

CC JCB Active Bond Fund: ARSN 610 435 302

CC JCB Active Bond Fund (Fund) – proposed Constitution amendment for AMIT regime

17 June 2019

Background to AMIT regime

- 1 The Attribution Managed Investment Trusts (**AMIT**) regime commenced in May 2016, and provides a new tax system for managed investment schemes which satisfy certain criteria.
- 2 The key benefits of the AMIT regime for responsible entities, and investors in their schemes, include:
 - (a) the ability to stream a wide range of tax attributes to different investors (e.g. different kinds of capital gains, income subject to withholding tax, foreign source income, exempt income and income entitled to tax offsets) (**Income Attribution**);
 - (b) the ability to elect to treat income and assets attributable to a class of units as a separate AMIT and for Income Attribution to apply to each separate class of units;
 - (c) an '**unders and overs**' system to allow errors in calculating taxable income to be rectified by making adjustments in the year the errors are discovered (rather than having to amend the scheme's tax return, and tax statements, as is currently the case);
 - (d) cost base adjustment rules to **increase** or decrease the cost base of units for capital gains tax purposes where amounts are attributed, but not distributed, to investors which can reduce double taxation – previously only cost base reductions were allowed for 'tax deferred' distributions; and
 - (e) the scheme being deemed to be a '**fixed trust**', which, where applicable, assists in allowing tax losses to be carried forward and for franking credits to be distributed to investors.
- 3 For schemes which qualify as MITs, to take advantage of the AMIT regime the responsible entity must elect for the scheme to be treated as an AMIT. Further, the interests of all investors in the scheme must be clearly defined at all times when the trust is in existence in the income year.

ASIC relief to facilitate constitution amendments

- 4 Generally, the constitution of a registered managed investment scheme may be amended:
 - (a) by the responsible entity, if it reasonably considers the amendment does not adversely affect unitholders' rights; or
 - (b) otherwise, by a special resolution of unitholders.

- 5 However, ASIC has granted conditional relief to enable a responsible entity to amend a registered scheme constitution to facilitate the scheme being operated as an AMIT without convening a unitholders' meeting.

Application to CC JCB Active Bond Fund

- 6 Channel Investment Management Limited, as responsible entity for the Fund, has determined the Fund meets the criteria for, and is eligible to, participate in the AMIT regime.
- 7 The Income Attribution and sub-fund items discussed at paragraph 2(a) will not apply to the Fund, as we do not intend to stream different tax attributes to different investors. . However, we consider the ability to make the election outlined at paragraph 2(b), and the items discussed at paragraphs 2(c) to (e), may be beneficial for the Fund and investors and consider it is in the best interests of investors for the Fund constitution to be amended to enable the AMIT regime to apply.

Proposal to amend Trust constitution

- 8 Accordingly, we propose to vary the Fund constitution by:
- (a) enabling the responsible entity to elect to treat income and assets attributable to a class of units as a separate AMIT and for Income Attribution to apply to each separate class of units;
 - (b) enabling the responsible entity to attribute each determined trust component to unitholders on a pro rata basis for each distribution period during that financial year;
 - (c) enabling the responsible entity to apply the 'unders and overs' regime to adjust a trust component in the income year in which the under or over is discovered; and
 - (d) to require the responsible entity to send an AMIT statement to each unitholder for an income year in which the Fund is an AMIT,

where the Fund is an AMIT for any financial year,

- 9 In accordance with the ASIC relief, we will proceed to vary the Fund constitution unless we receive requests to call and arrange to hold a meeting of the Fund's unitholders, to consider and vote on a special resolution to modify the constitution as outlined above, from unitholders with at least 5% of the votes that may be cast on the resolution by 25 June 2019.
- 10 Requests for us to call and arrange a meeting must be made in writing by email to clientservices@channelcapital.com.au.

Changes to transaction costs and asset allocation target range for derivatives

8 November 2018

Channel Investment Management Limited (CIML) is the responsible entity of the CC JCB Active Bond Fund ARSN 610 435 302 (the Fund).

Units in the Fund were available for subscription under a product disclosure statement dated 29 September 2017 (2017 PDS).

Units are now available for subscription under a new product disclosure statement dated November 2018 (2018 PDS), and the 2017 PDS is no longer applicable.

Updates to the 2018 PDS include:

- Reduction in the buy/sell transaction cost from 0.10% to 0.05%; and
- Increase in the target range for Derivatives from 0-30% to 0-50%.

The 2018 PDS is issued by CIML and is available from www.channelcapital.com.au.
