

## 1167 Active Funds ICAV (the “CIS”)

### Summary of Shareholder Rights

This disclosure provides investors and prospective investors with a summary of information relating to their rights as an investor in the CIS, as required by Regulation (EU) 2019/1156 of the European Parliament and Council on facilitating cross-border distribution of collective investment undertakings. (The “Cross Border Fund Distribution” Regulation).

The Cross-Border Fund Distribution Regulation states that investors and potential investors in a CIS must be provided with a summary of investor rights. Such rights may include the below. Should you require any further information relating to the terms of your investment, please refer to the CIS’ prospectus, constitutional documents and share application form.

#### **1. Entitlement to subscribe and redeem your interest in the CIS.**

Shareholders in the CIS are entitled to purchase and redeem a shareholding within the timeframe and subject to such conditions as detailed in the prospectus of the CIS.

#### **2. Entitlement to receive certain information relating to your investment in the CIS.**

As a Shareholder in the CIS, a copy of the latest annual and semi-annual financial statements of the CIS will be available to you at [www.1167capital.com](http://www.1167capital.com).

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

Should you require any further information relating to the terms of your investment, please refer to the prospectus, the Memorandum and Articles of Association of the CIS and share application form relating to your investment in the CIS.

The prospectus, the latest annual and semi-annual reports, the latest key investor information document of the share class or sub-fund in which you are invested and the supplements for the CIS are available at [www.1167capital.com](http://www.1167capital.com), or from 1167 Capital LLP, Alfred Suite, 26-27 Bedford Square, London WC1B 3HP, UK.

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

#### **3. Entitlement to make a complaint**

As a Shareholder in the CIS, you are entitled to make a complaint free of charge. Any such complaint will be handled by the appointed management company, KBA Consulting Management Limited (“KBA”), 5 George’s Dock, IFSC, Dublin 1, Ireland, promptly and effectively. KBA has a complaints handling policy in place, which is available to investors free of charge by contacting the firm on +353 1 6687864. You also have the right to refer the relevant complaint to the Financial Services and Pensions Ombudsman of Ireland ([www.fspo.ie](http://www.fspo.ie)) after following the CIS complaints process if you are still not satisfied with the response received.

You may also complain to the Investment Manager, 1167 Capital LLP at [complaintsmanagement@1167capital.com](mailto:complaintsmanagement@1167capital.com). You may also be able to complain to the UK Financial Ombudsman Service. [Contact us \(financial-ombudsman.org.uk\)](http://financial-ombudsman.org.uk)

#### **4. Investor rights against the CIS and service providers of the CIS**

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

Shareholders in the CIS do not have any direct contractual rights against any service provider appointed in respect of the CIS 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 CIS or its management company by the relevant service provider is typically the CIS or its management company as applicable.

Notwithstanding the foregoing, a Shareholder has a regulatory right of action to pursue the Depositary appointed by the CIS 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 CIS.

#### **5. Compensation and representative actions**

Investor compensation schemes provide retail investors with a level of protection should an investment firm be unable to meet its obligations to investors. Only those who are classified as retail investors are protected by such schemes. Institutions and non-retail clients do not receive protection from these schemes.

Currently under Irish court rules, there is no formal representative action procedure in place which facilitates collective redress by retail investors in respect of infringements of EU or national law. This means that any action brought in an Irish court relating to an infringement of Irish or EU laws governing CIS 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 Ireland by 25 June 2023.

Investors should note that not all of the protections provided for under their relevant regulatory regime may apply and there may be no right to compensation under such regulatory regime, if such scheme exists. If you have a claim against the Investment Manager and it has gone out of business, you may be able to make a claim under the UK Financial Services Compensation Scheme [www.fscs.org.uk](http://www.fscs.org.uk).

#### **6. Shareholder meetings and voting**

Save to the extent that a Shareholder has chosen to invest in Shares which do not carry voting rights, as a Shareholder you have the right to attend and vote at general meetings of the CIS. You also have a right to attend and vote in meetings of the sub-fund or share class in which you are invested. The CIS is required to provide you with written notice of any such meeting in accordance with the procedures and timeframes outlined in the CIS' constitutional document. The voting procedures are also outlined in the CIS' constitutional document (including voting by way of written resolution in certain circumstances).

#### **7. General**

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