



# “Terminal Illness” as a New Ground for Early Withdrawal of MPF



As a general rule, Mandatory Provident Fund (“MPF”) scheme members may only withdraw their MPF benefits when they reach the age of 65. However, the Mandatory Provident Fund Schemes Ordinance (“MPFSO”) specifies certain circumstances under which scheme members under the age of 65 may apply for early withdrawal of their MPF benefits. One such circumstance is “total incapacity”<sup>1</sup>. Applicants who apply on this ground must submit a medical certificate filled in and signed by a registered medical practitioner or a registered Chinese medicine practitioner (collectively referred to as “doctor” below).

With effect from 1 August 2015, scheme members are able to apply for early withdrawal of their MPF benefits<sup>2</sup> on the ground of “terminal illness” in addition to the ground of “total incapacity”. Scheme members must submit a medical certificate filled in and signed by a doctor if they make an application on this ground.

## “Terminal illness” as a ground for early withdrawal

Under the MPFSO, if a doctor is of the opinion that the scheme member has an illness that is likely to reduce the member’s life expectancy to 12 months or less, he or she may issue a medical certificate to the member to facilitate the member’s application for early withdrawal of MPF benefits on the ground of “terminal illness”. There is no specific list of diseases that are considered to constitute a “terminal illness”.

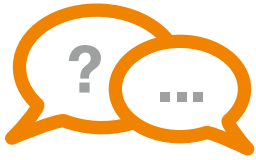


A medical certificate form can be downloaded from the MPFA website ([www.mpfa.org.hk](http://www.mpfa.org.hk)).

A sample form is enclosed for reference.

<sup>1</sup> Please refer to the “Early Withdrawal of MPF” leaflet published by the MPFA for details on the application for early withdrawal of MPF benefits on the ground of “total incapacity”.

<sup>2</sup> Scheme members who joined an MPF-exempted Occupational Retirement Schemes Ordinance (“ORSO”) registered scheme after the inception of the MPF System on 1 December 2000 can also apply for early withdrawal of the minimum MPF benefits in their ORSO schemes on the ground of “terminal illness”.



## Frequently Asked Questions

1

### **What information does a doctor need to provide when filling in a medical certificate for a terminally-ill scheme member?**

When filling in a medical certificate for a terminally-ill scheme member, the doctor is not required to elaborate on the illness of the scheme member, but is only required to provide his or her personal particulars (e.g. name and phone number) together with those of the member and sign the certificate.

2

### **If a terminally-ill scheme member lives longer than expected after obtaining a medical certificate, will the doctor who issued the medical certificate have any legal liability?**

If it is the doctor's true and honest opinion that the scheme member has an illness that is likely to reduce the member's life expectancy to 12 months or less, he or she is unlikely to be found to have acted in contravention of the relevant legislation.

3

### **Under the MPF System, scheme members are currently allowed to withdraw their MPF benefits early on the ground of "total incapacity". What is the reason for including "terminal illness" as an additional ground for early withdrawal of MPF benefits?**

Scheme members who apply for early withdrawal of their MPF benefits on the ground of "total incapacity" must obtain proof that they have become permanently unfit to perform the particular kind of work they were doing in their previous job before they make the application. In addition, their previous employment has been terminated.

"Terminal illness" has been included as an additional ground for early withdrawal because for a scheme member having a "terminal illness", preserving retirement savings for old age protection becomes less relevant. Moreover, this new ground also takes into account the needs of scheme members who have a "terminal illness" and yet are still employed or self-employed. Because their employment has not yet been terminated, they are not eligible to apply for withdrawal of their MPF benefits on the ground of "total incapacity".

4

### **Does the MPFA plan to compile a list of diseases covered by "terminal illness"?**

There is no specific list of diseases covered by "terminal illness". If a doctor is of the opinion that the scheme member has an illness that is likely to reduce the member's life expectancy to 12 months or less, he or she may issue a medical certificate to the member to facilitate the member's application for early withdrawal of MPF benefits on the ground of "terminal illness".



Hotline: 2918 0102  
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**MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)**

**CERTIFICATE OF A PERSON HAVING A TERMINAL ILLNESS THAT FALLS  
WITHIN SECTION 158(3) OF THE MANDATORY PROVIDENT FUND SCHEMES  
(GENERAL) REGULATION (“the General Regulation”) or**

**SECTION 6(12G) OF SCHEDULE 2 TO THE MANDATORY PROVIDENT FUND  
SCHEMES (EXEMPTION) REGULATION (“the Exemption Regulation”)**

Name of the patient: \_\_\_\_\_

Hong Kong Identity Card/Passport<sup>\*#</sup> No. of the patient: \_\_\_\_\_

I am of the opinion that the above patient has a terminal illness that falls within section 158(3) of the General Regulation or section 6(12G) of Schedule 2 to the Exemption Regulation<sup>1</sup>.

Signature of registered medical practitioner/  
registered Chinese medicine practitioner\*: \_\_\_\_\_

Name in block letters: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Official seal/registration number\* (if any): \_\_\_\_\_

*\* Delete whichever is not applicable*

*# The patient should give the passport number ONLY when he/she does NOT possess a Hong Kong Identity Card*

<sup>1</sup> According to section 158(3) of the General Regulation and section 6(12G) of Schedule 2 to the Exemption Regulation, a member who has an illness that is likely to reduce the life expectancy of the member to 12 months or less has a terminal illness.