

# Harvest Equal Weight Global Utilities Income ETF

December 31, 2023

Management Report of Fund Performance



# Harvest Equal Weight Global Utilities Income ETF

## PRESIDENT'S MESSAGE

### Unitholder Letter March 2024

#### Dear Valued Investor,

Thank you for placing your trust and confidence in Harvest's investment products through 2023. We follow a philosophy that held strong in our ETFs and Funds in the past year, and one we will remain committed to going forward.

Harvest Portfolios Group Inc. and its growing group of Harvest ETFs have remained steadfast in making equity investments since our launch in 2009. This is by design to take advantage of the long-term growth in capital markets, the growth of industries and the growth of well-positioned and well-managed companies. We couple that philosophy with a finely tuned proprietary cover call option writing strategy that has proven to generate steady and attractive levels of consistent monthly cashflows for unitholders. We are proud to say that in the coming year we will surpass 10 years of option writing as part of our strategy.

In late September 2023 we added a new category to our product line up with the launch of the Harvest Premium Yield Treasury ETF (TSX: HPYT). This launch into the fixed income arena is due to what we believe is a topping of the interest rate cycle which pairs well with our option writing strategy to generate additional income. Investing in large and mega cap U.S. Treasury Bond ETFs enables us to capitalize on our option writing strategy on those securities.

The year was tough to navigate as rates pushed ever higher and markets reacted negatively. Other than cash assets, it was difficult for assets to get through the year unscathed. Throughout the year we continued to write options, which helped us manage through some choppy waters. Defensive areas like healthcare and utilities were hit harder than expected while some areas - like technology - did very well. As we rolled into the final months of 2023, the markets began to rebound as the US Federal Reserve softened their language on interest rates.

On a brighter note, Harvest Tech Achievers Growth & Income ETF (Class U) was named "**Best Sector Equity Fund over 5 years**" by Refinitiv Lipper Funds Awards Canada for the second year in a row (the Class A version of the ETF was also a winner last year). This was on top of a distribution increase, the third in that ETFs history.

As we look ahead to 2024, we remain steadfast in our philosophy of choosing long term growth industries or mega-trends. Our outlook on these industries is framed by our orientation towards high quality companies and long-term trends.

As an investment fund manager, we make investment decisions based on industry and business fundamentals. We do not let shorter-term economic indicators influence our view of a company and why it is in the portfolio. We choose the industry first, choose where we think the puck is going, then drill down and start to find the standout businesses that can expand in those industries.

Investing is not static, and we have to fine tune and make changes from time to time. In general, when we take a position, it is to hold for the longer term. That could mean holding a position for five years or more, especially in our equity income ETFs. Using this prudent and tactical approach helps us stick to our investment philosophy and deliver returns for unitholders in our ETFs and Funds.

Let me again thank you for your support and confidence in the Harvest team and our products. Let me assure you that we will remain steadfast in our management and development of products to meet the needs of investors for both income and growth.

Sincerely,

*Signed "Michael Kovacs"*

Michael Kovacs,

President and Chief Executive Officer

# Harvest Equal Weight Global Utilities Income ETF

## CORPORATE OVERVIEW

Harvest Portfolios Group Inc. ("Harvest" or the "Manager") manages the Harvest ETFs and is a Canadian Investment Manager founded in 2009. Harvest is focused on developing investment products that follow three investment criteria.

We (i) endeavor to develop investment products that are clear in their mandate and easy for investors to understand, (ii) strive to be transparent so that our investors can review their financial reports and know exactly what they own and (iii) seek to provide investors with consistent monthly or quarterly income by investing the fund portfolios in well managed companies that have a steady cash flow and dividend-paying history.

## MANAGEMENT DISCUSSION OF FUND PERFORMANCE

The annual management report of fund performance contains financial highlights but does not contain the complete annual financial statements of the Harvest Equal Weight Global Utilities Income ETF (the "Fund"). You can get a copy of the annual financial statements at your request, and at no cost, by calling toll free at 1-866-998-8298; by writing to us at Harvest ETFs, 610 Chartwell Rd, Suite 204, Oakville, Ontario, L6J 4A5; or by visiting our website at [www.harvestetfs.com](http://www.harvestetfs.com); or on SEDAR+ at [www.sedarplus.ca](http://www.sedarplus.ca).

Unitholders may also contact us using one of these methods to request a copy of the Fund's proxy voting policies and procedures, proxy voting disclosure record, or quarterly portfolio disclosure.

## INVESTMENT OBJECTIVES AND STRATEGY

The Fund invests in equity securities of companies of utility issuers globally and sells covered call options on up to 33% of its holdings with the investment objective to generate monthly cashflow for unitholders and help lower the volatility of the Fund's overall return. In addition, the Fund provides unitholders with opportunity to participate in capital appreciation over the long-term from at least 67% of portfolio holdings.

To achieve its investment objective, the Fund invests, with equal weighting as a percentage of its net asset value, in equity securities of the top 30 global utility issuers ranked by market capitalization and that have an options market that is liquid as determined by the Manager of the Fund. The investment universe from which top 30 utility issuers are selected constitutes issuers with the following characteristics (i) equity securities (excluding limited partnerships and receipts) that are listed on a North American or Western European stock exchange, and (ii) any issuer that has an indicated dividend yield (as calculated by Bloomberg L.P.) that ranks between the 50th & 90th percentile of issuers that are included in the industry group Utilities and Telecommunication Services or in sub-industry Oil & Gas Storage & Transportation of the Global Industry Classification Standards ("GICS") or any successor of GICS.

## RISK

The risks associated with investing in the Fund are as described in the prospectus. There were no material changes to the Fund over the year ended December 31, 2023 (the "Period") that affected the overall level of risk of the Fund.

## RESULTS OF OPERATIONS

### Overall Performance

The Fund's return by Class compared to the MSCI World Utilities Gross Total Return Index (USD)<sup>±</sup> for the Period is as follows:

	Return %
Class A	2.16
MSCI World Utilities Gross Total Return Index (USD) <sup>±</sup>	0.11

The primary reason for the divergence is that the index is market-capitalization weighted, has larger number of holdings, holds companies that do not have liquid options, and does not use covered calls, compared to the Fund that is equally weighted and has an active covered call option writing strategy.

### Factors Affecting Fund Results

One drawback that companies operating in the utilities face is the ability to quickly increase the prices of the services and goods offered when input costs are rising. As inflation continued to be stubbornly high during the Period, utilities, and utilities like companies such as pipelines, and to a lesser degree telecom companies found it difficult to raise prices to match their input costs. The stickiness of increased price is largely due to high regulated nature of the industry, providing essential services. Further, as interest rates increase, this can result in a negative impact for utilities companies as the cost of their debt may go higher. With investors looking for competing investments that provide high cash flows, this may be a source of capital flow from investors seeking alternatives. As highlighted in the "2023 Market Review" segment below, the environment of higher interest rates had a direct impact on the Fund during the Period. The global diversification benefited the Fund during the Period with the top performing holdings being European. There were several changes to the portfolio constituents during the Period, driven by the Fund's passive investment strategy.

## RECENT DEVELOPMENTS

### Potential Impact for the Fund

In the shorter-term, the macro environment (both economic and geopolitical), while appearing to be stabilizing, continues to have some uncertainty. Inflationary pressures appear to be subsiding and expectations that central banks will not increase rates further have continued to be a source of reprieve for the broader markets. Nonetheless, inflationary pressures and potential for interest rate increases can change quickly based on economic data.

Global geopolitical tensions remain elevated through the end of the Period and remain as a source of uncertainty for broader markets. The conflict in Eastern Europe following the Russian invasion of Ukraine in February 2022 continued during the Period. Also, in October of 2023, a Hamas led Palestinian militant group attacked Israel triggering a major and ongoing conflict that continued through the end of the Period.

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Volatility in the interest rates will continue to have an impact on the portfolio holdings. Should interest rates trend higher, then it is likely that would be a negative for the underlying holdings, comparatively, a lower interest rate environment would be positive.

## 2023 Market Review

To combat inflation, central banks around the world aggressively started raising interest rates in 2022 to rates well above what the markets were expecting. This along with the geopolitical instability that occurred during the Period, resulted in the significant negative returns that the broader global and U.S. equity markets experienced in the previous year, 2022.

At the turn of 2023, the US equity markets offered some initial reprieve and ultimately finished 2023 with strong positive returns. During this Period, the market was significantly volatile and saw returns highly concentrated in a few large companies. The latter did not bode well for diversified investors and sometimes gave the feeling of a bear market. While select large companies were a key driver of the overall market performance given their relatively very strong performance, the breadth of participation across stocks and sub-sectors expanded over the course of the Period with the overall market returns finishing above average.

The significant volatility experienced by markets came from a wide variety of economic and geopolitical factors as well as sector specific turmoil within the banking sector. Notably, there were two short periods in which returns for the S&P 500 fell by double digits.

The first happened in March when depositors of Silicon Valley Bank (“SVB”) began withdrawing their funds forcing the bank to realize significant losses on its investments in securities and together set off further withdrawals. This eventually led to the failure of SVB and triggered a flurry of withdrawals at another large regional bank, Signature Bank of New York (SBNY). Investors became altered to the risk of contagion, which produced much uncertainty and pressured the stock returns of both banks and insurance companies throughout the remainder of the Period, with some modest reprieve toward the end.

There were echoes of the Great Financial Crisis of the past that temporarily depressed sentiment in the broader markets through March. This later retreated as investor excitement over the promise of artificial intelligence (“AI”) abounded. Notably, ChatGPT-3 became a topic of focus among investors and media alike. A string of new “generative AI” focused product announcements from several major software companies and culminating with a strong earnings reports ignited a buying frenzy for stocks of companies perceived to be beneficiaries of the AI theme. This marked a pivot for sentiment in the broader equity markets and inspired optimism for technology and more consumer growth focused areas, such as travel related companies, that generally continued through the Period.

The second period of meaningful volatility occurred towards the end of the summer period as concerns around persistent inflation resurfaced. Concerns about headline inflation remaining elevated fueled interest rate increases globally by central banks and specifically the Federal Reserve in the United States (the “Fed”) and resulted in accelerated rises in government bond yields across maturities. Despite many leading indicators, such as supply chain congestion indicators, suggesting that the trend was towards normalizing inflation levels, longer dated U.S. Treasury bond yields continued to move higher amidst speculation that the inflation was not yet under control. During this Period, longer dated U.S. Treasury Bond yields gapped higher through 5% in a very short period, causing what appeared to be some dislocation in the fixed income markets, and that flowed through to causing uncertainty around how high rates may go and served as a further catalyst for equity market volatility.

During the Fall, the tone of the Fed on carrying out further interest increases shifted as economic data including inflation, showed signs that the previous interest hikes in the past 18 months began to take effect. The Fed’s new tone suggested a pause was warranted given the economic data. This caused the broader equity markets to stabilize and start to recover through the end of the Period. Treasury bond yields halted the seemingly unstoppable upward trajectory and started to retrace lower, providing much needed reprieve to the dislocated fixed income markets.

Some of the sectors that outperformed during the bear market of 2022, such as Utilities and Health Care, lagged during the Period with investors continuing to shift back towards higher growth areas of the market. The Energy sector also saw negative returns during the Period as signs of slowing global economic growth and fading headlines about energy security due to the war in Ukraine led to a fall in oil prices. Geopolitical tensions continued to escalate in the latter part of the year, resulting in new threats of potential supply disruptions; commodity prices reversing course; and a slowdown in demand fundamentals that seemingly outweighed potential supply disruptions. Other sectors such as Information Technology, on the other hand, significantly outperformed the market during the Period.

## RELATED PARTY TRANSACTIONS AND OTHER EXPENSES

### Management fees

The Manager is responsible for managing the Fund’s overall business and operations and provides key management personnel to the Fund. The Fund pays the Manager an annual management fee of 0.50%, plus applicable taxes, based on a percentage of the average daily net asset value (“NAV”) of the Fund charged daily and paid monthly.

The Manager may, in its discretion, agree to charge the Fund and/or certain unitholders a reduced management fee as compared with the management fee that it otherwise would be entitled to receive, provided that the amount of the reduced management fee is distributed periodically by the Fund to the unitholder as a management fee distribution. Any reduction will depend on a number of factors, including the amount of account activity. Any tax consequences of a management fee distribution will generally be borne by the unitholder who receives the distribution.

### Operating expenses

The Fund is responsible for operating expenses relating to the carrying on of its business, including custodial services, interest, taxes, legal, audit fees, transfer agency services relating to the issue and redemption of units, and the cost of financial and other reports, costs and expenses for the Fund’s Independent Review Committee (“IRC”), including fees and expenses of the IRC members and compliance with applicable laws, regulations and policies. The Manager pays for such expenses on behalf of the Fund, except for certain expenses such as interest, and is then reimbursed by the Fund.

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## **Other expenses**

The Manager will be reimbursed by the Fund for all reasonable costs, expenses and liabilities incurred by the Manager for performance of services on behalf of the Fund in connection with the discharge by the Manager of its duties hereunder. Such costs and expenses may include, without limitation: mailing and printing expenses for reports to unitholders and other unitholder communications; a reasonable allocation of salaries and benefits; and other administrative expenses and costs incurred in connection with the Fund's continuous public offering and other obligations. These expenses are allocated by the Manager on a reasonable basis, across all the Harvest Portfolios Group Inc. funds, and classes of each applicable fund. These expenses were \$44,495 for the Period and are included in the unitholder reporting costs on the Statement of Comprehensive Income (Loss) in the financial statements.

## **Waivers and absorptions**

At its sole discretion, the Manager may waive management fees or absorb expenses of the Fund. There were no management fee waivers or expense absorptions for the Period.

## **Other transactions**

Officers, directors and related entities of the Manager invest in units of the Fund from time to time in the normal course of business and on the same basis as arm's length investors. As at December 31, 2023 officers and directors owned 4,147 units of the Fund.

The management expense ratios of the Fund with and without the waivers and absorptions are reported in the Ratios and Supplemental Data table below.

## **RECOMMENDATIONS OR REPORTS BY THE INDEPENDENT REVIEW COMMITTEE**

The IRC tabled no special reports and made no extraordinary material recommendations to management of the Fund during the Period.

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## FINANCIAL HIGHLIGHTS

The following tables present selected key financial information about the Fund and are intended to help you understand the Fund's financial performance for the Period and past annual periods. This information is derived from the Fund's annual audited financial statements.

THE FUND'S NET ASSETS PER UNIT	2023	2022	2021	2020	2019
<b>Net assets - beginning of the period<sup>2</sup></b>	<b>\$ 17.31</b>	<b>\$ 19.53</b>	<b>\$ 18.07</b>	<b>\$ 21.89</b>	<b>\$ 20.00</b>
<b>Increase (decrease) from operations</b>					
Total revenue	0.88	0.83	0.77	0.89	0.86
Total expenses	(0.14)	(0.16)	(0.17)	(0.19)	(0.22)
Realized gains (losses) for the period	(0.18)	(0.63)	0.10	(1.29)	1.02
Unrealized gains (losses) for the period	(0.22)	(1.05)	1.99	(1.56)	1.02
<b>Total increase (decrease) from operations<sup>1</sup></b>	<b>\$ 0.34</b>	<b>\$ (1.01)</b>	<b>\$ 2.69</b>	<b>\$ (2.15)</b>	<b>\$ 2.68</b>
<b>Distributions<sup>3</sup></b>					
From net investment income (excluding dividends)	(0.47)	(0.46)	(0.42)	(0.49)	(0.26)
From dividends	(0.21)	(0.17)	(0.13)	(0.16)	(0.10)
From capital gains	-	-	-	-	(0.49)
Return of capital	(0.72)	(0.77)	(0.85)	(0.76)	(0.32)
<b>Total annual distributions<sup>3</sup></b>	<b>\$ (1.40)</b>	<b>\$ (1.40)</b>	<b>\$ (1.40)</b>	<b>\$ (1.41)</b>	<b>\$ (1.17)</b>
<b>Net assets - end of the period<sup>1</sup></b>	<b>\$ 16.27</b>	<b>\$ 17.31</b>	<b>\$ 19.53</b>	<b>\$ 18.07</b>	<b>\$ 21.89</b>

RATIOS AND SUPPLEMENTAL DATA	2023	2022	2021	2020	2019
<b>Total net asset value (000's)</b>	<b>\$ 177,755</b>	<b>\$ 148,412</b>	<b>\$ 82,022</b>	<b>\$ 30,723</b>	<b>\$ 18,608</b>
Number of units outstanding (000's)	10,925	8,575	4,200	1,700	850
Management expense ratio <sup>4</sup>	0.70%	0.75%	0.79%	0.79%	0.97%
Management expense ratio before waivers or absorptions <sup>4</sup>	0.70%	0.75%	0.85%	1.25%	2.39%
Trading expense ratio <sup>5</sup>	0.23%	0.32%	0.29%	0.45%	0.40%
Portfolio turnover rate <sup>6</sup>	61.81%	75.34%	56.88%	79.92%	93.87%
<b>Net asset value per unit</b>	<b>\$ 16.27</b>	<b>\$ 17.31</b>	<b>\$ 19.53</b>	<b>\$ 18.07</b>	<b>\$ 21.89</b>
<b>Closing market price (HUTL)</b>	<b>\$ 16.34</b>	<b>\$ 17.30</b>	<b>\$ 19.53</b>	<b>\$ 18.11</b>	<b>\$ 21.86</b>

### Explanatory Notes:

1. Net assets and distributions are based on the actual number of units outstanding at the relevant time. The increase (decrease) from operations is based on the weighted average number of units outstanding over the reporting period. It is not intended that the Fund's net assets per unit table act as a continuity of opening and closing net assets per unit.
2. Net assets, at the commencement of operations on January 10, 2019 was \$20.00.
3. Distributions, if any, are paid in cash. The Fund may pay additional year end distributions in the form of reinvested units that are subsequently consolidated. There is no impact on NAV per unit, however such reinvested distributions increase the cost base of units held outside of registered plans.
4. Management expense ratio ("MER") is based on total expenses (excluding commissions and other portfolio transaction costs) of the stated period and is expressed as an annualized percentage of the daily average net asset value during the period.
5. The trading expense ratio represents total commissions and other portfolio transaction costs expressed as an annualized percentage of daily average net asset value during the period. In 2020 the calculation was modified to include certain transaction costs charged by the custodian. The trading expense ratio in prior periods was not re-stated.
6. The Fund's portfolio turnover rate indicates how actively the Fund's portfolio advisor manages its portfolio investments. A portfolio turnover of 100% is equivalent to the Fund buying and selling all of the securities in its portfolio once in the course of the period. The higher a Fund's portfolio turnover rate, the greater the trading costs payable by the Fund and the greater the chance of an investor receiving taxable capital gains. There is not necessarily a relationship between a high turnover rate and the performance of a Fund.

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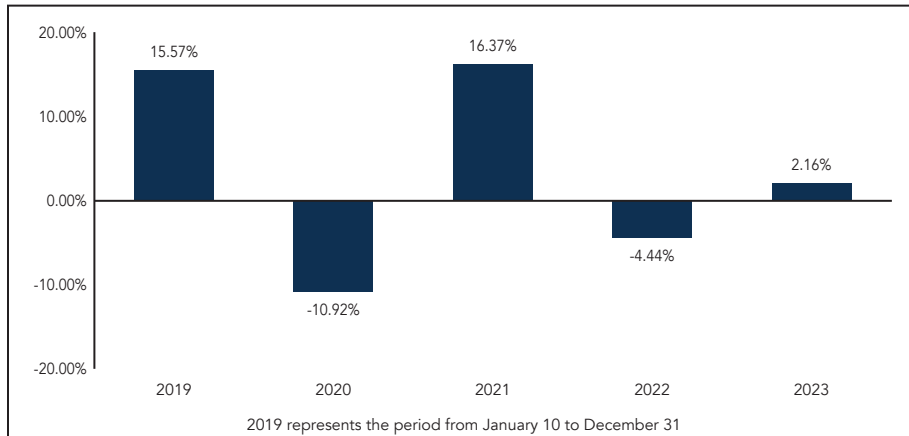
## PAST PERFORMANCE

The performance information presented herein assumes all dividends of the Fund during the periods presented were reinvested in additional securities of the Fund. The performance information does not take into account sales, redemptions, or other charges that would have reduced returns or affected performance. Past performance of the Fund is not necessarily indicative of how it will perform in the future.

### Year-by-Year Returns

The following chart presents the Fund's performance for each of the years shown. The chart shows, in percentage terms, how much an investment made on the first day of each financial year would have grown or decreased by the last day of each financial year.

#### Class A



### Annual Compound Returns

The following table shows the annual compound returns for the Fund. All returns are in Canadian dollars, unless otherwise specified, on a total return basis, net of fees.

For comparison purposes, the MSCI World Utilities Gross Total Return Index (USD)<sup>‡</sup> is used. While the Fund uses this benchmark for long-term performance comparisons, it is not managed relative to the composition of this benchmark. As a result, the Fund may experience periods when its performance is not aligned with this benchmark, either positively or negatively. The return of this benchmark is calculated without the deduction of management fees and fund expenses whereas the performance of the Fund is calculated after deducting such fees and expenses. Please see the "Results of Operations" section of this report for a discussion on recent performance.

Investment Return %	1 Year	3 Years	5 Years	10 Years	Since Inception <sup>‡</sup>
Fund Performance Class A	2.16	4.34	-	-	3.20
MSCI World Utilities Gross Total Return Index (USD) <sup>‡</sup>	0.11	3.78	-	-	6.84

‡ Since inception date is: Class A – January 10, 2019

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## SUMMARY OF INVESTMENT PORTFOLIO

The major portfolio categories and top holdings of the Fund at the end of the Period are indicated in the following tables. A detailed breakdown of the Fund's holdings is available in the "Schedule of Investments" section of the Fund's annual audited financial statements.

As at December 31, 2023

Top 25 Holdings	% of Net Asset Value
Brookfield Renewable Corporation, Class A	3.6
Duke Energy Corporation	3.5
Enbridge Inc.	3.4
Emera Incorporated	3.4
Pembina Pipeline Corporation	3.4
TC Energy Corporation	3.4
National Grid PLC	3.4
Avangrid, Inc.	3.4
Telenor ASA	3.4
AT&T Inc.	3.4
Evergy, Inc.	3.3
Fortum OYJ	3.3
BT Group PLC	3.3
E.ON SE	3.3
SSE PLC	3.3
Verizon Communications Inc.	3.3
ONEOK, Inc.	3.3
Entergy Corporation	3.3
Kinder Morgan, Inc., Class P	3.2
Naturgy Energy Group, S.A.	3.2
Pinnacle West Capital Corporation	3.2
BCE Inc.	3.2
Dominion Energy, Inc.	3.2
The Williams Companies, Inc.	3.2
FirstEnergy Corp.	3.2
<b>Total</b>	<b>83.1</b>

This summary of investment portfolio may change due to the ongoing portfolio transactions of the Fund. Quarterly updates of the Fund's investment portfolio are available at [www.harvestetfs.com](http://www.harvestetfs.com).

## SECTOR ALLOCATION

Sector	% of Net Asset Value
Electric Utilities	32.9
Diversified Telecommunication Services	28.0
Oil, Gas & Consumable Fuels	19.9
Multi-Utilities	9.9
Independent Power and Renewable Electricity Producers	3.6
Gas Utilities	3.2
Cash and other assets and liabilities	1.5
Foreign currency forward contracts	1.2
Options	(0.2)
<b>Total</b>	<b>100.0</b>



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## GEOGRAPHIC ALLOCATION

Country of Risk	% of Net Asset Value
United States	43.0
Canada	19.3
United Kingdom	10.0
Spain	9.2
Norway	3.4
Germany	3.3
Finland	3.3
Netherlands	3.1
France	2.9
Cash and other assets and liabilities	1.5
Foreign currency forward contracts	1.2
Options	(0.2)
<b>Total</b>	<b>100.0</b>

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## Disclaimers

### CAUTION REGARDING FORWARD-LOOKING STATEMENTS

This document may contain forward-looking statements relating to anticipated future events, results, circumstances, performance or expectations that are not historical facts but instead represent our beliefs regarding future events. By their nature, forward-looking statements require us to make assumptions and are subject to inherent risks and uncertainties. There is significant risk that predictions and other forward-looking statements will not prove to be accurate. We caution readers of this document not to place undue reliance on our forward-looking statements as a number of factors could cause actual future results, conditions, actions or events to differ materially from the targets, expectations, estimates or intentions expressed or implied in the forward-looking statements. Actual results may differ materially from management expectations as projected in such forward-looking statements for a variety of reasons, including but not limited to market and general economic conditions, interest rates, regulatory and statutory developments, the effects of competition in the geographic and business areas in which the Fund may invest and the risks detailed from time to time in the Fund's prospectus or offering memorandum. We caution that the foregoing list of factors is not exhaustive and that when relying on forward-looking statements to make decisions with respect to investing in a Fund, investors and others should carefully consider these factors, as well as other uncertainties and potential events, and the inherent uncertainty of forward-looking statements. Due to the potential impact of these factors, the Fund does not undertake, and specifically disclaims, any intention or obligation to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise, unless required by applicable law.

\* Source: MSCI. Certain information contained herein (the "Information") is sourced from/copyright of MSCI Inc., MSCI ESG Research LLC, or their affiliates ("MSCI"), or information providers (together the "MSCI Parties") and may have been used to calculate scores, signals, or other indicators. The Information is for internal use only and may not be reproduced or disseminated in whole or part without prior written permission. The Information may not be used for, nor does it constitute, an offer to buy or sell, or a promotion or recommendation of, any security, financial instrument or product, trading strategy, or index, nor should it be taken as an indication or guarantee of any future performance. Some funds may be based on or linked to MSCI indexes, and MSCI may be compensated based on the fund's assets under management or other measures. MSCI has established an information barrier between index research and certain Information. None of the Information in and of itself can be used to determine which securities to buy or sell or when to buy or sell them. The Information is provided "as is" and the user assumes the entire risk of any use it may make or permit to be made of the Information. No MSCI Party warrants or guarantees the originality, accuracy and/or completeness of the Information and each expressly disclaims all express or implied warranties. No MSCI Party shall have any liability for any errors or omissions in connection with any Information herein, or any liability for any direct, indirect, special, punitive, consequential or any other damages (including lost profits) even if notified of the possibility of such damages.

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