement to delivery of actual units. For the purpose of problem-free transferability, units may be held in collective custody. The Investment Company may provide for securitisation in global certificates.

All units in a sub-fund generally have the same rights, unless the Board of Directors decides to issue different unit classes within a sub-fund.

## **III. Bodies of the investment company**

The governing bodies of the investment company are the General Meeting, the Board of Directors and the auditor, which must be an auditor in accordance with the AIFMG.

### **A. Annual General Meeting**

#### **Art. 7 Rights of the General Meeting**

The supreme body of the Investment Company is the General Meeting.

It has the following powers:

1. the election of the Board of Directors and the auditor, who must be an auditor in accordance with the AIFMG;
2. Approval of the income statement, balance sheet and annual report;
3. Resolution on the appropriation of net profit, in particular the determination of dividends;

4. the discharge of the Board of Directors;
5. passing resolutions on the adoption of the Articles of Association and on the dissolution or merger of the Investment Company;
6. passing resolutions on amendments to the Articles of Association, whereby a simple majority is sufficient;
7. passing resolutions on matters reserved for the General Meeting by law or the Articles of Association or submitted to it by the Board of Directors.

## **Art. 8 Annual General Meeting**

The right to participate in the General Meeting is governed by Articles 5 and 6 of these Articles of Association.

The Annual General Meeting is convened within six months of the end of a financial year at the company's registered office or at any other location specified in the notice convening the meeting.

If all founders' shares are assembled or represented and no objection is raised, they may also form a General Meeting without observing the otherwise prescribed formal requirements for convening a meeting, and valid negotiations and resolutions may be passed at the same meeting on the matters within its competence (universal meeting).

## **Art. 9 Extraordinary General Meeting**

Extraordinary General Meetings may be convened at any time in the manner prescribed by law.

If all founders' shares are assembled or represented and no objections are raised, they may also form an Extraordinary General Meeting without observing the otherwise prescribed form regulations for convening such a meeting, and valid negotiations and resolutions may be passed at such a meeting on the matters within its competence (universal meeting).

## **Art. 10 Convening**

Invitations to General Meetings are published in the investment company's official gazette, unless the addresses of all shareholders are on file with the Board of Directors.

The General Meeting of Shareholders must convene at the request of founding shareholders representing at least one tenth of the voting shares of the investment company.

The invitation must be issued at least twenty days before the date of the hearing and must include the agenda.

## **Art. 11 Organisation**

The Chairman of the Board of Directors chairs the General Meeting of Shareholders. If the Chairman is unable to do so, a member of the Board of Directors appointed by the Board of Directors or a Chairman elected by the General Meeting of Shareholders shall chair the meeting.

The Chairman appoints the minute taker and vote counter. The former must sign the minutes of the meeting together with the Chairman.

## **Art. 12 Resolutions and voting rights**

Each founder's share entitles the holder to one vote. Shareholders may represent their shares themselves or be represented by a third party who need not be a shareholder.

The General Meeting of Shareholders conducts its elections and passes its resolutions with an absolute majority of the votes represented, unless otherwise stipulated by law.

In the event of a tie, the Chairman has the casting vote.

If an election is not held in the first ballot, a second ballot is held in which the relative majority decides.

Elections and votes are held openly unless the Chairman or one of the founding shareholders requests that they be held by secret ballot.

Art. 10 of these Articles of Association applies accordingly to separate General Meetings of one or more sub-funds.

## **B. Board of Directors**

### **Art. 13 Composition**

The Board of Directors consists of at least one member.

The members are natural persons or legal entities.

As a rule, the Board of Directors is elected at the Annual General Meeting. The term of office of the members of the Board of Directors lasts until a new election is held at the Annual General Meeting. The right to resign or be dismissed is reserved.

If a member of the Board of Directors resigns before the end of their term of office, the remaining members of the Board of Directors may appoint a temporary successor until the next General Meeting. The successor appointed in this way takes up the term of office of his predecessor and must be confirmed by the next General Meeting.

The members of the Board of Directors may be re-elected at any time.

### **Art. 14 Self-constitution**

The Board of Directors is self-constituting. It elects the Chairman and the Vice Chairman (deputy) from among its members.

### **Art. 15 Tasks**

The Board of Directors is responsible for the ultimate management of the investment company as well as the supervision and control of the management.

It represents the Investment Company externally and deals with all matters that are not delegated to another body of the Investment Company or third parties by law, the Articles of Association, special regulations or a separate agreement.

The Board of Directors is authorised to appoint an AIFM, a depositary for each sub-fund and investment committees for each sub-fund.



## **Art. 16 Determination of the management**

The Board of Directors is authorised, under its own responsibility and by separate contract, to appoint an AIFM that is authorised as an AIFM pursuant to the AIFM Act in accordance with the Articles of Association, if applicable, in accordance with the provisions of the AIFM Act, the Ordinance and other relevant laws for the management of the company. The same applies to AIFMs authorised in another EEA member state that are permitted to perform corresponding activities via a domestic branch or within the framework of cross-border service provision. By virtue of this agreement, the AIFM provides management services for the investment company in accordance with the articles of association.

In any case, the Board of Directors is responsible for determining the investment policy for each sub-fund asset, fundamental decisions on the issue and redemption of investor shares and decisions on structural measures for individual sub-fund assets or unit classes.

## **Art. 17 Resolution and meeting**

The Board of Directors meets at the invitation of the Chairman or his deputy.

Any member may request the Chairman to convene a meeting without delay, stating the reasons for doing so.

The Board of Directors is quorate if the majority of its members are present.

Resolutions are passed by a simple majority of the votes cast. Resolutions can also be passed by circular letter unless a member requests an oral discussion. Circular resolutions must be recorded in the minutes of the next meeting.

The Chairman votes and casts the deciding vote in the event of a tie.

Minutes must be kept of the discussions and resolutions of the Board of Directors. The minutes must be signed by the Chairman and the secretary.

## **Art. 18 Representation of the investment company**

The members of the Board of Directors sign as follows: Natural persons sign collectively in pairs, legal entities sign individually.

## **Art. 19 Incompatibility provisions/conflict of interests**

1. No contract, settlement or other legal transaction that the Investment Company concludes with other investment companies is invalidated by the fact that one or more members of the Board of Directors or managers of the Investment Company have interests in or shareholdings in another investment company, or by the fact that they are a member of the Board of Directors, partner, director, manager, authorised representative or employee of the other investment company.
2. Any such director, officer, manager or authorised representative of the Investment Company who is also a director, officer, manager, authorised representative or employee of another company with which the Investment Company has entered into contracts or with which it otherwise has business relations shall not thereby lose the right to advise, vote and act on matters relating to such contract or transactions.
3. If a member of the Board of Directors, director or authorised representative has a personal interest in a matter concerning the Investment Company, this member of



the Board of Directors, director or authorised representative of the Investment Company must inform the Board of Directors of this personal interest and will neither advise nor participate in the vote on this matter. A report on this matter and on the personal interest of the member of the Board of Directors, director or authorised representative must be submitted to the next General Meeting. If this person nevertheless votes, the vote is null and void.

The term "personal interest" as used in the preceding paragraph does not apply to a relationship or interest that arises solely because the legal transaction is concluded between the investment company on the one hand and the AIFM, the depositary or any other company designated by the investment company on the other.

## **C. Auditors**

### **Art. 20 Task and appointment of the auditors**

The auditing of the Investment Company's annual reports must be entrusted to an auditor, who must be an auditor in accordance with the AIFMG, authorised in the Principality of Liechtenstein and appointed by the general meeting of shareholders. The auditors are appointed for a period of one year, may be re-elected and may be dismissed at any time by the general meeting of shareholders.

## **IV. The foundation of the investment company**

### **Art. 21 Formation costs**

The costs for the formation of the Investment Company and the initial issue of units are amortised over three years against the assets of the sub-funds existing at the time of formation. The formation costs are allocated pro rata to the respective sub-fund assets. Costs incurred in connection with the launch of further sub-funds are amortised over three years at the expense of the respective sub-fund assets to which they are attributable.

### **Art. 22 Information for the founding shareholders**

Notices to the founding shareholders are sent by post, fax, e-mail, on the website of the Liechtenstein Anlagefondsverband ([www.lafv.li](http://www.lafv.li)) or similar.

### **Art. 23 Information to investors and third parties**

All notices to investors, including amendments to the Articles of Association, shall be published on the website of the LAFV Liechtenstein Investment Fund Association (as well as other media and permanent data carriers (letter, fax, e-mail or similar) specified in the Articles of Association and the Investment Conditions).

Notices to third parties are also published on the website of the LAFV Liechtenstein Investment Fund Association as the company's organ of publication.

### **Art. 24 Financial year**

The financial year of the Investment Company begins on 1 January of each year and ends on 31 December of that year. The first financial year begins with the entry of the company in the commercial register and ends on **31 December 2022**.

## **V. The dissolution of the investment company**

### **Art. 25 Resolution on dissolution**

The Investment Company may be dissolved by resolution of the General Shareholders' Meeting. The resolution must be passed in compliance with the statutory provisions for amendments to the Articles of Association.

### **Art. 26 Costs of dissolution**

The costs of dissolution shall be borne by the Investment Company.

### **Art. 27 Dissolution and bankruptcy of the investment company**

In the event of the dissolution and bankruptcy of the Investment Company, the assets managed for the purpose of collective investment for the account of the investors shall not become part of its bankruptcy estate and shall not be liquidated together with its own assets. The Investment Company or each sub-fund forms separate assets in favour of its investors.

## **VI. Final provisions**

### **Art. 28 Applicable law, place of jurisdiction and authoritative language**

The Investment Company is subject to Liechtenstein law. The place of jurisdiction for all disputes is Vaduz.

The legally binding language for these Articles of Association is German.

### **Art. 29 Entry into force**

These Articles of Association shall enter into force upon entry in the commercial register.

Schaan/Vaduz, 20 April 2022

#### **The AIFM:**

IFM Independent Fund Management AG, Schaan

#### **The depositary:**

VP Bank Ltd, Vaduz

## PART III: INVESTMENT CONDITIONS FOR THE EXTERNALLY MANAGED INVESTMENT COMPANY

---

### Preamble

The Terms and Conditions of Investment and Appendix A "Overview of the organisational structure of the investment company" and Appendix B "Overview of the sub-funds" form an integral unit. The Terms and Conditions of Investment, Appendix A "Overview of the Investment Company's organisational structure" and Appendix B "Overview of the sub-funds" are printed in full. The AIFM may amend or supplement the Terms of Investment, Annex A "Overview of the Investment Company's organisational structure" and Annex B "Overview of the sub-funds" in whole or in part at any time. Amendments to the Terms and Conditions of Investment, Annex A "Overview of the organisational structure of the investment company" and Annex B "Overview of the sub-funds" require the prior approval of the FMA.

Insofar as a matter is not regulated in these Terms and Conditions of Investment, the legal relationships between the investors, the investment company and the AIFM are governed by the Articles of Association, the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG) and the Ordinance on the Managers of Old native Investment Funds (AIFMV) as amended and, insofar as no provisions are made therein, by the provisions of the Persons and Companies Act (PGR) on the stock corporation.

### A. General provisions

#### § 1 The AIF

The **Accumulus Fund SICAV** (hereinafter: AIF) was established on the basis of the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG) and the Ordinance on Alternative Investment Fund Managers (AIFMV) as amended. The AIFM notified the FMA of the distribution on 30 March 2022. The FMA's approval notification was sent to the AIFM on 11 April 2022. The AIF was entered in the Liechtenstein Commercial Register at the Office of Justice on 20 April 2022. The terms and conditions of investment, including Annex A "Overview of the organisational structure of the investment company" and Annex B "Overview of the sub-funds", entered into force for the first time on 20 April 2022.

The Terms of Investment and Annex A "Organisational structure of the AIFM/AIF" and Annex B "Overview of the sub-funds" were last notified to the FMA by means of a notice of amendment dated 5 September 2024 and entered into force on 10 September 2024.

The current version is available on the website of the LAFV Liechtenstein Investment Fund Association at [www.lafv.li](http://www.lafv.li) or can be obtained free of charge from the AIFM and the depository.

The Investment Company is a legally independent undertaking for collective investment of the open-ended type and is subject to the Law of 19 December 2012 on Alternative Investment Fund Managers (hereinafter "AIFMG").

On the basis of its Articles of Association, the Investment Company has issued founder shares with a nominal value of USD 100 and bearer participation rights of investors (units) with no nominal value. Investors participate in the assets and income of the individual sub-funds in accordance with the units they have acquired. The investor shares do not confer any right to participate in the General Meeting, have no voting rights and also do not represent any right to participate in the profits of the Investment Company's own assets.

The Investment Company is not limited in terms of time or amount. The investment company is an umbrella structure that may comprise several sub-funds. The various sub-funds are segregated in terms of assets and liability. The management of the Investment Company consists primarily of investing the monies raised from the public for joint account.

The investment company or each of its sub-funds forms a special fund in favour of the investors. In the event of the dissolution and bankruptcy of the AIFM, the special assets shall not form part of the bankruptcy estate of the AIFM. In the event of the dissolution and bankruptcy of the Investment Company, the assets managed for the purpose of collective investment for the account of the investors shall not form part of its bankruptcy estate.

The AIFMG, the Terms and Conditions of Investment and Annex B "Sub-funds at a glance" specify in which assets the investment company may invest the money and which provisions it must observe in doing so.

The AIFM shall notify the FMA in writing of material changes at least one month before implementing a planned change or immediately after the occurrence of an un planned change. The FMA shall review the changes for legality; unlawful changes shall be prohibited.

The assets of the respective sub-fund are managed in the interests of the investors. Only the investors in a sub-fund are entitled to the total assets of that sub-fund in proportion to their units. They are segregated from the assets of the other sub-funds. Claims by investors and creditors which are directed against a sub-fund or which arise on the occasion of the establishment, during the existence or during the liquidation of a sub-fund are limited to the assets of this sub-fund.

The Investment Company may at any time dissolve existing sub-funds and/or launch new sub-funds as well as launch different unit classes with specific properties within these sub-funds. These constituent documents are updated each time a new sub-fund or an additional unit class is launched.

By acquiring units of the Investment Company, each investor recognises the constituent documents that set out the contractual relationships between the investors, the Investment Company and the Depositary, as well as the duly executed amendments to these documents. With the publication of amendments to the constituent documents, the annual report or other documents on the website of the LAFV Liechtenstein Investment Fund Association [www.lafv.li](http://www.lafv.li), these amendments are binding for the investors.

## **§ 2 General information on the sub-funds**

Investors participate in the respective sub-fund assets of the Investment Company in proportion to the units they have acquired.

The units are not securitised, but are only kept in book-entry form, i.e. no certificates are issued. There is no provision for a meeting of investors. By subscribing to or acquiring units, the investor acknowledges the Articles of Association, the Terms and Conditions of Investment, Appendix A "Overview of the Investment Company's organisational structure" and Appendix B "Overview of the sub-funds". Investors, heirs or other persons may not request the division or dissolution of the Investment Company or its sub-funds. The details of the respective sub-funds of the Investment Company are described in Appendix B "Sub-funds at a glance".

The Investment Company may decide at any time to launch further sub-funds and amend the constituent documents accordingly.

All units of a sub-fund generally embody the same rights, unless the Investment Company decides to issue different unit classes within a sub-fund in accordance with section 26 of the Terms and Conditions of Investment.

Each sub-fund is considered an independent asset in the relationship between the investors. The rights and obligations of the investors in a sub-fund are separate from those of the investors in the other sub-funds.

The assets of the individual sub-funds are only liable to third parties for liabilities entered into by the sub-funds concerned.

These constitutive documents and the investor information pursuant to Art. 105 AIFMG apply to all sub-funds of **Accumulus Fund SICAV**.

The Investment Company is currently launching the following sub-fund for subscription:

- ◆ Accumulus Fund AIF
- ◆ Accumulus Contrarian Fund

## **B. The organisation**

### **§ 3 Country of domicile / competent supervisory authority**

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

### **§ 4 Legal relationships**

The legal relationships between the investors and the AIFM are governed by the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG) and the Ordinance on Alternative Investment Fund Managers (AIFMV) as amended and, if no provisions are made therein, by the provisions of the Persons and Companies Act (PGR) on trusteeship.

### **§ 5 The AIFM**

IFM Independent Fund Management Aktiengesellschaft (hereinafter: "AIFM"), Landstrasse 30, FL- 9494 Schaan, commercial register number FL-0001-532-594-8.

IFM Independent Fund Management AG was founded on 29 October 1996 in the form of a public limited company for an unlimited duration. The AIFM has its registered office and head office in Schaan, Principality of Liechtenstein.

The Investment Company has appointed IFM Independent Fund Management Aktiengesellschaft as AIFM within the meaning of the AIFMG on the basis of a designation and delegation agreement.

The AIFM is authorised by the Liechtenstein Financial Market Authority (FMA) in accordance with the AIFMG and is entered on the list of AIFMs authorised in Liechtenstein officially published by the FMA.

The share capital of the AIFM amounts to CHF 1 million and is fully paid up.

The AIFM has covered the professional liability risks arising from the management of AIFs and attributable to the professional negligence of its bodies or employees with own funds amounting to at least 0.01% of the assets of all managed AIFs. The amount of cover is reviewed annually and adjusted if necessary.

The AIFM manages the AIF or the sub-funds for the account and in the exclusive interest of the investors in accordance with the provisions of the constitutive documents.

The AIFM is authorised to dispose of the assets belonging to the AIF or its sub-funds in its own name in accordance with the statutory provisions and the constitutive documents and to exercise all rights arising therefrom. The details of the rights and duties of the AIFM are set out in the AIFMG.

The main activities of the AIFM include portfolio management and/or risk management. It may also perform administrative and distribution activities.

In accordance with the AIFMG, the AIFM may delegate individual tasks to third parties. The AIFM shall notify the FMA of the delegation of tasks before they become effective.

An overview of AIFs and their sub-funds managed by the AIFM can be found on the website of the LAFV Liechtenstein Investment Fund Association at [www.lafv.li](http://www.lafv.li).

#### **a) Board of Directors**

Chairman: Heimo Quaderer, Managing Partner of Principal Vermögensverwaltung AG, Schaan

Members H.R.H. Simeon von Habsburg, Archduke of Austria, Managing Partner of Principal Vermögensverwaltung AG, Schaan

Hugo Quaderer, independent member of the Board of Directors of IFM Independent Fund Management AG, Schaan

#### **b) Management**

Chairman: Luis Ott, Managing Director

Members: Alexander Wymann, Deputy Managing Director

Michael Oehry

Ramon Schäfer

### **§ 6 Transfer of tasks**

The AIFM may delegate some of its tasks to third parties for the purpose of efficient management in compliance with the provisions of the AIFMG and the AIFM Ordinance. The precise execution of the mandate is regulated in a contract concluded between the AIFM and the delegate.

#### **a) Portfolio management**

ACCUMULUS CAPITAL MANAGEMENT, LLC, 110 East 59th Street, 28th Floor, New York, NY 10002 acts as portfolio manager for the following sub-fund:

- ◆ Accumulus Fund AIF
- ◆ Accumulus Contrarian Fund

ACCUMULUS CAPITAL MANAGEMENT, LLC, focuses on the structuring and management of multi-manager absolute return portfolios and is prudentially supervised by the SEC (Securities and Exchange Commission, Washington, DC).

### **"Key person clause"**

In the event of the removal, resignation or retirement of Benjamin Schliemann as Director of Portfolio Management or in the event of his death or inability to fulfil his advisory duties on behalf of ACCUMULUS CAPITAL MANAGEMENT LLC (a "Key Event"), the Portfolio Manager (ACCUMULUS) will promptly notify the AIFM in writing of the event. The AIFM will notify Unitholders in writing within ten (10) days of being notified of such a Key Event (the "Fund Notice") and each Unitholder will have the right to redeem their investment in the **Accumulus Fund AIF** or the **Accumulus Contrarian Fund by submitting** a redemption request within thirty (30) days of the Fund Notice being sent. Such redemption due to a Key Person Event is subject to the other redemption terms described herein (see Appendix B). Notwithstanding the foregoing, if the AIFM determines that the redemptions from the Accumulus Fund AIF and/or the Accumulus Contrarian Fund pursuant to the notices to Unitholders are material, the AIFM may, in its sole discretion, decide to initiate the orderly wind-up and liquidation of the Accumulus Fund AIF and/or the Accumulus Contrarian Fund. In such event, the Unitholder Notices shall be null and void and all Unitholders shall receive their pro rata share of the proceeds of the winding up and liquidation of the Accumulus Fund AIF and/or the Accumulus Contrarian Fund in accordance with the terms described herein.

The portfolio manager is responsible in particular for the independent daily implementation of the investment policy and the management of the day-to-day business of the investment company or its sub-funds and other associated services under the supervision, control and responsibility of the AIFM. These tasks are fulfilled in compliance with the principles of the investment policy and the investment restrictions of the Investment Company or its sub-funds, as described in the Terms and Conditions of Investment, including the sub-fund-specific annexes.

Where the portfolio manager identifies potential conflicts of interest with the AIF or AIFM in the course of its activities, it undertakes to fulfil its duties towards the AIFM at all times and to make every effort to ensure that such conflicts are resolved in a fair manner. The portfolio manager recognises in particular Art. 35 AIFMG (rules of conduct).

The portfolio manager is authorised to appoint an investment advisor and/or obtain advice from appropriate specialist bodies for its own account and under its own responsibility, while safeguarding the interests of the investors.

The precise execution of the mandate is governed by a delegation agreement (portfolio management) concluded between the AIFM and ACCUMULUS CAPITAL MANAGEMENT, LLC.

### **b) Distributor**

The AIFM acts as the distributor for the AIF and its sub-funds.  
The AIFM may utilise distributors in various distribution countries at any time.

## **§ 7 Investment advisor**

The AIFM has not appointed an investment advisor for the AIF.

## **§ 8 Depositary**

The Investment Company has appointed a bank or securities firm in accordance with the Liechtenstein Banking Act with its registered office or branch in the Principality of Liechtenstein or another entity authorised in accordance with the AIFMG as custodian



for each sub-fund asset. The assets of the individual sub-fund assets may be held in custody by different custodians at. The function of the custodian is governed by the AIFMG, the custodian agreement and these Terms of Investment.

VP Bank AG, Aeulestrasse 6, FL-9490 Vaduz, acts as depositary for the AIF and the sub-funds.

The bank was founded on 6 April 1956. It specialises in asset management and investment business for private and institutional clients as well as lending business in its home market. It has subsidiaries in Switzerland, Luxembourg, Moscow, Singapore and the British Virgin Islands, an asset management company in Hong Kong and representative offices in Moscow and Hong Kong. The depositary maintains the share register. Further information on the Depositary (e.g. annual reports, brochures, etc.) can be obtained directly from its registered office or online on its website [www.vpbank.li](http://www.vpbank.li).

The Depositary fulfils its duties and assumes the responsibilities under the AIFMA and the Depositary Agreement, as amended (the "Depositary Agreement"). Pursuant to the Law and the Depositary Agreement, the Depositary is responsible for (i) the general supervision of all assets of the AIF and (ii) the safekeeping of assets of the AIF entrusted to the Depositary and held by or on behalf of the Depositary and (iii) the administrative activities in connection with the relevant obligations.

Investors' attention is drawn to the fact that there may be jurisdictions in which the effect of the generally prescribed segregation of assets with regard to property rights located in this state is not recognised in the event of bankruptcy. In co-operation between the AIFM and the Depositary, efforts will be made to avoid the safekeeping of assets in such jurisdictions.

The custodian maintains the unit register of the investment company or its sub-funds on behalf of the AIFM.

The custodian may delegate its custodial duties to one or more authorised agents ("sub-custodians") in accordance with the aforementioned decrees and provisions. A list of the sub-custodians appointed for the safekeeping of the assets held in the name and for the account of the AIF may be requested from the custodian.

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

The Depositary is subject to the provisions of the Liechtenstein FATCA Agreement and the corresponding implementing provisions of the Liechtenstein FATCA Act as amended from time to time.

## **§ 9 Primebroker**

Only a credit institution, regulated investment firm or other entity that is subject to regulatory supervision and ongoing monitoring and provides services to professional investors, primarily to finance or execute transactions in financial instruments as a counterparty, and which may also provide other services such as clearing and settlement of transactions, custody services, securities lending and customised operational support technologies and facilities, may be appointed as a prime broker.

A prime broker may be appointed by the depositary as a sub-custodian or by the AIFM as a business partner.

No prime broker was commissioned for the AIF.



## § 10 Auditors of the AIFM and the AIF

Auditor of the AIFM: Ernst & Young AG, Schanzenstrasse 4a, CH-3008 Bern  
Auditor of the AIF: BDO (Liechtenstein) AG, Wuhrstrasse 14, FL-9490 Vaduz

The investment company, its sub-funds and the AIFM must have their business activities audited annually by an independent auditor recognised by the FMA in accordance with the AIFMG.

## C. Distribution

### § 11 Sales information / sales restrictions

The AIFM shall provide investors with the information required by the AIFMG in its current form prior to their acquisition of units in the AIF or its sub-funds on the website of the LAFV Liechtenstein Investment Fund Association at [www.lafv.li](http://www.lafv.li) and on the website of the AIFM at [www.ifm.li](http://www.ifm.li) or it can be obtained free of charge from the AIFM and the depositary.

Shares are acquired on the basis of the constituent documents and the most recent annual report, if this has already been published. Only the information contained in the constituent documents is valid. The acquisition of units is deemed to be authorised by the investor.

The units of the AIF or its sub-funds are not authorised for sale in all countries of the world. The issue, redemption and conversion of units abroad are subject to the provisions applicable in the country in question.

#### a) Distribution

The units of the Investment Company or the respective sub-funds are distributed in Liechtenstein to all investors listed below:

- ◆ Professional investors within the meaning of Directive 2014/65/EU (MiFID II)
- ◆ Private investors

Definitions of the various investor groups can be found in the following § 12.

#### b) Drawing locations

Units of the AIF or its sub-funds may be acquired via the Depositary and via any other bank domiciled in Germany or abroad that is subject to Directive 91/308/EEC as amended by Directive 2015/849/EU or an equivalent regulation and appropriate supervision.

## § 12 Professional investor / private investor

### A. Professional investor

**The following applies to AIFs for professional investors within the meaning of Directive 2014/65/EU (MiFID II):**

A professional client is a client who has sufficient experience, knowledge and expertise to be able to make their own investment decisions and appropriately assess the associated risks. To be considered a professional client, a client must fulfil the following criteria:

## I. Categories of customers that are considered professional customers

The following legal entities should be considered as professional clients within the meaning of the Directive in relation to all investment services and financial instruments:

1. legal entities that must be authorised or regulated in order to operate on the financial markets. The following list is to be understood as including all authorised legal entities that carry out the activities that characterise the legal entities mentioned: Legal entities authorised by a Member State under a directive, legal entities authorised or supervised by a Member State without reference to a directive, legal entities authorised or supervised by a third country:
  - a) Credit institutions
  - b) Investment firms
  - c) other authorised or supervised financial institutions
  - d) Insurance companies
  - e) Undertakings for collective investment and their management companies
  - f) Pension funds and their management companies
  - g) Commodity traders and commodity derivatives traders
  - h) local investors
  - i) other institutional investors.
2. large companies that fulfil two of the following requirements at company level:
  - ◆ Balance sheet total: EUR 20,000,000,
  - ◆ Net sales: EUR 40,000,000,
  - ◆ Own funds: EUR 2 000 000.
3. national and regional governments, public debt management agencies, central banks, international and supranational institutions such as the World Bank, the IMF, the ECB, the EIB and other similar international organisations.
4. other institutional investors whose main business is investing in financial instruments, including entities engaged in the securitisation of liabilities and other financing activities.

The legal entities mentioned above are regarded as professional clients at. However, it must be possible for them to apply for treatment as a non- professional client, where investment firms are prepared to provide a higher level of protection. If the client of an investment firm is one of the above-mentioned firms, the investment firm must inform the client before providing any services that, on the basis of the information available to it, the client will be categorised as a professional client and treated unless the investment firm and the client agree otherwise. The firm must also inform the client that he may request a change to the agreed terms in order to obtain a higher level of protection.

It is the responsibility of the customer categorised as a professional customer to apply for the higher level of protection if they believe they are unable to correctly assess or manage the risks associated with the investment.

The higher level of protection is granted if a client classified as a professional client enters into a written agreement with the investment firm to not be treated as a professional client for the purposes of the applicable conduct of business rules. This agreement should specify whether this applies to one or more services or transactions or to one or more types of products or transactions.
5. clients who can be treated as professional clients upon request in accordance with Directive 2014/65/EU (MiFID II).

## B. Private investors

A private investor is any investor who is not a professional investor.

## **D. Changes to the investment conditions / structural measures**

### **§ 13 Changes to the investment conditions**

These Terms and Conditions of Investment may be amended or supplemented by the AIFM in whole or in part at any time.

The AIFM shall notify the FMA in writing of any material changes to the information provided in accordance with Art. 112 para. 2 AIFMG at least one month before implementing the change or immediately after the occurrence of an unplanned change.

### **§ 14 General information on structural measures**

All types of structural measures are permitted. The following are considered structural measures

- a) Mergers of:
  - 1. domestic AIFs or their sub-funds to domestic AIFs or their sub-funds;
  - 2. foreign AIFs or their sub-funds to domestic AIFs or their sub-funds;
  - 3. domestic AIFs or their sub-funds to foreign AIFs or their sub-funds, provided this does not conflict with the law of the country in which the foreign AIF is domiciled, and
- b) demergers of AIFs or their sub-funds, whereby the provisions for mergers pursuant to Art. 78 and 79 apply mutatis mutandis to the demerger of AIFs.

The provisions of the UCITSG apply to structural measures between AIF and UCITS.

Unless otherwise stipulated below, the statutory provisions of Art. 76 et seq. AIFMG and the associated ordinance provisions apply to structural measures.

### **§ 15 Merger**

In accordance with Art. 78 AIFMG, the investment company or the AIFM may decide at any time and at its own discretion to merge the AIF with one or more other AIFs, if necessary with the authorisation of the relevant supervisory authority(ies). This applies irrespective of the legal form of the AIF and whether the other AIF is domiciled in Liechtenstein or not. Sub-funds and unit classes of the AIF may also be merged with each other, but also with one or more other AIFs or their sub-funds and unit classes.

The merger of AIFs requires the prior authorisation of the FMA.  
The FMA shall grant authorisation if:

- ◆ the written consent of the depositaries involved has been obtained;
- ◆ the constitutive documents of the AIFs involved in the merger provide for the possibility of the merger;
- ◆ the authorisation of the AIFM of the acquiring AIF to manage the investment strategies of the AIF to be acquired;
- ◆ on the same day, the assets of the AIFs involved in the merger are valued, the exchange ratio calculated and the assets and liabilities assumed.

The merger shall take effect on the merger date. The merging AIF will cease to exist when the merger takes effect. The investors shall be informed accordingly of the completion of the merger. The AIFM of the merging AIF notifies the FMA of the completion of the merger and submits the confirmation of the responsible auditor regarding the proper implementation and the exchange ratio at the time the merger takes effect. The annual report of

the acquiring AIF shall list the merger in the following year. An audited final report is prepared for the transferring AIF.

If an AIF involved in the merger is also marketed to private investors, the following requirements apply in addition to the provisions set out in Art. 78 AIFMG:

- a) private investors must be informed of the intended merger at least 30 days before the effective date; and
- b) Neither the AIF nor the private investors may be charged the costs of the merger unless the private investors have approved the assumption of costs by a qualified majority.

All assets of the AIF or sub-fund may be transferred to another existing AIF or sub-fund or to a new AIF or sub-fund established as a result of the merger on any transfer date.

Investors have up to five working days before the planned transfer date either to redeem their units without a redemption fee or to exchange their units for units in another AIF that is also managed by the AIFM and has a similar investment policy to the AIF to be merged or its sub-fund.

On the transfer date, the values of the acquiring and transferring AIF or its sub-funds are calculated, the exchange ratio is determined and the entire process is audited by the auditor. The exchange ratio is determined according to the ratio of the net asset values of the acquired and the absorbing AIF or sub-fund at the time of the transfer. The investor receives the number of units in the new AIF or sub-fund that corresponds to the value of his units in the transferring AIF or sub-fund. It is also possible for investors in the merging AIF or sub-fund to be paid up to 10 per cent of the value of their units in cash. If the merger takes place during the current financial year of the merging AIF or sub-fund, its managing AIFM must prepare a report on the transfer date that fulfils the requirements for an annual report.

The AIFM shall publish in the publication medium of the AIF, the website of the LAFV Liechtenstein Investment Fund Association [www.lafv.li](http://www.lafv.li) if the AIF has absorbed another AIF and the merger has become effective. If the AIF ceases to exist as a result of a merger, the AIFM shall make the announcement managing the absorbing or newly established AIF.

The transfer of all assets of this AIF to another domestic AIF or another foreign AIF shall only take place with the authorisation of the Liechtenstein Financial Market Authority (FMA).

In all other respects, the provisions of Art. 78 and 79 AIFMG apply to the merger.

## **§ 16 Information, consent and investor rights**

The information to investors must be transmitted on a durable medium or made available in the medium of publication in accordance with Art. 85 AIFM Ordinance, insofar as the constituent documents provide for provision in the medium of publication.

Information on mergers is published on the website of the Liechtenstein Investment Fund Association LAFV ([www.lafv.li](http://www.lafv.li)) as the publication organ of the investment management company. If the units of the AIFs involved in the merger are only distributed to professional investors, the merger plan shall contain at least the following information:

- a) the AIFs involved;
- b) the background and rationale for the proposed merger; and
- c) the planned effective merger date.

Investors are informed appropriately and precisely about the planned merger. The investor information must enable investors to make an informed judgement about the impact of the project on their investment and the exercise of their rights.

The AIFM shall provide the merger plan free of charge at the request of an investor. It is not obliged to publish the merger plan.

## **§ 17 Costs of the structural measures**

If an AIF involved in the merger is also marketed to private investors, neither the AIF nor the private investors may be charged the costs of the merger unless the private investors have agreed to bear the costs by a qualified majority.

In the case of AIFs or their sub-funds that are distributed exclusively to professional investors, legal, advisory or administrative costs for structural measures that are associated with the preparation and implementation of these structural measures may be charged to the respective sub-fund assets. In this case, the expected costs must be stated in the investor information, both in total and as an estimate per unit.

This applies analogously to the demerger.

## **E. Dissolution of the Investment Company, its sub-funds and share classes**

### **§ 18 In general**

The provisions on the dissolution of the Investment Company also apply to its sub-funds.

The information to investors must be transmitted on a durable medium or made available in the medium of publication in accordance with Art. 85 AIFM Ordinance, insofar as the constituent documents provide for provision in the medium of publication.

Information on dissolution is published on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the investment company's organ of publication.

### **§ 19 Resolution to wind up the AIF**

The dissolution of the AIF or one of its sub-funds is mandatory in the cases provided for by law. Sub-funds may be liquidated by resolution of the Board of Directors. Unit classes may be dissolved by resolution of the AIFM. The regulations on the dissolution of the Investment Company itself can be found under Art. 25 of the Articles of Association.

Investors, their heirs and other persons may not request the division or dissolution of the Investment Company or an individual sub-fund or unit class.

The resolution on the dissolution of a sub-fund or unit class 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 Investment Company and, where applicable, other media specified in the fund documents or by means of durable data carriers (letter, fax, e-mail or similar). A copy of the investor notification shall be sent to the FMA. No more units will be issued, exchanged or redeemed from the date of the dissolution resolution.

Upon dissolution of the AIF or one of its sub-funds, the AIFM may liquidate the assets of the AIF or a sub-fund immediately in the best interests of the investors. Otherwise, the liquidation of the AIF or the corresponding sub-fund shall be carried out in accordance with the provisions of the Liechtenstein Persons and Companies Act (PGR).

If the AIFM dissolves a unit class without dissolving the investment company or the corresponding sub-fund, all units of this unit class are redeemed at their then applicable net asset value. This redemption is published by the AIFM and the redemption price is paid out by the Depositary in favour of the investors.

## **§ 20 Reasons for the cancellation**

If the net assets of the AIF or its sub-funds fall below a value required for economically efficient management and in the event of a significant change in the political, economic or monetary environment or as part of a rationalisation, the Investment Company may decide to redeem all units of the AIF, a sub-fund or a unit class at the net asset value (taking into account the actual realisation prices and realisation costs of the investments) on the valuation date on which the corresponding decision becomes effective.

## **§ 21 Costs of dissolution**

The costs of dissolving a sub-fund shall be borne by the respective sub-fund assets. The costs of dissolving the investment company shall be borne by the founding shareholders.

## **§ 22 Dissolution and bankruptcy of the AIFM or the depositary**

In the event of the dissolution and bankruptcy of the AIFM, the assets managed for the purpose of collective investment for the account of the investors shall not become part of its bankruptcy estate and shall not be liquidated together with its assets. The Investment Company or a sub-fund shall form a special fund in favour of its investors. Each special fund shall be transferred to another AIFM with the approval of the FMA or dissolved by way of separate satisfaction in favour of the investors of the AIF or a sub-fund. The reorganisation of the investment company from an externally managed to a self-managed investment company remains reserved.

In the event of bankruptcy of the depositary, the assets under management of the AIF must be transferred to another depositary with the approval of the FMA or liquidated by way of separate satisfaction in favour of the investors of the AIF.

## **§ 23 Cancellation of the determination agreement or the depositary agreement**

In the event of termination of the designation agreement between the investment company and the AIFM managing it, each investment fund must be transferred to another AIFM with the approval of the FMA or dissolved by way of separate satisfaction in favour of the investors of the investment company or a sub-fund. The reorganisation of the investment company from an externally managed investment company to a self-managed investment company is reserved prior to.

In the event of termination of the depositary agreement, the assets under management of the AIF or a sub-fund must be transferred to another depositary with the approval of the FMA or liquidated by way of separate satisfaction in favour of the investors of the AIF or a sub-fund.

## **F. Creation of sub-funds and share classes**

### **§ 24 Creation of sub-funds**

The Investment Company consists of one or more sub-funds. The Investment Company may decide at any time to launch additional sub-funds and to dissolve or merge existing

sub-funds. The investment conditions, including the sub-fund-specific Appendix B "Sub-funds at a glance", must be amended accordingly.

Investors participate in the respective sub-fund assets of the Investment Company in proportion to the units they have acquired.

Each sub-fund is considered an independent asset in the relationship between the investors. The rights and obligations of the investors in a sub-fund are separate from those of the investors in the other sub-funds.

The assets of the individual sub-funds are only liable to third parties for liabilities entered into by the sub-funds concerned.

## **§ 25 Duration of the individual sub-funds**

The sub-funds may be established for a fixed or indefinite period. The duration of a sub-fund is specified for the respective sub-fund in Appendix B "Sub-funds at a glance".

## **§ 26 Creation of unit classes**

The Investment Company may create several unit classes for each sub-fund.

Unit classes may be formed which may differ from the existing unit classes in terms of, for example, the use of income, the issue premium, the reference currency and the use of currency hedging transactions, the management fee, the minimum investment amount, the lock-up period or a combination of these features. However, the rights of investors who have acquired units from existing unit classes remain unaffected.

The unit classes issued in connection with each sub-fund and the fees and remunerations incurred in connection with the units of the sub-fund are listed in Annex B "Sub-fund overview".

### **Side Pockets:**

With the approval of the supervisory authority (FMA), the AIFM is authorised to split off illiquid assets and place them in its own sub-funds (side pockets). This is the case if a significant proportion of the AIF's assets (more than 10%) cannot be properly valued in the long term or turns out to be unsaleable. The unitholders receive units in the side pocket in proportion to their share of the original assets of the AIF. Unit trading must be suspended for the period during which the side pockets are formed. After the formation of the side pocket, this sub-fund is placed in liquidation and distributes the liquidation proceeds to the unitholders as soon as the securities in it can be re-evaluated or sold. No units will be issued or redeemed in the side pockets until the liquidation has been completed.

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

The respective sub-fund assets are invested in accordance with the rules of the AIFMG and in accordance with the investment policy principles described below and within the investment restrictions.

## **§ 27 Investment objective**

The sub-fund-specific investment objective is described in Appendix B "Sub-fund overview".



## § 28 Investment policy

The sub-fund-specific investment policy is described in Appendix B "Sub-fund overview".

The following general investment principles and restrictions apply to all sub-funds, unless deviations or additions for the respective sub fund are contained in Appendix B "Sub-funds at a glance".

## § 29 Accounting and reference currency

The accounting currency of the sub-fund and the reference currency per unit class are specified in Annex B "Sub-funds at a glance".

The accounting currency is the currency in which the sub-funds' accounts are kept. The reference currency is the currency in which the performance and the net asset value (NAV) of the unit classes are calculated. Investments are made in the currencies that are best suited to the performance of the respective sub-fund.

## § 30 Profile of the typical investor

The profile of the typical investor of the respective sub-funds is described in Appendix B "Sub-funds at a glance".

## § 31 Authorised systems

In principle, an AIF may invest in all asset classes. Any restrictions can be found in Appendix B "Sub-funds at a glance".

## § 32 Non-authorised systems

The unauthorised investments of the respective sub-fund are listed in Appendix B "Sub-fund overview".

The AIFM may at any time, in the interests of the investors, impose further investment restrictions insofar as these are necessary in order to comply with the laws and regulations of those countries in which the units of the AIF or the sub-funds are offered and sold.

## § 33 Investment limits

The statutory provisions of the AIFMG do not stipulate any investment limits. Any restrictions stipulated by the AIFM can be found in Annex B "Sub-funds at a glance".

### A. Investment periods within which the corresponding investment limits must be reached

The investment limits must be reached within the period specified in Appendix B "Sub-fund overview" at.

### B. Procedure in the event of deviations from the investment limits

1. A sub-fund does not have to comply with the investment limits when exercising subscription rights from securities or money market instruments belonging to its assets, but must correct them within a reasonable period of time.
2. in the event of a breach of the investment limits, the AIFM's primary objective when making sales must be to normalise this situation, taking into account the interests of the investors.



3. Any loss incurred as a result of an active breach of the investment limits/investment regulations must be immediately compensated to the sub-fund assets.

## **§ 34 Use of derivatives, techniques and instruments**

The use of derivatives, borrowing, securities lending and repurchase agreements is governed by the statutory provisions of the AIFMG depending on the type of fund selected.

Further information on the risk management procedure, securities lending and repurchase agreements can be found in Appendix B "Sub-fund overview" of the corresponding sub-fund.

### **a) Risk management process**

The AIFM must use a risk management procedure that allows it to monitor and measure the risk associated with the investment positions and its respective share in the overall risk profile of the investment portfolio at all times; it must also use a procedure that allows a precise and independent assessment of the value of the OTC derivatives. The AIFM must submit reports to the FMA at least once a year containing information that provides a true and fair view of the derivative financial instruments used for the respective sub-fund, the underlying risks, the investment limits and the methods used to estimate the risks associated with the derivative transactions.

The total exposure ("total exposure") of the AIF or the respective sub-fund is calculated using either the commitment method or the value-at-risk method (VaR method), taking into account the current value of the underlying assets, the counterparty risk, future market movements and the time available to liquidate the positions.

**The risk management method applied by the AIFM can be found in Appendix B "Sub-funds at a glance".**

### **b) Leverage financing (leverage)**

The leverage of a sub-fund is the ratio between the exposure of a sub-fund and its net asset value.

Leverage is any method by which the AIFM increases the investment level of the respective sub-fund (leverage effect). This can be done by entering into leveraged financing embedded in derivative financial instruments, repurchase agreements or by other means.

Leverage is calculated by dividing the total exposure of the AIF or its sub-funds by its net asset value. For this purpose, the total exposure is calculated using two different methods, i.e. the leverage value differs depending on the method used.

Using the sum of the nominals approach ("gross method"), the calculation is made by totalling the absolute values of all positions of the respective sub-fund without offsetting.

The commitment method ("net method") converts positions in derivative financial instruments into equivalent positions in the corresponding underlying assets. The calculation takes into account the hedging transactions, i.e. after netting and hedging effects have been offset.

**The expected leverage according to the gross and commitment methods can be found in Appendix B "Sub-funds at a glance".**

### c) Liquidity management

The AIFM uses appropriate methods to manage liquidity and works with procedures that enable it to monitor the liquidity risks of the respective sub-fund. The AIFM shall ensure that the sub-funds it manages take account of the investment strategy, liquidity profile and redemption principles of the respective sub-fund of the AIF.

### d) Derivative financial instruments

The AIFM may enter into derivative transactions for the AIF or its sub-funds for the purposes of hedging, efficient portfolio management, realising additional income and as part of the investment strategy. This may increase the AIF's risk of loss, at least temporarily.

**The use of derivative financial instruments can be found in Appendix B "Sub-fund overview". In this context, the AIFM applies the risk management procedure specified in Annex B "Sub-funds at a glance".**

The AIFM may only use the following basic forms of derivatives or combinations of these derivatives or combinations of other assets that may be acquired for the AIF or its sub-funds with these derivatives in the AIF or its sub-funds:

1. Futures contracts on securities, money market instruments, financial indices within the meaning of Article 9(1) of Directive 2007/16/EC, interest rates, precious metals, commodities, volatilities, exchange rates or currencies;
2. Options or warrants on securities, money market instruments, financial indices within the meaning of Article 9(1) of Directive 2007/16/EC, interest rates, precious metals, commodities, volatilities, exchange rates or currencies and on futures contracts in accordance with point 1 of this subparagraph (d), if
  - ◆ exercise is possible either during the entire term or at the end of the term and
  - ◆ the option value is a fraction or a multiple of the difference between the strike price and the market price of the underlying asset and becomes zero if the difference has the opposite sign;
3. Interest rate swaps, currency swaps or cross-currency interest rate swaps;
4. Options on swaps in accordance with section 3 of this subsection d, provided they have the characteristics described in section 2 of this subsection d (swaptions);
5. Credit default swaps, provided they serve exclusively and comprehensibly to hedge the credit risk of precisely attributable assets of the AIF or its sub-funds.

The above financial instruments can be independent assets, but can also be part of assets.

### e) Securities lending and borrowing

The AIFM may also lend parts of the securities portfolio of the respective sub-fund to third parties ("**securities lending**"). In general, securities lending transactions may only be conducted via recognised clearing organisations, such as Clearstream International or Euroclear, as well as via first-tier banks, investment firms, financial services institutions or insurance companies that specialise in securities lending, within their defined framework conditions. In the case of a securities lending transaction, the AIFM or the depositary of the AIF or its sub-funds must always receive collateral with a value at least equal to the total valuation of the securities lent and any accrued interest. This collateral must be issued in an authorised form of financial collateral. Such collateral is not required if the securities are lent via Clearstream International or Euroclear or another equivalent organisation, whereby the AIF or its sub-funds are guaranteed reimbursement of the value of the securities lent. The Depositary may

retain up to a maximum of 50% of the income from securities lending to cover its direct and indirect costs.

**Appendix B "Sub-funds at a glance"** shows whether the AIFM may lend parts of the securities portfolio of the AIF or its sub-funds to third parties ("**securities lending**") or borrow investments from third parties ("**securities borrowing**") for the settlement of authorised short sales. The aforementioned provisions apply analogously to the borrowing of securities.

**f) Repurchase agreements**

The AIFM may participate on behalf of the AIF or its sub-funds in **repurchase** agreements ("repurchase agreements" or "reverse repurchase agreements") consisting of purchases and sales of securities in which the agreements grant the seller the right or obligation to repurchase the securities sold from the purchaser at a price and within a period agreed between the two parties upon conclusion of the agreement. The AIFM may act either as buyer or seller in repurchase transactions. However, participation in such transactions is subject to the following guidelines:

- ◆ Securities may only be bought or sold via a repurchase agreement if the counterparty is a financial institution with a first-class credit rating that specialises in this type of transaction.
- ◆ During the term of a repurchase agreement, the purchased securities may not be sold before the right to repurchase these securities is exercised or before the repurchase period expires.
- ◆ It must also be ensured that the scope of the obligations in repurchase agreements is such that the AIF or the sub-funds can fulfil their obligations to redeem units at any time.
- ◆ Securities that have been tied, lent or taken over as underlying assets in connection with derivative financial instruments within the framework of reverse repurchase agreements may not be sold within the framework of repurchase agreements.

The applicability of repurchase agreements can be found in Appendix B "Sub-funds at a glance".

**Further information on the risk management procedure, securities lending and repurchase agreements can be found in Appendix B "Sub-funds at a glance".**

**g) Collateral policy and investment of collateral**

**General information**

In connection with transactions in OTC financial derivatives and efficient portfolio management techniques, the AIFM may receive collateral on behalf of and for the account of the AIF in order to reduce its counterparty risk. This section sets out the collateral policy applied by the AIFM in these cases. All assets received by the AIFM as part of efficient portfolio management techniques (securities lending, repurchase agreements, reverse repurchase agreements) on behalf and for the account of the AIF are treated as collateral for the purposes of this section.

**Permissible securities and strategies for their diversification and correlation**

The AIFM may use the collateral it receives to reduce counterparty risk if it complies with the criteria set out in the applicable laws, regulations and guidelines issued by the FMA, in particular with regard to liquidity, valuation, creditworthiness of the issuer, correlation, risks in connection with the management of collateral and realisability. Collateral should fulfil the following conditions in particular:

### *Liquidity*

Any collateral not consisting of 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 facility. In addition, collateral with a short settlement cycle is to be favoured over collateral with a long settlement cycle, as 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 independently determine the value jeopardises the AIF. This also applies to "mark to model" valuations and rarely traded assets.

### *Creditworthiness*

The issuer of the collateral has a high credit rating. If the credit rating is not very high, haircuts must be applied. In the event of high volatility in the value of the collateral, this is only permitted if suitable conservative haircuts are applied.

### *Correlation*

The security is not issued, underwritten or guaranteed by the counterparty or by a company belonging to the counterparty's group and does not have a high correlation with the performance of the counterparty. However, investors' attention is drawn to the fact that in a difficult market environment, experience shows that the correlation between different issuers increases massively, regardless of the type of security.

### *Diversification of collateral*

The collateral received is sufficiently diversified in terms of countries, markets and issuers. The criterion of sufficient diversification with regard to issuer concentration is deemed to be fulfilled if the AIF receives collateral for which the maximum exposure to a single issuer does not exceed 20% of the net asset value of the AIF. In the case of collateral from several securities lending transactions, OTC derivative transactions and repurchase agreements that are attributable to the same issuer, issuer or guarantor, the total risk exposure to this issuer must be added together for the calculation of the total risk limit. By way of derogation from this sub-section, AIFs may be fully collateralised by various securities and money market instruments issued or guaranteed by an EEA Member State, one or more of its local authorities, a third country or a public international body to which at least one EEA Member State belongs. These AIFs should hold securities that have been issued in at least six different issues, whereby the securities from a single issue should not exceed 30% of the net asset value of the AIF.

A sub-fund may deviate from these regulations in accordance with the provisions set out above under § 31.

### **Safekeeping and realisation**

If ownership of the transferred collateral has been transferred to the AIFM for the AIF, the collateral received must be held by the depositary of the AIF. 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 related party.

It must be ensured that the AIF can realise the collateral immediately at any time without reference to or consent from the counterparty.

### **Investment of collateral**

Collateral, with the exception of sight deposits (cash and cash equivalents), may not be sold, reinvested or pledged.

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

- ◆ Investment in sight deposits with a maximum term of twelve months with credit institutions domiciled in an EEA member state or a third country whose supervisory law is equivalent to that of the EEA;
- ◆ Debt securities issued by governments with high credit ratings;
- ◆ Investments as part of a repurchase agreement, 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 a short maturity structure in accordance with ESMA/2014/937 para. 43 let. j.

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

In order to assess the value of collateral that is exposed to a non-negligible risk of fluctuation, the AIF must apply prudent haircut rates. The AIFM must have a haircut policy for the AIF for each type of asset received as collateral and take into account the characteristics of the assets, such as in particular the creditworthiness and price volatility of the respective assets, as well as the results of the stress tests carried out. The haircut policy must be documented and must make every decision to apply or refrain from applying a haircut comprehensible with regard to the respective types of assets.

### Amount of collateral

The AIFM determines the required level of collateral for OTC derivative transactions and for efficient portfolio management techniques by reference to the counterparty risk limits applicable under the investment conditions and taking into account the nature and characteristics of the transactions, the creditworthiness and identity of the counterparties and the prevailing market conditions.

### Rules for haircuts

Collateral is valued daily on the basis of available market prices and taking into account appropriately conservative haircuts, which the AIFM determines for each asset class on the basis of its haircut rules. Depending on the type of collateral received, these rules take into account various factors such as the creditworthiness of the issuer, the maturity, the currency, the price volatility of the assets and, if applicable, the result of liquidity stress tests carried out by the AIFM under normal and exceptional liquidity conditions. The table below shows the haircuts that the AIFM considers appropriate on the date of these investment conditions. These values are subject to change.

Hedging instrument	Valuation multiplier (%)
Account balances (in the reference currency of the AIF)	95
Account balances (not in the reference currency of the AIF)	85
Government bonds [debt securities issued or explicitly guaranteed by the following countries (e.g. does not include implicitly guaranteed liabilities): Austria, Belgium, Denmark, France, Germany, the Netherlands, Sweden, the United Kingdom and the USA, provided these countries each have a minimum rating of AA-/Aa3 and such bonds can be marked to market on a daily basis]	
Remaining term ≤ 1 year	90
Remaining term > 1 year and ≤ 5 years	85
Remaining term > 5 years and ≤ 10 years	80

<b>Hedging instrument</b>	<b>Valuation multiplier (%)</b>
Corporate securities (debt securities issued or explicitly guaranteed by a company (other than a financial institution) and (i) have a minimum rating of AA-/Aa3, (ii) have a maximum residual maturity of 10 years and (iii) are denominated in an OECD currency)	
Remaining term ≤ 1 year	90
Remaining term > 1 year and ≤ 5 years	85
Remaining term > 5 years and ≤ 10 years	80

### **Total return swaps**

Total return swaps may be entered into for the AIF or its sub-funds. Total return swaps are derivatives in which all income and fluctuations in the value of an underlying asset are exchanged for an agreed fixed interest payment. One contracting party, the protection buyer, thus transfers the entire credit and market risk from the underlying asset to the other contracting party, the protection seller. In return, the protection buyer pays a premium to the protection seller. The AIFM may enter into total return swaps for the AIF or its sub-funds for hedging purposes and as part of the investment strategy. In principle, all assets that can be acquired for the AIF or its sub-fund may be the subject of total return swaps. Up to 100 per cent of the AIF assets may be the subject of such transactions. The AIFM expects that in individual cases no more than 50 per cent of the AIF's assets will be the subject of total return swaps. However, this is only an estimated value, which may be exceeded in individual cases. The income from total return swaps - after deduction of transaction costs - flows in full to the AIF or its sub-funds.

The counterparties for total return swaps are selected according to the following criteria:

- ◆ Price of the financial instrument,
- ◆ Costs of order fulfilment,
- ◆ Speed of execution,
- ◆ Probability of execution or settlement,
- ◆ Scope and type of order,
- ◆ Time of the order,
- ◆ Other factors influencing the execution of the order (e.g. creditworthiness of the counterparty)

The criteria can be weighted differently depending on the type of trading order.

## **§ 35 Investments in other undertakings for collective investment (UCIs)**

In accordance with its individual investment policy, a sub-fund may invest its assets in units of other undertakings for collective investment (UCIs). The relevant investment limits for each sub-fund can be found in Appendix B "Sub-funds at a glance".

Investors' attention is drawn to the fact that additional indirect costs and fees are incurred at the level of indirect investments and that remuneration and fees are charged, although these are charged directly to the individual indirect investments. If the investments in accordance with this article account for a significant proportion of the assets of the respective sub-fund, the maximum amount of the management fees can be found in Appendix B "Sub-funds at a glance" and the annual report.

If units are managed directly or indirectly by the AIFM or by a company with which the AIFM is linked by common management, control or qualified participation, neither the

AIFM nor the other company may charge fees for the issue or redemption of units to or from the AIF or its sub-funds.

### **§ 36 Limitation of borrowing**

Sub-fund assets may not be pledged or otherwise encumbered, transferred by way of security or assigned by way of security, except in the case of borrowing within the meaning of the following paragraph or the provision of collateral as part of the settlement of transactions involving financial instruments.

A sub-fund may borrow at market conditions both for investment purposes and to fulfil redemption requests. The amount of borrowing of the respective sub-fund is specified in Appendix B "Sub-fund overview" under "Investment principles of the sub-fund". The borrowing limit does not apply to the acquisition of foreign currencies through a "back-to-back loan". The Investment Company or the respective sub-fund has no claim against the Depositary to the granting of the maximum permissible credit limit. The sole decision as to whether, how and in what amount a loan is granted is the responsibility of the Depositary in accordance with its credit and risk policy. This policy may change under certain circumstances during the term of the Investment Company or its sub-funds.

The previous paragraph does not prevent the acquisition of financial instruments that have not yet been fully paid up.

### **§ 37 Joint administration**

In order to reduce operating and management costs and at the same time enable a broader diversification of investments, the AIFM may decide to co-manage some or all of the assets of one or more sub-funds with assets belonging to other undertakings for collective investment.

The assets of this investment company or its sub-funds are currently managed individually and therefore not jointly with assets belonging to other undertakings for collective investment.

## **H. Risk warnings**

### **§ 38 AIF-specific risks**

The performance of the units depends on the investment policy and the market performance of the individual investments of the respective sub-fund and cannot be determined in advance. In this context, it should be noted that the value of the units may rise or fall at any time compared to the issue price. There is no guarantee that the investor will get back the capital invested.

The sub-fund-specific risks of the individual sub-funds can be found in Appendix B "Sub-funds at a glance".

### **§ 39 General risks**

In addition to the sub-fund-specific risks, the investments of the individual sub-funds may be subject to general risks.

All investments in the sub-funds are associated with risks. The risks may include or be associated with equity and bond market risks, exchange rate risks, interest rate risks, credit risks, volatility risks and political risks. Each of these risks can also occur together with other



risks. Some of these risks are briefly discussed in this section. However, it should be noted that this is not an exhaustive list of all possible risks.

**Potential investors should be aware of the risks associated with an investment in the units and should only make an investment decision once they have obtained comprehensive advice from their legal, tax and financial advisors, auditors or other experts on the suitability of an investment in units of a sub-fund of this investment company, taking into account their personal financial and tax situation and other circumstances, the information contained in these Articles of Association and the Terms and Conditions of Investment and the investment policy of the respective sub-fund.**

#### **Market risk**

This is a general risk associated with all investments and consists of the possibility that the value of a particular investment may have a negative impact on the unit value of the AIF or the sub-fund.

#### **Price risk**

Losses in the value of the investments in which the AIF or the sub-fund invests may occur. In this case, the market value of the investments develops unfavourably compared to the purchase price. Investments are also exposed to different price fluctuations (volatility). In extreme cases, there is a risk of a complete loss in value of the corresponding investments.

#### **Economic risk**

This is the risk of price losses resulting from the fact that the economic trend is not or not correctly taken into account when making investment decisions and securities investments are therefore made at the wrong time or securities are held in an unfavourable economic phase.

#### **Concentration risk**

The investment policy may provide for focal points, which may lead to a concentration of investments, e.g. in certain assets, countries, markets or sectors. The AIF or the sub-fund is then particularly dependent on the performance of these assets, countries, markets or sectors.

#### **Interest rate risk**

Insofar as the AIF or the sub-fund invests in interest-bearing securities, it is exposed to interest rate risk. If the market interest rate level rises, the market value of the interest-bearing securities belonging to the assets may fall significantly. This applies to a greater extent if the assets also hold interest-bearing securities with a longer residual term and a lower nominal interest rate.

#### **Currency risk**

If the AIF or sub-fund holds assets denominated in foreign currency(ies), it is exposed to a direct currency risk (insofar as foreign currency positions are not hedged). Falling exchange rates lead to a reduction in the value of foreign currency investments. In addition to direct currency risks, there are also indirect currency risks. Internationally active companies are more or less dependent on exchange rate developments, which can also have an indirect effect on the price development of investments.

#### **Monetary value risk**

Inflation can reduce the value of asset investments. The purchasing power of the invested capital decreases if the inflation rate is higher than the return on the investments.

#### **Psychological market risk**

Sentiment, opinions and rumours can cause a significant fall in share prices, although the earnings situation and future prospects of the companies in which investments are made



need not have changed significantly. The psychological market risk has a particular impact on shares.

### **Risks from derivative financial instruments**

The AIF or the sub-funds may utilise derivative financial instruments. These may not only be used for hedging purposes, but may also form part of the investment strategy. The use of derivative financial instruments for hedging purposes may change the general risk profile due to correspondingly lower opportunities and risks. The use of derivative financial instruments for investment purposes may have an impact on the general risk profile due to additional opportunities and risks. The use of derivative financial instruments can be found in Appendix B "Sub-fund overview".

Derivative financial instruments are not investment instruments in their own right, but are rights whose valuation is primarily derived from the price and the price fluctuations and expectations of an underlying asset. Investments in derivatives are subject to general market risk, management risk, credit risk and liquidity risk.

However, due to the special features of the derivative financial instruments (e.g. leverage effect), the risks mentioned may be of a different nature and may in some cases be higher than the risks associated with an investment in the underlying instruments. The use of derivatives therefore requires not only an understanding of the underlying instrument, but also in-depth knowledge of the derivatives themselves.

Derivative financial instruments also harbour the risk that the AIF or the corresponding sub-fund may incur a loss because another party involved in the derivative financial instrument (usually a "counterparty") fails to meet its obligations.

The credit risk for derivatives traded on an exchange is generally lower than the risk for over-the-counter (OTC) derivatives, as the clearing house, which acts as the issuer or counterparty for every derivative traded on the exchange, provides a settlement guarantee. There is no comparable clearing house guarantee for derivatives traded over the counter. An OTC derivative may therefore not be concluded under certain circumstances.

There are also liquidity risks, as certain instruments may be difficult to buy or sell. If derivative transactions are particularly large or if the corresponding market is illiquid (as may be the case with OTC derivatives), it may not be possible to execute transactions in full at all times or a position may only be liquidated at increased cost.

Further risks associated with the use of derivatives lie in the incorrect pricing or valuation of derivatives. Many derivatives are complex and often valued subjectively. Inappropriate valuations can lead to increased cash demands from counterparties or to a loss in value for the respective sub-fund. Derivatives do not always have a direct or parallel relationship to the value of the assets, interest rates or indices from which they are derived. Therefore, the use of derivatives by the respective sub-fund is not always an effective means of achieving the investment objective of the respective sub-fund, but can sometimes even have the opposite effect.

### **Risk from collateral management in connection with OTC financial derivatives and efficient portfolio management techniques**

If the AIF or the sub-fund carries out over-the-counter transactions (OTC transactions/ efficient portfolio management techniques), it may be exposed to risks in connection with the creditworthiness of the OTC counterparties: when concluding futures contracts, options and swap transactions, securities lending, securities repurchase agreements, reverse repurchase agreements or using other derivative techniques, the AIF or the sub-fund is subject to the risk that an OTC counterparty does not (or cannot) fulfil its obligations under one or more contracts. The sub-fund is subject to the risk that an OTC counterparty does not (or cannot) fulfil its obligations under one or more contracts. The

counterparty risk can be reduced by depositing collateral. If the AIF or the sub-fund is owed collateral in accordance with applicable agreements, this is held by or for the custodian in favour of the respective sub-fund. Bankruptcy, insolvency or other credit default events at the custodian or within its sub-custodian/correspondent bank network may result in the rights of the AIF or the sub-fund in connection with the collateral being postponed or restricted in some other way. If the AIF or the sub-fund owes collateral to the OTC counterparty in accordance with applicable agreements, such collateral must be transferred to the OTC counterparty as agreed between the AIF or the sub-fund and the OTC counterparty. Bankruptcy, insolvency or other credit default events of the OTC counterparty, the depositary or within its sub-custodian/correspondent bank network may result in the rights or recognition of the AIF or the sub-fund in relation to the collateral being delayed, restricted or even excluded, which would force the AIF or the sub-fund to fulfil its obligations under the OTC transaction notwithstanding any collateral provided in advance to cover such an obligation, according to.

The risk associated with the management of collateral, in particular the operational or legal risk, is determined, controlled and minimised by the risk management applied to the AIF or the sub-fund.

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

An AIF or the sub-fund may incur losses when investing the cash collateral it receives. Such a loss may result from a fall in the value of the investment made with the cash collateral received. If the value of the invested cash collateral falls, this reduces the amount of collateral that was available to the sub-fund for return to the counterparty when the transaction was concluded. The AIF or the sub-fund would have to cover the difference in value between the collateral originally received and the amount available for return to the counterparty, which would result in a loss for the sub-fund.

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

If the EU or third-country index provider does not comply with the Benchmark Regulation, or if the benchmark changes significantly or ceases to exist, a suitable alternative benchmark must be identified for the sub-fund if a benchmark index is used. 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 - and in certain circumstances also on the ability of the portfolio manager to implement the investment strategy of the sub-fund concerned. Compliance with the Benchmark Regulation may also result in additional costs for the relevant sub-fund. The benchmark index may change over time. In this case, the constituent documents will be updated at the next opportunity and investors will be informed by means of a notice in the medium of publication and in the media specified in the constituent documents or by means of permanent data carriers (letter, fax, email or similar).

#### **Liquidity risk**

Assets may also be acquired for the AIF or the sub-fund that are not listed on a stock exchange or included in another organised market. There may therefore be a risk that these assets can be resold with a time delay, at a discount or not at all.

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

#### **Counterparty risk**

The risk is that contractual partners (counterparties) do not fulfil their contractual obligations to perform transactions. This may result in a loss for the AIF or the sub-fund.

**Issuer risk (credit risk)**

A deterioration in the solvency or even the bankruptcy of an issuer can mean at least a partial loss of assets.

**Country or transfer risk**

Country risk is when a foreign debtor is unable to make payments on time or at all despite being solvent due to the inability or unwillingness of its country of domicile to transfer funds (e.g. due to foreign exchange restrictions, transfer risks, moratoria or embargoes). For example, payments to which the AIF or the sub-fund is entitled may not be made or may be made in a currency that is no longer convertible due to foreign exchange restrictions.

**Operational risk**

Operational risk is the risk of loss for a sub-fund's assets resulting from inadequate internal processes and from human or system failure at the AIFM 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 a sub-fund's assets.

**Settlement risk**

When investing in unlisted securities in particular, there is a risk that settlement by a transfer system will not be executed as expected due to delayed or non-agreed payment or delivery.

**Key person risk**

AIFs or sub-funds whose investment performance is very positive in a given period also owe this success to the suitability of the people involved and therefore to the right decisions made by their management. However, the composition of the fund management team may change. New decision makers may then be less successful.

**Legal and tax risk**

The purchase, holding or sale of investments of the sub-fund may be subject to tax regulations (e.g. withholding tax deduction) outside the country of domicile of the AIF or the sub-fund. Furthermore, the legal and tax treatment of sub-funds may change in unforeseeable and uncontrollable ways. A change in incorrectly determined tax bases of the AIF or the sub-fund for previous financial years (e.g. due to external tax audits) may, in the event of a correction that is fundamentally disadvantageous for the investor from a tax perspective, result in the investor having to bear the tax burden from the correction for previous financial years, even though he may not have been invested in the AIF or the sub-fund at that time. Conversely, the investor may no longer benefit from a generally favourable tax correction for the current and previous financial years in which he was invested in the AIF or sub-fund due to the redemption or sale of units prior to the implementation of the corresponding correction. In addition, a correction of tax data may result in taxable income or tax benefits actually being assessed for tax purposes in a different assessment period than is actually applicable and this may have a negative impact on the individual investor.

**Custody risk**

The safekeeping of assets entails a risk of loss that may result from insolvency or breaches of the custodian's duty of care or force majeure.

**Changes to the investment policy and fees**

The risk associated with the sub-fund may change as a result of a change in the investment policy within the legally and contractually permissible investment spectrum. The AIFM may increase the fees to be charged to the sub-fund and/or significantly change the investment policy of the sub-fund within the applicable investment conditions at any time by amending the investment conditions, including Annex A "Overview of the Investment Company's organisational structure" and Annex B "Overview of the sub-fund".

### **Amendment of the Articles of Association and the Terms of Investment**

The AIFM reserves the right to amend the investment conditions. The Articles of Association may also be amended in compliance with the conditions under company law. In accordance with the investment conditions, it is also possible to dissolve the sub-fund completely or to merge it with another sub-fund. Investors therefore run the risk of not being able to realise their planned holding period.

### **Risk of suspension of redemption**

In principle, investors may request the AIFM to redeem their units in accordance with the sub-fund's valuation interval. However, the AIFM may temporarily suspend the redemption of units in exceptional circumstances and only redeem the units later at the price applicable at that time (see "Suspension of the calculation of the net asset value and the issue, redemption and conversion of units" for details). This price may be lower than the price before the suspension of redemption. A suspension of the redemption of units may be directly followed by the dissolution of the sub-fund.

### **Hedging risk**

Unit classes whose reference currency is not the same as the portfolio currency can 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 due to negative exchange rate developments, but at the same time they cannot fully benefit from positive exchange rate developments. Due to fluctuations in the volume hedged in the portfolio and ongoing subscriptions and redemptions, it is not always possible to maintain hedges to exactly the same extent as the net asset value of the unit class being hedged. It is therefore possible that the net asset value per unit of a hedged unit class will not perform identically to the net asset value per unit of an unhedged unit class.

### **Sustainability risks**

The term "sustainability risks" refers to the risk of an actual or potential loss in value of an investment due to the occurrence of environmental, social or governance-related events (ESG = Environment/Social/Governance). The AIFM or portfolio manager includes sustainability risks in its investment decisions in accordance with its corporate strategy.

Their valuation has no relevant impact on the return because, due to the investment policy and the performance achieved in the past, no relevant impact on the overall portfolio can be assumed, although of course past performance is not indicative of future performance.

## **I. Valuation and share transactions**

### **§ 40 Calculation of the net asset value per unit**

The net asset value (the "NAV") per unit of a sub-fund or unit class is calculated by the AIFM or an agent appointed by it at the end of the accounting year and on the respective valuation day on the basis of the last known prices, taking into account the valuation interval.

The NAV of a unit in a unit class of a sub-fund is expressed in the accounting currency of the sub-fund or, if different, in the reference currency of the corresponding unit class and is calculated as the proportion of the assets of this sub-fund attributable to the relevant unit class, less any debt obligations of the same sub-fund allocated to the relevant unit class, divided by the number of units of the relevant unit class in circulation.

**The valuation principles of the Investment Company and its sub-funds and further information on the calculation of the net asset value per unit can be found in Appendix B "Sub-funds at a glance".**

## § 41 Issue of shares

Units of a sub-fund are issued on each valuation day (issue date) at the net asset value per unit of the corresponding unit class of the relevant sub-fund, plus any issue premium and plus any taxes and duties.

The shares are not securitised.

Subscription applications must be received by the Depositary by the acceptance deadline at the latest. If a subscription application is received after the acceptance deadline, it will be earmarked for the following issue date. For applications placed with distributors in Liechtenstein and abroad, earlier closing times for the submission of applications may apply to ensure timely forwarding to the custodian in Liechtenstein. These can be obtained from the respective distributors.

Information on the issue date, the valuation interval, the acceptance deadline and the amount of any maximum issue premium can be found in Appendix B "Sub-funds at a glance".

Payment for a corresponding subscription order must be received within the **deadline (value date) specified** in Annex B "Sub-funds at a glance". However, the AIFM is authorised to extend this deadline if it proves to be too short. If payment is not received on time, the corresponding subscription order will be settled at the net asset value of the following month.

The AIFM 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 application (forward pricing).

All taxes and duties arising from the issue of units will also be charged to the investor. If units are acquired via banks that are not entrusted with the distribution of the units, it cannot be ruled out that such banks will charge additional transaction costs.

If payment is made in a currency other than the accounting currency, the equivalent value from the conversion of the payment currency into the accounting currency, less any fees, is used to purchase units.

The minimum investment that must be held by an investor can be found in Appendix B "Sub-fund overview". The minimum investment may be waived at the discretion of the AIFM.

Units may also be subscribed at the request of an investor with the consent of the AIFM in return for the transfer of investments at the current market price (contribution in kind or payment in specie). The AIFM is not obliged to honour such an application.

Contributions in kind must be examined and valued by the AIFM on the basis of objective criteria. The transferred investments must be in line with the investment policy of the respective sub-fund and, in the opinion of the AIFM, there must be a current investment interest in the securities. The recoverability of the contribution in kind must be verified by the AIFM or the auditor. All costs incurred in this connection (including the costs of the auditor, other expenses and any taxes and duties) shall be borne by the investor concerned and may not be charged to the respective fund assets.

The AIFM may also decide to suspend the issue of units completely or temporarily if new investments could jeopardise the achievement of the investment objective.

The Depositary and/or the AIFM may at any time reject a subscription application or temporarily restrict, suspend or permanently discontinue the issue of units if this appears necessary in the interests of the investors, in the public interest, for the protection of the AIFM

or the respective sub-fund or the investors. In this case, the Depositary shall immediately refund, without interest, any payments received for subscription applications that have not already been executed; if necessary, this shall be done with the assistance of the paying agents.

The issue of units of the AIF may be suspended in cases of application of § 44 of these Terms and Conditions of Investment.

## § 42 Redemption of shares

Units of a sub-fund are redeemed on each valuation day (redemption day) at the net asset value per unit of the corresponding unit class of the relevant sub-fund, less any redemption discounts and any taxes and duties.

Redemption requests must be received by the Depositary by the acceptance deadline at the latest. If there is a **cancellation period** for redemptions, this can be found in **Appendix B "Sub-funds at a glance"**. If a redemption request is received after the acceptance deadline, it will be earmarked for the following redemption day. For applications placed with distributors in Liechtenstein and abroad, earlier closing times for the submission of applications may apply to ensure timely forwarding to the Depositary in Liechtenstein. These can be obtained from the respective distributors.

Information on the redemption date, the valuation interval, the acceptance deadline and the amount of any maximum redemption discount can be found in Appendix B "Sub-funds at a glance".

Repayment is made within a fixed period (value date) after the valuation date. The AIFM is authorised to extend this period if the regular value date proves to be too short. Information on the value date can be found in Appendix B "Sub-funds at a glance". This does not apply in the event that the transfer of the redemption amount proves to be impossible in accordance with statutory regulations such as foreign exchange and transfer restrictions or due to other circumstances beyond the control of the Custodian.

In the case of large redemption requests, the AIFM may decide to settle a redemption request only when corresponding assets of the sub-fund can be sold without undue delay. If such a measure is necessary, all redemption requests received on the same day will be settled at the same price.

In particular, the AIFM reserves the right not to fully execute redemption applications on a redemption day on which the total of the redemption applications would lead to an outflow of funds amounting to more than 25% of the total net assets of the sub-fund concerned on the redemption day in question (**redemption gate**). Under these circumstances, the AIFM may decide to execute the redemption applications only on a pro rata basis and to defer the unexecuted redemption applications for the redemption day to the next redemption day.

If, at the investor's request, payment is to be made in a currency other than the accounting/reference currency, the amount to be paid is calculated from the proceeds of the exchange from the Accounting / reference currency into the payment currency, less any fees and charges.

In-kind disbursements are permitted and must be reviewed and evaluated by the AIFM on the basis of objective criteria. Units may also be redeemed against the transfer of investments of the corresponding sub-fund at the respective daily price (payment in kind or payment in specie). The value of the transferred investments must be confirmed by an auditor's report. All costs incurred in this connection (including the costs of the auditor, other expenses and any taxes and levies) shall be borne by the investor concerned and may not be charged to the respective fund assets.



The corresponding unit expires upon payment of the redemption price.

If the execution of a redemption request results in the relevant investor's holding falling below the minimum investment of the relevant unit class listed in Appendix B "Sub-funds at a glance", the AIFM may, without further notice to the investor, treat this redemption request as a request for redemption of all units held by the relevant investor in this unit class or as a request for conversion of the remaining units into another unit class of the same sub-fund with the same reference currency whose participation requirements the investor fulfils.

The AIFM and/or Depositary may redeem units against the will of the investor against payment of the redemption price if this appears necessary in the interests of or for the protection of the investors, the AIFM or one or more sub-funds, in particular if

1. there is a suspicion that the respective investor is engaging in market timing, late trading or other market techniques with the acquisition of the units that could harm the investors as a whole,
2. the investor does not fulfil the conditions for acquiring the shares or
3. the units are distributed in a country in which the respective sub-fund is not authorised for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The AIFM 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 the application is submitted (forward pricing).

The redemption of units of the Investment Company or its sub-funds may be suspended in cases where section 44 of these Terms and Conditions of Investment applies.

### § 43 Exchange of shares

If different sub-funds or unit classes are offered, units of one unit class may also be exchanged for units of another unit class, both within one and the same sub-fund and from one sub-fund to another sub-fund. Any conversion fees can be found in Appendix B "Sub-funds at a glance". If an exchange of units is not possible for certain sub-funds or unit classes, this will be mentioned for the sub-fund or unit class concerned in Annex B "Sub-funds at a glance".

The number of units into which the investor wishes to convert his holding is calculated using the following formula:

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

A = number of units of the new sub-fund or unit class, if any, into which the conversion is to be made

B = number of units of the sub-fund or unit class, if any, from which the conversion is to be carried out

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

D = exchange rate between the sub-funds or unit classes concerned. If both sub-funds or unit classes are valued in the same accounting currency, this coefficient is 1.

E = net asset value of the units of the sub-fund or any unit class into which the switch is to be made, plus taxes, fees or other charges



In some cases, duties, taxes and stamp duties may be incurred when switching sub-funds or unit classes in individual countries.

The AIFM may reject a conversion request for a sub-fund or unit class at any time if this appears to be in the interests of the sub-fund, the AIFM or the investors, in particular if:

1. there is a suspicion that the respective investor is engaging in market timing, late trading or other market techniques with the acquisition of the units that could harm the investors as a whole;
2. the investor does not fulfil the conditions for acquiring the shares; or
3. the units are distributed in a country in which the respective sub-fund is not authorised for distribution or have been acquired by a person for whom the acquisition of the units is not permitted.

The Investment Company or the AIFM 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 the application is submitted (forward pricing).

The conversion of units of the Investment Company or its sub-funds may be suspended in cases where section 44 of these Terms and Conditions of Investment applies.

#### **§ 44 Suspension of the calculation of the net asset value and the issue and redemption of units**

The AIFM may temporarily suspend the calculation of the net asset value and/or the issue of units of a sub-fund if this is justified in the interests of the investors, in particular:

1. if a market that forms the basis for the valuation of a significant portion of the assets of the AIF or its sub-funds is closed or if trading on such a market is restricted or suspended;
2. in the event of political, economic or other emergencies; or
3. if transactions become impracticable for the AIF or its sub-funds due to restrictions on the transfer of assets.

The suspension of the calculation of the net asset value of a sub-fund does not affect the calculation of the net asset value of the other sub-funds if none of the above conditions apply to the other sub-funds.

The AIFM may also decide to suspend the issue of units completely or temporarily if new investments could impair the achievement of the investment lag objective.

The issue of units shall be temporarily suspended in particular if the calculation of the net asset value per unit is discontinued. If the issue of units is discontinued, investors will be informed immediately of the reason for and the date of the discontinuation by means of a notice in the medium of publication and the media specified in the fund documents or by means of permanent data carriers (letter, fax, email or similar).

In addition, the AIFM is authorised, while safeguarding the interests of the investors, to make significant redemptions, i.e. to temporarily suspend redemptions, only after the corresponding assets of the respective sub-fund can be sold without delay while safeguarding the interests of the investors.

As long as the redemption of units is suspended, no new units of this sub-fund will be issued. The conversion of units whose redemption is temporarily restricted is not possible.

The temporary suspension of the redemption of units of a sub-fund does not lead to the temporary suspension of the redemption of other sub-funds that are not affected by the events in question.

The AIFM shall ensure that sufficient liquid assets are available to the respective sub-fund assets from so that units can be redeemed immediately at the request of investors under normal circumstances.

The AIFM shall immediately notify the FMA and the investors in an appropriate manner of the suspension of unit redemption and payout. Subscription and redemption applications shall be settled after the calculation of the net asset value has resumed net. Investors may revoke their subscription or redemption application until the resumption of unit trading.

## § 45 Lock-up period for the redemption of units

Unit classes may provide for a so-called lock-up. A **lock-up** is a **blocking period** during which no unit redemption takes place. Redemption applications will only be accepted and settled after the lock-up period has expired and subject to the notice period. If redemption applications are received during the lock-up period, they will be rejected. Further information and details can be found in Appendix B "Sub-funds at a glance".

By decision of the AIFM, units may be compulsorily redeemed against payment of the redemption price without the consent of an investor before the end of the lock-up period.

## § 46 Late trading and market timing

If an applicant is suspected of engaging in late trading or market timing, the AIFM and/or the Depositary will refuse to accept the subscription, conversion or redemption application until the applicant has dispelled any doubts regarding his application.

### Late Trading

Late trading is the acceptance of a subscription, conversion or redemption on order received after the cut-off time of the day on which the order is received and its execution at the price based on the net asset value applicable on that day. Late trading allows an investor to profit from knowledge of events or information published after the order cut-off time but not yet reflected in the price at which the investor's order is settled. As a result, this investor has an advantage over investors who have complied with the official acceptance deadline. The advantage of this investor is even more significant if he can combine late trading with market timing.

### Market Timing

Market timing is the arbitrage process by which an investor subscribes and redeems or converts units of the same sub-fund or unit class on a system basis in the short term by taking advantage of time differences and/or errors or weaknesses in the system for calculating the net asset value of the sub-fund or unit class.

## § 47 Prevention of money laundering and terrorist financing

The AIFM shall ensure that the domestic distributors undertake vis-à-vis the AIFM to comply with the provisions of the Liechtenstein Due Diligence Act (Sorgfaltsgesetz pflichtgesetz) and the associated Due Diligence Ordinance (Sorgfaltspflichtverordnung) as well as the FMA's guidelines as amended from time to time.

If domestic distributors accept funds from investors themselves, they are obliged in their capacity as persons subject to due diligence to identify the subscriber, determine the beneficial owner, create a profile of the business relationship and comply with all local

regulations applicable to them for the prevention of money laundering in accordance with the Due Diligence Act and the Due Diligence Ordinance.

In addition, distributors and their sales outlets must also comply with all regulations on the prevention of money laundering and terrorist financing that are in force in the respective countries of distribution.

## **J. Costs and fees**

### **§ 48 Current fees**

#### **A. Flat fee depending on assets:**

The AIFM charges a flat fee for portfolio management, risk management and distribution as well as for the administration of the respective sub-fund in accordance with Annex B "Sub-fund overview". This fee is calculated on the basis of the average net sub-fund assets or the unit class (if applicable), accrued on each valuation day and charged pro rata temporis on a quarterly basis in arrears. The fees of the respective sub-fund or any unit class can be found in Appendix B "Sub-funds at a glance". The AIFM is free to set different flat fees for one or more unit classes of the respective sub-fund.

The lump-sum fee is used in particular to pay for administration, investment decisions (asset management), risk management and the depositary.

This also includes portfolio management commissions that can be paid to third parties for the referral and support of investors.

#### **B. Expenses independent of assets Fees (individual expenses):**

##### **Net expenditure**

In addition to the remuneration from the above paragraphs, the following expenses that are independent of the assets may be charged to the sub-fund's assets. The applicable amount of the expenses of the respective sub-fund is stated in the annual report. The AIFM and the Custodian are also entitled to reimbursement of the following expenses incurred in the exercise of their function:

- ◆ Costs for the preparation, printing and dispatch of the annual reports and other publications required by law;
- ◆ Costs for the publication of notices of the Investment Company or its sub funds, including price publications, addressed to investors in the publication organs and any additional newspapers or electronic media specified by the AIFM;
- ◆ Fees and costs for authorisations and the supervision of the investment ment company and its sub-funds in Liechtenstein and abroad;
- ◆ all taxes levied on the assets of the sub-fund and its income and expenses charged to the corresponding sub-fund assets of the Investment Company;
- ◆ any taxes incurred in connection with the costs of administration and safekeeping;
- ◆ Fees incurred in connection with any listing (bringing in, maintaining and terminating) of the investment company or its sub funds and with distribution in Switzerland and abroad (e.g. advisory, legal and translation costs);
- ◆ Costs and expenses for regular reports and reporting, including to insurance companies, pension funds and other financial services companies (e.g. GroMiKV, Solvency II, MiFID II, VAG, ESG/SRI report and ratings, etc.);
- ◆ Fees, costs and professional fees in connection with the determination and publication of tax factors for the countries of the EU/EEA and/or all countries where

distribution licences exist and/or private placements exist, in accordance with the actual expenses at market rates;

- ◆ Costs incurred in connection with the fulfilment of the prerequisites and follow-up obligations of a distribution of the units of the Investment Company or its sub-funds in Germany and abroad (e.g. fees for paying agents, representatives and other agents with a comparable function, fees for fund platforms (e.g. listing fees, setup fees, etc.), advisory, legal and translation costs);
- ◆ Costs for the preparation or amendment, translation, filing, printing and dispatch of the constitutive documents (Articles of Association and Annex bedding ungen), PRIIP-KID calculation SRRI/SRI, etc. in the countries in which the units are distributed;
- ◆ Administrative fees and reimbursement of costs by government agencies;
- ◆ a reasonable share of the costs for printed matter and advertising that are incurred indirectly in connection with the offering and sale of units at;
- ◆ Fees of the auditor and of legal and tax advisors, insofar as these expenses are incurred in the interests of the investors;
- ◆ Costs for the preparation, the publication of the tax bases and the certificate that the tax information was determined in accordance with the rules of the respective foreign tax law;
- ◆ Internal and external costs for the reclaiming of foreign withholding taxes, insofar as these can be carried out for the account of the AIF or the respective sub-fund. With regard to the reclaiming of foreign withholding taxes, it should be noted that the AIFM is not obliged to reclaim and will only do so if the procedure is justified according to the criteria of the materiality of the amounts and the proportionality of the costs in relation to the possible amount to be reclaimed. With regard to investments that are the subject of securities lending, the AIFM will not reclaim withholding tax;
- ◆ Expenses in connection with the exercise of voting rights or creditors' rights by the Investment Company or its sub-funds, including fees for external advisors;
- ◆ Costs for the credit rating of the assets of the Investment Company or its sub-funds or its target investments by nationally or internationally recognised rating agencies;
- ◆ Licence fees for the use of any reference values ("benchmarks")
- ◆ Costs in connection with legal requirements for the investment company or its sub-funds (e.g. reporting to authorities, key investor information, etc.);
- ◆ Fees and costs arising from other legal or regulatory requirements to be fulfilled by the AIFM as part of the implementation of the investment strategy (such as reporting and other costs incurred as part of compliance with the European Market Infrastructure Regulation (EMIR, EU Regulation 648/2012));
- ◆ External costs for the assessment of the sustainability ratings (ESG research) of the sub-fund's assets or its target investments;
- ◆ Costs for the establishment and maintenance of additional counterparties, if it is in the interest of the investors.

### Transaction costs

In addition, the sub-funds bear all ancillary costs arising from the management of the assets for the purchase and sale of the investments (brokerage fees in line with the market, commissions, duties) as well as all taxes levied on the assets of the respective sub-fund and its income and expenses (e.g. withholding taxes on foreign income). The sub-funds also bear any external costs, i.e. third-party fees incurred when buying and selling investments. These costs are offset directly against the purchase or sale value of the relevant investments.

### Any costs for currency hedging of unit classes

Any currency hedging costs for unit classes are allocated to the corresponding unit class.

### **Formation costs**

The costs for the formation of the Investment Company or its sub-funds and the initial issue of units are amortised over three years against the assets of the sub funds existing at the time of formation. The formation costs are allocated pro rata to the respective sub-fund assets. Costs incurred in connection with the launch of additional sub-funds are amortised over three years at the expense of the respective sub-fund assets to which they are attributable.

### **Liquidation fees**

In the event of the dissolution of the investment company or sub-fund, the AIFM may charge a liquidation fee of up to CHF 15,000 or the equivalent in another currency in its favour. In addition to this amount, the AIF or sub-fund concerned shall bear all costs incurred by the authorities, the auditor and the custodian. In addition to this amount, all costs of the authorities, the auditor and the custodian shall be borne by the AIF or the sub-fund concerned.

### **Extraordinary disposition costs**

In addition, the investment company or the AIFM may charge costs for extraordinary dispositions to the respective fund assets. Extraordinary disposition costs from serord consist of the expenses incurred in the course of regular business activities and which were not foreseeable when the investment company or the sub-fund in question was established. Extraordinary disposition costs are in particular legal advice and procedural costs in the interests of the investment company or the corresponding sub-fund or the investors. In addition, this includes all costs of any extraordinary dispositions that may become necessary in accordance with the AIFMG and AIFMV (e.g. amendments to the fund documents).

### **Contributions**

In connection with the acquisition and disposal of assets and rights for the Investment Company or its sub-funds, the AIFM, the Custodian and any authorised agents shall ensure that, in particular, inducements directly or indirectly benefit the Investment Company or its sub-funds.

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

The total ongoing charges before any performance-related expenses (total expense ratio before performance fee; TER) is calculated in accordance with the general principles laid down in the rules of conduct and, with the exception of transaction costs, includes all costs and fees that are charged to the respective sub-fund assets on an ongoing basis. The TER of the respective sub-fund or the respective unit class is shown on the website of the LAFV Liechtenstein Investment Fund Association at [www.lafv.li](http://www.lafv.li) and in the respective annual report, if it has already been published.

### **Fee dependent on investment performance (performance fee)**

In addition, the AIFM may charge a performance fee. Insofar as a performance fee is charged, this is described in detail in Appendix B "Sub-funds at a glance".

## **§ 49 Costs borne by investors**

### **Issue premium:**

To cover the costs incurred in placing the units, the AIFM may levy an issue premium on the net asset value of the newly issued units in favour of the AIFM, the distributor and/or domestic or foreign distributors in accordance with Annex B "Sub-funds at a glance". Any front-end load in favour of the respective sub-fund can also be found in Appendix B "Sub-funds at a glance".

### **Redemption discount**

For the redemption of redeemed units, the AIFM shall levy a redemption fee on the net asset value of the redeemed units in favour of the AIF or the corresponding sub-fund in accordance with Annex B "Sub-fund overview".

Any redemption discount in favour of the AIFM, the Depositary and/or distributors in Switzerland or abroad can also be found in Annex B "Sub-funds at a glance".

### **Exchange fee**

If the investor wishes to switch from one sub-fund to another or from one unit class to another unit class, the AIFM may charge a fee on the net net asset value of the original sub-fund or unit class in accordance with Annex B "Sub-funds at a glance".

## **K. Final provisions**

### **§ 50 Utilisation of success**

#### **Utilisation of success**

The realised income of a sub-fund is made up of the net income and the net realised capital gains. Net income comprises income from interest and/or dividends as well as other or miscellaneous income received less expenses.

The AIFM may distribute the net income and/or the net realized capital gains of a sub-fund or unit class to the investors of the sub-fund or the corresponding unit class or reinvest this net income and/or these net realized capital gains in the sub-fund or the respective unit class (reinvestment) or carry them forward to new account. In addition, distributions may be paid out of the capital if the realized income generated by the respective sub-fund is not sufficient to make a distribution

The net income and/or net realized capital gains of those Share Classes that have a distribution in accordance with Appendix B "Sub-funds at a glance" may be distributed annually or more frequently, in whole or in part. Investors should also note that the payment of distributions out of capital represents a repayment or withdrawal of a portion of the amount originally invested that is attributable to the original investment. It should be noted that a high distribution yield does not necessarily mean a positive or high return on the investor's total investment.

Interim distributions of net income carried forward and/or capital gains carried forward are permitted. distributions are paid out on the units issued on the distribution date. No interest is paid on declared distributions from the time they fall due.

### **§ 51 Use of reference values ("benchmarks")**

In accordance with the provisions of Regulation (EU) 2016/1011 of the European Parliament and of the Council on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of a collective investment undertaking regulated entities (such as UCITS management companies and AIFMs) may use benchmarks within the meaning of the Benchmarks Regulation ("Benchmarks Regulation") in the EU if the benchmark is provided by an administrator that is registered in the list of administrators and benchmarks maintained by ESMA in accordance with the Benchmark Regulation (the "List").

Benchmarks may be used by the AIF or its sub-funds in any key information documents (PRIIP-KID) and in any marketing documents as a reference for comparison purposes in order to measure the performance of the AIF or its sub-funds against them. The AIF or the sub-funds are actively managed and the asset manager is therefore free to decide



which securities to invest in. Consequently, the performance may deviate significantly from that of the benchmark. The benchmark index, if used by the AIFM or the portfolio manager on its behalf, is specified in Appendix B "Sub-fund overview".

The benchmark index may change over time. In this case, Appendix B "Sub-funds at a glance" of the constituent documents will be updated at the next opportunity and investors will be informed by means of a notice in the medium of publication and in the media specified in the constituent documents or by means of permanent data carriers (letter, fax, email or similar).

In addition, the AIF or its sub-funds may use benchmarks when calculating performance ab related fees. Detailed information on any fees dependent on investment performance (performance fee) can be found in § 48 of these Terms and Conditions of Investment and in Annex B "Sub-fund overview".

The AIFM accepts no liability in relation to a benchmark index for the quality, accuracy or completeness of the data of the benchmark index, nor that the respective benchmark index is managed in accordance with the index methods described.

The AIFM has prepared a written plan of action that it will take with respect to the AIF or its sub-funds in the event that the index changes significantly or ceases to be provided. Information in relation to this plan is available free of charge upon request at the registered office of the AIFM.

## **§ 52 Contributions**

The Investment Company reserves the right to grant inducements to third parties for the provision of services. The basis of assessment for such inducements is generally the commissions, fees, etc. charged and/or assets placed with the Investment Company/investment components. Their amount corresponds to a percentage of the respective assessment basis. Upon request, the Investment Company shall disclose further details of the agreements made with third parties to the investor at any time. The investor hereby expressly waives any further right to information from the Investment Company; in particular, the Investment Company is under no obligation to provide a detailed account of inducements actually paid.

The investor acknowledges and accepts that the Investment Company may receive inducements from third parties (including Group companies) in connection with the introduction of investors, the acquisition/distribution of collective investment schemes, certificates, notes, etc. (hereinafter referred to as "products"; this also includes those managed and/or issued by a Group company). (hereinafter referred to as "products"; this also includes those managed and/or issued by a group company) may be granted inducements, generally in the form of portfolio payments. The amount of such inducements varies depending on the product and product provider. As a rule, portfolio payments are based on the volume of a product or product group held by the investment company. Their amount usually corresponds to a percentage of the management fees charged to the respective product, which are paid periodically during the holding period. In addition, sales commissions may also be paid by securities issuers in the form of discounts on the issue price (percentage discount) or in the form of one-off payments, the amount of which corresponds to a percentage of the issue price. Unless otherwise agreed, the investor may at any time before or after the provision of the service (purchase of the product) request further details from the Investment Company about the agreements made with third parties regarding such inducements. However, the right to information on further details of transactions already carried out is limited to the 12 months preceding the request. The investor expressly waives any further right to information. If the investor does not request any further details before the service is provided or if he receives the service after obtaining further details, he waives any claim for surrender within the meaning of Section 1009 of the Austrian Civil Code (ABGB).



## § 53 Tax regulations

All Liechtenstein AIFs in the legal form of an investment company are subject to unlimited tax liability in Liechtenstein and are subject to income tax. The income from the assets under management constitutes tax-free income.

### Emission and sales taxes<sup>1</sup>

The creation (issue) of units in such an AIF or its sub-funds is not subject to issue and sales tax. The transfer of ownership of units for consideration is subject to sales tax if one party or an intermediary is a domestic securities dealer. The redemption of units is exempt from sales tax. The investment company with variable capital is deemed to be an investor exempt from turnover tax.

### Withholding and paying agent taxes

Both income and capital gains, whether distributed or reinvested, may be subject in part or in full to paying agent tax (e.g. final withholding tax, Foreign Account Tax Compliance Act), depending on the person who directly or indirectly holds the units of the investment company or its sub-funds.

The AIF in the legal form of Investmentgesellschaft is otherwise not subject to any withholding tax liability in the Principality of Liechtenstein, in particular no coupon or withholding tax liability. Foreign income and capital gains realised by the AIF in the legal form of the investment company or any sub-funds of the AIF may be subject to the respective withholding tax deductions of the country of investment. Any double taxation agreements remain reserved.

### Automatic exchange of information (AEOI)

With regard to the Investment Company or the sub-funds, a Liechtenstein paying agent may be obliged to report the investors to the local tax authority or to carry out the corresponding statutory reporting in compliance with the AEOI agreements.

### FATCA

The AIF is subject to the provisions of the Liechtenstein FATCA Agreement and the corresponding implementing provisions of the Liechtenstein FATCA Act.

### 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 wealth tax. Any income distributions or reinvested income of the AIF or any sub-funds of the AIF are exempt from acquisition tax. Capital gains realised on the sale of units are exempt from acquisition tax. Capital losses cannot be deducted from the taxable acquisition.

### Persons with tax domicile outside Liechtenstein

For investors domiciled outside the Principality of Liechtenstein, taxation and the other tax consequences of holding, buying or selling units are governed by the tax legislation of the respective country of domicile, in particular with regard to final withholding tax, according to the country of domicile of the paying agent.

### Disclaimer

The tax information is based on the current legal situation and practice. We expressly reserve the right to make changes to legislation, case law or decrees and the practice of the tax authorities.

<sup>1</sup> According to the customs affiliation agreement between Switzerland and Liechtenstein, Swiss stamp duty legislation also applies in Liechtenstein. For the purposes of Swiss stamp duty legislation, the Principality of Liechtenstein is therefore deemed to be domestic.

**Investors are urged to consult their own professional advisers regarding the relevant tax consequences. Neither the AIFM, the Depositary nor their agents can accept any responsibility for the individual tax consequences to the investor of the purchase, sale or holding of units.**

## **§ 54 Information for investors**

The medium of publication of the Investment Company is the website of LAFV Liechtensteiner Anlage fondsverband ([www.lafv.li](http://www.lafv.li)) and other media specified in the Terms and Conditions of Investment.

All notifications to investors, including changes to the investment conditions and Annex A "Sub-funds at a glance", are published on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the investment company's organ of publication and on other media and data carriers specified in the fund documents.

The net asset value and the issue and redemption price of the units of the Investment Company or of each sub-fund or unit class shall be published on each valuation day on the website of the LAFV Liechtenstein Investment Fund Association ([www.lafv.li](http://www.lafv.li)) as the medium of publication of the Investment Company and in other media and permanent data carriers (letter, fax, email or similar) specified in the fund documents.

The past performance of the sub-fund or the unit classes is listed on the website of the LAFV Liechtenstein Investment Fund Association at [www.lafv.li](http://www.lafv.li) or in any PRIIP-KID key information document. The past performance of a unit is no guarantee of current and future performance. The value of a unit may rise or fall at any time.

The annual report audited by an auditor is made available to investors free of charge at the registered office of the AIFM and depositary.

## **§ 55 Reports**

The Investment Company shall prepare an audited annual report for each AIF in accordance with the statutory provisions in the Principality of Liechtenstein, which shall be published no later than six months after the end of each financial year.

Audited and unaudited interim reports can also be created.

## **§ 56 Financial year**

The financial year of the Investment Company can be found in Appendix B "Sub-funds at a glance".

## **§ 57 Statute of limitations**

Investors' claims against the AIFM, the investment company, the liquidator, custodian or the depositary lapse five years after the loss has occurred, but no later than one year after the unit has been redeemed or the loss has become known.

## **§ 58 Applicable law, place of jurisdiction and authoritative language**

The AIFM and the AIF with its established sub-funds are subject to Liechtenstein law. The exclusive place of jurisdiction for all disputes between the investors, the AIFM and the Depositary is Vaduz.

However, the AIFM and/or the Depositary may subject themselves and the AIF or its sub-funds to the jurisdiction of the countries in which units are offered and sold with regard to investor claims. The right to submit to other mandatory legal jurisdictions is reserved.

The legally binding language for the Articles of Association and the Terms and Conditions of Investment as well as for Annex B "Sub-funds at a glance" is German.

## **§ 59 General information**

In all other respects, reference is made to the provisions of the AIFMG, the provisions of the Austrian Civil Code (ABGB), the provisions of the Persons and Companies Act (PGR) on public limited companies and the general provisions of the PGR as amended.

## **§ 60 Entry into force**

These Terms and Conditions of Investment enter into force on 10 September 2024.

Schaan/Vaduz, 5 September 2024

### **The AIFM:**

IFM Independent Fund Management AG, Schaan

### **The depositary:**

VP Bank Ltd, Vaduz

## Appendix A: Overview of the organisational structure of the investment company

The organisational structure of the investment company	
Investment company:	Accumulus Fund SICAV Landstrasse 30, FL-9494 Schaan
Board of Directors:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan
The organisational structure of the AIFM	
AIFM:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan
Board of Directors:	Heimo Quaderer H.R.H. Archduke Simeon of Habsburg Hugo Quaderer
Management:	Luis Ott Alexander Wymann Michael Oehry Ramon Schäfer
Auditor:	Ernst & Young AG Schanzenstrasse 4a, CH-3008 Berne
The AIF at a glance	
Name of the AIF:	<b>Accumulus Fund SICAV</b>
Legal structure:	Third-party managed alternative investment fund (AIF) in the legal form of an investment company with variable capital under Liechtenstein law ("investment company") pursuant to the Act of 19 December 2012 on Alternative Investment Fund Managers (AIFMG)
Umbrella construction:	Umbrella structure with two sub-funds
Founding country:	Liechtenstein
Date of establishment of the AIF:	21 April 2022
Business year:	The financial year of the AIF begins on 1 January and ends on 31 December.
Accounting currency AIF:	US Dollar (USD)
Portfolio management:	<b>Sub-fund 1: Accumulus Fund AIF</b> ACCUMULUS CAPITAL MANAGEMENT, LLC 110 East 59th Street, 28th Floor, New York, NY 10002  <b>Sub-fund 2: Accumulus Contrarian Fund</b> ACCUMULUS CAPITAL MANAGEMENT, LLC 110 East 59th Street, 28th Floor, New York, NY 10002
Depository:	VP Bank Ltd Aeulestrasse 6, FL-9490 Vaduz
Distributor:	IFM Independent Fund Management AG Landstrasse 30, FL-9494 Schaan
Auditor:	BDO (Liechtenstein) AG Wuhrstrasse 14, FL-9490 Vaduz
Responsible Supervisory authority:	Financial Market Authority Liechtenstein (FMA); <a href="http://www.fma-li.li">www.fma-li.li</a>
Further information on the sub-funds can be found in Appendix B "Sub-funds at a glance".	
In Liechtenstein, distribution is aimed at professional investors within the meaning of Directive 2014/65/EU (MiFID II) and private investors. For any other countries, the provisions set out in Annex C "Specific information for individual countries of distribution" apply.	

## Appendix B: Sub-funds at a glance

### B1 Sub-fund 1: Accumulus Fund AIF

#### B1.1 The sub-fund at a glance

Master data and information on the sub-fund and its unit classes				
	Unit classes of the sub-fund			
Share class <sup>2</sup>	-USD-	-EUR-	-CHF-	-USD-I-
ISIN number	LI1165463954	LI1165464465	LI1165464499	LI1321795026
Security number	116.546.395	116.546.446	116.546.449	132.179.502
SFDR classification	Article 6			
Duration of the sub-fund	unlimited			
Listing	No			
Accounting currency of the sub-fund	US Dollar (USD)			
Reference currency of the unit classes <sup>3</sup>	US Dollar (USD)	Euro (EUR)	Swiss Swiss francs (CHF)	US Dollar (USD)
Minimum investment <sup>4</sup>	USD 10'000.--	EUR 10'000.--	CHF 10'000.--	USD 50 million.
Initial issue price	USD 1'000.--	EUR 1'000.--	CHF 1'000.--	USD 1'000.--
First day of subscription	20.05.2022	20.05.2022	20.05.2022	13.02.2024
Liberation (First value date)	24.05.2022	24.05.2022	24.05.2022	29.02.2024
Valuation date (T)	Last day of the month			
Valuation interval	Monthly			
Issue and redemption date	Each valuation date			
Closing date for subscriptions and value date of the issue date <sup>5</sup>	Subscriptions must be received by the Depositary by no later than 4.00 p.m. (CET) on the <b>25th of the month<sup>6</sup></b> and payments must be received by no later than 4.00 p.m. (CET) on the <b>27th of the month<sup>6</sup></b> .			
Trading options drawings	Amount drawings only			
Deadline for redemptions (T-65) <sup>5,7</sup>	Monthly, subject to a period of notice of 65 calendar days to the end of the month			
Value date Redemption date	2 bank working days after calculation of the net asset value (NAV)			
Trading Options Redemptions	Shares only			
Lock-Up <sup>8</sup>	n/a	n/a	n/a	n/a
Denomination	three decimal places			
Securitisation	book-entry / no issue of certificates			
Closing of the financial year	as at 31 December in each case			
End of the first financial year	31 December 2022			
Utilisation of profit	Accumulating	Accumulating	Accumulating	Accumulating

<sup>2</sup> The currency risks of the currency classes issued can be hedged in full or in part.

<sup>3</sup> The reference currency is the currency in which the performance and the net asset value of the respective unit class of the sub-fund are calculated.

<sup>4</sup> The detailed subscription conditions are described in Art. 41 of the Terms of Investment. Lower minimum investments may also be accepted with the authorisation of the AIFM.

<sup>5</sup> If the acceptance deadline falls on a bank holiday in Liechtenstein, the acceptance deadline will be brought forward to the previous bank business day in Liechtenstein. If the payment is not received on time, the corresponding subscription order will be settled at the net asset value of the following month.

<sup>6</sup> By decision of the AIFM, the acceptance deadline for subscriptions and the value date of the issue date may be postponed, taking into account the SIX settlement calendar. The AIFM shall ensure that all subscriptions received up to this postponement date are treated equally. If the value date falls on a (currency) public holiday, the value date shall be postponed accordingly.

<sup>7</sup> The AIFM reserves the right not to fully execute redemption requests on a redemption day on which the total redemption requests would lead to an outflow of funds amounting to more than 25% of the total net assets of the sub-fund on the relevant redemption day (redemption gate). Under these circumstances, the AIFM may decide to execute the redemption applications only on a pro rata basis and to defer the unexecuted redemption applications on the redemption day to the next redemption day.

<sup>8</sup> A lock-up is a blocking period during which no unit redemption takes place. Redemption requests will only be accepted and settled again after the lock-up period has expired and the cancellation period has been observed.

Information on distribution (group of investors)				
	Unit classes of the sub-fund			
Share class	-USD-	-EUR-	-CHF-	-USD-I-
Professional investors	Permitted	Permitted	Permitted	Permitted
Private investors	Permitted	Permitted	Permitted	Permitted

Costs borne by the investors				
	Unit classes of the sub-fund			
Share class	-USD-	-EUR-	-CHF-	-USD-I-
Max. Issue premium?	None	None	None	None
Max. Redemption discount in favour of the sub-fund's assets?	None	None	None	None
Conversion fee when switching from one sub-fund to another sub-fund	None	None	None	None
Conversion fee when switching from one unit class to another unit class	None	None	None	None

Costs charged to the assets of the sub-fund <sup>10,11</sup>				
	Unit classes of the sub-fund			
Share class	-USD-	-EUR-	-CHF-	-USD-I-
Max. Flat rate fee <sup>9</sup>	1.15% p.a.	1.15% p.a.	1.15% p.a.	0.65% p.a.
Performance fee	none	none	none	none
Estimated indirect costs at the level of indirect investments	approx. 1.25% p.a. plus any performance fee			

Use of benchmarks				
	Unit classes of the sub-fund			
Share class	-USD-	-EUR-	-CHF-	-USD-I-
Benchmark	The sub-fund does not use a benchmark			

<sup>9</sup> The commission or fee actually charged is shown in the annual report.

<sup>10</sup> Plus taxes and other costs and fees: Transaction costs and expenses incurred by the AIFM and the depositary in the performance of their functions. Details can be found in § 48 (Ongoing fees) and § 53 (Tax regulations) of the investment conditions.

<sup>11</sup> In the event of the dissolution of the sub-fund or the AIF, the AIFM may charge a liquidation fee of up to CHF 15,000 in its favour.

## Master data and information on the sub-fund and its unit classes

	Unit classes of the sub-fund		
Share class <sup>12</sup>	USD-F <sup>13</sup>	EUR-F <sup>13</sup>	CHF-F <sup>13</sup>
ISIN number	LI1180095344	LI1180095351	LI1180095369
Security number	118.009.534	118.009.535	118.009.536
SFDR classification	Article 6		
Duration of the sub-fund	unlimited		
Listing	No		
Accounting currency of the sub-fund	US Dollar (USD)		
Reference currency of the unit classes <sup>14</sup>	US Dollar (USD)	Euro (EUR)	Swiss franc (CHF)
Minimum investment <sup>15</sup>	USD 5'000'000.--	EUR 5'000'000.--	CHF 5'000'000.--
Initial issue price	USD 1'000.--	EUR 1'000.--	CHF 1'000.--
First day of subscription	20.05.2022	20.05.2022	20.05.2022
Liberation (First value date)	24.05.2022	24.05.2022	24.05.2022
Valuation date (T)	Last day of the month		
Valuation interval	Monthly		
Issue and redemption date	Each valuation date		
Closing date for subscriptions and value date of the issue date <sup>16</sup>	Subscriptions must be received by the Depositary by no later than 4.00 p.m. (CET) on the <b>25th of the month</b> <sup>17</sup> and payments must be received by no later than 4.00 p.m. (CET) on the <b>27th of the month</b> <sup>17</sup> .		
Trading options drawings	Amount drawings only		
Deadline for redemptions (T-65) <sup>16,18</sup>	Monthly, subject to a period of notice of 65 calendar days to the end of the month		
Value date Redemption date	2 bank working days after calculation of the net asset value (NAV)		
Placement of redemptions	Shares only		
Lock-Up <sup>19</sup>	n/a	n/a	n/a
Denomination	three decimal places		
Securitisation	book-entry / no issue of certificates		
Closing of the financial year	as at 31 December in each case		
End of the first financial year	31 December 2022		
Utilisation of profit	Accumulating	Accumulating	Accumulating

<sup>12</sup> The currency risks of the currency classes issued can be hedged in full or in part.

<sup>13</sup> Subscriptions and subsequent subscriptions to the "USD-F", "EUR-F" and "CHF-F" unit classes are reserved for investors who subscribe to fund units for the first time when the aforementioned unit classes are paid up (first value date).

<sup>14</sup> The reference currency is the currency in which the performance and the net asset value of the respective unit class of the sub-fund are calculated.

<sup>15</sup> The detailed subscription conditions are described in Art. 41 of the Terms of Investment. Lower minimum investments may also be accepted with the authorisation of the AIFM.

<sup>16</sup> If the acceptance deadline falls on a bank holiday in Liechtenstein, the acceptance deadline will be brought forward to the previous bank business day in Liechtenstein. If the payment is not received on time, the corresponding subscription order will be settled at the net asset value of the following month.

<sup>17</sup> By decision of the AIFM, the acceptance deadline for subscriptions and the value date of the issue date may be postponed, taking into account the SIX settlement calendar. The AIFM shall ensure that all subscriptions received up to this postponement date are treated equally. If the value date falls on a (currency) public holiday, the value date shall be postponed accordingly.

<sup>18</sup> The AIFM reserves the right not to fully execute redemption requests on a redemption day on which the total redemption requests would lead to an outflow of funds amounting to more than 25% of the total net assets of the sub-fund on the relevant redemption day (redemption gate). Under these circumstances, the AIFM may decide to execute the redemption applications only on a pro rata basis and to defer the unexecuted redemption applications of the redemption day to the next redemption day.

<sup>19</sup> A lock-up is a blocking period during which no unit redemption takes place. Redemption requests will only be accepted and settled again after the lock-up period has expired and the cancellation period has been observed.



Information on distribution (group of investors)			
	Unit classes of the sub-fund		
Share class	USD-F	EUR-F	CHF-F
Professional investors	Permitted	Permitted	Permitted
Private investors	Permitted	Permitted	Permitted

Costs borne by the investors			
	Unit classes of the sub-fund		
Share class	USD-F	EUR-F	CHF-F
Max. Issue premium <sup>20</sup>	None	None	None
Max. Redemption discount in favour of the sub-fund's assets <sup>21</sup>	None	None	None
Conversion fee when switching from one sub-fund to another sub-fund	None	None	None
Conversion fee when switching from one unit class to another unit class	None	None	None

Costs charged to the assets of the sub-fund <sup>21,22</sup>			
	Unit classes of the sub-fund		
Share class	USD-F	EUR-F	CHF-F
Max. Flat rate fee <sup>20</sup>	0.90% p.a.	0.90% p.a.	0.90% p.a.
Performance fee	None	none	none
Estimated indirect costs at the level of indirect investments	approx. 1.25% p.a. plus any performance fee		

Use of benchmarks			
	Unit classes of the sub-fund		
Share class	USD-F	EUR-F	CHF-F
Benchmark	The sub-fund does not use a benchmark		

<sup>20</sup> The commission or fee actually charged is shown in the annual report.

<sup>21</sup> Plus taxes and other costs and fees: Transaction costs and expenses incurred by the AIFM and the depositary in the performance of their functions. Details can be found in § 48 (Ongoing fees) and § 53 (Tax regulations) of the investment conditions.

<sup>22</sup> In the event of the dissolution of the sub-fund or the AIF, the AIFM may charge a liquidation fee of up to CHF 15,000 in its favour.

Master data and information on the sub-fund and its unit classes		
	Unit classes of the sub-fund	
Share class <sup>23</sup>	USD-D	EUR-D
ISIN number	LI1379460648	LI1379460630
Security number	137.946.064	137.946.063
SFDR classification	Article 6	
Duration of the sub-fund	unlimited	
Listing	No	
Accounting currency of the sub-fund	US Dollar (USD)	
Reference currency of the unit classes <sup>24</sup>	US Dollar (USD)	Euro (EUR)
Minimum investment <sup>25</sup>	USD 10'000.--	EUR 10'000.--
Initial issue price	USD 1'000.--	EUR 1'000.--
First day of subscription	25.10.2024	25.10.2024
Liberation (First value date)	31.10.2024	31.10.2024
Valuation date (T)	Last day of the month	
Valuation interval	Monthly	
Issue and redemption date	Each valuation date	
Closing date for subscriptions and value date of the issue date <sup>26</sup>	Subscriptions must be received by the Depositary by no later than 4.00 p.m. (CET) on the <b>25th of the month</b> <sup>27</sup> and payments must be received by no later than 4.00 p.m. (CET) on the <b>27th of the month</b> <sup>17</sup> .	
Trading options drawings	Amount drawings only	
Deadline for redemptions (T-65) <sup>28</sup>	Monthly, subject to a period of notice of 65 calendar days to the end of the month	
Value date Redemption date	2 bank working days after calculation of the net asset value (NAV)	
Placement of redemptions	Shares only	
Lock-Up <sup>29</sup>	n/a	n/a
Denomination	three decimal places	
Securitisation	book-entry / no issue of certificates	
Closing of the financial year	as at 31 December in each case	
End of the first financial year	31 December 2022	
Utilisation of profit	Distributing	Distributing

<sup>23</sup> The currency risks of the currency classes issued can be hedged in full or in part.

<sup>24</sup> The reference currency is the currency in which the performance and the net asset value of the respective unit class of the sub-fund are calculated.

<sup>25</sup> The detailed subscription conditions are described in Art. 41 of the Terms of Investment. Lower minimum investments may also be accepted with the authorisation of the AIFM.

<sup>26</sup> If the acceptance deadline falls on a bank holiday in Liechtenstein, the acceptance deadline will be brought forward to the previous bank business day in Liechtenstein. If the payment is not received on time, the corresponding subscription order will be settled at the net asset value of the following month.

<sup>27</sup> By decision of the AIFM, the acceptance deadline for subscriptions and the value date of the issue date may be postponed, taking into account the SIX settlement calendar. The AIFM shall ensure that all subscriptions received up to this postponement date are treated equally. If the value date falls on a (currency) public holiday, the value date shall be postponed accordingly.

<sup>28</sup> The AIFM reserves the right not to fully execute redemption requests on a redemption day on which the total redemption requests would lead to an outflow of funds amounting to more than 25% of the total net assets of the sub-fund on the relevant redemption day (redemption gate). Under these circumstances, the AIFM may decide to execute the redemption applications only on a pro rata basis and to defer the unexecuted redemption applications of the redemption day to the next redemption day.

<sup>29</sup> A lock-up is a blocking period during which no unit redemption takes place. Redemption requests will only be accepted and settled again after the lock-up period has expired and the cancellation period has been observed.

Information on distribution (group of investors)		
	Unit classes of the sub-fund	
Share class	USD-D	EUR-D
Professional investors	Permitted	Permitted
Private investors	Permitted	Permitted

  

Costs borne by the investors		
	Unit classes of the sub-fund	
Share class	USD-D	EUR-D
Max. Issue premium <sup>30</sup>	None	None
Max. Redemption discount in favour of the sub-fund's assets <sup>30</sup>	None	None
Conversion fee when switching from one sub-fund to another sub-fund	None	None
Conversion fee when switching from one unit class to another unit class	None	None

  

Costs charged to the assets of the sub-fund <sup>31,32</sup>		
	Unit classes of the sub-fund	
Share class	USD-D	EUR-D
Max. Flat rate fee <sup>30</sup>	1.00% p.a.	1.00% p.a.
Performance fee	Keine	keine
Estimated indirect costs at the level of indirect investments	approx. 1.25% p.a. plus any performance fee	

  

Use of benchmarks		
	Unit classes of the sub-fund	
Share class	USD-F	EUR-F
Benchmark	The sub-fund does not use a benchmark	

<sup>30</sup> The commission or fee actually charged is shown in the annual report.

<sup>31</sup> Plus taxes and other costs and fees: Transaction costs and expenses incurred by the AIFM and the depositary in the performance of their functions. Details can be found in § 48 (Ongoing fees) and § 53 (Tax regulations) of the investment conditions.

<sup>32</sup> In the event of the dissolution of the sub-fund or the AIF, the AIFM may charge a liquidation fee of up to CHF 15,000 in its favour.

## B1.2 Delegation of tasks by the AIFM

### B1.2.1 Portfolio management

Portfolio management for the **Accumulus Fund AIF** is delegated to ACCUMULUS CAPITAL MANAGEMENT, LLC, 110 East 59th Street, 33rd Floor, New York, NY 10002.

### B1.2.2 Distributor

The AIFM has not delegated the distribution of the units of the **Accumulus Fund AIF**.

## B1.3 Investment advisor

No investment advisor has been appointed for the **Accumulus Fund AIF**.

## B1.4 Depositary

VP Bank AG, Aeulestrasse 6, FL-9490 Vaduz, acts as depositary for the **Accumulus Fund AIF**.

## B1.5 Auditor

BDO (Liechtenstein) AG, Wuhrstrasse 14, FL-9490 Vaduz, has been appointed as auditor for the **Accumulus Fund AIF**.

## B1.6 Investment principles of the sub-fund

The following provisions govern the sub-fund-specific investment principles of the **Accumulus Fund AIF**:

Investment principles of the sub-fund in brief	
Non-authorised system	See section B1.7.3
Investments in other funds	Yes, unlimited
Leverage financing (leverage) Gross method Net method	< 2.2 at sub-fund level < 1.1 at sub-fund level
Risk management procedures	Commitment approach
Borrowing	Yes, a maximum of 10% of the sub-fund assets (see also section B1.7.5)
Derivative financial instruments	Yes, to hedge currency risks
Short sales	Short sales with so-called presented securities are not permitted at the level of the AIF
Securities lending Securities Borrowing Securities Lending	No No No
Repurchase agreements	No
Investment period within which the investment objective and investment policy must be achieved	6 months after payment of the sub-fund

### B1.6.1 Investment objective and investment policy

The investment objective of the **Accumulus Fund AIF** is to achieve a long-term, risk-adjusted increase in the value of the sub-fund's assets. The **Accumulus Fund AIF** and most of its target funds focus on achieving an "absolute return". To this end, the **Accumulus Fund AIF invests** in a diversified portfolio of alternative investment funds (hedge funds).

In order to achieve the investment objective, the **Accumulus Fund AIF** invests **predominantly (at least 51%)** in **non-classical funds/hedge funds** using the **fund of fund approach** (see section B2.6.5 "Definition of individual investment strategies").

These investments ("target funds") are generally foreign undertakings for collective investment (UCIs) of any legal structure for which no distribution licence is

available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile. The foreign funds are open-ended funds or closed-ended funds of any kind traded on a stock exchange or another regulated market open to the public, in particular collective investment schemes, trusts, investment companies and limited partnerships.

The **Accumulus Fund AIF** may hold liquid assets totalling up to 49% of its assets. In exceptional cases, these may temporarily exceed 49% if and insofar as this appears to be in the interests of the unitholders.

Investments are primarily made in assets denominated in US dollars (USD). In addition, assets denominated in other currencies may also be held. In order to minimise the currency risk, assets that are not denominated in US dollars are hedged against the US dollar. The currency risks of the unit classes issued in EUR and CHF can be hedged in full or in part; this may have a negative impact on the NAV of the unit classes issued in USD. The possible costs of currency hedging for the EUR and CHF unit classes are allocated to these accordingly.

The use of derivative financial instruments is only permitted to hedge currency risks.

Unless otherwise specified for the sub-fund in section B1.6, the investment regulations pursuant to section B1.7 apply.

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

**There is no guarantee that the investment objective of the selected investment policy will be achieved; in particular, it is possible that individual target funds may suffer a total loss. Please note the corresponding risk warning in section B1.9 of this Annex.**

**The sub-fund-specific risks in section B1.9 of this Annex and the general risks in Article 39 of the Investor Information.**

#### **B1.6.2 Differentiation between traditional and alternative investment funds**

A traditional portfolio usually consists of equities, bonds and money market investments in various currencies, with the disadvantage that its risk and return characteristics are directly dependent on those of the capital markets concerned (high correlation).

Hedge funds are investment products that belong to the category of alternative investments and are an interesting addition to a traditional portfolio. Hedge funds utilise various alternative investment styles and strategies, which often exhibit a low correlation to equity and bond markets. By investing in hedge funds, it is possible to improve the risk/return ratio of a traditional portfolio (i.e. higher expected return with the same risk or the same expected return with lower risk) without jeopardising its earnings prospects.

In alternative investment strategies, securities are also sold short (so-called short positions) and a leverage effect is achieved through borrowing and derivative financial instruments. Many of these hedge funds can utilise derivative financial instruments (e.g. options, futures, currency forwards and swaps and interest rate swaps) without restriction.

In addition to the usual market, credit and liquidity risks of traditional investment funds, investments in hedge funds harbour further risks. The attention of investors in the Accumulus Fund AIF is therefore expressly drawn to the general and fund-specific risks described in detail in section B1.9, whereby the list contained therein is not an exhaustive list of all potential risk factors.

### **B1.6.3 Fund of funds structure**

Using the fund of funds approach, the **Accumulus Fund AIF** invests in several target funds. As a result of this allocation, asset management is carried out by a diversified group of fund managers. The aim of a fund of funds is to select the best investment products within a defined investment policy and to continuously monitor their investment process, risk management and performance.

The target funds differ in terms of investment style and strategy, use different investment approaches and invest in a range of corporate securities in different markets. Diversification is achieved by selecting target funds with mostly idiosyncratic risk profiles and with low correlation to the securities markets and to each other. This opens up greater return opportunities for investors and reduces the investment risk.

The advantages and disadvantages of a fund of funds structure as opposed to a direct investment in a specific target fund (hedge fund) are as follows:

#### **Advantages:**

- ◆ The risk is reduced by investing in various target funds, thereby achieving additional diversification;
- ◆ The investor benefits from the portfolio manager's extensive knowledge and experience in the selection of fund managers, portfolio construction and risk management of hedge fund portfolios;
- ◆ the fund-of-funds manager provides access to a greater number of alpha opportunities than an investment with a single manager.

#### **Disadvantages:**

- ◆ In the case of fund of funds, the management, depositary and other costs are incurred at the level of the target funds and at the level of the **Accumulus Fund AIF** and therefore the total costs are likely to be higher.

### **B1.6.4 Audit, selection and control procedures (due diligence process)**

The portfolio manager of the **Accumulus Fund AIF** relies on an in-depth review, selection and monitoring process (due diligence process) to identify, analyse, select and monitor the individual hedge funds.

As part of the due diligence process, the target funds are analysed in several steps with regard to all investment-relevant and operational aspects. The AIFM and the portfolio manager of **Accumulus Fund AIF** endeavour to minimise any risks as far as possible through appropriate diversification of the underlying target funds and their managers. By periodically updating the collected data, the portfolio manager is able to continuously monitor the consistency between the objective and the investment strategy of the Accumulus **Fund AIF** to determine whether a target fund remains within the defined investment framework and risk parameters and, if necessary, to take appropriate corrective measures. Nevertheless, it cannot be ruled out that in exceptional cases a substantial loss may be incurred by individual underlying hedge funds.

The due diligence process for the individual target funds takes particular account of the following qualitative and quantitative criteria:

**Qualitative criteria:**

- ◆ Detailed discussion of the investment approach and portfolio holdings past and present. Particular attention is paid to the history of the approach and the changes made over time;
- ◆ Review the history of the company and its employees as well as the performance record of the managed portfolios over time;
- ◆ Review of investment, risk management, compliance, liquidity, operational, business continuity and pricing policies, processes and procedures and the organisation's adherence to these policies;
- ◆ Obtaining and reviewing all relevant fund and company documentation, legal requirements and registrations/filings;
- ◆ Personal inspection of the facilities (under normal circumstances);
- ◆ Review of the audited financial statements of the company and the relevant funds;
- ◆ Checking the references of management and key personnel.
- ◆ Review of service providers;
- ◆ Review of past and current legal and regulatory issues facing the company and its employees.

**Quantitative criteria:**

- ◆ Collection of past and current performance and exposure data;
- ◆ The analysis focuses on risk/return statistics, drawdowns, correlations and performance attribution;
- ◆ Comparison of target funds and corresponding peer groups in terms of performance and risk indicators.

**B1.6.5 Definition of individual investment strategies**

The implementation of the investment policy includes an appropriate diversification in various investment funds that apply one or more of the best-known and most common investment strategies with the following main styles. The following list is exemplary and not exhaustive:

Investment strategy	Investment style direction		
	Fixed Income:	Equities:	Currencies and Commodities:
<b>Event Driven</b>	<ul style="list-style-type: none"> <li>◆ Bank Loans</li> <li>◆ Distressed securities</li> <li>◆ High Yield Bonds</li> <li>◆ Special Situations</li> </ul>	<ul style="list-style-type: none"> <li>◆ Distressed securities</li> <li>◆ Special Situations</li> <li>◆ Takeover/merger/risk arbitrage</li> </ul>	
<b>Equity hedged</b>		<ul style="list-style-type: none"> <li>◆ Equity Market Neutral</li> <li>◆ Long-short equities</li> <li>◆ Long-Short Sectors</li> <li>◆ Long-Biased Equities</li> <li>◆ Short-Biased Equities</li> </ul>	
<b>Relative value</b>	<ul style="list-style-type: none"> <li>◆ Asset-backed securities</li> <li>◆ Arbitrage</li> <li>◆ Convertible Bond Arbitrage</li> <li>◆ Fixed Income Arbitrage</li> <li>◆ Index and Options Arbitrage</li> <li>◆ Mortgage-backed Securities Arbitrage</li> </ul>	<ul style="list-style-type: none"> <li>◆ Convertible Bond Arbitrage</li> <li>◆ Index and Options Arbitrage</li> <li>◆ Statistical Equity Arbitrage</li> </ul>	<ul style="list-style-type: none"> <li>◆ Commodities Arbitrage</li> <li>◆ Derivatives Arbitrage</li> </ul>
<b>Global Macro</b>	<ul style="list-style-type: none"> <li>◆ Emerging Markets Debt</li> <li>◆ Interest rates</li> </ul>	<ul style="list-style-type: none"> <li>◆ Equities</li> <li>◆ Emerging Markets Equity</li> </ul>	<ul style="list-style-type: none"> <li>◆ Commodities</li> <li>◆ Currencies</li> </ul>
<b>Multiple Strategies</b>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>



The AIFM reserves the right to modify the composition of the portfolio of the **Accumulus Fund AIF** at any time in the interests of the investors **and to** supplement or reduce the universe of investment strategies and styles.

**B1.6.5.1 Event Driven:**

Exposures to companies that are subject to organisational changes, such as restructuring of the capital structure, acquisitions, mergers, takeovers, spin-offs, liquidations or reorganisations. Typical event-driven strategies are merger arbitrage, special situations or SPAC arbitrage. The investor usually benefits from a price spread between two securities that closes after the event.

**B1.6.5.2 Equity Hedged:**

Classic and largest segment of the hedge fund industry. Shares and share-like securities as well as derivative instruments are both bought (long positions) and sold short (short positions). When selecting investments, the focus is on the assessment and valuation of the individual companies (stock picking). Quantitative equity hedged funds apply trading strategies based on mathematical/statistical risk models (market risk is neutralised). Undervalued stocks are held long (as a long position), overvalued stocks are held short (as a short position). The funds can be net long, net short or market neutral.

**B1.6.5.3 Relative Value:**

The attempt to achieve an almost risk-free profit is based on trading correlated securities or different instruments with the same underlying asset or currency against each other in order to profit from mispricing. Typical arbitrage strategies are convertible bond arbitrage, capital structure arbitrage, fixed income arbitrage or mortgage-backed securities arbitrage. The returns achieved with relative value strategies are largely independent of the direction of the market trend.

**B1.6.5.4 Global Macro:**

Global Macro have an opportunistic approach that capitalises on changes in macroeconomic trends and turning points. The managers base their decisions on analysing global securities, currency, commodity and interest rate markets to identify mispricing between markets or relative to macroeconomic trends. The managers may use different types of investment techniques and instruments. Global Macro Funds may utilise high leverage. Returns are highly dependent on the manager's trading and risk management skills.

**B1.6.6 Accounting currency of the sub-fund**

The accounting currency of the **Accumulus Fund AIF** and the reference currency per unit class are specified in section B1.1 of this Annex "Sub-fund overview".

The accounting currency is the currency in which the Accumulus **Fund AIF**'s accounts are kept. The reference currency is the currency in which the performance and the net asset value of the respective unit class of the Accumulus **Fund AIF** are calculated and not the investment currency of the respective unit class of the sub-fund. Investments are made in the currencies that are best suited to the performance of the Accumulus **Fund AIF**.

**B1.6.7 Profile of the typical investor**

The **Accumulus Fund AIF** is only suitable for risk-tolerant investors with a long-term investment horizon who wish to invest in an appropriately diversified portfolio of alternative investment funds (hedge funds). In particular, the investor must be

willing and able to accept any price losses. It cannot be ruled out that a substantial loss of individual investments may occur in exceptional cases.

## B1.7 Investment regulations

The following provisions also apply to the investments of the **Accumulus Fund AIF**:

### B1.7.1 Authorised systems

In principle, the **Accumulus Fund AIF** may invest its assets in the following investments. Investments may be made in instruments that are traded on a stock exchange or another regulated market open to the public, as well as in unlisted or regularly traded instruments.

The **Accumulus Fund AIF** may invest up to 10% of its assets in investments other than those specified in section B1.7.1.

The investments of the **Accumulus Fund AIF** consist of:

- B1.7.1.1** units of domestic and foreign non-classical target funds (UCIs, AIFs, ETFs, investment funds of any kind). These funds are open-ended investment funds or closed-ended investment funds of any legal structure traded on a stock exchange or another regulated market open to the public, in particular collective investment agreements or investment companies, trusts or limited partnerships, the majority of which are valued at least monthly and the majority of which permit redemptions at least quarterly. The **Accumulus Fund AIF** invests primarily in foreign funds for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile. There is no restriction on the domicile of foreign target funds, i.e. their domicile or registered office may be in any country outside Liechtenstein;
- B1.7.1.2** Units of traditional domestic and foreign open-ended investment funds or closed-ended investment funds traded on a stock exchange or another regulated market open to the public (UCITS, UCI, AIF, ETF, investment funds of any kind);
- B1.7.1.3** the **Accumulus Fund AIF** may invest its assets in units of other funds that are managed by the AIFM itself (see restriction pursuant to section B.7.4.5 below);
- B1.7.1.4 Derivative financial instruments:**
  - a)** Derivative financial instruments that are traded on a stock exchange or another regulated market open to the public;
  - b)** Derivative financial instruments that are not traded on a regulated market (OTC derivatives), if:
    - 1.** the counterparty is subject to supervision that is equivalent to that of Liechtenstein; and
    - 2.** they can be comprehensibly valued, sold, liquidated or liquidated or offset by an offsetting transaction;
  - c)** Derivative financial instruments that are embedded in a security or money market instrument (e.g. structured financial instruments, certificates).
- B1.7.1.5 Inlays:**

Sight deposits or callable deposits with a maximum term of twelve months with credit institutions that have their registered office in an

EEA member state or a third country whose supervisory law is equivalent to that of EEA law;

**B1.7.1.6** The legal form of the undertakings for collective investment (investment funds such as UCITS, AIF, ETF, etc.) is irrelevant. These may be collective investment undertakings under contract law, collective investment undertakings in corporate form or collective investment undertakings in the form of trusteeship (unit trusts), among others;

**B1.7.1.7** Investments in other undertakings for collective investment (investment funds such as AIFs, ETFs, etc.) may be undertakings for collective investment for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile;

**B1.7.1.8** The **Accumulus Fund AIF** may acquire units of other undertakings for collective investment (UCITS, AIF, ETF) that are managed directly or indirectly with the AIFM or another company with which the AIFM or the Management Company is linked by common management or control or by a substantial direct or indirect holding. To the extent of such investments, the AIFM or the other company may not charge any fees for the subscription or redemption of units of the other undertakings for collective investment or the conversion of individual sub-funds by the sub-fund.

#### **B1.7.2 Cash and cash equivalents**

The **Accumulus Fund AIF** may hold liquid assets totalling up to 49% of its assets with the Depositary. In special exceptional cases, these may exceed 49% prior to if and to the extent that this appears to be in the interests of the unitholders. Cash and cash equivalents are deemed to be sight and time bank deposits with maturities of up to twelve months.

#### **B1.7.3 Non-authorised systems**

The following systems in particular are not authorised:

**B1.7.3.1** Direct investments in property;

**B1.7.3.2** Direct investments in physical goods (commodities, works of art, antiques or similar). However, it cannot be ruled out that individual target funds in which the **Accumulus Fund AIF** has invested may temporarily assume such positions;

**B1.7.3.3** Physical short sales of investments of any kind;

**B1.7.3.4** Granting of loans by the **Accumulus Fund AIF**;

**B1.7.3.5** The AIFM may at any time impose further investment restrictions in the interests of the unitholders insofar as these are necessary to comply with the laws and regulations of those countries in which the AIF's unit certificates are offered and sold.

#### **B1.7.4 Investment limits**

The **Accumulus Fund AIF** is subject to the following investment restrictions:

**B1.7.4.1** The **Accumulus Fund AIF** may invest up to a maximum of 25% of its assets in units of a single open-ended investment fund or a single closed-ended investment fund of any legal structure (UCITS, UCI, AIF, ETF, investment fund of any kind) traded on a stock exchange or another regulated market open to the public;

**B1.7.4.2** up to a maximum of 25% of the assets may be managed by the same fund manager;

**B1.7.4.3** the target funds acquired by the AIFM are only subject to the investment restrictions imposed in their prospectuses. Neither the AIFM nor the portfolio manager or the depositary shall be liable for compliance with such guidelines and restrictions by the individual target funds;

**B1.7.4.4** In addition to the restrictions listed in this section, any further restrictions in section B1.6 must be observed.

#### **B1.7.5 Limitation of borrowing**

The **Accumulus Fund AIF** is subject to the following restrictions:

**B1.7.5.1** The assets of the **Accumulus Fund AIF** may not be pledged or otherwise encumbered, transferred by way of security or assigned by way of security, except in the case of borrowing within the meaning of Section B1.7.5.2 or for the provision of collateral as part of the settlement of transactions with financial instruments.

**B1.7.5.2** The **Accumulus Fund AIF** may borrow at market conditions both for investment purposes and to satisfy redemption requests (see section B1.6 "Investment principles of the sub-fund"). Borrowing by the sub-fund is subject to the credit and risk policy of the Depositary, which may change during the term of the sub-fund.

**B1.7.5.3** Item B1.7.5.2 does not prevent the acquisition of financial instruments that are not yet fully paid up.

### **B1.8 Valuation**

The valuation is carried out by the AIFM in accordance with the principles set out in the constitutive documents.

The net asset value (the "NAV") per unit of a sub-fund or unit class is calculated by the AIFM or its authorised agent at the end of the financial year and on the respective valuation day or on the special valuation day or special NAV on the basis of the last known prices, taking into account the valuation interval.

The NAV of a unit in a unit class of a sub-fund is expressed in the accounting currency of the sub-fund or, if different, in the reference currency of the corresponding unit class and is calculated as the proportion of the assets of this sub-fund attributable to the relevant unit class, less any debt obligations of the same sub-fund that are allocated to the relevant unit class, divided by the number of units in circulation of the corresponding unit class. It is rounded as follows for the issue and redemption of units:

- ♦ to USD 0.01 if the currency is the US dollar (USD);
- ♦ to EUR 0.01 if the currency is the euro (EUR);
- ♦ to CHF 0.01 if the currency is the Swiss franc (CHF).

The assets of the sub-fund are valued according to the following principles:

**B1.8.1** Securities that are officially listed on a stock exchange are valued at the last available price. If a security is officially listed on several stock exchanges, the last available price of the stock exchange that is the main market for this security is decisive.

**B1.8.2** Securities that are not officially listed on a stock exchange but are traded on a market open to the public are valued at the last available price. If a security is

traded on various markets open to the public, the last available price on the market with the highest liquidity is decisive.

- B1.8.3** Securities or money market instruments with a remaining term of less than 397 days can be amortised or written up on a straight-line basis at the difference between the cost price (purchase price) and the redemption price (price at final maturity). A valuation at the current market price can be omitted if the redemption price is known and fixed. Any changes in creditworthiness are also taken into account;
- B1.8.4** Investments whose price is not in line with the market and those assets that do not fall under item B1.8.1, item B1.8.2 and item B1.8.3 above are recognised at the price that would probably be achieved in a diligent sale at the time of valuation and that is determined in good faith by the management of the AIFM or under its direction or supervision by authorised agents.
- B1.8.5** OTC derivatives are valued on a daily basis on the basis of a verifiable valuation to be determined by the AIFM in good faith and in accordance with generally recognised valuation models verifiable by auditors on the basis of the probable realisable sales value.
- B1.8.6** Investment assets such as UCITS, UCIs, AIFs and other funds are valued at the last established and available net asset value. If redemption is suspended for units or, in the case of closed-end funds, there is no redemption entitlement or no redemption prices are set, these units and all other assets are valued at the respective market value as determined by the AIFM in good faith and in accordance with generally recognised valuation models that can be audited by auditors in accordance with.
- B1.8.7** If no tradable price is available for the respective assets, these assets, as well as the other legally permissible assets, are valued at the respective market value as determined by the AIFM in good faith and in accordance with generally recognised valuation models verifiable by auditors on the basis of the probable realisable sales value.
- B1.8.8** Cash and cash equivalents are recognised at their nominal value plus accrued interest.
- B1.8.9** The market value of securities and other investments denominated in a currency other than the currency of the sub-fund is converted into the corresponding currency of the sub-fund at the latest exchange rate.

The AIFM is authorised to temporarily apply other adequate valuation principles for the sub-fund's assets if the above-mentioned valuation criteria appear impossible or inappropriate due to extraordinary events. In the event of massive redemption requests, the AIFM may value the units of the sub-fund's assets on the basis of the prices at which the necessary sales of securities are expected to be made. In this case, the same calculation method is used for issue and redemption applications submitted at the same time.

## **B1.9 Risks and risk profiles of the sub-fund**

### **B1.9.1 Sub-fund-specific risks**

**The performance of the units depends on the investment policy and the market performance of the individual investments of the AIF and cannot be determined in advance. There is no guarantee that the investment objective will actually be achieved or that the investments will increase in value. When redeeming units, the investor may not receive back the amount originally invested in the AIF.**

Due to its investment policy, the risks of the **Accumulus Fund AIF** are not comparable with those of certain undertakings for collective investment in transferable securities within the meaning of the German Act on Certain Undertakings for Collective Investment in Transferable Securities (UCITSG).

The **Accumulus Fund AIF** invests as a "fund of funds" in various, mostly foreign investment funds of any legal structure, such as collective investment agreements, trusts, investment companies and limited partnerships (hereinafter referred to as target funds), which pursue alternative investment strategies or make alternative investments (generally known as hedge funds or non-classical funds).

Other risks such as currency risk and interest rate risk may also materialise. The use of derivative financial instruments that are not used for hedging purposes can lead to increased risks.

It should be noted that the **Accumulus Fund AIF is** authorised to take out loans at market conditions for a maximum of 10% of the sub-fund's assets, both for investment purposes and to satisfy redemption requests. In addition, the sub-fund may invest up to a maximum of 25% of its assets in units of a single investment fund and up to 25% of its assets in the same fund manager.

In the case of fund of funds, management fees, custodian fees and other costs are incurred at the level of the respective target funds and at the level of the **Accumulus Fund AIF**. Investors' attention is drawn in particular to the fact that when investing in funds of funds (funds of funds), additional costs are incurred when buying and selling and managing the funds of funds.

The attention of investors in the **Accumulus Fund AIF is** expressly drawn to the general and fund-specific risks, which are described in detail in this document. In particular, investors must be willing and able to accept any - even substantial - price losses. The redemption of unit certificates is subject to a notice period of 65 calendar days to the last bank working day of a month. It is not possible to withdraw from the sub-fund prematurely without observing the cancellation period.

The AIFM and the portfolio manager of the **Accumulus Fund AIF** endeavour to minimise any risks as far as possible through appropriate diversification of the underlying target funds and their managers. Nevertheless, it cannot be ruled out that in exceptional cases a substantial loss may be incurred by individual underlying hedge funds.

The value of a unit may be subject to considerable fluctuations. The AIFM recommends **that** potential investors invest only a limited portion of their overall portfolio in units of the **Accumulus Fund AIF**. An investment in units of the **Accumulus Fund AIF** is only suitable for investors with a high risk appetite and a medium to long-term time horizon.

#### **Derivative financial instruments**

The AIFM may enter into derivative transactions for the **Accumulus Fund AIF for the** purposes of hedging, efficient portfolio management, the realisation of additional income and as part of the investment strategy. This may increase the sub-fund's risk of loss, at least temporarily.

#### **Leverage financing (leverage)**

The AIFM expects that the leverage of the **Accumulus Fund AIF** using the gross method will generally be less than **2.2**. However, the net method provides an

indication of the risk content of the sub-fund, as it also takes appropriate account of the use of derivative financial instruments for hedging purposes.

The AIFM expects that the leverage of the **Accumulus Fund AIF** according to the net method will generally be less than **1.1**. Depending on market conditions, the leverage may vary and, in exceptional cases, the leverage may be higher.

#### **Risk management procedures**

The AIFM uses the commitment approach as a recognised calculation method for risk management.

#### **B1.9.2 General risks**

In addition to the sub-fund-specific risks, the investments of the **Accumulus Fund AIF** may be subject to general risks. An exemplary but non-exhaustive list can be found under §39 of the investment conditions.

### **B1.10 Costs reimbursed from the sub-fund**

An overview of the costs reimbursed by the **Accumulus Fund AIF** can be found in the table "Master data and information on the sub-fund and any unit classes" in section B1.1 of this Annex "Sub-fund overview".

### **B1.11 Performance fee**

No performance fee is applied.

Schaan/Vaduz, 5 September 2024

#### **The AIFM:**

IFM Independent Fund Management AG, Schaan

#### **The depositary:**

VP Bank Ltd, Vaduz



## B2 Sub-fund 2: Accumulus Contrarian Fund

### B2.1 The sub-fund at a glance

Master data and information on the sub-fund and its unit classes	
	Unit classes of the sub-fund
Share class <sup>33</sup>	-USD-
ISIN number	LI1223414031
Security number	122.341.403
SFDR classification	Article 6
Duration of the sub-fund	unlimited
Listing	No
Accounting currency of the sub-fund	US Dollar (USD)
Reference currency of the unit classes <sup>34</sup>	US Dollar (USD)
Minimum investment <sup>35</sup>	USD 100'000.--
Initial issue price	USD 1'000.--
First day of subscription	25.11.2022
Liberation (First value date)	30.11.2022
Valuation date (T)	Last day of the month
Valuation interval	Monthly
Issue and redemption date	Each valuation date
Closing date for subscriptions and value date of the issue date <sup>36</sup>	Subscriptions must be received by the Depositary by no later than 4.00 p.m. (CET) on the <b>25th of the month</b> <sup>37</sup> and payments must be received by no later than 4.00 p.m. (CET) on the <b>27th of the month</b> . <sup>6</sup>
Trading options drawings	Amount drawings only
Deadline for redemptions (T-65) <sup>5,38</sup>	Monthly, subject to a period of notice of 65 calendar days to the end of the month
Value date Redemption date	2 bank working days after calculation of the net asset value (NAV)
Trading Options Redemptions	Shares only
Lock-Up <sup>39</sup>	n/a
Denomination	three decimal places
Securitisation	book-entry / no issue of certificates
Closing of the financial year	as at 31 December in each case
End of the first financial year	31 December 2022
Utilisation of profit	Accumulating

<sup>33</sup> The currency risks of the currency classes issued can be hedged in full or in part.

<sup>34</sup> The reference currency is the currency in which the performance and the net asset value of the respective unit class of the sub-fund are calculated.

<sup>35</sup> The detailed subscription conditions are described in Art. 41 of the Terms of Investment. Lower minimum investments may also be accepted with the authorisation of the AIFM.

<sup>36</sup> If the acceptance deadline falls on a bank holiday in Liechtenstein, the acceptance deadline will be brought forward to the previous bank business day in Liechtenstein. If the payment is not received on time, the corresponding subscription order will be settled at the net asset value of the following month.

<sup>37</sup> By decision of the AIFM, the acceptance deadline for subscriptions and the value date of the issue date may be postponed, taking into account the SIX settlement calendar. The AIFM shall ensure that all subscriptions received up to this postponement date are treated equally. If the value date falls on a (currency) public holiday, the value date shall be postponed accordingly.

<sup>38</sup> The AIFM reserves the right not to fully execute redemption requests on a redemption day on which the total redemption requests would lead to an outflow of funds amounting to more than 25% of the total net assets of the sub-fund on the relevant redemption day (redemption gate). Under these circumstances, the AIFM may decide to execute the redemption applications only on a pro rata basis and to defer the unexecuted redemption applications on the redemption day to the next redemption day.

<sup>39</sup> A lock-up is a blocking period during which no unit redemption takes place. Redemption requests will only be accepted and settled again after the lock-up period has expired and the cancellation period has been observed.

Information on distribution (group of investors)	
	Unit classes of the sub-fund
Share class	-USD-
Professional investors	Permitted
Private investors	Permitted

  

Costs borne by the investors	
	Unit classes of the sub-fund
Share class	-USD-
Max. Issue premium <sup>40</sup>	None
Max. Redemption discount in favour of the sub-fund's assets <sup>40</sup>	None
Conversion fee when switching from one sub-fund to another sub-fund	None
Conversion fee when switching from one unit class to another unit class	None

  

Costs charged to the assets of the sub-fund <sup>41, 42</sup>	
	Unit classes of the sub-fund
Share class	-USD-
Max. Flat rate fee <sup>40</sup>	0.90% p.a.
Performance fee	none
Estimated indirect costs at the level of indirect investments	approx. 1.25% p.a. plus any performance fee

  

Use of benchmarks	
	Unit classes of the sub-fund
Share class	-USD-
Benchmark	The sub-fund does not use a benchmark

## B2.2 Delegation of tasks by the AIFM

### B2.2.1 Portfolio management

Portfolio management for the **Accumulus Contrarian Fund** is delegated to AC-CUMULUS CAPITAL MANAGEMENT, LLC, 110 East 59th Street, 33rd Floor, New York, NY 10002.

### B2.2.2 Distributor

The AIFM has not delegated the distribution of the units of the **Accumulus Contrarian Fund**.

## B2.3 Investment advisor

No investment advisor has been appointed for the **Accumulus Contrarian Fund**.

## B2.4 Depositary

VP Bank AG, Aeulestrasse 6, FL-9490 Vaduz, acts as custodian for the **Accumulus Contrarian Fund**.

<sup>40</sup> The commission or fee actually charged is shown in the annual report.

<sup>41</sup> Plus taxes and other costs and fees: Transaction costs and expenses incurred by the AIFM and the depositary in the performance of their functions. Details can be found in § 48 (Ongoing fees) and § 53 (Tax regulations) of the investment conditions.

<sup>42</sup> In the event of the dissolution of the sub-fund or the AIF, the AIFM may charge a liquidation fee of up to CHF 15,000 in its favour.

## B2.5 Auditor

BDO (Liechtenstein) AG, Wuhrstrasse 14, FL-9490 Vaduz, has been appointed as auditor for the **Accumulus Contrarian Fund**.

## B2.6 Investment principles of the sub-fund

The following provisions govern the sub-fund-specific investment principles of the **Accumulus Contrarian Fund**:

Investment principles of the sub-fund in brief	
Non-authorised system	See section B2.7.3
Investments in other funds	Yes, unlimited
Leverage financing (leverage) Gross method Net method	< 2.2 at sub-fund level < 1.1 at sub-fund level
Risk management procedures	Commitment approach
Borrowing	Yes, maximum 10% of the sub-fund assets (see also section B2.7.5)
Derivative financial instruments	Yes, to hedge currency risks
Short sales	Short sales with so-called presented securities are not permitted at the level of the AIF
Securities lending Securities Borrowing Securities Lending	No No No
Repurchase agreements	No
Investment period within which the investment objective and investment policy must be achieved	6 months after payment of the sub-fund

### B2.6.1 Investment objective and investment policy

The investment objective of the **Accumulus Contrarian Fund** is to achieve a long-term, risk-adjusted increase in the value of the sub-fund's assets. The **Accumulus Contrarian Fund** and most of its target funds focus on achieving positive returns through periods of high volatility and price corrections in financial markets. To this end, the **Accumulus Contrarian Fund invests** in a diversified portfolio of alternative investment funds (hedge funds).

In order to achieve the investment objective, the **Accumulus Contrarian Fund** invests **predominantly (at least 51%)** in **non-classical funds/hedge funds** using the **fund of fund approach** (see section B2.6.5 "Definition of individual investment strategies").

These investments ("target funds") are generally foreign undertakings for collective investment (UCIs) of any legal structure for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile. The foreign funds are open-ended funds or closed-ended funds of any kind traded on a stock exchange or another regulated market open to the public, in particular collective investment schemes, trusts, investment companies and limited partnerships.

The **Accumulus Contrarian Fund** may hold liquid assets totalling up to 49% of its assets. In exceptional cases, these may temporarily exceed 49% if and insofar as this appears to be in the interests of the unitholders.

Investments are primarily made in assets denominated in US dollars (USD). In addition, assets denominated in other currencies may also be held. In order to minimise the currency risk, assets that are not denominated in US dollars are hedged against the US dollar.

The use of derivative financial instruments is only permitted to hedge currency risks.

Unless otherwise specified for the sub-fund in section B2.6, the investment regulations pursuant to section B2.7 apply.

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

**There is no guarantee that the investment objective of the selected investment policy will be achieved; in particular, it is possible that individual target funds may suffer a total loss. Please note the corresponding risk warning in section B2.9 of this Annex.**

**The sub-fund-specific risks in section B2.9 of this Annex and the general risks in Article 39 of the Investor Information must be observed.**

#### **B2.6.2 Differentiation between traditional and alternative investment funds**

A traditional portfolio usually consists of equities, bonds and money market investments in various currencies, with the disadvantage that its risk and return characteristics are directly dependent on those of the capital markets concerned (high correlation).

Hedge funds are investment products that belong to the category of alternative investments and are an interesting addition to a traditional portfolio. Hedge funds utilise various alternative investment styles and strategies, which often exhibit a low correlation to equity and bond markets. By investing in hedge funds, it is possible to improve the risk/return ratio of a traditional portfolio (i.e. higher expected return with the same risk or the same expected return with lower risk) without jeopardising its earnings prospects.

In alternative investment strategies, securities are also sold short (so-called short positions) and a leverage effect is achieved through borrowing and derivative financial instruments. Many of these hedge funds can utilise derivative financial instruments (e.g. options, futures, currency forwards and swaps and interest rate swaps) without restriction.

**Investments in hedge funds entail further risks in addition to the usual market, credit and liquidity risks of traditional investment funds. The attention of investors in the Accumulus Contrarian Fund is therefore expressly drawn to the general and fund-specific risks described in detail in section B2.9, whereby the list contained therein is not an exhaustive list of all potential risk factors.**

#### **B2.6.3 Fund of funds structure**

Using the fund of funds approach, the **Accumulus Contrarian Fund** invests in several target funds. As a result of this allocation, asset management is carried out by a diversified group of fund managers. The aim of a fund of funds is to select the best investment products within a defined investment policy and to continuously monitor their investment process, risk management and performance.

The target funds differ in terms of investment style and strategy, use different investment approaches and invest in a range of corporate securities in different markets. Diversification is achieved by selecting target funds with mostly idiosyncratic risk profiles and with low correlation to the securities markets and to each other. This opens up greater return opportunities for investors and reduces the investment risk.

The advantages and disadvantages of a fund of funds structure as opposed to a direct investment in a specific target fund (hedge fund) are as follows:

**Advantages:**

- ◆ The risk is reduced by investing in various target funds, thereby achieving additional diversification;
- ◆ The investor benefits from the extensive knowledge and experience of the portfolio manager with regard to the selection of fund managers, portfolio construction and risk management of hedge fund portfolios;
- ◆ the fund-of-funds manager provides access to a greater number of alpha opportunities than an investment with a single manager.

**Disadvantages:**

- ◆ In the case of fund of funds, the management, depositary and other costs are incurred at the level of the target funds and at the level of the **Accumulus Fund AIF** and therefore the total costs are likely to be higher.

**B2.6.4 Audit, selection and control procedures (due diligence process)**

The portfolio manager of the **Accumulus Contrarian Fund** relies on an in-depth due diligence process to identify, analyse, select and monitor the individual hedge funds.

As part of the due diligence process, the target funds are analysed in several steps with regard to all investment-relevant and operational aspects. The AIFM and the portfolio manager of the **Accumulus Contrarian Fund** endeavour to minimise any risks as far as possible through appropriate diversification of the underlying target funds and their managers. By periodically updating the collected data, the portfolio manager is able to continuously monitor whether a target fund remains within the defined investment framework and risk parameters and, if necessary, to take appropriate corrective measures. Nevertheless, it cannot be ruled out that in exceptional cases a substantial loss may be incurred by individual underlying hedge funds.

The due diligence process for the individual target funds takes particular account of the following qualitative and quantitative criteria:

**Qualitative criteria:**

- ◆ Detailed discussion of the investment approach and portfolio holdings past and present. Particular attention is paid to the history of the approach and the changes made over time;
- ◆ Review the history of the company and its employees as well as the performance record of the managed portfolios over time;
- ◆ Review of investment, risk management, compliance, liquidity, operational, business continuity and pricing policies, processes and procedures and the organisation's adherence to these policies;
- ◆ Obtaining and reviewing all relevant fund and company documentation, legal requirements and registrations/filings;
- ◆ Personal inspection of the facilities (under normal circumstances);
- ◆ Review of the audited financial statements of the company and the relevant funds;
- ◆ Checking the references of management and key personnel.
- ◆ Review of service providers;
- ◆ Review of past and current legal and regulatory issues facing the company and its employees.

**Quantitative criteria:**

- ◆ Collection of past and current performance and exposure data;

- ◆ The analysis focuses on risk/return statistics, drawdowns, correlations and performance attribution;
- ◆ Comparison of target funds and corresponding peer groups in terms of performance and risk indicators.

### B2.6.5 Definition of individual investment strategies

The implementation of the investment policy includes an appropriate diversification in various investment funds that apply one or more of the best-known and most common investment strategies with the following main styles. The following list is exemplary and not exhaustive:

Investment strategy	Investment style direction		
	Fixed Income:	Equities:	Currencies and Commodities:
<b>Event Driven</b>	<ul style="list-style-type: none"> <li>◆ Bank Loans</li> <li>◆ Distressed securities</li> <li>◆ High Yield Bonds</li> <li>◆ Special Situations</li> </ul>	<ul style="list-style-type: none"> <li>◆ Distressed securities</li> <li>◆ Special Situations</li> <li>◆ Takeover/merger/risk arbitrage</li> </ul>	
<b>Equity hedged</b>		<ul style="list-style-type: none"> <li>◆ Equity Market Neutral</li> <li>◆ Long-short equities</li> <li>◆ Long-Short Sectors</li> <li>◆ Long-Biased Equities</li> <li>◆ Short-biased equities</li> </ul>	
<b>Relative value</b>	<ul style="list-style-type: none"> <li>◆ Asset-backed securities</li> <li>◆ Arbitrage</li> <li>◆ Convertible Bond Arbitrage</li> <li>◆ Fixed Income Arbitrage</li> <li>◆ Index and Options Arbitrage</li> <li>◆ Mortgage-backed Securities Arbitrage</li> </ul>	<ul style="list-style-type: none"> <li>◆ Convertible Bond Arbitrage</li> <li>◆ Index and Options Arbitrage</li> <li>◆ Statistical Equity Arbitrage</li> </ul>	<ul style="list-style-type: none"> <li>◆ Commodities Arbitrage</li> <li>◆ Derivatives Arbitrage</li> </ul>
<b>Global Macro</b>	<ul style="list-style-type: none"> <li>◆ Emerging Markets Debt</li> <li>◆ Interest Rates</li> </ul>	<ul style="list-style-type: none"> <li>◆ Equities</li> <li>◆ Emerging Markets Equity</li> </ul>	<ul style="list-style-type: none"> <li>◆ Commodities</li> <li>◆ Currencies</li> </ul>
<b>Multiple Strategies</b>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>	<ul style="list-style-type: none"> <li>◆ Multi-Strategy Funds</li> </ul>

In the interests of investors, the AIFM reserves the right to modify the composition of the **Accumulus Contrarian Fund** portfolio at any time **and to** supplement or reduce the universe of investment strategies and styles.

#### B2.6.5.1 Event Driven:

Exposures to companies that are subject to organisational changes, such as restructuring of the capital structure, acquisitions, mergers, takeovers, spin-offs, liquidations or reorganisations. Typical event-driven strategies are merger arbitrage, special situations or SPAC arbitrage. Investors generally benefit from a price spread between two securities that closes after the event.

#### B2.6.5.2 Equity Hedged:

Classic and largest segment of the hedge fund industry. Shares and share-like securities as well as derivative instruments are both bought (long positions) and sold short (short positions). When selecting investments, the focus is on the assessment and valuation of the individual companies (stock picking). Quantitative equity hedged funds apply trading strategies based on mathematical/statistical risk models (market risk is neutralised). Undervalued stocks are held long (as a long

position), overvalued stocks are held short (as a short position). The funds can be net long, net short or market neutral.

#### **B2.6.5.3 Relative Value:**

The attempt to achieve an almost risk-free profit is based on trading correlated securities or different instruments with the same underlying asset or currency against each other in order to profit from mispricing. Typical arbitrage strategies are convertible bond arbitrage, capital structure arbitrage, fixed income arbitrage or mortgage-backed securities arbitrage. The returns achieved with relative value strategies are largely independent of the direction of the market trend.

#### **B2.6.5.4 Global Macro:**

Global Macro have an opportunistic approach that capitalises on changes in macroeconomic trends and turning points. The managers base their decisions on analysing global securities, currency, commodity and interest rate markets to identify mispricing between markets or relative to macroeconomic trends. The managers may use different types of investment techniques and instruments. Global Macro Funds may utilise high leverage. Returns are highly dependent on the manager's trading and risk management skills.

#### **B2.6.6 Accounting currency of the sub-fund**

The accounting currency of the **Accumulus Contrarian Fund** and the reference currency per unit class are specified in section B2.1 of this Annex "Sub-fund overview".

The accounting currency is the currency in which the Accumulus Contrarian **Fund's** accounts are kept. The reference currency is the currency in which the performance and the net asset value of the relevant unit class of the Accumulus Contrarian **Fund** are calculated and not the investment currency of the relevant unit class of the sub-fund. Investments are made in the currencies that are best suited to the performance of the **Accumulus Contrarian Fund**.

#### **B2.6.7 Profile of the typical investor**

The **Accumulus Contrarian Fund** is only suitable for risk-tolerant investors with a long-term investment horizon who wish to invest in an appropriately diversified portfolio of alternative investment funds (hedge funds). In particular, the investor must be willing and able to accept any price losses. It cannot be ruled out that in exceptional cases a substantial loss of individual investments may occur.

### **B2.7 Investment regulations**

The following provisions also apply to the investments of the **Accumulus Contrarian Fund**:

#### **B2.7.1 Authorised systems**

The **Accumulus Contrarian Fund** may invest its assets in the following investments. Investments may be made in instruments that are traded on a stock exchange or another regulated market open to the public, as well as in unlisted or regularly traded instruments.

The **Accumulus Contrarian Fund** may invest up to 10% of its assets in investments other than those specified in section B2.7.1.

The investments of the **Accumulus Contrarian Fund** consist of:



- B2.7.1.1** units of domestic and foreign non-classical target funds (UCIs, AIFs, ETFs, investment funds of any kind). These funds are open-ended investment funds or closed-ended investment funds of any legal structure traded on a stock exchange or another regulated market open to the public, in particular collective investment agreements or investment companies, trusts or limited partnerships, the majority of which are valued at least monthly and the majority of which permit redemptions at least quarterly. The **Accumulus Contrarian Fund** invests primarily in foreign funds for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile. There is no restriction on the domicile of foreign target funds, i.e. their domicile or registered office may be in any country outside Liechtenstein;
- B2.7.1.2** Units of traditional domestic and foreign open-ended investment funds or closed-ended investment funds traded on a stock exchange or another regulated market open to the public (UCITS, UCI, AIF, ETF, investment funds of any kind);
- B2.7.1.3** the **Accumulus Contrarian Fund** may invest its assets in units of other funds that are managed by the AIFM itself (see restriction pursuant to section B2.7.4.5 below);
- B2.7.1.4 Derivative financial instruments:**
- a)** Derivative financial instruments that are traded on a stock exchange or another regulated market open to the public;
  - b)** Derivative financial instruments that are not traded on a regulated market (OTC derivatives), if:
    - 1.** the counterparty is subject to supervision that is equivalent to that of Liechtenstein; and
    - 2.** they can be comprehensibly valued, sold, liquidated or offset by an offsetting transaction at any time;
  - c)** Derivative financial instruments that are embedded in a security or money market instrument (e.g. structured financial instruments, certificates).
- B2.7.1.5 Inlays:**  
Sight deposits or callable deposits with a maximum term of twelve months with credit institutions that have their registered office in an EEA member state or a third country whose supervisory law is equivalent to that of EEA law;
- B2.7.1.6** The legal form of the undertakings for collective investment (investment funds such as UCITS, AIF, ETF, etc.) is irrelevant. These may be collective investment undertakings under contract law, collective investment undertakings in corporate form or collective investment undertakings in the form of trusteeship (unit trusts);
- B2.7.1.7** Investments in other undertakings for collective investment (investment funds such as AIFs, ETFs, etc.) may be undertakings for collective investment for which no distribution licence is available in the Principality of Liechtenstein due to a lack of equivalent supervision at the domicile;
- B2.7.1.8** The **Accumulus Contrarian Fund** may acquire units of other undertakings for collective investment (UCITS, AIF, ETF) that are managed directly or indirectly with the AIFM or another company with which the AIFM or the Management Company is linked by common

management or control or by a substantial direct or indirect holding. To the extent of such investments, the AIFM or the other company may not charge any fees for the subscription or redemption of units of the other undertakings for collective investment or the conversion of individual sub-funds by the sub-fund.

#### **B2.7.2 Cash and cash equivalents**

The **Accumulus Contrarian Fund** may hold liquid assets totalling up to 49% of its assets with the Depositary. In special exceptional cases, these may temporarily exceed 49% if and insofar as this is deemed necessary in the interests of the unit holders. Cash and cash equivalents are deemed to be sight and time bank deposits with maturities of up to twelve months.

#### **B2.7.3 Non-authorised systems**

The following systems in particular are not authorised:

**B2.7.3.1** Direct investments in property;

**B2.7.3.2** Direct investments in physical goods (commodities, works of art, antiques or similar). However, it cannot be ruled out that individual target funds in which the **Accumulus Contrarian Fund** has invested may temporarily take on such positions;

**B2.7.3.3** Physical short sales of investments of any kind;

**B2.7.3.4** Granting of loans by the **Accumulus Contrarian Fund**;

**B2.7.3.5** The AIFM may at any time impose further investment restrictions in the interests of the unitholders insofar as these are necessary to comply with the laws and regulations of those countries in which the AIF's unit certificates are offered and sold.

#### **B2.7.4 Investment limits**

The **Accumulus Contrarian Fund** is subject to the following investment restrictions:

**B2.7.4.1** The **Accumulus Contrarian Fund** may invest up to a maximum of 25% of its assets in units of a single open-ended investment fund or a single closed-ended investment fund of any legal structure (UCITS, UCI, AIF, ETF, investment fund of any kind) traded on a stock exchange or another regulated market open to the public;

**B2.7.4.2** up to a maximum of 25% of the assets may be managed by the same fund manager;

**B2.7.4.3** the target funds acquired by the AIFM are only subject to the investment restrictions imposed in their prospectuses. Neither the AIFM nor the portfolio manager or the depositary shall be liable for compliance with such guidelines and restrictions by the individual target funds;

**B2.7.4.4** In addition to the restrictions listed in this section, any further restrictions in section B2.6 must be observed.

#### **B2.7.5 Limitation of borrowing**

The **Accumulus Contrarian Fund** is subject to the following restrictions:

**B2.7.5.1** The assets of the **Accumulus Contrarian Fund** may not be pledged or otherwise encumbered, transferred by way of security or assigned by way of security, except in the case of borrowing within the meaning

of section B2.7.5.2 or the provision of collateral in connection with the settlement of transactions involving financial instruments.

**B2.7.5.2** The **Accumulus Contrarian Fund** may borrow at market conditions both for investment purposes and to satisfy redemption requests (see section B2.6 "Investment principles of the sub-fund"). Borrowing by the sub-fund is subject to the credit and risk policy of the Depositary, which may change during the term of the sub-fund.

**B2.7.5.3** Section B2.7.5.2 does not prevent the acquisition of financial instruments that are not yet fully paid up.

## **B2.8 Valuation**

The valuation is carried out by the AIFM in accordance with the principles set out in the constitutive documents.

The net asset value (the "NAV") per unit of a sub-fund or unit class is calculated by the AIFM or its authorised agent at the end of the financial year and on the respective valuation day or on the special valuation day or special NAV on the basis of the last known prices, taking into account the valuation interval.

The NAV of a unit in a unit class of a sub-fund is expressed in the accounting currency of the sub-fund or, if different, in the reference currency of the corresponding unit class and is calculated by dividing the proportion of the assets of this sub-fund attributable to the relevant unit class, less any debt obligations of the same sub-fund allocated to the relevant unit class, by the number of units of the corresponding unit class in circulation. It is rounded as follows when units are issued and redeemed:

♦ to USD 0.01.

The assets of the sub-fund are valued according to the following principles:

**B2.8.1** Securities that are officially listed on a stock exchange are valued at the last available price. If a security is officially listed on several stock exchanges, the last available price of the stock exchange that is the main market for this security is decisive.

**B2.8.2** Securities that are not officially listed on a stock exchange but are traded on a market open to the public are valued at the last available price. If a security is traded on various markets open to the public, the last available price on the market with the highest liquidity is decisive.

**B2.8.3** Securities or money market instruments with a remaining term of less than 397 days can be amortised or written up on a straight-line basis at the difference between the cost price (purchase price) and the redemption price (price at final maturity). A valuation at the current market price can be omitted if the redemption price is known and fixed. Any changes in creditworthiness are also taken into account;

**B2.8.4** Investments whose price is not in line with the market and those assets that do not fall under B2.8.1, B2.8.2 and B2.8.3 above are valued at the price that would probably be realised on a diligent sale at the time of valuation and that is determined in good faith by the management of the AIFM or under its direction or supervision by authorised agents.

**B2.8.5** OTC derivatives are valued on a daily basis on the basis of a verifiable valuation to be determined by the AIFM in good faith and in accordance with generally

recognised valuation models verifiable by auditors on the basis of the probable realisable sales value.

- B2.8.6** Investment assets such as UCITS, UCIs, AIFs or other funds are valued at the last established and available net asset value. If redemption is suspended for units or, in the case of closed-end funds, there is no redemption entitlement or no redemption prices are set, these units and all other assets are valued at the respective market value as determined by the AIFM in good faith and in accordance with generally recognised valuation models that can be verified by auditors.
- B2.8.7** If no tradable price is available for the respective assets, these assets, as well as the other legally permissible assets, are valued at the respective market value as determined by the AIFM in good faith and in accordance with generally recognised valuation models verifiable by auditors on the basis of the probable realisable sales value.
- B2.8.8** Cash and cash equivalents are recognised at their nominal value plus accrued interest.
- B2.8.9** The market value of securities and other investments denominated in a currency other than the currency of the sub-fund is converted into the corresponding currency of the sub-fund at the latest exchange rate.

The AIFM is authorised to temporarily apply other adequate valuation principles for the sub-fund's assets if the above-mentioned valuation criteria appear impossible or inappropriate due to extraordinary events. In the event of massive redemption requests, the AIFM may value the units of the sub-fund's assets on the basis of the prices at which the necessary sales of securities are likely to be made. In this case, the same calculation method is used for issue and redemption applications submitted at the same time.

## **B2.9 Risks and risk profiles of the sub-fund**

### **B2.9.1 Sub-fund-specific risks**

**The performance of the units depends on the investment policy and the market performance of the individual investments of the AIF and cannot be determined in advance. There is no guarantee that the investment objective will actually be achieved or that the investments will increase in value. When redeeming units, the investor may not be able to recover the amount originally invested in the AIF.**

Due to its investment policy, the risks of the **Accumulus Contrarian Fund** are not comparable with those of certain undertakings for collective investment in transferable securities within the meaning of the Law on Certain Undertakings for Collective Investment in Transferable Securities (UCITSG).

The **Accumulus Contrarian Fund** invests as a "fund of funds" in various, mostly foreign investment funds of any legal structure, such as collective investment agreements, trusts, investment companies and limited partnerships (hereinafter referred to as target funds), which pursue alternative investment strategies or make alternative investments (generally known as hedge funds or non-classical funds).

Other risks such as currency risk and interest rate risk may also materialise. The use of derivative financial instruments that are not used for hedging purposes can lead to increased risks.

It should be noted that the **Accumulus Contrarian Fund** is authorised to borrow up to 10% of the sub-fund's assets at market conditions both for investment

purposes and to satisfy redemption requests. In addition, the sub-fund may invest up to a maximum of 25% of its assets in units of a single investment fund and up to 25% of its assets in the same fund manager.

In the case of fund of funds, management fees, custodian fees and other costs are incurred at the level of the respective target funds and at the level of the **Accumulus Contrarian Fund**. Investors' attention is drawn in particular to the fact that when investing in funds of funds (funds of funds), additional costs are incurred when buying and selling and managing the funds of funds.

The attention of investors in the **Accumulus Contrarian Fund** is expressly drawn to the general and fund-specific risks described in detail in this document. In particular, investors must be willing and able to accept any - even substantial - price losses. The redemption of unit certificates is subject to a notice period of 65 calendar days to the last bank working day of a month. It is not possible to withdraw from the sub-fund prematurely without observing the cancellation period.

The AIFM and the portfolio manager of the **Accumulus Contrarian Fund** endeavour to minimise any risks as far as possible through appropriate diversification of the underlying target funds and their managers. Nevertheless, it cannot be ruled out that in exceptional cases a substantial loss may be incurred by individual underlying hedge funds.

The value of a unit may be subject to considerable fluctuations. The AIFM recommends **that** potential investors invest only a limited portion of their overall portfolio in units of the **Accumulus Contrarian Fund**. An investment in units of the **Accumulus Contrarian Fund** is only suitable for investors with a high risk tolerance and a medium to long-term time horizon.

#### **Derivative financial instruments**

The AIFM may enter into derivative transactions for the **Accumulus Contrarian Fund for the** purposes of hedging, efficient portfolio management, the realisation of additional income and as part of the investment strategy. This may increase the sub-fund's risk of loss, at least temporarily.

#### **Leverage financing (leverage)**

The AIFM expects that the leverage of the **Accumulus Contrarian Fund** will generally be below **2.2** using the gross method. However, the net method provides an indication of the risk content of the sub-fund, as it also takes appropriate account of the use of derivative financial instruments for hedging purposes.

The AIFM expects that the leverage of the **Accumulus Contrarian Fund** according to the net method will generally be less than **1.1**. Depending on market conditions, the leverage may vary and in exceptional cases the leverage may be higher.

#### **Risk management procedures**

The AIFM uses the commitment approach as a recognised calculation method for risk management.

### **B2.9.2 General risks**

In addition to the sub-fund-specific risks, the investments of the **Accumulus Contrarian Fund** may be subject to general risks. An exemplary but not exhaustive list can be found under §39 of the investment conditions.

## **B2.10 Costs reimbursed from the sub-fund**

An overview of the costs reimbursed by the **Accumulus Contrarian Fund** can be found in the table "Master data and information on the sub-fund and its possible unit classes" in section B2.1 of this Annex "Sub-fund overview".

## **B2.11 Performance fee**

No performance fee is applied.

Schaan/Vaduz, 5 September 2024

### **The AIFM:**

IFM Independent Fund Management AG, Schaan

### **The depositary:**

VP Bank Ltd, Vaduz

# Appendix C: Specific information for individual sales countries

---

## Information for professional and semi-professional investors in Germany

The AIFM has notified the Federal Financial Supervisory Authority (BaFin) of its intention to distribute the units of the AIF or its sub-funds to **professional and semi-professional investors** in the Federal Republic of Germany and has been authorised to distribute them since the notification procedure was completed.

### 1st information centre in the Federal Republic of Germany

The function of the German information centre has

Hauck Aufhäuser Lampe Privatbank AG  
Kaiserstrasse 24  
D-60311 Frankfurt am Main  
Email: [zahlstelle@hal-privatbank.com](mailto:zahlstelle@hal-privatbank.com)

adopted.

In Germany, the sales prospectus, the investor information, the annual reports (if already published) and other information can be obtained free of charge in paper form from the information centre.

All other information to which investors in the Principality of Liechtenstein are entitled can also be obtained from the Information Agent. The issue and redemption prices are also available free of charge from the Information Agent.

### 2. redemption of units and payments to investors in Germany

The redemption of units and payments to investors in Germany (redemption proceeds, any distributions and other payments) are made via the investors' custodians. Printed individual certificates are not issued.

### 3. Publications

The issue and redemption prices as well as other information for investors are published on the fund information platform fundinfo.com ([www.fundinfo.com](http://www.fundinfo.com)).

In the following cases, investors are also informed by means of a durable medium within the meaning of the KAGB:

- a) the suspension of the redemption of units,
- b) the termination of the management or liquidation of the company or an AIF,
- c) Changes to the contractual terms and conditions that are not compatible with the previous investment principles, that affect material investor rights or that affect the remuneration and reimbursement of expenses that can be withdrawn from the investment fund, including the background to the changes and the rights of the investors in an understandable manner,
- d) the merger of investment funds must be prepared in the form of merger information, and
- e) the conversion of an investment fund into a feeder AIF or the changes to a master AIF must be prepared in the form of information.



## Appendix D: Regulatory disclosure

---

### Conflicts of interest

The following conflicts of interest may arise for the AIFM:

The interests of the investor may conflict with the following interests:

- ◆ interests of the AIFM and the companies and persons closely associated with them
- ◆ Interests of the AIFM and its clients
- ◆ Interests of the AIFM and its investors
- ◆ Interests of the AIFM's various investors
- ◆ Interests of an investor and a fund
- ◆ Interests of two funds
- ◆ Interests of the AIFM's employees

Circumstances or relationships that may give rise to conflicts of interest include in particular some of the following:

- ◆ Incentive systems for employees
- ◆ Employee transactions
- ◆ Reallocations in the fund
- ◆ Positive presentation of fund performance
- ◆ Transactions between the AIFM and the funds or individual portfolios it manages
- ◆ Transactions between funds and/or individual portfolios managed by the AIFM
- ◆ Aggregation of several orders (so-called "block trades")
- ◆ Commissioning of closely associated companies and persons
- ◆ Individual installations of considerable size
- ◆ High turnover frequency of assets (so-called "frequent trading")
- ◆ Determining the cut-off time
- ◆ Suspension of the redemption of shares
- ◆ IPO allocation
- ◆ Greenwashing

To deal with conflicts of interest, the AIFM uses the following organisational and administrative measures to avoid and, if necessary, resolve, prevent, resolve, monitor and disclose conflicts of interest:

- ◆ Existence of a compliance department that monitors compliance with laws and regulations and to which conflicts of interest must be reported
- ◆ Disclosure obligations
- ◆ Organisational measures such as
  - Assignment of responsibility to prevent improper influence
  - Rules of conduct for employees in relation to employee transactions
  - Rules of conduct regarding the acceptance and granting of gifts, invitations, other benefits and donations
  - Prohibition of insider trading
  - Ban on front and parallel running
- ◆ Establishment of a remuneration policy and practice
- ◆ Principles for the consideration of customer interests
- ◆ Principles for monitoring the agreed investment guidelines
- ◆ Principles for the execution of trading decisions (Best Execution Policy),
- ◆ Principles for splitting partial executions
- ◆ Setting up order acceptance times (cut-off times)

## Processing of complaints

Investors are entitled to submit complaints about the AIFM or its employees, complaints in connection with funds managed by the AIFM and their concerns, wishes and needs to the AIFM in writing or verbally, free of charge.

The AIFM's complaints policy and the procedure for dealing with investor complaints can be found free of charge on the AIFM's website at [www.ifm.li](http://www.ifm.li).

## Principles of the voting policy at Annual General Meetings

The AIFM exercises the shareholder and creditor rights associated with the investments of the managed fund assets independently and exclusively in the interests of the investors.

For the individual transactions, the AIFM is free to decide whether to exercise the shareholder and creditor rights for the respective fund assets itself or to delegate the exercise to the depositary or third parties or to waive the exercise.

Without express instructions from the AIFM, the respective depositary is authorised, but not obliged, to exercise the rights arising from the investments as shareholder, co-owner, etc.

The AIFM must exercise the voting right itself or issue explicit instructions for transactions that significantly influence the interests of the investors.

Voting rights are actively exercised in particular in cases where there is a clearly identified need to protect the interests of investors. Voting rights only have to be exercised if long-term interests are affected. If the share positions concerned do not account for a significant proportion of the market capitalisation of , no long-term interests are affected.

The AIFM aims to prevent conflicts of interest resulting from the exercise of voting rights or to resolve or regulate them in the interests of the investors.

When exercising voting rights, the AIFM shall take into account the interests of the investors in the assets of the AIF and the requirement that the exercise of voting rights is in line with the objectives of the investment policy of the assets concerned.

The AIFM's voting rights policy (strategies for exercising voting and creditors' rights, measures, details on avoiding conflicts of interest, etc.) can be accessed free of charge on the AIFM's website at [www.ifm.li](http://www.ifm.li).

## Best possible execution of trading decisions

The AIFM must act in the best interests of the funds it manages when making trading decisions on their behalf in the management of its portfolios.

The AIFM shall take all reasonable steps to obtain the best possible result for the funds (best execution), taking into account the price, costs, speed of execution, likelihood of execution and settlement, size, nature of the order and other factors relevant to the execution of the order.

Where portfolio managers are authorised to execute transactions, they will be contractually bound to apply the relevant best execution principles unless they are already subject to the relevant best execution laws and regulations.

The principles for the execution of trading decisions (Best Execution Policy) are available to investors on the AIFM's website at [www.ifm.li](http://www.ifm.li).

## Remuneration principles and practices

IFM Independent Fund Management AG ("IFM") is subject to the regulatory requirements applicable to management companies under the Act on Certain Undertakings for Collective Investment in Transferable Securities (UCITSG) and to those applicable to AIFMs under the Alternative Investment Fund Managers Act (AIFMG) with regard to the organisation of its remuneration principles and practices. IFM has set out the detailed structure in an internal directive on remuneration policy and practice, the aim of which is to ensure a sustainable remuneration system while avoiding false incentives to take excessive risks. IFM's remuneration principles and practices are reviewed at least once a year by the members of the Board of Directors to ensure that they are appropriate and comply with all legal requirements. They comprise fixed and variable (performance-related) remuneration elements.

IFM has established a remuneration policy that is compatible with its business and risk policy. In particular, there are no incentives to take excessive risks. Remuneration for the implementation and realisation of the sustainability strategy is included in the fixed salary component of the Sustainability Officer. Either the overall result of IFM and/or the personal performance of the employee concerned and their department are included in the calculation of performance-related remuneration. The target achievement defined as part of the personal performance assessment focuses in particular on sustainable business development and protecting the company from excessive risks. The variable remuneration elements are not linked to the performance of the funds managed by IFM. Voluntary employer benefits in kind or non-cash benefits are permitted.

The definition of ranges for total remuneration also ensures that there is no significant dependency on variable remuneration and that there is an appropriate ratio of variable to fixed remuneration. The amount of the fixed salary component is designed in such a way that an employee can cover his or her living expenses with the fixed salary component in isolation in the case of 100% employment (taking into account salaries in line with the market). The members of the Executive Board and the Chairman of the Board of Directors have the final say in the allocation of variable remuneration. The Chairman of the Board of Directors is responsible for reviewing the remuneration principles and practices.

Special rules apply to the members of IFM's Executive Board and employees whose activities have a significant influence on the overall risk profile of IFM and the funds it manages (risk takers). Employees who can exert a decisive influence on the risk and business policy of IFM have been identified as risk takers. The variable remuneration for these risk takers is paid in arrears over several years. It is mandatory for at least 40% of the variable remuneration to be deferred over a period of at least three years. The portion of the remuneration deferred at is risk-dependent during this period. The variable remuneration, including the deferred portion, is only paid out or served if it is acceptable in view of IFM's overall financial situation and justified on the basis of the performance of the department and individual concerned. A weak or negative financial performance of IFM generally results in a significant reduction in total compensation, taking into account both current compensation and reductions in payouts of amounts previously earned



## **Accumulus Fund SICAV**

Landstrasse 30 - P.O. Box 355 - 9494 Schaan - Liechtenstein  
T +423 235 04 50 - F +423 235 04 51 - [info@ifm.li](mailto:info@ifm.li) - [www.ifm.li](http://www.ifm.li)