

Lupus alpha

Lupus alpha Investment GmbH, Frankfurt am Main

Important Information for Unitholders

Investor Information on the Amendment to the General Investment Conditions as of 1 September 2023

Lupus alpha Volatility Risk-Premium

(ISIN share class C: DE000A1J9DU7 / ISIN share class R: DE000A3DD2R4)

With the approval of the German Federal Financial Supervisory Authority (BaFin), Lupus alpha Investment GmbH is amending the "General Investment Conditions" of the UCITS fund "Lupus alpha Volatility Risk-Premium" (ISIN share class C: DE000A1J9DU7 / share class R: DE000A3DD2R4) with effect from 1 September 2023. The background to the change is the editorial adjustment to the model investment conditions of the "BVI Bundesverband Investment und Asset Management e.V."

The updated General Investment Conditions are listed below:

GENERAL INVESTMENT CONDITIONS

General Terms of Investment for the regulation of the legal relationship between the investors and Lupus alpha Investment GmbH, Frankfurt, ("management company") for the fund managed by the management company pursuant to the UCITS Directive, which only apply in conjunction with the "Special Investment Conditions" installed for the respective UCITS fund.

§ 1 Basic principles

1. The management company is a UCITS management company and is subject to the regulations of the German Capital Investment Code ("KAGB").
2. The management company invests the money deposited with it in its own name for the common account of the investors in the assets permitted by the Investment Code, in accordance with the principle of risk-spreading, keeping them segregated from its own assets in the form of a UCITS fund. The object of the UCITS fund is limited to making capital investments using the monies invested in it in accordance with a defined investment strategy, such investments being managed on a collective basis; it may not conduct an operating business or undertake the active entrepreneurial management of the assets held.
3. The legal relationship between the management company and the investor is oriented to the General Investment Conditions (AABen) and the Special Investment Conditions (BABen) of the UCITS-special fund and the KAGB.

§ 2 Custodian

1. The management company appoints a credit institution as a custodian for the UCITS-special fund; the custodian shall act independently from the management company and exclusively in the interest of the investors.
2. The tasks and obligations of the custodian are oriented to the custodian contract concluded with the management company, according to the KAGB and the investment conditions.

3. The custodian may outsource custodian tasks to another company (sub-custodian) according to § 73 KAGB. The sales prospectus contains more detailed information in this respect.
4. The Depositary shall be liable to the UCITS fund or the investors for any loss of a financial instrument in custody within the meaning of section 72(1) no. 1 of the Investment Code by the Depositary or by a sub-custodian to whom the custody of financial instruments has been transferred in accordance with section 73(1) of the Investment Code. The custodian shall not be liable if it may prove that the loss is a result of external events, the consequences of which were unavoidable despite all reasonable countermeasures. Further claims, which arise from the regulations of the civil law owing to contracts or illicit acts, shall remain unaffected hereby. The custodian shall also be liable towards the UCITS-special fund or the investors for all other losses, which they suffer due to the fact that the custodian does not fulfil its obligations according to the regulations of the KAGB due to negligence or wilful intent. The liability of the custodian shall remain unaffected by a possible assignment of the custodian tasks according to Para. 3 Sentence 1.

§ 3 Fund management

1. The management company acquires and manages the assets in its own name for the joint account of the investors with the required expertise, honesty, care and conscientiousness. It shall act independently from the custodian and exclusively in the interests of the investors when performing its tasks.
2. The management company is entitled to acquire the assets with the money invested by the investors, to sell said assets again and to invest the proceeds otherwise; it is further authorised to carry out all other legal acts arising from the management of the assets.
3. The management company may neither grant monetary loans, nor enter into obligations from a surety or a guarantee contract for the joint account of the investors; it may not sell any assets according to § 193, 194 and 196 KAGB, which do not belong to the UCITS-special fund at the time when the business transaction is concluded. This does not affect section 197 of the Investment Code.

§ 4 Investment principles

The UCITS-special fund is invested directly or indirectly according to the principle of risk spreading. The management company should only acquire those assets for the UCITS-special fund, with which an income and/or growth may be expected. It shall determine in the BA-Ben, which assets may be acquired for the UCITS-special fund.

§ 5 Securities

Insofar as the BABen do not envisage any further restrictions the management company may only acquire securities for the account of the UCITS-special fund subject to § 198 KAGB, if

- a) they are admitted for trading on an exchange in a member state of the European Union or in another state that is a party to the Agreement on the European Economic Area or are admitted for trading or included in another organised market in one of these states;
- b) they are exclusively admitted for trading on an exchange outside the member states of the European Union or outside the other states that are parties to the Agreement on the European Economic Area or are admitted for trading or included in another organized market in one of these

- states, insofar as the choice of this exchange or organized market is approved by the German Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht, "BaFin")¹,
- c) their admission to trading on a stock exchange in a member state of the European Union or in another state party to the Agreement on the European Economic Area or their admission to an organised market or their inclusion in this market in a member state of the European Union or in another state party to the Agreement on the European Economic Area must be applied for in accordance with the terms of issue, provided that the admission or inclusion of these securities takes place within one year of their issue,
 - d) their authorisation for trading on a stock exchange or their authorisation on an organised market or the inclusion in this market outside of the member states or the European Union or outside of the other contractual states of the Treaty on the European Economic Area is to be applied for according to the issue conditions, insofar as the choice of this stock exchange or this organised market is authorised by the Federal Authority and the authorisation or inclusion of these securities is carried out within one year after their issue,
 - e) they are units, to which the UCITS-special fund is entitled with a capital increase from management company funds,
 - f) they are acquired while exercising subscription rights, which belong to the UCITS-special fund,
 - g) they are units of closed-end funds that meet the criteria specified in Article 193 (1), sentence 1, no. 7 KAGB;
 - h) they are financial instruments, which meet the criteria stated in § 193 Para. 1 Sentence 1 Section 8 KAGB.

The acquisition of securities according to sentence 1 (a) through (d) may take place only if the conditions stipulated in Article 193 (1), sentence 2 KAGB are also fulfilled. Subscription rights may also be acquired that stem from securities, which on their part may be acquired according to this § 5.

§ 6 Money market instruments

1. Insofar as the BABen do not envisage any further restrictions, subject to § 198 KAGB the management company may acquire instruments for the account of the UCITS-special fund, which are usually traded on the money market, as well as interest-bearing securities, which at the time of their acquisition for the UCITS-special fund have a residual term of a maximum of 397 days, their interest yield according to the issue conditions will be adjusted in line with the market regularly during its entire term, at least however once in 397 days, or their risk profile corresponds with the risk profile of such securities ("money market instruments").

Money market instruments may only be acquired for the UCITS-special fund, if they

- a) are admitted to an exchange in a Member State of the European Union or another signatory state to the Agreement on the European Economic Area, or are admitted to or included in an organised market in such a state,
- b) they are exclusively admitted for trading on an exchange outside the member states of the European Union or outside the other states that are parties to the Agreement on the European Economic Area or are admitted for trading or included in another organised market in such a country, insofar as the choice of this exchange or organised market is approved by BaFin²;

- c) are issued or guaranteed by the European Union, the federal government, a special fund of the federal government, a federal state, another member state or another central state, regional or local authority or the Central Bank of a member state of the European Union, the European Central Bank or the European Investment Bank, a third country or, if this is a federal state, a constituent state of this federal state or of an international institution under public law, to which at least one member state of the European Union belongs,
 - d) are issued by a management company, whose securities are traded on the markets described under the letters a) and b),
 - e) are issued or guaranteed by a credit institution which is subject to supervision in accordance with the criteria laid down in European Union law or by a credit institution which is subject to and complies with supervisory provisions which, in the opinion of the supervisory authority, are equivalent to those laid down in law of European Union, or
 - f) issued by other issuers and which meet the requirements of § 194(1) sentence 1 Section 6 KAGB.
2. Money market instruments within the meaning of paragraph 1 may only be acquired if they meet the respective requirements of § 194 (2) and (3) KAGB.

§ 7 Bank balances

The management company may hold bank balances for the account of the UCITS-special fund that have a maximum term of twelve months. The credit balances to be held in blocked accounts may be held at a credit institution with its registered office in a member state of the European Union or another state party to the Agreement on the European Economic Area; the credit balances may also be held at a credit institution with its registered office in a third country whose supervisory provisions are equivalent to those law of European Union in the opinion of the Federal Financial Supervisory Authority. Insofar as not otherwise determined in the BABen, the bank balances may also be denominated in foreign currency.

§ 8 Investment units

1. Insofar as not otherwise determined in the BABen, the management company may acquire units in investment funds for the account of the UCITS-special fund pursuant to the Directive 2009/65/EC (UCITS). Units in other domestic special funds and investment joint stock corporations with variable capital as well as units in open-ended EU-AIF and foreign open-ended AIF, may be acquired if they fulfil the requirements of § 196 Para. 1 Sentence 2 KAGB.
2. The management company may only acquire units in domestic investment funds and investment stock corporations with variable capital, in EU UCITS, in open-ended EU AIFs and in foreign open-ended AIFs if the terms of investment or the articles of association of the management company, the investment stock corporation with variable capital, the EU investment fund, the EU management company, the foreign AIF or the foreign AIF management company, a total of no more than 10 per cent of the value of its assets may be invested in units in other domestic investment funds, investment stock corporations with variable capital, open-ended EU investment funds or foreign open-ended AIF.

§ 9 Derivatives

1. Unless otherwise stipulated in the Specific Terms of Investment, the management company may use derivatives pursuant to § 197 (1) sentence 1 KAGB and financial instruments with a derivative component pursuant to § 197 (1) sentence 2 KAGB as part of the management of the UCITS fund. It may – in line with the type and the scope of the used derivatives and financial instruments with a derivative component – either apply the simple or the qualified approach to determine the capacity utilisation of the market risk limit fixed according to § 197 Para. 2 KAGB for the use of derivatives and financial instruments with a derivative component within the meaning of the “Regulation governing risk management and risk measurement with the use of derivatives, securities-loans and repurchase agreements in investment funds according to the German Capital Investment Code” (DerivateV) issued pursuant to § 197 Para. 3 KAGB; more specific details are regulated in the sales prospectus.
2. Insofar as the management company applies the simple approach, it may, as a rule, only use basic forms of derivatives and financial instruments with a derivative component or combination of these derivatives, financial instruments with a derivative component as well as underlying assets that are admissible pursuant to § 197 Para. 1 Sentence 1 KAGB in the UCITS-special fund. Complex derivatives with underlying assets that are admissible pursuant to § 197 Para. 1 Sentence 1 KAGB may only be used in a negligible share. The offset amount of the UCITS-special fund for the market risk that is to be determined according to § 16 DerivateV may at no time exceed the value of the special fund.

Basic forms of derivatives are:

- a) Futures contracts on the underlying assets according to Section 197 Para. 1 KAGB with the exception of investment units according to Section 196 KAGB;
- b) Options or warrants on the underlying assets according to § 197 Para. 1 KAGB with the exception of investment units according to § 196 KAGB and on futures contracts according to lit. a) if they feature the following properties:
 - aa) an exercising of an option is either possible during the entire term or at the end of the term and
 - bb) at the time when it is exercised the option value depends on a straight-line basis on the positive or negative difference between the basic price and the market price of the underlying asset and becomes nil if the difference has the other algebraic sign;
- c) Interest rate swaps, currency swaps and cross-currency swaps;
- d) Options on swaps according to lit. c) if they feature the properties described in lit. b) under lit. aa) and bb) (swaptions);
- e) Credit Default Swaps, which refer to an individual underlying asset (Single Name Credit Default Swaps);
- f) Total Return Swaps, with which all income and fluctuations in value of an underlying assets according to § 197 Para. 1 KAGB are exchanged for an agreed premium.

3. Insofar as the management company applies the qualified approach it may – subject to a suitable risk management system – invest in all financial instruments with a derivative component or derivatives that have been derived from an underlying asset that is admissible pursuant to § 197 Para. 1 Sentence 1 KAGB.
The potential risk amount for the market risk (“risk amount”) that is to be allocated to the UCITS-special fund may hereby at no time exceed twice the potential risk amount for the market risk of the associated comparable asset pursuant to § 9 DerivateV. Alternatively, the risk amount may at no time exceed 20 per cent of the value of the UCITS-special fund.
4. Under no circumstances may the management company deviate with these business transactions from the investment principles and limits stated in the investment conditions or in the sales prospectus.
5. The management company will use derivatives and financial instruments with a derivative component for the purpose of hedging the efficient portfolio control and for the generation of additional income if and insofar as it considers this necessary in the interest of the investors.
6. When determining the market risk limit for the use of derivatives and financial instruments with a derivative component, the management company may switch between the simple and the qualified approach in accordance with § 6 sentence 3 of the Derivatives Regulation. The shift does not require the approval of the Federal Authority, the management company must, however, report the shift to the Federal Authority without delay and to announce it in the next semi-annual or annual report.
7. With the use of derivatives and financial instruments with a derivative component the management company will comply with the DerivateV.

§ 10 Other investment instruments

Insofar as not otherwise determined in the BABen the Company can invest up to 10 per cent of the value of the UCITS-special fund in other investment instruments pursuant to Section 198 KAGB for the account of the UCITS-special fund.

§ 11 Issuing limits and investment limits

1. With the management the management company has to comply with the limits and restrictions stipulated in the KAGB, in the DerivateV and in the investment conditions.
2. Securities and money market instruments including the securities purchased and money market instruments of the same issuer may be acquired up to 5 per cent of the value of the UCITS-special fund; however up to 10 per cent of the value of the UCITS-special fund may be invested in these assets if this is envisaged in the BABen and the total value of the securities and money market instruments of these issuers do not exceed 40 per cent of the value of the UCITS-special fund. The issuers of securities and money market instruments shall also be taken into account within the limits set forth in sentence 1 if the securities and money market instruments issued by them are acquired indirectly through other securities included in the UCITS which are linked to their performance.

3. The management company may invest in bonds, bonded loans and money market instruments, which have been issued or guaranteed by the federal government, a country, the European Union, a member state of the European Union or its regional authorities, another contractual state of the Treaty on the European Economic Area, a third country or by an international organisation, which at least one member state of the European Union belongs to, respectively up to 35 per cent of the value of the UCITS-special fund.
4. The management company may respectively invest up to 25 per cent of the value of the UCITS-special fund in mortgage bonds [Pfandbrief] and municipal bonds as well as bonds, which have been issued by credit institutions with the registered seat in a member state of the European Union or in another contractual state of the Treaty on the European Economic Area, if the credit institutions are subject to special public supervision owing to statutory regulations for the protection of the bearers of these bonds and the funds borrowed with the issue of the bonds are invested in assets according to the statutory regulations, which during the entire term of the bonds sufficiently cover the liabilities arising from these and which, in case of a default of the issuer, are primarily determined for the due repayments and the payment of the interest. If the management company invests more than 5 per cent of the value of the UCITS-special fund in bonds of the same issuer according to Sentence 1 then the total value of these bonds may not exceed 80 per cent of the value of the UCITS-special fund.
5. The limit in Paragraph 3 may be exceeded for securities and money market instruments of the same issuer according to § 206 Para. 2 KAGB if this is envisaged by the BABen by stating the relevant issuers. In these cases the securities and money market instruments held for the account of the UCITS-special fund must stem from at least six different issues, whereby no more than 30 per cent of the value of the UCITS-special fund may be held in one issue.
6. The management company may only invest up to 20 per cent of the value of the UCITS fund in bank assets in accordance with § 195 KAGB at the same credit institution.
7. The management company has to ensure that a combination of
 - a) securities or money market instruments, which are issued by the same institution,
 - b) deposits at this institution and
 - c) attributable amounts for the counterparty risk of the transactions conducted with this institution

do not exceed 20 per cent of the value of the UCITS-special fund. Sentence 1 shall apply to the issuers and guarantors named in Paragraph 3 and 4 with the condition that the management company has to ensure that a combination of the assets and offset amounts stated in Sentence 1 do not exceed 35 per cent of the value of the UCITS-special fund. The respective individual upper limits shall remain unaffected in both cases.

8. The bonds, bonded loans and money market instruments stated in Paragraph 3 and 4 will not be taken into consideration with the application of the limits of 40 per cent stated in Paragraph 2. The limits stated in Paragraphs 2 to 4 and Paragraphs 6 to 7 may not be accumulated in deviation from the regulation in Paragraph 7.
9. The management company may only invest up to 20 per cent of the value of the UCITS-special fund in units in one single investment fund according to § 196 Para. 1 KAGB. The management company

may only invest a total of up to 30 per cent of the value of the UCITS-special fund in units in investment funds according to § 196 Para. 1 Sentence 2 KAGB. The management company may acquire no more than 25 per cent of the issued units of another open-ended domestic, EU or foreign investment fund that according to the principle of the risk spreading is invested in assets within the meaning of § 192 to 198 KAGB, for the account of the UCITS-special fund.

§ 12 Merger

1. According to § 181 to 191 KAGB the management company may
 - a) assign all assets and liabilities of this UCITS-special fund to another existing or a new UCITS-special fund founded hereby or an EU-UCITS or a UCITS investment joint stock corporation with variable capital;
 - b) admit all assets and liabilities of another open-ended public investment fund into this UCITS-special fund.
2. The merger shall require the approval of the respective responsible supervisory authority. The details of the procedure may be derived from § 182 to 191 KAGB.
3. The UCITS-special fund may only be merged with a public investment fund that is not a UCITS if the absorbing or newly founded investment fund continues to be a UCITS. Mergers of an EU-UCITS with the UCITS-special fund may additionally be carried out pursuant to the stipulations of § 2 Para. 1 lit. p Sub-clause iii of the Directive 2009/65/EC.

§ 13 Securities loans lending

1. The Company may grant a securities loan that is terminable at all times to a securities borrower against a remuneration that is suitable for the market after transfer of sufficient collateral pursuant to Section 200 Para. 2 KAGB for the account of the UCITS-special fund. The market value of the securities to be assigned may together with the market value of the securities assigned as a securities loan already for the account of the UCITS-special fund to the same securities borrower including companies belonging to the group within the meaning of § 290 HGB not exceed 10 per cent of the value of the UCITS-special fund.
2. If the collateral for the assigned securities provided into balances by the securities borrower, the balances must be maintained on blocked accounts pursuant to § 200 Para. 2 Sentence 3 Section 1 KAGB. Alternatively, the management company may take advantage of the possibility to invest these balances in the currency of the balance in the following assets:
 - a) in bonds, which feature a high quality and which have been issued by the federal government, a country, the European Union, a member state of the European Union or a regional authority, another contractual state of the Treaty on the European Economic Area or a third country,
 - b) in money market funds with a short term structure in line with the guidelines issued by the Federal Authority based on § 4 Para. 2 KAGB or
 - c) A reverse repurchase transaction with a credit institution that guarantees the return of the accrued balance at any time.

The UCITS-special fund is entitled to the income from the investment of the collateral.

3. The management company may also use a system organised by a securities clearing and deposit bank for the brokerage and settlement of securities loans which deviates from the requirements pursuant to Section 200 (1) sentence 3 KAGB if the right of termination at any time pursuant to subsection 1 is not deviated from.
4. Insofar as not otherwise determined in the BABen the management company may also grant securities loans with regard to money market instruments and investment units insofar as these assets may be acquired for the UCITS-special fund. The regulations of Paragraphs 1 to 3 shall apply accordingly hereto.

§ 14 Repurchase agreements

1. The management company may enter into securities repurchase agreements within the meaning of § 340b (2) of the German Commercial Code (Handelsgesetzbuch) with credit institutions or financial services institutions for the account of the UCITS fund on the basis of standardised framework agreements.
2. The object of repurchase agreements must be securities, which may be acquired for the UCITS-special fund according to the investment conditions.
3. The repurchase agreements may have a maximum term of 12 months.
4. Unless the Specific Terms provide otherwise, the management company may also conclude repurchase agreements in relation to money market instruments and investment fund units, insofar as the UCITS fund is permitted to acquire these assets. The regulations of Paragraphs 1 to 3 shall apply accordingly hereto.

§ 15 Borrowing of loans

The management company may borrow short-term loans up to the amount of 10 per cent of the value of the UCITS-special fund for the joint account of the investors if the conditions for the borrowing of the loan are customary for the market and the custodian approves the borrowing of the loan.

§ 16 Units

1. The units of the UCITS fund shall be bearer units and shall be certificated in unit certificates or issued as electronic unit certificates.
2. The units may have various design features, in particular with regard to the use of the income, the front load, the redemption discount, the currency of the unit value, the management fee, the minimum investment amount or a combination of these features (unit classes). The details are stipulated in the BABen.
3. The units are transferable insofar as not otherwise regulated in the BABen. With the transfer of a unit the rights securitised in this unit shall pass. The holder of the unit shall in any case be deemed the beneficiary towards the management company.

4. The rights of the investors or the rights of the investors of a unit class will be securitised in a global certificate. It shall at least bear the handwritten or reproduced signatures of the management company and the custodian.
5. The claim for individual securitisation is excluded.

§ 17 Issue and redemption of units, suspension of the redemption

1. The number of issued units is principally not limited. The management company reserves the right to temporarily suspend or fully discontinue the issue of units.
2. The units may be acquired from the management company, the custodian or by intermediary acts of third parties. The BABen may envisage that units may only be acquired and held by certain investors.
3. The investors may whenever request the redemption of the units from the management company. The management company is obligated to take the units back at the respective applicable redemption price for the account of the UCITS-special fund. The redemption body is the custodian.
4. However, the management company reserves the right to suspend the redemption of the units pursuant to § 98 Para. 2 KAGB in case of exceptional circumstances, which allow a suspension to appear necessary by taking the interests of the investors into consideration.
5. The management company has to inform the investors by an announcement in the German Federal Gazette and additionally in a business or daily newspaper with a sufficient circulation or in the electronic information media designated in the sales prospectus about the suspension pursuant to Paragraph 4 and the re-commencement of the redemption. The investors are to be informed about the suspension and recommencement of the redemption of the units without delay after the announcement in the German Federal Gazette by means of a permanent data carrier.

§ 18 Issue and redemption price

1. Unless otherwise specified in the Specific Terms of Investment, the following shall be used for calculation purposes the Issue and redemption price of the units the market values of the assets belonging to the UCITS fund minus the borrowed loans and other liabilities (net asset value) will be determined and divided by the number of units in circulation ("unit value"). If, pursuant to § 16 Para. 2 different unit classes are introduced for the UCITS-special fund the unit value as well as the issue and redemption price is to be determined separately for each unit class.
The valuation of the assets shall be carried out pursuant to § 168 and 169 KAGB and the capital investment accounting and valuation regulation (KARBV).
2. The issue price corresponds with the unit value in the UCITS fund, if applicable, plus a front load that is to be fixed in the Specific Terms of Investment pursuant to § 165 Para. 2 Number 8 KAGB. The redemption price corresponds with the unit value of the UCITS-special fund, if applicable, minus a redemption discount that is to be fixed in the BABen pursuant to § 165 Para. 2 Number 8 KAGB.

3. The settlement key date for unit call orders and redemption orders is no later than the valuation day following the receipt of the unit call order or redemption order, insofar as not otherwise determined in the BABen.
4. The Issue and redemption price will be determined each stock exchange trading day. Insofar as not otherwise determined in the BABen, the management company and the custodian may refrain from a determination of the value on statutory public holidays, which are stock exchange trading days, as well as on 24 and 31 December of each year; more specific details are regulated in the sales prospectus.

§ 19 Costs

The expenses and the payments to which the management company, the custodian and third parties are entitled, which may be charged to the UCITS-special fund, are stated in the BABen. For payments within the meaning of Sentence 1 it is additionally to be stated in the BABen according to which method, in which amount and owing to which calculation they are to be paid.

§ 20 Accounting

1. By no later than four months after the close of the fiscal year of the UCITS-special fund the management company will publish an annual report including an income and expenses statement pursuant to § 101 Para. 1, 2 and 4 KAGB.
2. By no later than two months after the middle of the fiscal year the management company will publish a semi-annual report pursuant to § 103 KAGB.
3. If the right to manage the UCITS-special fund is assigned to another management company during the fiscal year or the UCITS-special fund is merged with another UCITS-special fund, a UCITS-investment joint stock corporation with variable capital or an EU-UCITS during the fiscal year then the management company has to draw up an interim report on the assignment key date, which meets the requirements from an annual report pursuant to Paragraph 1.
4. If the UCITS-special fund is wound up the custodian has to draw up a wind-up report annually as well as on the day, on which the winding-up is completed, which shall meet the requirements from an annual report pursuant to Paragraph 1.
5. The reports are available at the management company and the custodian and further bodies, which are to be stated in the sales prospectus and in the PRIIP KID, they will further be published in the German Federal Gazette.

§ 21 Termination and winding-up of the UCITS-special fund

1. The management company may terminate the management of the UCITS-special fund with a period of notice of at least six months by announcement in the German Federal Gazette and, in addition, in the annual report or semi-annual report. The investors are to be informed about a termination announced according to Sentence 1 without delay by means of a permanent data carrier.
2. When the termination becomes effective the right of the management company to manage the UCITS-special fund shall lapse. In this case the UCITS-special fund respectively the right of disposal over the UCITS-special fund shall pass to the custodian, which has to wind it up and to distribute it to the investors. For the time of the winding-up the custodian is entitled to a fee for its work relating to the winding-up as well as to reimbursement of its expenses, which are necessary for the winding-up. With the approval of the Federal Authority the custodian may refrain from the winding-up and distribution and assign the management of the UCITS-special fund to another management company according to the previous investment conditions.
3. The management company has to draw up a dissolution report on the day, on which its management right lapses according to § 99 KAGB, which shall meet the requirements from an annual report according to § 20 Para. 1.

§ 22 Change of management company and custodian

1. The management company may transfer the right to manage the UCITS fund and dispose over its assets to another investment management company. The transfer requires prior approval from BaFin.
2. The approved transfer shall be announced in the German Federal Gazette and also in the annual report or semi-annual report as well as in the electronic information media specified in this prospectus. The transfer shall take effect at the earliest three months after its publication in the German Federal Gazette.
3. The management company may change the custodian for the UCITS fund. The change shall require the approval of the Federal Authority.

§ 23 Changes to the investment conditions

1. The management company may change the investment conditions.
2. Changes to the investment conditions shall require the prior approval of the BaFin.
3. All envisaged changes will be announced in the German Federal Gazette and, in addition, in a business or daily newspaper with a sufficient circulation or in the electronic information media designated in the sales prospectus. In a publication according to Sentence 1 reference is to be made to the envisaged changes and their entry into force. In the event of changes to charges within the meaning of § 162 Para. 2 Number 11 KAGB, changes to the investment principles of the UCITS-special fund within the meaning of § 163 Para. 3 KAGB or changes with regard to essential investor rights the investors are, at the same time as with the announcement according to Sentence 1, to be sent the essential contents of the envisaged changes to the investment conditions and their

background as well as information about their rights according to § 163 Para. 3 KAGB in a comprehensible manner by means of a permanent data carrier pursuant to § 163 Para. 4 KAGB. In the event of changes to the previous investment principles, investors must also be informed of their rights under § 163(3) KAGB.

4. The changes shall come into force on the day after their announcement in the German Federal Gazette at the earliest, in the event of changes to the charges and the investment principles, however, not before the expiry of three months after the corresponding announcement.

§ 24 Place of performance

The place of performance is the registered seat of the management company.

§ 25 Dispute resolution procedure

In the event of disputes involving consumers, the parties may contact the official consumer arbitration board at the Federal Financial Supervisory Authority (Schlichtungsstelle bei der BaFin, Graurheindorfer Straße 108, 53117 Bonn, www.bafin.de/schlichtungsstelle). The European Commission has set up a European online dispute resolution platform at www.ec.europa.eu/consumers/odr. Consumers can use this for the out-of-court settlement of disputes arising from online purchase contracts or online service contracts. The company's e-mail address is: info@lupusalpha.de

Further information is available free of charge from Lupus alpha Investment GmbH, Speicherstrasse 49-51, 60327 Frankfurt am Main, on request by telephone +49 69 365058-7000, by e-mail info@lupusalpha.de or via our website www.lupusalpha.de.

An updated edition of the sales prospectus for the designated UCITS fund will be published on 1 September 2023, which is available free of charge on request from Lupus alpha Investment GmbH, Speicherstrasse 49-51, 60327 Frankfurt am Main, or can be downloaded free of charge at any time from www.lupusalpha.de.

Frankfurt am Main June 2023

Lupus alpha Investment GmbH
The Management Board