



強制性公積金計劃管理局  
MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

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**By Electronic System**

3 October 2023

**Circular Letter: SU/CCO/2023/005**

**To: All Registered Intermediaries**

Dear Sir/Madam,

**Revised Guidelines on Conduct Requirements for Registered Intermediaries**

Guidelines VI.2 on Conduct Requirements for Registered Intermediaries (Conduct Guidelines) are issued to provide guidance in respect of the minimum standards of conduct expected of Registered Intermediaries (RIs) who engage in conducting sales and marketing activities, including giving advice in relation to Mandatory Provident Fund (MPF) schemes.

2. At present, to avoid conflict of interests, RIs should provide their clients with a statement (at the time of the invitation, inducement or advice) on (i) whether the registered intermediary will charge the client any direct fees for the services to be provided or will be compensated (either directly or indirectly) in some other manner (such as commission or salary bonus) in respect of the invitation, inducement or advice; and (ii) whether the benefits receivable would be different depending on the choice of the MPF scheme(s) or constituent fund(s) made by the client. The statement can be generic disclosure of the nature of monetary and non-monetary benefits receivable by the registered intermediary.

3. The Mandatory Provident Fund Schemes Authority (MPFA) has recently reviewed the requirements in relation to disclosure of information on benefits receivable

by RIs to their clients as set out in the Conduct Guidelines in order to enhance transparency for better protection of scheme members' interests and better address conflict of interests between the RIs and their clients. While the relevant disclosure requirements in paragraph 2 continue to be applicable after the review, the MPFA concluded that new requirements should be added in the Conduct Guidelines to require RIs to provide specific disclosure of monetary benefits to their clients and also obtain clients' consent for receiving benefits. In addition, the MPFA took the opportunity to add in the Conduct Guidelines a reminder for RIs to comply with the Prevention of Bribery Ordinance and anti-bribery guidelines in relation to the carrying on of regulated activities.

### **Major amendments**

4. The major amendments to the Conduct Guidelines are as follows:
  - (a) enhance disclosure of information to clients to the effect that monetary benefits receivable by principal intermediaries (PIs) attributable to the carrying on of regulated activities should be disclosed to the clients upon the clients' request (*paragraph III.36(b) of the revised Conduct Guidelines*);
  - (b) require RIs to obtain written and express consent from clients, prior to or at the point of executing the clients' instruction, for receiving monetary and non-monetary benefits (*paragraph III.36A of the revised Conduct Guidelines*); and
  - (c) remind RIs to comply with the Prevention of Bribery Ordinance (Cap 201) and the relevant guidelines issued by the Independent Commission Against Corruption (*paragraph III.8 of the revised Conduct Guidelines*).
  
5. The MPFA has sought views from the industry and respondents are largely supportive of the amendments to strengthen the standards of conduct expected of RIs. RIs should prepare for implementation of the revised Conduct Guidelines, which will become effective on **1 March 2024**, and should put in place procedures and control measures to comply with the requirements set out therein. The revised Conduct Guidelines can be accessed at the MPFA website ([www.mpfa.org.hk](http://www.mpfa.org.hk)) and they are published under "Information Centre" > "Legislation & Regulations" > "Guidelines". The MPFA will closely monitor compliance of RIs with the Conduct Guidelines.
  
6. Should you have any questions about the content of this circular, please contact Mr Peter Lee on 2292 1267 or Ms Clio Wong on 2292 1369.

Yours faithfully,



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