

**COLLECTIVE INVESTMENT SCHEMES SOURCEBOOK
(PUBLICATION OF PRICES OF UNITS) INSTRUMENT 2005**

Powers Exercised

- A. The Financial Services Authority makes this instrument in the exercise of the following powers and related provisions:
- (1) the following sections of the Financial Services and Markets Act 2000 (“the Act”):
 - (a) section 138 (General rule-making power);
 - (b) section 140 (Restriction on managers of authorised unit trust schemes);
 - (c) section 156 (General supplementary powers);
 - (d) section 157 (Guidance);
 - (e) section 238(5) (Restrictions on promotion);
 - (f) section 242 (Applications for authorisation of unit trust schemes);
 - (g) section 247 (Trust schemes rules); and
 - (h) section 248 (Scheme particulars rules); and
 - (2) regulation 6 (FSA rules) of the Open-Ended Investment Companies Regulations (SI 2001/1228).
- B. The provisions of or under the Act relevant to the rules and listed above are specified for the purpose of section 153(2) of the Act (Rule-making instruments).

Commencement

- C. This instrument comes into force on 1 April 2005.

Amendments to the Collective Investment Schemes sourcebook

- D. The Collective Investment Schemes sourcebook is amended in accordance with the Annex to this instrument.

Citation

- E. This instrument may be cited as the Collective Investment Schemes Sourcebook (Publication of Prices of Units) Instrument 2005.

By order of the Board
17 February 2005

Annex

Amendments to the Collective Investment Schemes sourcebook

In this Annex underlining indicates new text and striking through indicates deleted text.

...

3.5.2 R Table Contents of the prospectus
This table belongs to CIS 3.5.2R

...	
16	Sale and redemption of units Details as to:
...	
(9)	when and in which UK national newspaper <u>where and at what frequency</u> the most recent <u>prices</u> will be published;
...	

...

Publication of prices

4.4.8 R (1) Where the *authorised fund manager* holds itself out as willing:

- (a) to *sell* or redeem *units* of any *class*; or
- (b) to *issue* or cancel *units* of any *class* under CIS 4.5.3R (Issues and cancellations through the authorised fund manager);

it must make public the *prices* of *units* of each of those *classes* in an appropriate manner.

...

(3) ~~[deleted] The *prices* to be made public under (1) must be published in at least one national newspaper in the United Kingdom, except for any class of *units* marketed predominantly outside the United Kingdom.~~

...

Manner of price publication

4.4.9 G (1) In determining the appropriate manner of making *prices* public under CIS 4.4.8 R(1), the *authorised fund manager* should ensure that:

- (a) a *unitholder* or potential *unitholder* can obtain the *prices* at a reasonable cost;
- (b) *prices* are available at reasonable times;
- (c) publication is consistent with the manner and frequency at which the *units* are sold;

- (d) the manner of publication is disclosed in the *prospectus*; and
 - (e) *prices* are published in a consistent manner.
- (2) Examples of what might be deemed appropriate include:
- (a) publication in a national newspaper;
 - (b) supply through an advertised local rate or freephone telephone number;
 - (c) publication on the internet;
 - (d) inclusion in a database of *prices* which is publicly available;
or
 - (e) communication to all existing *unitholders*.
- (3) The *authorised fund manager* should make previous *prices* available to any *unitholder* or potential *unitholder*.

...

Publication of prices

- 15.4.14 R (1) Where the *manager* holds itself out as willing:
- (a) to *sell* or redeem *units* of any *class*; or
 - (b) to *issue* or cancel *units* of any *class* under CIS 15.5.3R (Issues and cancellations through the manager);
- it must make public the maximum *sale* and minimum *redemption prices* of those *units* and the current *preliminary charge* (if there is one) in an appropriate manner.

...

- (3) ~~[deleted] The prices to be made public under (1) must be published in at least one national newspaper in the *United Kingdom*, except for any *class* of *units* that is marketed predominantly outside of the *United Kingdom*.~~

...

...

Manner of price publication

- 15.4.15 G (1) In determining the appropriate manner of making *sale* and *redemption prices* and the current *preliminary charge* (if there is one) (in this provision referred to together as “prices”) public under CIS 15.4.14R(1), the *manager* should ensure that:
- (a) a *unitholder* or potential *unitholder* can obtain the prices at a reasonable cost;
 - (b) prices are available at reasonable times;
 - (c) publication is consistent with the manner and frequency at which the *units* are sold;
 - (d) the manner of publication is disclosed in the *prospectus*; and

- (e) prices are published in a consistent manner.
- (2) Examples of what might be deemed appropriate include:
- (a) publication in a national newspaper;
 - (b) supply through an advertised local rate or freephone telephone number;
 - (c) publication on the internet;
 - (d) inclusion in a database of prices which is publicly available;
or
 - (e) communication to all existing *unitholders*.
- (3) The *manager* should make previous prices available to any *unitholder* or potential *unitholder*.