

ASX Announcement

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Manager
ASX Market Announcements
Australian Securities Exchange
Level 4, 20 Bridge Street
SYDNEY NSW 2000

Announcement No: 31/2016

AMP Capital China Growth Fund (ASX: AGF) – Judicial advice sought in relation to Corporations Act and EGM

AMP Capital Funds Management Limited (AFSL 426455), the responsible entity (RE) of the AMP Capital China Growth Fund (the Fund), provides an update in relation to the Extraordinary General Meeting to be held on 28 July 2016 (July EGM).

The RE today approached the Supreme Court of New South Wales to seek a hearing date to obtain judicial advice¹ in relation to the application of section 253E of the Corporations Act 2001 to the voting rights of AMP Life Limited (AMP Life) at the July EGM. This section prohibits the RE and its associates from voting if they have an interest in a resolution other than as a member. As unitholders are aware, AMP Life is the Fund's largest unitholder, with a holding of approximately 36 per cent, held on behalf of policy interests in its statutory funds.

The judicial advice is being sought to enable the RE to tell unitholders in the Notice of Meeting and Explanatory Memorandum whether it considers those units may be voted or not at the July EGM. The RE believes that it is in the interests of all unitholders to have clarity concerning the voting position in circumstances where there are differing views as to the application of section 253E, and taking into account that AMP Life has a significant holding in the Fund.

The application will be heard by the Supreme Court on Monday 27 June 2016 and the RE anticipates that Court will hand down its decision quickly. If unitholders have a question about the judicial advice application or would like to see a copy of the application to the Court for judicial advice, please contact the Unitholder Information Line 1800 658 404 or +61 2 8048 8230.

The RE continues to prepare the Notice of Meeting and Explanatory Memorandum in relation to the July EGM, and expects to release the Notice of Meeting and Explanatory Memorandum on or about 28 June 2016 with dispatch to unitholders shortly after that.

The RE will update the market after the hearing once the Court has made its decision.

Investor enquiries

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¹ In accordance with section 63 of the Trustee Act 1925 (NSW)