

M&S Unit Trust Funds

Important information for investors

This section gives you important information about investing in the Marks & Spencer Unit Trust Funds.

- Please read it carefully and then keep it in a safe place for future reference.
- If you have any questions or do not understand anything you have read please telephone us.
- Before investing you must also read the Simplified Prospectus for the funds you are considering investing in, and the stocks and shares ISA information section of this booklet.

Investment advice and commission

We believe that customers want to make up their own minds about our products so we do not offer investment advice, however we can provide factual information about any of our products. If you have any doubt as to whether this investment is suitable for you please contact an independent financial adviser.

If you have received advice from an independent financial adviser prior to making an investment into the M&S Worldwide Managed Fund or the UK Selection Portfolio we may pay commission to your adviser. For example if you invest £1,000 this would currently be £30 (3%) for both Funds.

If you have invested in the M&S UK 100 Companies Fund or High Income Fund following investment advice from an independent financial adviser we will not pay commission to your adviser.

Customer documentation

You will receive a letter of acknowledgement and contract note following lump sum investments into our funds, and when you sell units held in your account. The contract note will give details of the transaction including the number of units bought/sold and the price per unit. Investors will receive six-monthly statements in May and November each year. Unit certificates will not be issued.

Switching funds

You can switch your investment from one of our funds to any of the other funds we offer at any time. You can instruct us by telephone or in writing. We may ask for telephone instructions to be confirmed in writing. Any initial charge you have paid on the fund you are switching out of will be discounted against the initial charge on the fund you are switching into.

Complaints

If you have a complaint please write to us at:

Savings & Investments department
Marks & Spencer Money
Kings Meadow, Chester, CH99 9UT
Telephone number: 0808 005 5555
Calls may be recorded.

If we are unable to resolve your complaint to your satisfaction you can write to the Financial Ombudsman at:

Financial Ombudsman Service
South Quay Plaza, 183 Marsh Wall, London, E14 9SR
Telephone number: 0845 080 1800, 0800 0234 567
(free if calling from a fixed line e.g. landline),
0300 1239 123 (free for mobile phone users who
pay a monthly charge for calls starting 01 or 02)
Email: complaint.info@financial-ombudsman.org.uk
Internet: www.financial-ombudsman.org.uk

A written complaints procedure is available on request.

Compensation

If we cannot meet our financial obligations to you, you may be entitled to compensation under the Financial Services Compensation Scheme. The maximum level of compensation you can receive from the scheme is £50,000.

Details of the scheme can be obtained from the FSCS at:

FSCS
7th Floor, Lloyds Chambers, 1 Portsoken Street
London E1 8BN
Telephone helpline: 020 7892 7300 or 0800 678 1100
Email: enquiries@fscs.org.uk
Internet: www.fscs.org.uk

Direct Debit Guarantee

- It is important that you retain this Guarantee for your own reference.
- This Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit Marks & Spencer Financial Services plc/Marks and Spencer Unit Trust Management Limited will notify you 10 working days in advance of your account being debited or as otherwise agreed. If you request Marks & Spencer Financial Services plc/Marks and Spencer Unit Trust Management Limited to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by Marks & Spencer Financial Services plc/Marks and Spencer Unit Trust Management Limited or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
 - If you receive a refund you are not entitled to, you must pay it back when Marks & Spencer Financial Services plc/Marks and Spencer Unit Trust Management Limited asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify us.

Client classification

All investors are classified as retail clients.

Product suitability

In accepting and undertaking your instruction for this investment Marks and Spencer Unit Trust Management Limited is not required to assess the suitability of this product for you. This means that the protection offered by the Financial Services Authority's rules on assessing suitability will not apply to this transaction.

Conflicts of interest

Marks and Spencer Unit Trust Management Limited is part of the HSBC Group of companies. The following is a summary of the HSBC Group Conflicts of Interest Policy:

The HSBC Group is a global organisation which provides a wide range of financial services. As such, it, or a company with whom it has an association (HSBC), may from time to time have interests which conflict with its clients' interests or with the duties that it owes to its clients. These include conflicts arising between the interests of HSBC, its associates and employees on the one hand and the interests of its clients on the other and also conflicts between clients themselves.

HSBC has established procedures which are designed to identify and manage such conflicts. These include organisational and administrative arrangements to safeguard the interests of clients. A key element of this policy is that persons engaged in different business activities involving a conflict of interest must carry on those activities independently of one another.

Where necessary, HSBC maintains arrangements which restrict the flow of information to certain employees in order to protect its clients' interests and to prevent improper access to client information.

HSBC may also deal as Principal for its own investment account and may be matching transactions with another client. Procedures are in place in order to protect the client's interest in this instance. In some cases, HSBC's procedures and controls may not be sufficient to ensure that a potential conflict of interest does not damage a client's interests. In these circumstances, HSBC may consider it appropriate to disclose the potential conflict to the client and obtain the client's formal consent to proceed. However, HSBC may decline to act in any circumstance where there is residual risk of damage to the interests of any client. Further details are available by calling us on 0808 005 5555.

Short term trading

Investment in our unit trust fund should be considered a medium to long term investment (i.e. at least five to ten years). Investors have access to their money at any time. However, if we have reasonable grounds to believe that an investor is conducting short term trading for which this fund is not appropriate, we reserve the right to reject an instruction, or apply the unit price prevailing at the next but one 8am Valuation Point, following receipt of an instruction to buy or sell units.

Other information

Cash held on your behalf, and not invested in our funds, will be held in a client money account. The client money account may be held with Marks & Spencer Financial Services plc, and/or HSBC Bank plc, both of which are authorised banks in the same group as Marks and Spencer Unit Trust Management Limited, or another UK authorised bank. We will not pay interest to you on any client money held. For example, client money arises when we make a cheque payment to you until you cash the cheque.

The contract is governed by the laws of England and Wales, and is subject to the jurisdiction of the English courts. The contract and any communication we have with you will be English.

Marks and Spencer Unit Trust Management Limited's principal business activity is being the manager of collective investment schemes.