

SUPERFUND
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Announcement of September 29, 2023 on amending the Articles of Association of the Superfund Fundusz Inwestycyjny Otwarty Portfelowy fund

The Management Board of the Company hereby announces that the Articles of Association of the Superfund Fundusz Inwestycyjny Otwarty Portfelowy fund, in accordance with the content of the notarial deed of September 27, 2023, Rep. A No. 11818/2023, is amended as follows:

1) Article 14 section 1 point 6) of the Articles of Association is replaced by the following:

„ Article 14

Subject matter deposits of Superfund Spółek Złota i Srebra, basic rules for deposit diversification, criteria for selecting deposits, investment limitations

(...)

- 6) Participation Titles, including those issued by investment funds such as ETF (Exchange-Traded Fund), whereas in case of the Participation Titles issued by joint investment bodies with their registered office outside the Republic of Poland if:
- a) such institutions offer publicly the Participation Titles and redeem them on the participant's demand directly or indirectly from the assets of these institutions or ensure that the stock exchange value of the Participation Titles of these institutions does not differ significantly from the net asset value of the Participation Titles of these institutions,
 - b) the institutions are subject to supervision of a competent financial or capital market supervision authority of a Member State of OECD country and cooperation of the Polish Financial Supervision Authority with such an authority is ensured on a reciprocal basis,
 - c) the provisions applicable to the seat of these institutions ensure the protection of investors' interests to the extent at least that specified in Community law regulating the principles of collective investment in securities,
 - d) the institutions are obliged to prepare annual and semi-annual financial statements,
- provided that not more than 10% of the value of the assets of those open investment funds, portfolio funds referred to in Art. 179 section 1 of the Act, foreign funds or institutions may be, in accordance with their articles of association or by-laws, invested jointly in participation units of other open investment funds, investment certificates of other portfolio funds referred to in Art. 179 section 1 of the Act and participation titles of other foreign funds and joint investment institutions.”

2) Article 14(2) section 1 point 6) of the Articles of Association is replaced by the following:

„ Article 14(2)

Subject matter of deposits of SUPERFUND lev U.S 500, basic rules for deposit diversification, criteria for selecting deposits, investment limitations

(...)

- 6) Participation Titles, including those issued by investment funds such as ETF (Exchange-Traded Fund), whereas in case of the Participation Titles issued by joint investment bodies with their registered office outside the Republic of Poland if:
- a) such institutions offer publicly the Participation Titles and redeem them on the participant's demand directly or indirectly from the assets of these institutions or ensure that the stock exchange value of the Participation Titles of these institutions does not differ significantly from the net asset value of the Participation Titles of these institutions,
 - b) the institutions are subject to supervision of a competent financial or capital market supervision authority of a Member State of OECD country and cooperation of the Polish Financial Supervision Authority with such an authority is ensured on a reciprocal basis,
 - c) the provisions applicable to the seat of these institutions ensure the protection of investors' interests to the extent at least that specified in Community law regulating the principles of collective investment in securities,
 - d) the institutions are obliged to prepare annual and semi-annual financial statements, - provided that not more than 10% of the value of the assets of those open investment funds, portfolio funds referred to in Art. 179 section 1 of the Act, foreign funds or institutions may be, in accordance with their articles of association or by-laws, invested jointly in participation units of other open investment funds, investment certificates of other portfolio funds referred to in Art. 179 section 1 of the Act and participation titles of other foreign funds and joint investment institutions.”

3) Article 14(4) section 1 point 6) of the Articles of Association is replaced by the following:

„ Article 14(4)

Subject matter of deposits of Superfund Akcji Blockchain, basic rules for deposit diversification, criteria for selecting deposits, investment limitations

(...)

- 6) Participation Titles, including those issued by investment funds such as ETF (Exchange-Traded Fund), whereas in case of the Participation Titles issued by joint investment bodies with their registered office outside the Republic of Poland if:
- a) such institutions offer publicly the Participation Titles and redeem them on the participant's demand directly or indirectly from the assets of these institutions or ensure that the stock exchange value of the Participation Titles of these institutions does not differ significantly from the net asset value of the Participation Titles of these institutions,
 - b) the institutions are subject to supervision of a competent financial or capital market supervision authority of a Member State of OECD country and cooperation of the

Polish Financial Supervision Authority with such an authority is ensured on a reciprocal basis,

c) the provisions applicable to the seat of these institutions ensure the protection of investors' interests to the extent at least that specified in Community law regulating the principles of collective investment in securities,

d) the institutions are obliged to prepare annual and semi-annual financial statements,
- provided that not more than 10% of the value of the assets of those open investment funds, portfolio funds referred to in Art. 179 section 1 of the Act, foreign funds or institutions may be, in accordance with their articles of association or by-laws, invested jointly in participation units of other open investment funds, investment certificates of other portfolio funds referred to in Art. 179 section 1 of the Act and participation titles of other foreign funds and joint investment institutions.”

The above amendments shall enter into force three months after their announcement, i.e. on December 29, 2023.