



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

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By Email

29 September 2021

Circular Letter: SU/CCO/2021/001

To: All Principal Intermediaries and Subsidiary Intermediaries

Dear Sir/Madam,

**Compliance Issues Relating to Personal Account Information Enquiries
Made by Registered Intermediaries on Behalf of Scheme Members**

The Mandatory Provident Fund Schemes Authority (the Authority) has implemented the arrangement for handling personal account enquiries submitted by registered intermediaries as authorized persons since November 2015¹. Subsidiary intermediaries (SI) who want to make personal account information enquiries on behalf of scheme members should submit such requests via principal intermediaries (PI) by using “Personal Account Information Enquiry Authorization Form (Principal Intermediary)” (**Form PA-AP(PI)**). Under no circumstances an SI should act as an authorized person to submit personal account information enquiries to the Authority by using the “Personal Account Information Enquiry Authorization Form” (**Form PA-AP**).

Incidents of Non-compliance

Although the above mentioned arrangement has been in place for more than 5 years, the Authority recently noted that some SIs had still used and submitted Form PA-AP instead of Form PA-AP (PI). These SIs might have also made false or

¹ Refer to the [circular letter](#) issued on 23 September 2015.

misleading statements to the Authority in declaring that they were not SIs under Form PA-AP. This raises grave concerns about the effectiveness of internal control measures taken by PIs to oversee their SIs and whether some SIs have deliberately used Form PA-AP to bypass PIs' checking.

This circular letter serves to remind PIs and SIs of their responsibilities in protecting scheme members' interests and personal data when they check personal account information for scheme members.

Responsibilities of PI and SI

PI's responsibilities

To better safeguard scheme members' interests, PIs are advised to put in place adequate control measures to protect scheme members' personal data, including but not limited to the following:

- (a) Establish procedures to collect the completed Form PA-AP(PI) from their SIs and conduct checking on the accuracy and completeness of the information supplied on the form;
- (b) Establish personal data handling procedures on submitting requests, collecting and distributing reports for the personal account information of scheme members;
- (c) Provide sufficient training to their SIs and to ensure that they are conversant with the relevant procedures; and
- (d) Put in place monitoring mechanism to ensure that their SIs strictly follow the procedures established by PI and submit Form PA-AP(PI) to the Authority via PI for checking personal account information on behalf of scheme members.

SI's responsibilities

The Authority would like to emphasize the importance of protecting scheme members' personal data. SIs are required to:

- (a) Follow the procedures established by their respective PIs and send the completed Form PA-AP(PI) to their PIs for submission to the Authority. SIs should not send any Form PA-AP(PI) directly to the Authority;
- (b) Ensure all the fields under the section "Particulars of the Scheme Member" have been properly filled. For any alteration of information under this

- section, full signature of the scheme member must be obtained;
- (c) Communicate clearly with scheme members about the purpose of Form PA-AP(PI) and must not ask scheme members to sign on a blank or incomplete form; and
 - (d) Ensure scheme members' personal information is handled in a proper manner.

The Authority views very seriously any non-compliance with the arrangement for making personal account information enquiries for scheme members. SIs should be aware that in submitting Form PA-AP to the Authority for making such enquiries, he or she may be making a false or misleading statement to the Authority in breach of section 43E of the Mandatory Provident Fund Schemes Ordinance. The Authority has stepped up the checking of the Form PA-AP with a view to identifying any non-compliant SIs and may refer such SIs to their respective PIs for necessary actions.

Revised Form PA-AP(PI)

Recently, the Authority has reviewed and amended Form PA-AP(PI) to strengthen the protection of scheme member's personal data. For any alteration of information in Form PA-AP(PI), the full signature of the scheme member and/or PI in the form is required. For details, please refer to the revised Form PA-AP(PI) and revised Points-to-note for Personal Account Enquiries Submitted by PIs. The revised Form PA-AP(PI) will become effective on **18 October 2021**. A copy of the revised Form PA-AP(PI) is attached for your reference in advance, and it can be downloaded from the Authority's website at www.mpfa.org.hk when the form comes into effect.

Should you have any questions about the contents of this circular letter, please contact Ms Clio Wong on 2292 1369.

Yours faithfully,



Katharine Fan
Senior Manager
Intermediaries Section
Supervision Division

Encl.

- c.c. Ms Candy Tam, Senior Manager, Banking Conduct Department, Hong Kong Monetary Authority
Ms Emma Tong, Senior Manager, Licensing, Intermediaries, Securities and Futures Commission
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