

The applicant should note that a person who in any document given to the Authority makes a statement that the person knows to be false or misleading in a material respect, or recklessly makes a statement which is false or misleading in a material respect, commits an offence under Section 43 of the Mandatory Provident Fund Schemes Ordinance (“MPFSO”) and is liable to prosecution.



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

Standard Information / Document Request List

Application for Prior Consent to the Appointment of Controller of Approved Trustee

The Standard Information / Document Request List (“Standard Information List”) forms part of the application for: -

- prior consent to a natural person to become a controller of approved trustee; or
- prior consent to a company to become a controller of approved trustee

pursuant to section 42B to 42D of the Mandatory Provident Fund Schemes (General) Regulation (“Regulation”).

The Standard Information List is divided into the following parts:

- Part I : Application Documents to be submitted to the Authority
- Part II : Additional Information to be provided by the Trustee in relation to the Application (“Reference Checklist”)
- Part III : Confirmation

Important Notes:

- 1. The Authority may refuse to take up any application and reserves the right to return forthwith, without processing, an incomplete or non-compliant application to the extent that information and/or the accompanying documents are not properly or fully completed, and/or negative responses in this Standard Information List are not properly explained, and/or such application is accompanied by documents that do not meet the applicable requirements under the MPFSO, the Regulation, guidelines and/or codes that are issued by the Authority, are not in good order or otherwise not suitable for clearance.***



2. *Applicants should note that the below list of documents / information is by no means exhaustive and the Authority may request further documents / information in relation to the application where necessary. All information that is deemed material and relevant to the application should also be submitted to the Authority in addition to the information and documents requested herein.*
3. *Applicants should note that in reviewing the application documents, the Authority has not vetted the information therein related to accuracy issues such as grammar, spelling mistakes or typing error. It is the responsibility of the applicant to ensure the accuracy and consistency of all the information and documents submitted.*
4. *This is a standard form document. Unless otherwise specified, when completing this Standard Information List please do not make any deletion, addition or amendment to the document or headings.*
5. *If there are any changes to the information provided in this Standard Information List, please notify the Authority as soon as practicable. The Authority reserves the right to request the applicant to submit updated and duly signed and completed documentation prior to approval of the application.*



Part I Application Documents to be submitted to the Authority by the Trustee

For All Applications

- (i) Application Form – Form TC(C) to be completed by the proposed controller

For Application for Controller who is a Natural Person

- (ii) Authorization Form to Hong Kong Police Force to conduct criminal background checks
- (iii) A chart showing the relationship among the associates, close relatives, employees of the person or a company of which the person is a director or nominees of the person who hold shares of the applicant/approved trustee together with the percentage of shares held by each party (if applicable)
- (iv) Copies of the certificates for proving the professional, academic, technical or other qualifications of the person

For Application for Controller who is Company

- (v) A copy of Certificate of Incorporation
- (vi) A copy of Business Registration Certificate (if any)
- (vii) An organization chart showing the relationship between the company, its associate, employee of its associate or nominee with voting shares of the applicant/approved trustee and the percentage of voting shares held by each party
- (viii) A copy of the latest audited financial statements and auditor's report



(1) **Part II Additional Information to be provided by the Trustee in relation to the Application (“Reference Checklist”)** (Note: Please continue on a separate sheet if there is insufficient space and attach such continuous sheet to the Reference Checklist)

No.	Information Required:	Response / Information:
<i>Application for Controller who is a Natural Person – (In respect of appointment of officers pursuant to section 42B of the Regulation)</i>		
1.	Nature of the proposed appointment: (a) New appointment; or (b) Replacement For replacement, please advise (i) the existing director that is to be replaced; (ii) the reason(s) of termination of appointment of that person as an existing director of the trustee; and (iii) the effective date of termination.	
2.	Please advise whether the proposed controller will act as the Chairman of the board. If yes, please provide details. If no, please advise who will act as the chairman of the trustee’s board of directors.	
3.	Please confirm whether the proposed controller is independent of the investment manager and of any delegate of the investment manager. <i>Note: Should a person becomes a director of both the trustee and the investment manager, it will affect the independency requirement for trustee & investment manager under section 45 & section 46 of the Regulation.</i>	



No.	Information Required:	Response / Information:
4.	<p>Please provide the following information for each of the existing directors of the trustee:</p> <ul style="list-style-type: none">(a) The current employment information, including the name of employer and the position held;(b) Whether the director is proposed to act as a non-executive director or an executive director on the trustee board; and(c) Whether the director ordinarily resides in Hong Kong	
5.	<p>Please advise whether proper induction training program has been provided / will be provided to the proposed controller within 3 months from the date of the proposed appointment in assisting the controller in light of his/her appointment as a director of the trustee and to familiarize him/her with the MPF system and other information about the trustee, including but not limited to its operation, governance system and other details necessary to enable the controller to perform his/her role. If yes, please provide details, otherwise, please justify.</p>	
6.	<p>Please confirm that:</p> <ul style="list-style-type: none">- The trustee is satisfied that the proposed controller is of good reputation and character and has not been convicted of any offence or is not the subject of any unresolved charges whether in Hong Kong or elsewhere^{Note 1}.	

^{Note 1} Item 6 is applicable for a proposed controller who does not reside in Hong Kong and/or does not have Hong Kong Identity Card. Complete Item 6 where applicable.



Part III Confirmation

We hereby confirm that all information contained in this Standard Information List and such other information and documents submitted to the Authority herewith are true and accurate.

Name of the trustee: _____

Authorized signature of the trustee: _____

Name of authorized signatory: _____
[Please print name in block letters.]

Title or position of the person signing: _____

Date: _____