



## **New Capital Fund Lux (the “Company” or the “Fund”) Summary of Investor Rights**

### **Introduction**

This is a summary of rights afforded to you as a Shareholder whose name appears on the share register of the Company. Should you require any further information relating to the terms of your investment, please refer to the prospectus, the Articles of Association of the Company and subscription form.

### **Entitlement to receive certain information relating to your investment in the Fund**

As a Shareholder in the Company, a copy of the latest annual and semi-annual financial statements of the Company will be available to you on [www.newcapitalfunds.com](http://www.newcapitalfunds.com) and a copy of such reports shall be provided to you on request and free of charge by contacting HSBC Continental Europe, Luxembourg (the **Administrator**).

The latest Net Asset Value per Share is also available from [www.bloomberg.com](http://www.bloomberg.com) and on request from the Administrator.

The current prospectus of the Company shall also be available from the Administrator, a paper copy of which will be delivered to you on request and free of charge.

Material changes to certain information contained in the prospectus provided to you before you invested in the Company shall be notified to you in accordance with applicable regulatory requirements.

### **Entitlement to redeem your interest in the Fund**

Shareholders in the Company are entitled to redeem their shareholding and receive the redemption proceeds relating to such Shares within the timeframe and subject to such conditions as detailed in the Company’s prospectus and Articles of Association.

### **Voting rights and related matters**

Save to the extent that a Shareholder has chosen to invest in Shares which do not carry voting rights, a Shareholder has the right to vote on shareholder resolutions relating to the Company, relevant Sub-Fund or Class in accordance with the conditions set down in the Company’s prospectus and Article of Association.

Under applicable legislation, one or several Shareholder(s) holding not less than 10% of the voting rights in the Company (or relevant Sub-Fund or Class as applicable) may request the directors of the Company to convene a general meeting of the Company (or relevant Sub-Fund or Class as applicable) in accordance with the provisions of the relevant legislation.

## **Entitlement to make a complaint**

As a Shareholder in the Company, you are entitled to make a complaint free of charge. Any such complaint must be handled by the manager promptly and effectively.

You also have the right to refer the relevant complaint to the Commission de Surveillance du Secteur Financier (the “CSSF” after following the manager’s complaints process if you are still not satisfied with the response received.

Further information on the complaints policy relating to the Company is available from the manager upon request.

## **Investor rights against the Company and service providers of the Company**

As a Shareholder in the Company, you have a right of action against the Company for any breach of contract.

Shareholders in the Company do not have any direct contractual rights against any service provider appointed in respect of the Company because of the absence of a direct contractual relationship between the Shareholder and the relevant service provider. Instead, the proper plaintiff in an action in respect of which a wrongdoing is alleged to have been committed against the Company or the manager by the relevant service provider is typically the Company or the manager as applicable.

Notwithstanding the foregoing, a Shareholder has a right of action to pursue the Depositary appointed by the Company in respect (i) any loss of an asset held in the custody of the Depositary or any delegate of the Depositary or (ii) of any other losses caused by the Depositary’s negligent or intentional failure to properly fulfil its obligations under applicable regulations provided that this does not lead to a duplication of redress or to unequal treatment of Shareholders in the Company.

## **Representative actions under Luxembourgish law**

Currently under Luxembourgish court rules, there is no formal representative action procedure in place which facilitates collective redress by consumers in respect of infringements of EU or national law. This means that any action brought in a Luxembourgish court relating to an infringement of Luxembourgish or EU laws governing collective investment schemes and their managers must currently be litigated on an individual basis.

A collective redress mechanism, as required under Directive (EU) 2020/1828, must be implemented in Luxembourg by 25 June 2023.

## **General**

It should be noted that this summary addresses rights conferred on Shareholders under the applicable legislation governing the operation of the Company in which you are invested. You may also be afforded rights under other legislation or regulatory frameworks which are not addressed above, including for example, your rights as a data subject under Regulation 2016/679.