

On Approving the Regulation on the Procedure for Filing Administrative Data by Person Managing Assets of Non-State Pension Fund (Open-End, Corporate, Occupational)

Resolution of the Securities and Stock Market State Commission of August 11, 2004 # 340

**Registered with the Ministry of Justice of Ukraine
on January 31, 2005 # 117/10397**

Pursuant to the Law of Ukraine "On Non-State Pension Provision" in order to control the activity of a person managing assets of a non-state pension fund (open-end, corporate, and occupational) the Securities and Stock Market State Commission hereby **RESOLVES:**

1. Approve the Regulation on the Procedure for Filing Administrative Data by Person Managing Assets of Non-State Pension Fund (Open-End, Corporate, And Occupational) (Attached).

2. Acting Executive Secretary V. Pryadko shall ensure the following:

State registration of this Resolution with the Ministry of Justice of Ukraine;

Publication of the Resolution in accordance with the effective legislation.

3. Control over compliance with this Resolution shall be vested with Acting Executive Secretary V.Pryadko.

Commission Chairman

A. Balyuk

Protocol of Commission

Meeting No. 25 of August 11, 2004

APPROVED BY
Resolution of the Securities and Stock Market State
Commission No. 340 of August 11, 2004

Registered with the Ministry of Justice of Ukraine on
January 31, 2005 N 117/10397

**Regulation
on the Procedure for Filing Administrative Data by Person Managing Assets of Non-State
Pension Fund (Open-End, Corporate, Occupational)**

This Regulation was developed pursuant to the Laws of Ukraine "On Non-State Pension Provision", "On Securities and Stock Market", "On State Regulation of Securities Market in Ukraine", "On Accounting and Financial Reporting in Ukraine", "On Business Associations", "On National Depository System and Specifics of Electronic Circulation of Securities in Ukraine", Regulation on Asset Management Company of Collective Investment Institutions and Legal Entities Performing Professional Activities of Pension Funds Asset Management approved by Resolution of the Securities and Stock Market State Commission (hereinafter, Commission) of January 11, 2002 N 13, registered with the Ministry of Justice of Ukraine on October 4, 2002 N 812/7100 (in the wording of Commission's Resolution of December 25, 2003 N 567, registered with the Ministry of Justice of Ukraine on January 15, 2004 N 42/8641).

1. General Provisions

1.1. This Regulation shall establish the procedure for, composition and terms of filing the administrative data about assets management of non-state pension fund (open-end, corporate, occupational) (hereinafter, Pension Fund) by a person managing assets of pension fund (hereinafter, Person) with the Commission.

1.2. Administrative data on pension funds asset management (hereinafter, Data) shall be filed with the Commission by persons managing assets of Pension Fund and having licenses of the Commission to perform professional activity of asset management received in compliance with the effective legislation. Should several Persons manage assets of one Pension Fund, the Data shall be filed with the Commission by each person separately.

1.3. Data shall be filed in electronic and paper forms.

2. Procedure for and Terms of Data Filing

2.1. Person shall file the Data regarding pension funds asset management with the central office of the Commission:

Monthly;

Quarterly;

Annually.

2.2. Person shall file Data with the Commission in the following terms:

2.2.1. Monthly Data - 1 PM of the first working day of the month following the reporting one;

2.2.2. Quarterly Data – till the last day of the first month of the quarter following the reporting one;

2.2.3. Annual Data – till April 30 of the year following the reporting one.

2.3. In case if the deadline of Data filing falls on the non-working day, the deadline of the Data filing shall be considered the first working day after the non-working one.

2.4. Within one day only one electronic form of the Data from one Person from each pension fund separately shall be received and processed.

2.5. Data in the electronic form shall be compiled by filling in in Ukrainian the tables and forms provided for by the present Regulation by means of the software which ensures files generating in the format established by the Commission.

2.6. Electronic form of monthly Data shall be sent by e-mail to the following address of the Commission's central office: ndpf@stockmarket.gov.ua within the terms specified in Item 2.2 of the present Regulation.

2.7. The data filed via e-mail shall be received by e-mail robot and shall not be archived.

2.8. Confirmation of the Data electronic form receipt shall be sent by the e-mail robot to the sender.

2.9. Paper form of the Quarterly Data shall be generated as a printed copy of the electronic form of the Quarterly Data. Paper form of the Data from each pension fund shall be threaded separately (pages shall be numbered), signed by Person's Director and certified with a stamp. Identity of the electronic and paper forms of the Data shall be certified with Director's signature and a stamp on the title page of the Data in a paper form with indication of the date when the Data was drawn up.

2.10. The Data shall be considered accepted if:

2.10.1. They are filed in electronic and paper forms within the terms specified in Items 2.2 and 2.3 of the present Regulation;

2.10.2. They are drawn up in accordance with the requirements of this Regulation;

2.10.3. Paper form is identical with electronic form by data composition.

2.11. Filing of the electronic form of Data on the damaged electronic media (floppy disk, CD, etc.) or on the media that does not contain electronic form on it shall not be considered filing of the electronic form of the Data.

2.12. Electronic and paper forms of the Quarterly Data shall be filed with the General Department of the Central office of the Commission personally or via mail.

2.13. Should the Commission receive electronic and paper forms of the Data sent via mail after the deadline set by this Regulation, the date of the Data filing shall be determined based on the post offices indicia.

3. Data Composition

3.1. Monthly Data shall be the information about non-state pension funds assets composition, structure and value (Addendum 1 to the Regulation on the Procedure for Determining the Net Value of Non-State Pension Fund Assets (Open-End, Corporate and Occupational), approved by Commission's Resolution of August 11, 2004 #339 registered with the Ministry of Justice of Ukraine of January 25, 2005 # 96/10376). Monthly Data shall be filed only electronically.

3.2. Quarterly Data:

3.2.1. Cover Letter specifying the period for which the Data are provided and the List of pension funds;

3.2.2. Title Page (Addendum 1);

3.2.3. Information about non-state pension fund as of the last date of the reporting period (Addendum 2);

3.2.4. Information about non-state pension fund assets composition, structure and value (Addendum 1 to the Regulation on the Procedure for Determining the Net Value of Non-State Pension Fund Assets (Open-End, Corporate and Occupational), approved by Commission's Resolution of August 11, 2004 #339 registered with the Ministry of Justice of Ukraine of January 25, 2005 # 96/10376) as of the last date of each month separately;

3.2.5. Information about net value of non-state pension fund assets (Addendum 2 to the Regulation on the Procedure for Determining the Net Value of Non-State Pension Fund Assets (Open-End, Corporate and Occupational), approved by Commission's Resolution of August 11, 2004 #339 registered with the Ministry of Justice of Ukraine of January 25, 2005 # 96/10376).

3.3. Annual Data:

3.3.1. Cover Letter specifying the period for which the Data are provided and the list of pension funds;

3.3.2. Title Page (Addendum 1);

3.3.3. Statement of filing the Data on non-state pension fund assets composition, structure and value in the electronic form with the Securities and Stock Market State Commission (Addendum 3);

3.3.4. Statement of fee calculation to person managing non-state pension fund assets (Addendum 4);

3.3.5. Brief overview of the events for the period of pension fund assets management shall be drawn up in the arbitrary form and contain information about events that occurred during the reporting

period, year-end results for the reporting period, prospects and tendencies of pension fund assets management, etc.;

3.3.6. Annual Data in the paper form shall be threaded with pages being numbered;

3.3.7. All pieces of information of the Annual Data in paper form shall be signed by Director and certified with a stamp of legal entity.

4. Control over Data Filing

State control over timeliness, completeness and accuracy of the Data filing shall be exercised by the Commission.

**Chair, Securities Market Participants
Reporting Department**

O. Velychko

Addendum 1
to the Regulation on the Procedure for Filing the
Administrative Data by Person Managing Assets of
Non-State Pension Fund (Open-End, Corporate
Occupational)

Title Page

I confirm the information, data presented in the electronic form attached coincide with the paper form data:

EDRPOU Code and Full Name of Person Managing
Assets of Non-State Pension Fund

(Director)	(Signature)	(Full Name)
	Stamp	
Date		

Contact Person on Drawn Up Data:

Position, Division	
Full Name	
Area Code, Phone and Fax Numbers	
E-mail	

Reporting Period:		Quarter		Year
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Full Name of Non-State pension Fund (Open-End, Corporate, Occupational)	
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I received the Data:

(Position)	(Signature)	(Full Name of the Securities and Stock Market State Commission's Specialist)
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Addendum 2
to the Regulation on the Procedure for
Filing the Administrative Data by Person
Managing Assets of Non-State Pension
Fund (Open-End, Corporate Occupational)

Information about Non-State Pension Fund

As of _____ 200_

Full Name				
Type of Non-State Pension Fund				
EDRPOU Code				
State Registration Certificate Number				
State Registration Certificate Issue Date				
KOATUU Territory Code				
Territory (oblast)				
Location				
Area Code		Telephone		
E-mail		Fax		
WWW-address				
(KVED Code)		(Activity Type)		

Information about Legal Entities, Whose Services Non-State Pension Fund Uses

EDRPOU Code	Legal Entity According to the List*	Name	Name, Number and Series of the Document Testifying to Person's Authorities	Location

* List of Legal Entities about which the information is compiled: administrator, asset managers, securities custodian, securities trader, auditing firm.

Addendum 3
to the Regulation on the Procedure for
Filing Administrative Data by person
Managing Assets of Non-State Pension
Fund (Open-End, Corporate, Occupational)

**Statement of Filing the Data on Composition, Structure and Value of Non-State Pension Fund
Assets in the Electronic Form with the Securities and Stock Market State Commission**

For the Year of _____

(EDRPOU Code and Full Name of Non-State Pension Fund)

N	Date of Filing the Data on Composition, Structure and Value of Non-State Pension Fund Assets in the Electronic Form	Registration Number Assigned to the Electronic Form of the Data on Composition, Structure and Value of Non-State Pension Fund Assets	Value of Non-State Pension Fund Assets as of the End of Each Month (UAH)
1	2	3	4

Director of Person Managing Assets of Non-State Pension Fund

(Signature)

(Full Name)

Stamp

Director of Non-State pension Fund Custodian

(Signature)

(Full Name)

Stamp

Director of Non-State Pension Fund Administrator

(Signature)

(Full Name)

Stamp

Addendum 4
to the Regulation on Procedure for Filing
Administrative Data by Person Managing Assets of
Non-State Pension Fund (Open-End, Corporate,
Occupational)

Statement of Fee Calculation to Person Managing Assets of Non-State Pension Fund

For the Year of 200_

(EDRPOU Code and Full Name of Non-State Pension Fund)

N	Period of Fee Calculation (Monthly)	Net Value of Non-State Pension Fund Assets (UAH)	Percentage of the Net Value of Non-State Pension Fund Assets for Fee Calculation, %	Amount of Fee (Column 3 x Column 4 / 100 %) (UAH)
1	2	3	4	5
	January			
	February			
	March			
	April			
	May			
	June			
	July			
	August			
	September			
	October			
	November			
	December			
	Sum Total		X	

Director of Person Managing
Assets of Non-State Pension
Fund

(Signature)

(Full Name)

Stamp

Chairman of Non-State Pension
Fund Board

(Signature)

(Full Name)

Stamp
