**OCCUPATIONAL RETIREMENT SCHEMES ORDINANCE (CAP. 426) (ORDINANCE)**

**SECTION 33A**

**Notice of Reportable Events**

**by the Relevant Employer or Administrator of a Registered Scheme**

*(Please submit this form to the Registrar not later the* ***seventh working day*** *after becoming aware of the event)*

**SECTION I - PARTICULARS OF THE SCHEME**

1. ORSO Registration No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Name of Scheme: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Name of Relevant Employer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Name of Pooling Agreement (if any): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Name of Administrator: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SECTION II – DETAILS OF REPORTABLE EVENT(S)**

1. Relevant period (start and end date) of occurrence of the event(s):

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Start date: |  |  |  |  |  |  |  |  | End date: |  |  |  |  |  |  |  |  |
|  | Day | | Month | | Year | | | |  | Date | | Month | | Year | | | |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Date of becoming aware of the event(s): |  |  |  |  |  |  |  |  |
|  | Day | | Month | | Year | | | |
|  |  | |  | |  | | | |

1. Event(s) occurred/occurring and/or section(s) of the Ordinance contravened: *(see Note 1)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. Name(s) and role(s) of party(ies) involved:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Party(ies) affected: *(Tick all applicable boxes)*

* Member □ Employer □ Administrator
* Others, please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. If the event(s) has/have been reported to other regulator(s) or government department(s), please provide the name(s) of the regulator(s) or government department(s):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Details of the event(s) (including chronology):
2. Root cause(s) analysis:

(14) For the event that not all members of the scheme are eligible persons (section 33A(1)(k)), please provide the following: *(see note 1)*

1. Total no. of scheme members as at the date of reporting: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. No. of scheme members who are not eligible persons: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. If the event(s) resulted in loss of the assets of the scheme, please provide the following:
4. No. of members affected and value of assets lost (expressed in HK dollars)

No. of members: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Amount: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Details of any compensation made, or to be made, to the scheme and/or the parties affected

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Additional information attached: □ Yes □ No *(Tick the appropriate box)*

**SECTION III – FOLLOW-UP ACTION**

1. Immediate rectification and date or proposed date of rectification:
2. Preventive measures taken or to be taken with target completion date:
3. Other supplementary information:

**SECTION IV – DECLARATION**

I/We declare that to the best of my/our knowledge and belief the information given in this form (including any attached sheets and supporting documents) is true, accurate and complete.

|  |  |
| --- | --- |
| Name of relevant employer / administrator: |  |
| *(Delete whichever is inappropriate)*  Signature of relevant employer / administrator:  *(Delete whichever is inappropriate)* |  |
| Name of person signing: |  |
| *(See note 4)*  Title or position of person signing: |  |
| *(See note 4)*  Date: |  |

**🟅Warning**: Every care must be taken to ensure that true and accurate information is provided in this form. It is an offence under section 79 for any person to provide information which is false in a material particular and which he knows to be false or he has no reasonable ground to believe to be true in such particular.

Section 33A(3) provides that a person who, without reasonable excuse, contravenes section 33A(2) *(see note 2)*commits an offence and is liable on summary conviction to a fine at level 6. For the purpose of section 33A(3), privilege against self-incrimination may constitute a reasonable excuse for contravention. If in doubt, the relevant employer or administrator should seek legal advice.

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| --- | --- |
| Particulars of contact person for the relevant employer or administrator in connection with this form: | |
| Name : | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| Telephone no: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| Email address: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |

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| --- |
| This form should be completed by the relevant employer or administrator of the registered scheme and sent by email to [**orsoesubmission@mpfa.org.hk**](mailto:orsoesubmission@mpfa.org.hk) under the title “**Reportable Event under S.33A**”. |

***Notes:***

1. *Section 33A(1) provides that reportable event means, in relation to a registered scheme, the occurrence of any of the following:*

*(a) a condition imposed under section 18(4A), or amended under section 18(4B), is not complied with for the scheme;*

*(b) any requirement of section 20 is not complied with for the scheme;*

*(c) any requirement of section 20A(1), (2) or (3) is not complied with for the scheme;*

*(d) any requirement of section 21 is not complied with for the scheme;*

*(e) any requirement of section 24 is not complied with for the scheme;*

*(f) any requirement of section 25 is not complied with for the scheme;*

*(g) a requirement under section 26(1) is not complied with for the scheme;*

*(h) any requirement of section 27 is not complied with for the scheme;*

*(i) the requirement of section 70B is not complied with for the scheme;*

*(j) any term of the scheme allows a person other than an eligible person to be a member of the scheme;*

*(k) not all members of the scheme are eligible persons.*

1. *Section 33A(2) provides that if the relevant employer or administrator of a registered scheme becomes aware of a reportable event, he must not later than the seventh working day after becoming aware of the event, give written notice to the Registrar setting out the particulars of the event; keep a record of the particulars of the event; permit the Registrar to inspect the record; and give written notice to the Registrar setting out such further or better particulars of the event as the Registrar requires as soon as practicable after the Registrar makes the requirement.*
2. *Relevant information not available at the time of reporting to the Registrar should when available be furnished to the Registrar as soon as practicable.*
3. *If the report is made by a relevant employer which is a company, it should be signed by a director of the company. If the report is made by an administrator which is a company, it should be signed by a director or authorized person of the company.*
4. *“None”, “Nil” or “Not applicable” should be entered where appropriate.*