

FORM TC(B)

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

APPLICATION FOR APPROVAL AS TRUSTEE
(INFORMATION RELATING TO THE BUSINESS PLAN)

SECTION I - PARTICULAR OF THE APPLICANT

(1) Name of the Company: _____

SECTION II - COMPANY PROFILE

- (1) A copy of the up-to-date organisational chart of the group of which the company is a member, showing the respective percentages of shareholdings, if applicable.
- (2) Give the following particulars of the immediate/ultimate holding company of the applicant, if any:

	Immediate Holding Company	Ultimate Holding Company
(A) Name		
(B) Registered office		
(C) Country and date of incorporation		
(D) Nature of business		

(E) Names of directors		
(F) State the names of the directors who will be actively involved in the management of the applicant		
(G) Names of controllers that hold more than 15 per cent of voting shares and their respective shareholdings		

- (3) Organisational structure, a brief description of the division of functions among different departments and staff position including number of staff by department and by rank.
- (4) A list of key personnel who are in charge of statutory compliance and supervision of scheme administration, detailing their respective qualifications and experience.
- (5) A description of the arrangements of scheme administration, including the following:
- (A) If the day to day business activities will not be conducted wholly in Hong Kong, where they will be conducted and how these activities will be supervised by the Hong Kong office? Who is responsible, i.e. name and particulars of the person, for supervising and controlling these business activities?
 - (B) What arrangements will be made with regard to the keeping of books of account and other records in respect of the Mandatory Provident Fund (“MPF”) schemes business? To what extent the company considers that it is able to meet the auditing requirements under the Ordinance. What records will be kept in Hong Kong?
 - (C) If the company plans to conduct scheme administration in-house, a description of the computer system of the company for carrying out MPF business. State the main functions of the system and where it is physically located. State also whether the software of the system is tailor-made or standard package with or without modifications.
 - (D) A description of the internal controls measures proposed to be implemented to achieve the control objectives of MPF schemes for compliance with the Ordinance.

- (E) A description of the operating systems proposed to be implemented in respect of administering MPF schemes, e.g. internal audits, procedures for handling clients' complaints, mechanism for handling public enquiries, etc.
 - (F) If any functions are outsourced, please describe how you will supervise the performance of those functions.
- (6) What arrangements would be made with regard to the indemnity insurance? Would there be multiple policies obtained from more than one eligible insurer? If so, who are the insurers and how the coverage is spread between these insurers?
- (7) In the case of a company carrying on business other than MPF business, give a detailed description of that other business or businesses.
- (8) In the case of a company incorporated outside Hong Kong:
- (A) a brief description of its experience in conducting business internationally; and
 - (B) provide other information relating to its standing as an international financial institution, such as the up-to-date rating and ranking in respect of the financial position of the company.

SECTION III - PARTIES PROVIDING SERVICES TO THE COMPANY

- (1) Names, addresses and qualifications of the auditors of the company.
- (2) Names and addresses of the company's principal bankers.
- (3) Names, addresses and qualifications of the company's professional advisers (other than auditors) including solicitors, investment advisers, consultants, etc.

SECTION IV - FINANCIAL PROJECTION

- (1) Provide two sets of financial projections, representing separately a “best estimate” and a “pessimistic estimate”, for each of the first three financial years following approval in respect of its MPF schemes business. The financial projections should include a projected profit and loss account and a projected balance sheet. A “best estimate” projection should show the company’s realistic expectations while a “pessimistic estimate” projection should show the worst scenario. This should include a summary of the key underlying assumptions that have been made in the preparation of the projections.

SECTION V - OTHER INFORMATION, ACCOUNTS, AGREEMENTS

- (1) Copies of the latest accounts of the immediate holding company and the ultimate holding company.
- (2) Copies of any report or investigation in respect of the company produced within the last three years by any supervisory authority or governmental agency, if any.
- (3) (A) State, whether in any jurisdiction within the past five years -
 - (a) a petition has been presented to the court for the winding up of the holding company of the company or the company that provides continuous financial support to the company,
 - (b) a receiver has been appointed in respect of any of the assets of the holding company of the company or the company that provides continuous financial support to the company, or
 - (c) the holding company of the company or the company that provides continuous financial support to the company has made any composition or arrangement with its creditors or any class of its creditors, and
- (B) if the answer to any of the above is "yes", give details of the present position regarding any such petition/receivership/composition/arrangement.

SECTION VI - DECLARATION

We declare that to the best of our knowledge and belief the information given in this Form is correct and complete. ✦

We certify that the documents attached to this Form are true and correct copies.

We undertake to notify the Authority of any matter which affects the validity of any information given in support of our application.

After the application is approved, we undertake to notify the Authority of any material changes to, or affecting the completeness or accuracy of, the information provided in this Form as soon as possible.

Name of applicant:

Signature and company chop
(to be signed by two directors):

Name of persons signing:

Title or position of persons signing:

Date:

✦ **Warning:** Section 43E of the Ordinance makes it an offence punishable with a maximum of 1 year's imprisonment and a fine of \$100,000 for the first occasion and 2 years' imprisonment and a fine of \$200,000 on each subsequent occasion for a person who makes a false or misleading statement in a material aspect.

Name and telephone no. of the contact person for the Authority's enquiries in connection with this application –

Name:

Telephone no.:
