

MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

II.1 Guidelines on Monthly Returns of Registered Schemes

INTRODUCTION

Section 6H of the Mandatory Provident Fund Schemes Ordinance (“the Ordinance”) provides that the Mandatory Provident Fund Schemes Authority (“the Authority”) may issue guidelines for the guidance of approved trustees, service providers and other persons concerned with the Ordinance.

2. Section 117 of the Mandatory Provident Fund Schemes (General) Regulation (“the Regulation”) provides that “within 7 working days after the last day of each calendar month, the approved trustee of a registered scheme must lodge with the Authority a monthly return containing :

(a) such information relating to the participating employers and members of the scheme; and

(b) such information relating to the capital preservation fund,

as may be prescribed for the purposes of that section by the guidelines.”

3. The Mandatory Provident Fund Schemes (Amendment) Bill 2002 was passed on 12 July 2002. The enacted Mandatory Provident Fund Schemes (Amendment) (No. 2) Ordinance 2002 (“the Amendment Ordinance”) was gazetted on 19 July 2002. Section 8 of the Schedule to the Amendment Ordinance provides that the Authority must give to the employer, through the approved trustee of the registered scheme, a certificate certifying that the employer is a participating employer, if the employer has changed its name from that name shown in the certificate previously issued. Section 12 of the Schedule to the

Amendment Ordinance requires the employer to give written notice of any change of the employer's name to the trustee within 30 days of the change. These relevant sections shall come into operation on a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette ("the Date of Operation").

4. The Authority hereby issues guidelines to prescribe the information to be submitted under section 117 of the Regulation and the format of submission.

EFFECTIVE DATE

5. These Guidelines shall become effective on the Date of Operation. The previous version of these Guidelines (Version 2 - July 2001) shall be superseded on that day.

MONTHLY RETURN

Prescribed Format and Information

6. When submitting a monthly return of a registered scheme to the Authority, the approved trustee of the scheme must ensure that the monthly return is in the prescribed format and contains the information as set out at :

- (a) Annex A (Form S(MR)) in respect of information relating to participating employers and members of the scheme; and
- (b) Annex B (Form CF(MR)) in respect of information relating to the capital preservation fund of the scheme.

Definitions of Terms

7. Except where otherwise specified in the forms at Annexes A and B, the terms common to the forms in the Annexes, the Ordinance and the subsidiary legislation of the Ordinance carry the same meanings as defined in the Ordinance and the subsidiary legislation. Approved trustees of registered schemes should make appropriate reference to the Ordinance and the subsidiary legislation, where necessary.

Submission of Monthly Return

8. In view of the voluminous data required in Annex A of the monthly return, approved trustee of a registered scheme should submit that part of the monthly return by electronic means in accordance with the requirements for electronic interface as notified by the Authority from time to time.

9. Information specified in Annex B should be submitted by electronic means or in hard copy to :

Mandatory Provident Fund Schemes Authority
21st and 22nd floors
One International Finance Centre
1 Harbour View Street
Hong Kong.

FORM S(MR)

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

MONTHLY RETURN OF REGISTERED SCHEME

Information relating to Participating Employers and Members

NOTES :

- (1) *The approved trustee ("the Trustee") of a registered scheme ("the Scheme") should refer to the "Guidelines on Monthly Returns of Registered Schemes" for the purpose of submitting a monthly return of the Scheme under s.117 of the Mandatory Provident Fund Schemes (General) Regulation.*
- (2) *The Trustee of the Scheme should read the explanatory notes to this Form carefully before completing this Form.*
- (3) *** means the requested information is not applicable to employer sponsored schemes.*

FOR OFFICIAL USE ONLY

Scheme registration no. : _____ **Date of receipt :** _____

Subject officer : _____ **Input officer :** _____

SECTION I - INFORMATION ON PARTICIPATING EMPLOYERS ^{Notes 1-6}

- (1) List of employers newly participated in the Scheme in the Month
- ^{Note 1&21}
- :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Employer (if applicable)	
Chinese Name of Employer (if applicable)	
Employer's Business Registration Number or Other Reference Number	
Branch Number	

- (2) List of employers who ceased participation in the Scheme in the Month
- ^{Notes 7,8& 22}
- :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Employer (if applicable)	
Chinese Name of Employer (if applicable)	
Participation Number ^{Notes 3-6 & 9}	
English Name of Scheme joined (if known)	
Chinese Name of Scheme joined (if known)	
Registration Number of Scheme joined (if known)	

- (3) Comprehensive list of participating employers in the Scheme as at 31
- st
- March. (This list is to be submitted as part of the monthly return for March
- ^{Note 10}
- only.)

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Employer (if applicable)	
Chinese Name of Employer (if applicable)	

Participation Number ^{Note 9}	
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SECTION II ** - INFORMATION ON SELF-EMPLOYED PERSONS

- (1) List of self-employed persons with HKID Number newly participated in the Scheme in the Month ^{Notes 11-14} :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Self-employed person (if applicable)	
Chinese Name of Self-employed person (if applicable)	
Self-employed person's HKID Number	
Self-employed person's Business Registration Number	
Branch Number	

- (2) List of self-employed persons with Passport Number newly participated in the Scheme in the Month ^{Notes 11-14} :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Self-employed person (if applicable)	
Chinese Name of Self-employed person (if applicable)	
Self-employed person's Passport Number	
Self-employed person's Business Registration Number	
Branch Number	

- (3) List of self-employed persons who ceased participation as self-employed persons in the Scheme in the Month ^{Notes 11-15} :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Self-employed person (if applicable)	
Chinese Name of Self-employed person (if applicable)	
Self-employed person's HKID Number (if applicable)	
Self-employed person's Passport Number (if applicable)	
Self-employed person's Business Registration Number	
Branch Number	
English Name of Scheme joined (if known)	
Chinese Name of Scheme joined (if known)	
Registration Number of Scheme joined (if known)	

- (4) Comprehensive list of self-employed persons in the Scheme as at 31st March. (This list is to be submitted as part of the monthly return for March ^{Note 10} only.)

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Self-employed person (if applicable)	
Chinese Name of Self-employed person (if applicable)	
Self-employed person's HKID Number (if applicable)	
Self-employed person's Passport Number (if applicable)	
Self-employed person's Business Registration Number	
Branch Number	

SECTION III ** - INFORMATION ON PRESERVED ACCOUNT HOLDERS ^{Note 16}

- (1) List of new preserved account holders with HKID Number having preserved accounts in the Scheme in the Month ^{Note 17}:

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Preserved Account Holder (if applicable)	
Chinese Name of Preserved Account Holder (if applicable)	
Preserved Account Holder's HKID Number	

- (2) List of new preserved account holders with Passport Number having preserved accounts in the Scheme in the Month ^{Note 17}:

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Preserved Account Holder (if applicable)	
Chinese Name of Preserved Account Holder (if applicable)	
Preserved Account Holder's Passport Number	

- (3) List of preserved account holders who ceased to have preserved accounts in the Scheme in the Month ^{Notes 17-19} :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Preserved Account Holder (if applicable)	
Chinese Name of Preserved Account Holder (if applicable)	
Preserved Account Holder's HKID Number (if applicable)	
Preserved Account Holder's Passport Number (if applicable)	
English Name of Scheme joined (if known)	
Chinese Name of Scheme joined (if known)	
Registration Number of Scheme joined (if known)	

- (4) Comprehensive list of preserved account holders in the Scheme as at 31st March. (This list is to be submitted as part of the monthly return for March ^{Note 10} only.)

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
English Name of Preserved Account Holder (if applicable)	
Chinese Name of Preserved Account Holder (if applicable)	
Preserved Account Holder's HKID Number (if applicable)	
Preserved Account Holder's Passport Number (if applicable)	

SECTION IV - INFORMATION ON PARTICIPATING EMPLOYERS WHO HAD ANY CHANGE OF NAMES ^{Note 20}

List of employers who had reported change of names in the Scheme in the Month ^{Note 20-24} :

English Name of Scheme	
Chinese Name of Scheme	
Scheme Registration Number	
Month to which this Return relates (YYYY-MM)	
Participation Number ^{Notes 3-6 & 9}	
New English Name of Employer (if applicable)	
New Chinese Name of Employer (if applicable)	
Employer's New Business Registration Number or Other New Reference Number (if applicable)	
New Branch Number (if applicable)	
Date of Notification of Change by Employer ^{Note 25}	

**Explanatory notes for completion of monthly return
covering information on participating employers and members**

1. The “employers newly participated in the Scheme in the Month” refer to the participating employers who participated in the Scheme in the Month and who remained participating in the Scheme as at the last day of the Month. For clarification sake, employers newly participated in the Scheme in the Month but subsequently ceased participation in the Scheme in the same month should not be included.
2. When an employer enrolls his employees in the Scheme, the Trustee should ascertain whether or not the employer has registered with the Business Registration Office (“BRO”). If yes, the Trustee should ask for the relevant business registration number (BR no.) and state the number in this Return.
3. For each BR no. given in this Return, the Trustee should allocate a prefix “BR” to the BR no. BR no. here refers to the first 8 digits of the number as given by the BRO. For example, if an employer has a BR no. of 12345678-000-01-1999-1 as given by the BRO, then the Trustee should fill in “BR12345678”. Any leading zero included in the BR no. should also be included.
4. There are cases where an employee is providing services to his employer’s related companies with which the employee has no employment contractual relationship. As the related company is not legally an employer, they are not required to be included in this Return. However, if the Trustee is aware of these related companies, the Trustee should report these companies in a separate covering letter to the Authority as the Authority will keep the BR nos. of these related companies in record for compilation purposes. The Authority will use the BR no. and its branch no. of the employer as reported in this Return to form the *participation number* in its participation certificate issued to the employer under section 124 of the Regulation. In the Trustee’s correspondence (including reports in monthly return) with the Authority relating to the employer, the Trustee should always quote the participation no. of that employer.
5. (a) If it is known to the Trustee that a participating employer has no registration with the BRO, then the Trustee should ascertain whether or not the employer has a registration with any of the following government departments, and if there is a registration number in respect of the registration.

Prefix

Government departments

Inland Revenue Department

- in respect of charitable organisations IR

Society Office of the Hong Kong Police

- in respect of societies SO

Education Department ED

Registry of Trade Unions TU

Others**OT**

- (b) If there is such a registration, then the Trustee should fill in the above allocated prefix of the government department concerned and state the relevant registration no. in this Return. For example, if the employer is registered with the Registry of Trade Unions with registration no. of 1350, then the Trustee should fill in “TU1350” in respect of that employer. However, for employer who is registered with the Society Office of the Hong Kong Police with registration no. of 24680, the Trustee should fill in “SO0024680” in respect of that employer instead of “SO24680” in this Return, i.e. Trustee should add leading zero(s) to the registration no. until the no. comprises 7 digits.
- (c) For employers that are charitable organisations with exemption granted by the Inland Revenue Department (“IRD”) for payment of tax, they will not have any registration nos. with the IRD. In this connection, the Trustee is simply required to fill in “IR” for these employers in this Return.
- (d) Where an employer advises the Trustee that he has registrations with more than one government department listed above, the Trustee should report only one of the registration numbers in this Return (with the prefix of the government department and follow with the registration no. concerned) and state all the other registrations (with the prefix of the departments and the registration nos. concerned) that he is informed of in a separate covering letter. When filling in these registrations, the Trustee should always fill in the registration with a registration no. first. For example, if an employer has registrations with both the IRD (as a charitable organisation) and also with Society Office of the Hong Kong Police (with registration no. of 1234), then the Trustee should fill in the registrations in the order of “SO0001234” first and report “IR” in the covering letter. This is because the Authority will adopt the registration with registration no. as the key to identify the employer in the MPF System. As mentioned in (4) above, the Authority will also adopt the registration no. to form the participation no. If a participating employer has a business registration no. and is registered with other government departments, the Trustee should always report the BR no. in this Return (with the prefix BR and follow with the business registration no.) and report other registration nos. in a separate covering letter.
- (e) If an employer does not have a registration with any of the government departments listed above, the Trustee should fill in “OT” (which represents “others”).
- (f) In respect of the “IR” employers that do not have any other registrations with the government departments listed above, or in respect of the “OT” employers, the Authority will allocate an unique “participation no.” for each of them. The Authority will inform such participation nos. (which will also be shown in the participation certificates issued by the Authority to the employers) to the Trustee. Trustee should then quote these participation nos. whenever a report on these employers is made to the Authority.

6. For a participating employer that has a business registration with the BRO, branch no. to be filled in this Return refers to the 3 numeric or alpha-numeric combination after the first 8 digits of the BR no. For example, if an employer has a no. of 12345678-000-01-1999-1 as given by the BRO, then the Trustee should fill in "000" as the branch no. in this Return. Branch no. should also be properly filled in for an employer who has registration with the Society Office ("SO"). For an employer who has registration with the Education Department ("ED") or the Registry of Trade Union ("TU"), although there is no branch no. assigned by these departments, the Trustee should fill "000" as the branch number for these records in this Return. However, for charitable organisations registered with the Inland Revenue Department ("IR") and Others ("OT"), no branch no. for these records should be filled in this Return.
7. For clarification of SECTION I (2), employers who newly participated in the Scheme in the Month but subsequently ceased participation in the Scheme in the same month should be excluded. If an employer ceased participation in the Scheme for joining another scheme, please state the name of the scheme joined together with the scheme registration no. concerned.
8. There may be circumstances where an employer has different classes of employees participating in the Scheme and has changed participation of certain classes of his employees in the Scheme to another registered scheme in the Month. Insofar as the employer is still having employees participating in the Scheme, the Trustee is not required to include that employer in SECTION I (2) of this Return in the Month.
9. As mentioned in notes 3 to 6, the participation no. of an employer is made up of its BR no. or its registration no. with the specified government department together with its branch no. If the employer has no BR no. or does not have any registration no. with the government departments listed in (5) above, the participation no. will be a number allocated by the Authority. The Authority will inform the Trustee of the participation no. concerned when the Authority is first informed by the Trustee of the employer's participation in the Scheme. For an employer who has not received a participation certificate issued by the Authority and the participation no. is not yet known to the Trustee, the Trustee should report the BR no. or other reference no. of the employer together with the branch no. in this Return.
10. The Trustee should submit the comprehensive list in addition to the lists in SECTION I (1) and (2) and SECTIONS II/III (1) to (3) in the Return for every March.
11. The "self-employed persons newly participated in the Scheme in the Month" refer to the self-employed persons who participated in the Scheme in the Month and who remained participating in the Scheme as at the last day of the Month. For clarification sake, self-employed persons newly participated in the Scheme in the Month but later on ceased participation in the Scheme in the same month should be excluded. If a self-employed person ceased participation in the Scheme for joining another scheme, please state the name of scheme joined together with the scheme registration no. concerned.
12. The Trustee should fill in the name of the self-employed person (i.e., the name of an individual) which should be identical to the name (with surname first) as shown on the Hong

Kong identity card (“HKID card”) or passport (for passport holder only), except that all punctuation marks should be omitted. For example, Au-Yeung Tai Man should be reported as AU YEUNG TAI MAN.

13. The Trustee should ask for the HKID number (HKID card no.) of self-employed persons when these persons enrol in the Scheme. For self-employed person with a HKID card no., the Trustee should provide the details of the self-employed person in SECTION II (1) of this Return. If the HKID card no. of a self-employed person is not available at the time of submitting this Return, the Trustee should obtain the passport no. of the person and provide that passport no. to the Authority in SECTION II (2) of this Return for identification purpose. When the HKID card no. of the self-employed person concerned is known to the Trustee, the Trustee should report such information to the Authority as soon as possible.
14. When a self-employed person enrolls in the Scheme, the Trustee should ascertain whether or not the person’s business has registered with the BRO. If yes, the Trustee should ask for the relevant BR no. and state the BR no. and its branch no. in this Return. If the person has multiple businesses and therefore has more than one BR no., then the Trustee should report only one BR no. and its branch no. in this Return. However, for the reference of the Authority, the Trustee should state all other BR nos. and their branch nos. that are known to him in respect of the employer in a separate covering letter.
15. For clarification of SECTION II (3), self-employed persons who newly participated in the Scheme in the Month but later on ceased participation in the Scheme in the same month are to be excluded.
16. For the purpose of this Return, “preserved account holders” refer to the persons who have preserved accounts (i.e., not contribution accounts) in the Scheme as at the last day of the Month.
17. The Trustee should ask for the HKID card no. of preserved account holders when these persons enrol in the Scheme. For preserved account holder with a HKID card no., the Trustee should provide the details of the preserved account holder in SECTION III (1) of this Return. If the HKID card no. of a preserved account holder is not available at the time of submitting this Return, the Trustee should obtain the passport no. of the person and provide that passport no. to the Authority in SECTION III (2) of this Return for identification purpose. When the HKID card no. of the preserved account holder concerned is known to the Trustee, the Trustee should report such information to the Authority as soon as possible. The name of the preserved account holders reported should be identical to the name (with surname first) as shown on the HKID card or passport (for passport holder only) except that all punctuation marks should be omitted.
18. New preserved account holders participated in the Scheme in the Month but later on ceased participation in the Scheme in the same month are to be excluded.
19. If a preserved account holder ceased participation in the Scheme for joining another scheme, please state the name of scheme joined together with the scheme registration no. concerned.
20. The “employers who had any change of names in the Scheme in the Month” refer to the

participating employers who remained participating in the Scheme as at the last day of the Month and who had reported the change of names in the Month.

21. For clarification of SECTION I (1) and IV, if a newly participating employer in the Scheme has reported the change of name in the Month, the Trustee should include the latest name of the newly participating employer as at the end of the Month in SECTION I (1) in this Return. There is no need to include the change of name information in SECTION IV.
22. For clarification of SECTION I (2) and IV, if an employer has reported the change of name in the Month and has ceased participation in the Scheme, the Trustee should include the cessation information in SECTION I (2) in this Return. There is no need to report the information relating to the change of name in SECTION IV in this Return. Please note that the employer's name as at the end of the previous month should be used and reported in SECTION I (2) in this Return.
23. For clarification of SECTION IV, if an employer has reported change of name more than once in the Month, the Trustee should only include the latest name of the employer as at the end of the Month in this Return.
24. The Trustee should not include any application for the re-issuance of participation certificate due to incorrect information in SECTION IV in this Return.
25. The "Date of Notification of Change by Employer" means either the date of receipt of notification of change or date of processing of notification of change.

FORM CF(MR)

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

MONTHLY RETURN OF REGISTERED SCHEME

Information relating to the Capital Preservation Fund

NOTES :

- (1) The approved trustee ("the Trustee") of a registered scheme ("the Scheme") should refer to the "Guidelines on Monthly Returns of Registered Schemes" for the purpose of submitting a monthly return of the Scheme under s.117 of the Mandatory Provident Fund Schemes (General) Regulation.*
- (2) This Form must be completed by the Trustee of the Scheme to which the Capital Preservation Fund belongs.*
- (3) All questions must be answered. If any question is not applicable, please write "N.A."*

FOR OFFICIAL USE ONLY

Reference no.: _____ **Date of receipt:** _____

Subject officer: _____ **Input officer:** _____

SECTION I - PARTICULARS

- (1) Name of the Capital Preservation Fund (the Fund): _____
- (2) Name of the Scheme to which the Fund belongs: _____
- (3) Name of the Trustee of the Scheme : _____
- (4) For the month of:

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 Month Year

SECTION II - MOVEMENT OF FUND

- (1) Number of units issued and the amount received upon issuance during the month
- (2) Number of units redeemed and the amount paid on redemption during the month

SECTION III - NET ASSET VALUE

- (1) The beginning and month end figures of total net asset value
- (2) The beginning and month end figures of total number of units
- (3) The beginning and month end unit price

SECTION IV - INVESTMENT RETURN

- (1) Gross investment return of the Fund for the month (total amount and percentage, and the basis of calculation of the return)

- (2) Net investment return of the Fund for the month (total amount and percentage, and the basis of calculation of the return)

SECTION V - SAVINGS RATE

- (1) The savings rate used for calculating deduction of administrative expenses

SECTION VI - ADMINISTRATIVE EXPENSES

- (1) An itemised list of all expenses incurred during the month

 - (2) An itemised list of various expenses (excluding administrative expenses) which have been debited from the Fund during the month

 - (3) Administrative expenses incurred in the month which have been debited from the Fund during the month
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- (4) Outstanding administrative expenses incurred in the month to be debited from the Fund in future months

 - (5) Previous outstanding administrative expenses (by month) which have been debited from the Fund during the month (the maximum carry-over period is 12 months)

SECTION VII - COMPLIANCE

- (1) Indicate whether there were any instances during the month where the Fund did not comply with the requirements under s.37 of the Mandatory Provident Fund Schemes (General) Regulation and the relevant guidelines issued by the Mandatory Provident Fund Schemes Authority; if so, state the reason for non-compliance and explain whether the breaches have been rectified.