

MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

IV.4 Guidelines on Payment of Accrued Benefits – Documents to be Submitted to Approved Trustees

INTRODUCTION

In accordance with section 15 of the Mandatory Provident Fund Schemes Ordinance (“the Ordinance”), the accrued benefits of a scheme member may be withdrawn under the circumstances prescribed therein. Part XIII of the Mandatory Provident Fund Schemes (General) Regulation (“the Regulation”) further specifies the requirements and procedures regarding claims for payment of accrued benefits.

2. Section 6H of the Ordinance provides that the Mandatory Provident Fund Schemes Authority (“the Authority”) may issue guidelines for the guidance of approved trustees, service providers, participating employers and their employees, self-employed persons, regulated persons and other persons concerned with the Ordinance.

3. Section 47A of the Ordinance empowers the Authority to specify or approve the form and contents of documents required for the purposes of this Ordinance.

4. The Authority hereby issues guidelines to:

- (a) set out the forms approved by the Authority for the purposes of Division 1 of Part XIII of the Regulation; and
- (b) provide guidance in relation to the processing of claims for payment of accrued benefits.

EFFECTIVE DATE

5. These revised Guidelines (Version 11 – June 2015) shall become effective on the date of commencement of operation of sections 6(4) to 6(8), 39, and 40 to 44 of the Mandatory Provident Fund Schemes (Amendment) Ordinance 2015 (i.e. 1 August 2015). The previous version of these Guidelines (Version 10 – September 2014) shall be superseded on that day.

CLAIM FORM

6. For the purposes of Division 1 of Part XIII of the Regulation, the Authority has approved:

- (a) at Annex A, the Claim Form for Payment of Accrued Benefits (“the Claim Form”) (Form MPF(S) - W);
- (b) at Annex B, the medical certificate for payment of accrued benefits on total incapacity ground (Form MPF(S) - W(M));
- (c) at Annexes C to F, the statutory declaration forms (Form MPF(S) - W(SD1), Form MPF(S) - W(SD2), Form MPF(S) - W(SD3) and Form MPF(S) - W(SD4)) to be used for the circumstances specified in the Regulation; and
- (d) at Annex G, the medical certificate for payment of accrued benefits on terminal illness ground (Form MPF(S)-W(T)).

7. Lodgement of a claim for payment of accrued benefits must be made in these approved forms. Those forms requiring a signature of the claimant must be signed either by the relevant member of a registered scheme, the personal representative of a deceased scheme member, or the committee of the estate of a mentally incapacitated person appointed under the Mental Health Ordinance (Cap. 136) (“the committee of the estate”) who lodges a claim on behalf of a mentally incapacitated member.

8. A claimant is only required to fill in one Claim Form if the claim is in respect of one or more accounts in one single registered scheme. However, if the claim is in respect of accounts in more than one registered scheme, the claimant is required to fill in one Claim Form for each registered scheme.

9. The medical certificate for the purpose of certifying a terminal illness of a scheme member (i.e. Form MPF(S) – W(T)) can be used for claiming benefits from both an MPF registered scheme and an MPF exempted ORSO registered scheme. If a scheme member has benefits held in an account in an MPF registered scheme and an account in an MPF exempted ORSO registered scheme, the member only needs to ask a registered medical practitioner or a registered Chinese medicine practitioner to fill in and sign one medical certificate.

EVIDENCE FOR CLAIMS

10. Under Part XIII of the Regulation, a claim for payment of accrued benefits must be accompanied by evidence satisfactory to the approved trustee that the claimant is eligible for the claim, or a relevant statutory declaration.

11. To facilitate approved trustees in processing claims for payment, Section III of the Claim Form sets out the documents that a claimant is required to submit in lodging the claim and providing evidence satisfactory to the approved trustee. In vetting those documents, approved trustees should take note of the following:

- (a) *Date of birth in Hong Kong Identity (HKID) Card*: If the HKID card of a scheme member does not contain the month and/or day of birth of the scheme member, the scheme member may provide satisfactory evidence as to the month and/or day by using one of the following methods:

- (i) using the birth date as shown on an official document (e.g. a travel document or a statutory declaration of the member's date of birth) provided by the member; or
- (ii) using the day and month of the issue date of the HKID card of the member.

If the member has not used either of the two methods above to provide evidence as to the month and day, then in the absence of any other evidence, the approved trustee should, where the HKID card shows only the year and month of birth (and not the day of birth), use the last day of the month, and where the HKID card shows only the year of birth (and neither the month nor day of birth), use the last day of the year as shown on the HKID card as the birth date of the scheme member.

- (b) Documents to show the status of a personal representative of a deceased scheme member: In cases where a Letter of Probate or Letters of Administration is issued by the Probate Registry, the name of the personal representative of a deceased person is printed on that document. The approved trustee of the scheme can verify the status of a personal representative by requesting a copy of the Letter of Probate or Letters of Administration from the personal representative. In cases where the Official Administrator gets in and administers an estate of a deceased scheme member in a summary manner without a grant or other legal formality under section 15 of the Probate and Administration Ordinance (Cap. 10), the Official Administrator is a personal representative.
- (c) Medical certificate certifying total incapacity: If the claimant also claims long service payment on the ground of permanent unfitness for his present job under the Employment Ordinance (Cap. 57), he may use the form "Certificate of an employee's permanent

unfitness for a particular type of work” used for the purpose for his claim under the Employment Ordinance (Cap. 57) to substitute for the approved form for medical certificate, MPF(S) – W(M), at Annex B to claim for payment of MPF accrued benefits on the ground of total incapacity.

- (d) Documents to show the status of a committee of the estate: The approved trustee may verify the status of a committee of the estate by requesting a copy of the evidence of the appointment, i.e. the Court Order issued pursuant to the Mental Health Ordinance (Cap. 136).
- (e) Forms of statutory declarations: To facilitate compliance by scheme members, claimants and approved trustees, forms are approved for making a statutory declaration by claimants under different circumstances in claiming for payment of accrued benefits (Annexes C to F). The statutory declaration must be a valid statutory declaration in the place where the declaration is made (e.g. in Hong Kong, the statutory declaration should be made before and signed by a Commissioner for Oaths (e.g. at a Public Enquiry Service Centre of the Home Affairs Department) or a Notary Public or a Justice of the Peace). A statutory declaration made in a place other than Hong Kong is also acceptable provided that it is made before and signed by a Notary Public or a person authorized under the law of that place to administer an oath or take a statutory declaration.

12. In some special circumstances, when the above requirements do not seem appropriate, the approved trustees may, where permitted by law, alter the requirements to satisfy themselves that the claimant is eligible for the claim.

AVAILABILITY OF THE FORMS

13. The Claim Form, the medical certificates and the statutory declaration forms can be downloaded from the Authority's website at www.mpfa.org.hk. Hard copies of the forms are also available at the office of the Authority. Approved trustees may consider allowing any user to download the forms from their websites by putting the forms online or providing hard copies of the forms upon request. To facilitate smooth processing of the claim for payment of accrued benefits, approved trustees may provide supplementary notes in addition to those in the explanatory notes of the Claim Form.

DEFINITION OF TERMS

14. Where a term used in the Guidelines is defined in the Ordinance or the subsidiary legislation then, except where specified in the Guidelines, that term carries the meaning as defined in the Ordinance or the subsidiary legislation.

FORM MPF(S) - W

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)
("the Ordinance")

CLAIM FORM FOR PAYMENT OF ACCRUED BENEFITS

NOTES:

- (a) *This Form is to be completed by any person who wishes to claim for payment of accrued benefits from an MPF scheme.*
 - (b) *Please use BLOCK LETTERS for completion of this Form.*
 - (c) *Please read the explanatory notes carefully before completing this Form.*
 - (d) ** means delete whichever is not applicable.*
 - (e) *Please insert "N.A." if not applicable.*
 - (f) *The information and data given in this Form can be used by the approved trustee of the MPF scheme concerned and the Mandatory Provident Fund Schemes Authority ("the Authority") in activities relating to the processing of the claim and may be disclosed to other parties for such purposes.*
 - (g) *Withdrawal of accrued benefits derived from voluntary contributions is subject to the governing rules of the scheme concerned. Please consult the relevant approved trustee(s) for details.*
 - (h) *Please refer to the Authority's publications available on the Authority's website (www.mpfa.org.hk), at the Authority offices, the Public Enquiry Service Centres of the District Offices, and the regional offices of Labour Department for the potential risks involved in MPF investment.*
 - (i) *All the forms related to claims for payment of accrued benefits (i.e. Form MPF(S) - W(M), MPF(S) - W(SD1), MPF(S) - W(SD2), MPF(S) - W(SD3), MPF(S) - W(SD4) and MPF(S) - W(T)) can be downloaded from the Authority's website at www.mpfa.org.hk. Hard copies of the forms are also available at the office of the Authority. If necessary, please seek assistance from the approved trustee of the scheme concerned or the Authority (hotline: 2918 0102 or email: mpfa@mpfa.org.hk).*
 - (j) *Upon completion of this Form, the claimant/scheme member should give this Form to the approved trustee of the scheme concerned.*
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Reminder to Members

- *Withdrawal of accrued benefits out of a guaranteed fund may result in some or all of the guarantee conditions not being satisfied; thus affecting the entitlement to the guarantee. Please check the offering document of the scheme or consult the relevant approved trustee for details.*
- *The price of fund units may change due to market fluctuations and may go down as well as up. The price of fund units on the date when you submit a claim form to the approved trustee may be different from that on the date when the fund units are redeemed.*

SECTION I – DETAILS OF THE CLAIMANT^{Note 1}/SCHEME MEMBER**(1) Claimant**

(i) Name: _____

(ii) Hong Kong Identity (HKID)
Card/Passport* number^{Note 2}: _____

(iii) Correspondence address

_____	_____	_____	_____
Flat/Room	Floor	Block	Name of building

_____	_____
Street no.	Name of street

_____	_____
Name of district	Hong Kong/Kowloon/N.T*.

(iv) (a) Telephone no.: _____

(b) Mobile no.: _____

(v) Facsimile no.: _____

(2) Scheme member (if different from claimant)

(i) Name: _____

(ii) Hong Kong Identity (HKID)
Card/Passport* number^{Note 2}: _____

SECTION II – DETAILS OF THE CLAIM

(1) Name of the scheme and account number(s) against which payment(s) are claimed ^{Note 3}

Name of the scheme: _____

Name of the approved trustee: _____

Account number(s): (1) _____

(2) _____

(3) _____

(2) Ground for claiming accrued benefits (*please ✓ one box*):

- Retirement (i.e. scheme member reaches the retirement age of 65) ^{Note 4}
- Early retirement (i.e. scheme member reaches the age of 60 and has permanently ceased all employment and self-employment with no intention of becoming employed or self-employed again) ^{Note 4}
- Total incapacity
- Terminal illness ^{Note 5}
- Death
- Permanent departure from Hong Kong
- Small balance

(3) Method of payment (*please ✓ the appropriate box*):

- (i) by cheque
- (ii) by depositing directly into a bank account

(applicable only to approved trustees who provide such services and charges, such as currency conversion fee or other bank charges, may be imposed for the transaction)

Account number: _____

Name of bank
account holder: _____

Name of bank: _____

Address of bank[#]: _____

Swift code[#]: _____

Currency[#]: _____

[#] *applicable only to an overseas bank.*

SECTION III – DOCUMENTS ENCLOSED

The following documents are enclosed by the claimant(s) in respect of the claim for payment on the ground of *(Please ✓ the appropriate box)* ^{Notes 6, 7}:

(A) Retirement

- a copy of the scheme member's HKID card for verification of the name, date of birth and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- evidence showing the scheme member's date of birth only in cases where the HKID card does not contain the month and/or day of birth ^{Note 4}
 - a copy of the scheme member's passport or other travel document showing the month and/or day of birth; or
 - the original statutory declaration of the scheme member's date of birth ^{Note 9}; or
 - a copy of the scheme member's HKID card with the day and month of the issue date of the HKID card circled or by other means to indicate that the scheme member wishes to use the day and month of the issue date of the HKID card as the day and month of birth

(B) Early Retirement

- a copy of the scheme member's HKID card for verification of the name, date of birth and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- evidence showing the scheme member's date of birth only in cases where the HKID card does not contain the month and/or day of birth ^{Note 4}
 - a copy of the scheme member's passport or other travel document showing the month and/or day of birth; or
 - the original statutory declaration of the scheme member's date of birth ^{Note 9}; or
 - a copy of the scheme member's HKID card with the day and month of the issue date of the HKID card circled or by other means to indicate that the scheme member wishes to use the day and month of the issue date of the HKID card as the day and month of birth
- the original statutory declaration form on early retirement (Form MPF(S) - W(SD1)) ^{Notes 6, 9}

(C) Total Incapacity

- a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- a copy of the medical certificate certifying total incapacity (Form MPF(S) – W(M)) ^{Notes 10, 11}

(D) Terminal Illness

- a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- a copy of the medical certificate certifying terminal illness (Form MPF(S) – W(T)) ^{Note 11} dated not earlier than 12 months before the date on which the claim is lodged

(E) Death

- a copy of the claimant's HKID card for verification of the name and identity card number of the claimant if the claimant does not wish to present the card in person for verification ^{Note 8}
- a copy of the Letter of Probate or Letters of Administration granted by the Probate Registry / a letter requesting withdrawal of the accrued benefits issued by the Official Administrator if the claim is made by the Official Administrator*

(F) Permanent Departure from Hong Kong

- a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- a copy of the immigration visa/foreign passport/Home Visit Permit/Entry Permit for Hong Kong and Macau Residents ^{Note 12}/others *, etc. _____ (please specify type of other documents) giving the scheme member the permission to reside permanently or for an indefinite period in a place outside Hong Kong
- the original statutory declaration form on permanent departure (Form MPF(S) – W(SD2)) ^{Notes 6, 9}
- a copy of the Letter of Release issued by the Inland Revenue Department, if applicable
- Information on overseas settlement
 - (i) Country where the scheme member is permitted to reside permanently or for an indefinite period: _____
 - (ii) Overseas contact details:
 - Address: _____
 - _____
 - _____
 - Telephone no.: _____ Fax no.: _____
 - E-mail address: _____
 - (iii) Reason(s) for permanently departing from Hong Kong (e.g. emigration, marriage, family reunion, long-term overseas employment, retirement or others. For others, please specify.)

(G) Small Balance

- a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification ^{Note 8}
- the original statutory declaration form on small balance (Form MPF(S) – W(SD3))
_{Notes 6, 9}

SECTION IV – TERMINATION OF MPF ACCOUNT WITH NO RESIDUAL BALANCE (IF APPLICABLE)

I / We* ^{Note 1} hereby authorize the approved trustee to terminate the relevant MPF scheme member account(s) as referred to in Section II(1) upon (i) withdrawal of the full amount of accrued benefits with no residual balance in the said account(s), and (ii) (for contribution account only) termination of the employment or self-employment in relation to the contribution account.

SECTION V – DECLARATION

- (1) For the claim for payment of accrued benefits on the ground of total incapacity, it is hereby declared that I/the scheme member* last performed the relevant kind of work as set out in the medical certificate (Form MPF(S)-W(M)) before becoming totally incapacitated or the “Certificate of an employee’s permanent unfitness for a particular type of work”^{Note 10} and that contract of employment has been terminated.
- (2) I / We* ^{Note 1} declare that to the best of my/our* knowledge and belief, the information given in this Form and its attachments is correct and complete. ✦

[Signature of the claimant(s)]

Date

✦ **Warning:** Under section 43E of the Ordinance, a person who, in any document given to the Authority or an approved trustee, knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a \$100,000 fine and 1 year’s imprisonment on the first conviction and a \$200,000 fine and 2 years’ imprisonment on each subsequent conviction. A person who knowingly or willfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for 2 years and to a fine.

***Explanatory Notes on
Claim Form for Payment of Accrued Benefits (Form MPF(S) – W)***

- (1) (i) For a claim made on the ground of death, only personal representatives within the meaning of the Mandatory Provident Fund Schemes Ordinance can be the claimant to act on behalf of the deceased scheme member to claim for payment of the scheme member's accrued benefits. This includes a personal representative within the meaning of the Probate and Administration Ordinance (Cap. 10) and the Official Administrator who gets in and administers an estate of a deceased scheme member in a summary manner without a grant or other legal formality under section 15 of that Ordinance. If there is more than one personal representative and the personal representatives have not authorized one of the representatives to act on behalf of other representatives to lodge the claim, all the personal representatives should submit the Claim Form jointly. Please use an additional blank sheet to provide details of the claimants under Section I. Under such circumstances, this Form needs to be signed by all of the personal representatives.
 - (ii) For a claim made on all other grounds, either the scheme member or person(s) appointed as a committee of the estate of a mentally incapacitated person under the Mental Health Ordinance (Cap. 136) ("the committee of the estate") to act on behalf of the scheme member can be the claimant to lodge the claim for payment of accrued benefits. If there is more than one person appointed by the court as the committee of the estate, those persons should apply and sign in the capacity as the committee of the estate in accordance with those terms of appointment and any other requirements contained in the relevant court order. Please use an additional blank sheet to provide details of the claimants under Section I. Under such circumstances, this Form needs to be signed by all the persons appointed by the court as the committee of the estate, unless the Court authorizes otherwise.
- (2) Claimants/scheme members should give their passport numbers ONLY when they do NOT possess HKID cards.
 - (3) If a claimant/scheme member has more than one account in an MPF scheme, the claimant should fill in one form for payment of accrued benefits in respect of all accounts within one scheme. If a claimant/scheme member has accounts in more than one scheme, the claimant should fill in one form for each scheme.
 - (4) A scheme member who does not have the month and/or day of birth printed on the HKID card may provide evidence as to the month and/or day by using one of the following methods for the purpose of withdrawal of MPF accrued benefits on the ground of retirement/early retirement:
 - (i) using the birth date as shown on an official document (e.g. a travel document or a statutory declaration of the scheme member's date of birth); or
 - (ii) using the day and month of the issue date of the HKID card of the scheme member.

If the scheme member has not used either of the two methods above to provide evidence as to the month and day, then in the absence of any other evidence, the approved trustee should, where the HKID card shows only the year and month of birth (and not the day of birth) use the last day of the month, and where the HKID card shows only the year of birth (and neither the month nor day of birth), use the last day of the year as shown on the HKID card as the birth date of the scheme member.

Please note that mandatory contributions in respect of the scheme member (if any) will cease on the day when the scheme member reaches age 65 based on the evidence provided by the scheme member or defaulted above.

- (5) For a claim made by a scheme member for payment of accrued benefits from a contribution account on the ground of terminal illness, the scheme member may continue his current employment or current self-employment after he has received the payment of accrued benefits. In that case, future contributions made by the employer (both employer and employee portions) or by the self-employed person himself will continue to be made to that contribution account. If the scheme member wishes to withdraw the accrued benefits derived from future contributions and transfer-in benefits (if any) in that contribution account again, he should lodge another claim for payment of accrued benefits.
- (6) For a claim made by the committee of the estate on behalf of the scheme member, in addition to the required documents in respect of the scheme member, the following documents should be enclosed:
 - (i) a copy of the evidence of the status of the committee of the estate, i.e. the court order;
 - (ii) a copy of each claimant's HKID card for verification of the name and identity card number of the claimant if the claimant does not wish to present the card in person for verification^{Note 8};
 - (iii) the original statutory declaration form made by the committee of the estate for claim for payment of accrued benefits (Form MPF(S) – W(SD4))^{Note 9} (if applicable). Where such a statutory declaration has been made and enclosed with the claim, the statutory declaration form (Forms MPF(S)-W(SD1), MPF(S)-W(SD2) and MPF(S)-W(SD3)) for claims made on the grounds of early retirement, permanent departure from Hong Kong and small balance respectively shall not be required.
- (7) In processing a claim for payment, the approved trustee of the scheme may request the claimant to produce the original copies of the documents for checking purpose, if necessary.
- (8) For a claimant/scheme member who does NOT possess a HKID card, a copy of the passport (only pages with personal particulars and passport number) should be given to the approved trustee concerned for verification of the name and passport number of the claimant/scheme member if the claimant/scheme member does not wish to present the passport in person for verification.
- (9) The statutory declaration must be a valid statutory declaration in the place where the declaration is made (e.g. in Hong Kong, the statutory declaration should be made before and signed by a Commissioner for Oaths (e.g. at a Public Enquiry Service Centre of the Home Affairs Department) or a Notary Public or a Justice of the Peace). A statutory declaration made in a place other than Hong Kong is also acceptable provided that it is made before and signed by a Notary Public or a person authorized under the law of that place to administer an oath or take a statutory declaration.
- (10) For a claim made on the ground of total incapacity, except for a claimant who also claims long service payment on the ground of permanent unfitness for his present job

under the Employment Ordinance (Cap. 57), a claimant shall ask a medical practitioner to fill in the Form MPF(S) – W(M) and attach it to the Form MPF(S) – W.

For a claimant who also claims long service payment on the ground of permanent unfitness for his present job under the Employment Ordinance (Cap. 57), the claimant may use the form “Certificate of an employee’s permanent unfitness for a particular type of work” under that Ordinance to substitute for the Form MPF(S) – W(M) for the purpose of claiming payment of MPF accrued benefits on the ground of total incapacity.

- (11) A medical certificate certifying total incapacity (Form MPF(S) – W(M)) or terminal illness (Form MPF(S) – W(T)) shall be signed by a medical practitioner who must be *either* -
- (i) a registered medical practitioner who is registered under the Medical Registration Ordinance (Cap. 161), i.e.,
 - (a) a person who is duly registered as a medical practitioner with the Medical Council of Hong Kong; or
 - (b) a person who is deemed to be registered as a medical practitioner under the Medical Registration Ordinance (Cap. 161) (i.e. persons who are exempted from registration);
 - or*
 - (ii) a registered Chinese medicine practitioner, within the meaning assigned to it by section 2(1) of the Chinese Medicine Ordinance (Cap. 549).
- (12) The “Entry Permit for Hong Kong and Macau Residents (港澳居民來往內地通行證)” is issued at the China Travel Service (Hong Kong) Limited on behalf of the Public Security Bureau of Guangdong, PRC.

FORM MPF(S) - W(M)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

**CERTIFICATE OF A PERSON'S PERMANENT UNFITNESS
FOR A PARTICULAR KIND OF WORK**

Name of the patient: _____

Hong Kong Identity Card/Passport*[#] No. of the patient: _____

Based on the information provided by or on behalf of the above patient, he/she* performs the following kind of work in his /her* present/last* job:

I certify that the above patient is permanently unfit to perform the above kind of work for the following reason(s): _____

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

FORM MPF(S) - W(SD1)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)
("the Ordinance")

STATUTORY DECLARATION FOR CLAIMS FOR PAYMENT
OF ACCRUED BENEFITS ON GROUND OF EARLY RETIREMENT

I, _____ [name of the claimant], Hong Kong Identity Card/Passport*#

No.: _____ of _____

[address of the claimant], solemnly and sincerely declare that:

- (a) I have reached 60 years old on _____ [dd/mm/yyyy]; and
- (b) I have permanently ceased all employment with no intention of becoming employed or self-employed again, and have ceased all self-employment with no intention of becoming self-employed or employed again.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

 [Signature of the claimant]

Declared at _____, Hong Kong this _____ day of _____.

Before me,

Signature and company chop (if applicable) of
 the person administering the statutory declaration: _____

Name in block letters: _____

Designation: _____

* Delete whichever is not applicable

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

✦ **Warning:** Under section 43E of the Ordinance, a person who, in any document given to the Mandatory Provident Fund Schemes Authority or an approved trustee, knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a \$100,000 fine and 1 year's imprisonment on the first conviction and a \$200,000 fine and 2 years' imprisonment on each subsequent conviction. A person who knowingly or willfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for 2 years and to a fine.

FORM MPF(S) - W(SD2)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)
(“the Ordinance”)

STATUTORY DECLARATION FOR CLAIMS FOR PAYMENT
OF ACCRUED BENEFITS ON GROUND
OF PERMANENT DEPARTURE FROM HONG KONG

✦ **WARNINGS:**

- (1) Under section 43E of the Ordinance, a person who, in any document given to the Mandatory Provident Fund Schemes Authority (“the Authority”) or an approved trustee, **knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a \$100,000 fine and 1 year’s imprisonment on the first conviction and a \$200,000 fine and 2 years’ imprisonment on each subsequent conviction.** A person who **knowingly or willfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for 2 years and to a fine.**
- (2) A scheme member who makes a false or misleading statement to the approved trustee for early withdrawal of accrued benefits on the ground of permanent departure from Hong Kong is liable to prosecution.
- (3) A scheme member is entitled to be paid accrued benefits on the ground of permanent departure from Hong Kong **only once in a lifetime¹, except as permitted by the Mandatory Provident Fund Schemes (General) Regulation (“the Regulation”)².** A scheme member who makes a false or misleading statement to the approved trustee that he/she has not previously been paid accrued benefits on an earlier departure date is liable to prosecution.
- (4) The Authority has kept a register of all claimants to verify if anyone has previously been paid accrued benefits on the same ground using an earlier departure date.

1. I have read the above warnings and fully understand that:
 - (a) I am entitled to be paid accrued benefits on the ground of permanent departure from Hong Kong only once in a lifetime¹, except as permitted by the Regulation²; and
 - (b) making a false or misleading statement to the approved trustee for early withdrawal of accrued benefits on the ground of permanent departure from Hong Kong is liable to prosecution.

¹ Section 163(3) of the Regulation provides that a person who has been paid accrued benefits from a registered scheme on the ground that, on a specified date, the person has departed, or was about to depart, from Hong Kong permanently is not, before reaching the retirement age, entitled to be paid the member’s accrued benefits from the same or another registered scheme on the ground that, on a later date, the person purports to have departed, or to be about to depart, from Hong Kong permanently.

² Section 163(6) of the Regulation provides that if accrued benefits held in an account of a member of a registered scheme have been paid to the member on the ground that, on a specified date, the member has departed, or was about to depart, from Hong Kong permanently, the member is not, before reaching the retirement age, precluded from making a further claim on the ground of permanent departure on that specified date if the claim is for the payment of other accrued benefits of the member held in another account in that scheme, or for the payment of other accrued benefits of that member in another registered scheme.

2. I, _____ [name of the claimant], Hong Kong Identity Card/Passport*[#] No.: _____ of

[address of the claimant], solemnly and sincerely declare that:

- (a) I departed/will depart* from Hong Kong on _____ [dd/mm/yyyy] to reside elsewhere with no intention of returning for employment or to resettle in Hong Kong as a permanent resident;
- (b) I am permitted to reside in _____ [country for settlement];
- (c) I have not previously been paid any accrued benefits in any registered scheme on the ground of permanent departure from Hong Kong on an earlier departure date; and
- (d) I understand that the Authority may refer my case to the Immigration Department to ascertain my movement in relation to the departure declared in paragraph (a) above.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

[Signature of the claimant]

Declared at _____, Hong Kong this _____ day of _____.

Before me,

Signature and company chop (if applicable) of the person administering the statutory declaration: _____

Name in block letters: _____

Designation: _____

* Delete whichever is not applicable

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

FORM MPF(S) - W(SD3)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)
(“the Ordinance”)

**STATUTORY DECLARATION FOR CLAIMS FOR PAYMENT
OF ACCRUED BENEFITS ON GROUND OF SMALL BALANCE**

I, _____ [name of the claimant], Hong Kong Identity Card/Passport*[#] No.:
_____ of _____

[address of the claimant], solemnly and sincerely declare that:

- (a) I do not intend to become employed or self-employed;
- (b) as at the date of the claim, at least 12 months have elapsed since the contribution day in respect of the latest contribution period for which a mandatory contribution is required to be made to any registered scheme by or in respect of me under the Ordinance; and
- (c) I do not have accrued benefits kept in any other registered scheme.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

[Signature of the claimant]

Declared at _____, Hong Kong this _____ day of _____.

Before me,

Signature and company chop (if applicable) of
the person administering the statutory declaration: _____

Name in block letters: _____

Designation: _____

* *Delete whichever is not applicable*

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

✦ **Warning:** Under section 43E of the Ordinance, a person who, in any document given to the Mandatory Provident Fund Schemes Authority or an approved trustee, knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a \$100,000 fine and 1 year’s imprisonment on the first conviction and a \$200,000 fine and 2 years’ imprisonment on each subsequent conviction. A person who knowingly or willfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for 2 years and to a fine.

FORM MPF(S) - W(SD4)**MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)
("the Ordinance")****STATUTORY DECLARATION MADE BY
THE COMMITTEE OF THE ESTATE OF A SCHEME MEMBER
FOR CLAIMS FOR PAYMENT OF ACCRUED BENEFITS**

I/We*, _____ [name of the committee of the estate], Hong Kong
Identity Card/Passport*# No.: _____ of _____
_____ [address
of the committee of the estate], solemnly and sincerely declare that:

(a) I/we* was/were* appointed as the committee of the estate of the scheme member
_____ [name of the scheme member], Hong Kong Identity
Card/Passport*# No: _____ pursuant to the court order dated _____
[dd/mm/yyyy] made under the Mental Health Ordinance (Cap. 136); and

(b) to the best of my/our* knowledge and belief, in respect of the claim for payment of
accrued benefits on the ground of (*Please ✓ the appropriate box*):

1) Early Retirement

- (a) the scheme member has reached 60 years old on
_____ [dd/mm/yyyy]; and
- (b) the scheme member has permanently ceased all employment with no
intention of becoming employed or self-employed again, and has
ceased all self-employment with no intention of becoming self-
employed or employed again; or

2) Small Balance

- (a) the scheme member does not intend to become employed or self-
employed;
- (b) as at the date of the claim, at least 12 months have elapsed since the
contribution day in respect of the latest contribution period for which a
mandatory contribution is required to be made to any registered scheme
by or in respect of the scheme member under the Ordinance; and
- (c) the scheme member does not have accrued benefits kept in any other
registered scheme; or

- 3) Permanent Departure from Hong Kong
- (a) the scheme member departed/will depart* from Hong Kong on _____ [dd/mm/yyyy] to reside elsewhere with no intention of returning for employment or to resettle in Hong Kong as a permanent resident;
 - (b) the scheme member is permitted to reside in _____ [country for settlement];
 - (c) the scheme member has not previously been paid any accrued benefits in any registered scheme on the ground of permanent departure from Hong Kong on an earlier departure date; and
 - (d) I/we* understand that the Mandatory Provident Fund Schemes Authority (“the Authority”) may refer the case to the Immigration Department to ascertain the movement of the scheme member in relation to the departure declared in paragraph 3)(a) above.

And I/we* make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

[Signature(s) of the committee of the estate]

Declared at _____, Hong Kong this _____ day of _____.

Before me,

Signature and company chop (if applicable) of
the person administering the statutory declaration: _____

Name in block letters: _____

Designation: _____

* *Delete whichever is not applicable*

The claimant(s) should give the passport number ONLY when he/she does NOT possess a Hong Kong Identity Card

✦ **Warning:** Under section 43E of the Ordinance, a person who, in any document given to the Authority or an approved trustee, knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a \$100,000 fine and 1 year’s imprisonment on the first conviction and a \$200,000 fine and 2 years’ imprisonment on each subsequent conviction. A person who knowingly or willfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for 2 years and to a fine.

**FORM MPF(S) – W(T)/
FORM MMB – W(T)**

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*[#] 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 Regulation¹.

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

¹ 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.