

Dear Unitholders,

# THIS NOTICE IS IMPORTANT AND REQUIRES YOUR IMMEDIATE ATTENTION. IF IN DOUBT, PLEASE SEEK PROFESSIONAL ADVICE

## Proposed Termination of the Altus Trust: Lyxor Alpha Equity Fund - Hang Seng Index (the "Fund")

Unless otherwise defined in this notice, terms and expressions used in this notice shall have the same meanings ascribed to them under the Explanatory Memorandum and the Fund Specific Memorandum of the Fund both dated September 2008 (the "**Prospectus**").

We, Lyxor Asset Management, as the manager of the Fund wishes to notify you that we have decided not to continue the Fund for a further Investment Cycle. The Fund will be terminated on and with effect from the current Investment Cycle Review Date, namely, 4 February 2013 (the "**Termination Date**").

#### **Reasons for termination**

Pursuant to Clause 27.3(c) of the Trust Deed (as amended) and the Notice of Establishment dated 5 January 2005, and in accordance with the Prospectus, the Fund may be terminated by the Manager by notice in writing, amongst other things, in the event that the Net Asset Value of the Fund falls below HK\$40 million, or where the licence to use the Hang Seng Index in connection with the Fund is revoked. As at 31 December 2012, the Net Asset Value of the Fund was HK\$22,855,720. As the assets of the Fund are below the threshold which the Manager consider as sufficient to ensure investors' investment proceeds in the Fund are managed in a cost-efficient manner under current market conditions; and further, as the Manager, Société Générale, Hang Seng Data Services Limited and the Hang Seng Indexes Company Limited will enter into an agreement to terminate the licence to use the Hang Seng Index in connection with the Fund on and with effect from the Termination Date, we have decided to terminate the Fund on and with effect from the Termination Date.

In accordance with the Trust Deed, no Extraordinary Resolution of Unitholders in the Fund shall be passed to authorize the termination of the Fund. Hence, the notice period till the effective date of termination of the Fund shall commence from the date hereof to 4 February 2013 (i.e., the Termination Date) (both days inclusive).

#### Arrangements pending and upon termination

The Fund's total expense ratio is 0.30% per annum of the Net Asset Value of the Fund, which represents the Fund's management fee as well as Trustee's Fees, Hong Kong Representative's Fees, Auditors' Fees, Custodian Fees, Guarantor Fees and Registrar's Agent Fees. The termination expenses will be borne and paid by the Manager, and the Fund has no unamortized preliminary expenses.



We will continue to process any application for redemption, free of charge, received by us before the Dealing Deadline, being 4:00 p.m. (Hong Kong time) on every Hong Kong Business Day, prior to the Termination Date. The last dealing deadline will be 4:00 p.m. (Hong Kong time) on 1 February 2013] (the "Last Dealing Deadline"). To ensure that your redemption request(s) will be processed, you must submit your request(s) to us (via your distributor(s)) by no later than the Last Dealing Deadline. Unitholders should note that your distributor may impose an internal dealing cut-off time which may be earlier than the Fund's Dealing Deadline. Please note the following:

1) Early redemption at the prevailing Realization Price on or before 4:00 p.m. (Hong Kong time) on or before 30 January 2013

Unitholders who choose to realise their Units on or before 4:00 p.m. (Hong Kong time) on or before 30 January 2013 will have their Units realised at the then prevailing Realisation Price per Unit on the relevant Valuation Day (calculated by reference to the applicable Net Asset Value per Unit).

Unitholders should be aware that any Units redeemed on or before 4:00 p.m. (Hong Kong time) on or before 30 January 2013 will not enjoy the benefit of any Potential Return (if any) and the guarantee in relation to the Realisation Price per Unit in accordance with the provisions of the Prospectus as set out in item (2) below.

Such Units will be redeemed at a Realisation Price per Unit on the relevant Valuation Day (calculated by reference to the applicable Net Asset Value per Unit) which may be lower than the Realisation Price per Unit as at the Investment Cycle Review Date (see below).

2) Redemption orders received on 30 January 2013 after 4:00p.m. (Hong Kong time), on 31 January 2013 and on or before 4:00 p.m. (Hong Kong time) on 1 February 2013

The redemption orders received on 30 January 2013 after 4:00p.m. (Hong Kong time), on 31 January 2013 and on or before 4:00 p.m. (Hong Kong time) on 1 February 2013 will be realized on the same Valuation Day as those Units outstanding in the Fund as at the Termination Date and will be entitled to receive a Realisation Price per Unit as at the Investment Cycle Review Date which is guaranteed to be equal to either (a) the Net Asset Value per Unit as at the Investment Cycle Review Date or (b) the realisation price calculated based on the applicable formula set out in either scenario (1) or (2) on pages 20 – 21 of the Prospectus, whichever (a) or (b) is the higher.

Investors should note that the Potential Return (if any) locked-in on any Lock-in Date during, or the Investment Cycle Review Date of, the Investment Cycle is payable only if the Units are realized on the Investment Cycle Review Date of such Investment Cycle (i.e. the Termination Date). Please refer to pages 20, 21, 28 and 29 of the Prospectus for details.



### 3) Units outstanding as at the Termination Date

Unitholders whose Units are outstanding as at the Termination Date of the Fund will have their Units realised on the Termination Date and will receive their pro-rata entitlement to the proceeds of the Fund after the completion of the termination of the Fund and will enjoy the benefit of any Potential Return (if any) and the guarantee provided by Société Générale, in accordance with the provisions of the Prospectus.

### 4) No Conversion of Units

As at the date of this notice, no Unitholder of the Fund will have the right or option to convert his/her/its Unit(s) into unit(s) of any other fund of the Altus Trust. The Manager is not in a position to offer conversion of Units into units of other funds managed by the Manager.

### Tax implication to Hong Kong investors

The Fund is not expected to be subject to Hong Kong tax in respect of any of its authorised activities. No tax will be payable by Unitholders in Hong Kong in respect of any capital gains arising on a sale, realisation or other disposal of Units, except that Hong Kong profits tax may arise where such transactions form part of a trade, profession or business carried on in Hong Kong. However, investors are recommended to consult their professional advisers on the consequences to them arising from the termination of the Fund.

#### **Documents available for inspection**

Copies of the Trust Deed, the Deed of Guarantee, the Custodian Agreement, the Hong Kong Representative Agreement, the Registrar's Agent Agreement, the Supplemental Deed and the Notice of Establishment are available for inspection free of charge at any time during normal business hours on any day (excluding Saturdays, Sundays and public holidays) at the offices of the Hong Kong Representative (i.e., SG Securities (HK) Limited, the registered office of which is situated at Level 38, Three Pacific Place, 1 Queen's Road East, Hong Kong).

Should you have any question on the above information, please contact your distributing bank or contact the Hong Kong Representative of the Fund, SG Securities (HK) Limited at Level 38, Three Pacific Place, 1 Queen's Road East, Hong Kong or at (852) 2166 4266.

This notice does not constitute any part of the Fund's offering documents. The Manager of the Fund, Lyxor Asset Management, accepts full responsibility for the accuracy of the contents of this notice and confirms, having made all reasonable enquiries, that to the best of their knowledge and belief there are no other facts the omission of which would make any statement misleading.

### **Lyxor Asset Management**

4 January 2013