

<b>FORM TI</b>
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**MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)**

**APPLICATION FOR APPROVAL AS APPROVED TRUSTEE  
(for applicant who is a natural person)**

*Section 20 of the Mandatory Provident Fund Schemes Ordinance (Cap 485)*

**NOTES:**

- (1) *The applicant making an application for approval as an approved trustee should read the Guidelines on Application for Approval as Approved Trustees and Application for Approval as Controllers of Approved Trustees before submitting the application.*
- (2) *Please read the Personal Information Collection Statement before completing this application form.*
- (3) *It is obligatory for you to supply all the information, including personal data, requested in this application form. If any item is not applicable, please write "N.A.". Failure to provide the requested information, including personal data, may result in rejection or refusal of your application.*
- (4) *For verification purpose, please attach a copy of the Hong Kong Identity Card (if the Hong Kong Identity Card number is provided) or copies of the relevant pages of the passport (if the passport number is provided) to the application. Alternatively, the trustee may choose to present the Hong Kong Identity Card or the relevant pages of the passport in person at our office. Failure to provide a document for verification purpose (either by (i) attaching a copy of the Hong Kong Identity Card or copies of the relevant pages of the passport to the application; or (ii) presenting the Hong Kong Identity Card or the relevant pages of the passport in person at our office) may result in rejection or refusal of your application.*
- (5) *Please provide any other information which may assist the Mandatory Provident Fund Schemes Authority (the Authority) in reaching a decision on the application if necessary.*
- (6) *If boxes are provided, please tick whichever is appropriate.*
- (7) *\* means delete whichever is inappropriate.*

**FOR OFFICIAL USE ONLY**

<b>Application no.:</b>	_____	<b>Date application received:</b>	_____
<b>Fee receipt no.:</b>	_____	<b>Subject officer:</b>	_____
<b>Date of fee receipt:</b>	_____	<b>Input officer:</b>	_____
<b>Date of letter of acknowledgement:</b>	_____	<b>Verification officer:</b>	_____

**SECTION I - THE APPLICANT**

(1) Surname (in English)	
(2) Other names (in English)	
(3) Name in Chinese (if any)	
(4) Name in Chinese Commercial Code (if any)	
(5) Any previous name(s) by which you have been known	
(6) Hong Kong Identity Card/passport no.*	
(7) Date of birth (DD/MM/YYYY)	
(8) Place of birth	
(9) Nationality	
(10) Are you a public officer?	Yes/No*
(11) Residential address	
(12) Previous residential addressees during the last three years	
(13) Telephone number and fax number	
(14) Do you ordinarily reside in Hong Kong?	Yes/No*
(15) Period of residence in Hong Kong (in years)	

## SECTION II - EDUCATIONAL BACKGROUND AND EMPLOYMENT HISTORY OF THE APPLICANT

- (1) Please state your professional, academic, technical or other qualifications and the years in which they were obtained.

Qualifications	Issuing institution	Year obtained

- (2) Present occupation or employment and occupations and employment during the last 10 years, including the name of employer, the nature of the business, the position held and relevant dates.

Details of employment	1 (Present employment)	2	3
(A) Name of employer/ corporation			
(B) Principal business address			
(C) Nature of business			
(D) Capacity in which employed			
(E) Brief description of your duties and responsibilities			
(F) Date of commencement of employment			
(G) Date of termination of employment (if applicable)	N.A.		
(H) Reasons for termination of employment	N.A.		

- (3) The companies of which you have been appointed as a trustee to their retirement schemes at any time during the past 10 years, in Hong Kong or elsewhere.

Details of appointment	1	2	3
(A) Name of company			
(B) Principal business address			
(C) Nature of scheme (defined benefit or defined contribution)			
(D) Approximate number of scheme members (if available)	<100 <input type="checkbox"/> 100-499 <input type="checkbox"/> 500-999 <input type="checkbox"/> ≥1 000 <input type="checkbox"/> as at _____	<100 <input type="checkbox"/> 100-499 <input type="checkbox"/> 500-999 <input type="checkbox"/> ≥1 000 <input type="checkbox"/> as at _____	<100 <input type="checkbox"/> 100-499 <input type="checkbox"/> 500-999 <input type="checkbox"/> ≥1 000 <input type="checkbox"/> as at _____
(E) Approximate size of scheme assets (to the nearest million) (if available)	\$ _____ as at _____	\$ _____ as at _____	\$ _____ as at _____
(F) Appointed as member trustee, employer trustee or independent trustee?			
(G) Date of appointment			
(H) Date of retiring			
(I) Reasons for retiring			

**SECTION III - DISCIPLINARY AND CONVICTION HISTORY, AND FINANCIAL STATUS**

- (1) Have you ever been found by a court, in accordance with the Mental Health Ordinance (Cap 136), to be of unsound mind and incapable of managing your affairs?

Yes/No\*

- (2) Have you ever been convicted of any offence (other than a traffic offence) or are you the subject of unresolved charges, in Hong Kong or elsewhere?

Yes/No\*

If yes, please provide the following information:

Nature of offence:

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Penalty imposed (if any):

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Date of conviction or trial:

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Name and place of court in which the offence was tried:

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Court reference (if any):

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- (3) Have you ever been a party to any civil litigation, other than arising from a traffic accident, in Hong Kong or elsewhere?

Yes/No\*

If yes, please provide the following information:

Name of plaintiff, defendant and third party (if any):

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Nature of litigation and outcome (with dates):

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Name and place of court where proceedings commenced:

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- (4) Other than those listed under question (3), if any, have you ever been, or are you presently, or do you expect to be engaged in any litigation in Hong Kong or elsewhere?

Yes/No\*

If yes, please provide the following information:

Name of parties involved:

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Date and place of litigation:

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Nature of litigation:

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- (5) Have you, in Hong Kong or elsewhere, ever been dismissed from any office or position, subject to disciplinary proceedings or barred from entry to any profession or occupation? Yes/No\*

If yes, please provide the following information:

Name of organization taking  
action: \_\_\_\_\_

Nature of action  
taken/proceedings: \_\_\_\_\_

Outcome (if applicable): \_\_\_\_\_

Date of action/proceedings: \_\_\_\_\_

Reason for action/proceedings: \_\_\_\_\_

- (6) Have you ever been refused the right or restricted in the right to carry on any trade, business or profession for which a specific licence, registration or other authority is required by law in any place? Yes/No\*

If yes, please provide the following information:

Name of organization: \_\_\_\_\_

Address of organization: \_\_\_\_\_

Action taken by organization: \_\_\_\_\_

Date of such action: \_\_\_\_\_

Reason for such action: \_\_\_\_\_

- (7) Have you ever been disqualified, censured or disciplined by any professional body or by any regulatory body in Hong Kong or elsewhere? Yes/No\*

If yes, please provide the following information:

Name of organization taking  
disciplinary action: \_\_\_\_\_

Nature of disciplinary action: \_\_\_\_\_

Outcome (if applicable): \_\_\_\_\_

Date of disciplinary action: \_\_\_\_\_

Reason for disciplinary action: \_\_\_\_\_

- (8) Have you ever been disqualified by a court of competent jurisdiction from being a trustee or a controller of a company? Yes/No\*

If yes, please provide the following information:

Name and place of court: \_\_\_\_\_

Reason for disqualification  
(with dates): \_\_\_\_\_

- (9) Do you have any record of non-compliance with any non-statutory codes or guidelines promulgated by any regulator in Hong Kong or any relevant non-local authority? Yes/No\*

If yes, please provide the following information:

Name and place of  
regulatory/authority: \_\_\_\_\_

Details of non-compliance  
(with dates): \_\_\_\_\_

- (10) Have you ever failed to meet any judgement debts, judgements or courts orders for the payment of damages, or other sums of money, in Hong Kong or elsewhere, outstanding against you? Yes/No\*

If yes, please provide the following information:

Current status: \_\_\_\_\_

Outcome: \_\_\_\_\_

Amount involved: \_\_\_\_\_

- (11) Have you ever been adjudicated bankrupt by a court or are you currently subject to bankruptcy proceedings or a bankrupt who has been discharged; or have you ever entered into any scheme of arrangement or any form of composition with the creditors, in Hong Kong or elsewhere? Yes/No\*

If yes, please provide the following information:

Name and place of adjudication: \_\_\_\_\_

Court of adjudication: \_\_\_\_\_

If discharged, the date of  
discharge and conditions (if any): \_\_\_\_\_



- (12) Have you, as a controller, ever been concerned with a body corporate, partnership or unincorporated institution which was wound up (other than voluntary dissolution), adjudicated bankrupt by a court or was otherwise insolvent or had a receiver or administrator appointed, or was the subject of any investigation by inspector, the police, or by any professional body, association, disciplinary tribunal or inspector appointed under any enactment, or by any other regulatory body in relation to any of its businesses in Hong Kong or elsewhere? Yes/No\*

If yes, please provide the following information:

Name of the body corporate/  
partnership/unincorporated institution: \_\_\_\_\_

Date of event: \_\_\_\_\_

Details of event: \_\_\_\_\_

Name of organization undertaking  
investigation: \_\_\_\_\_

Nature of investigation: \_\_\_\_\_

Summary of findings (with dates): \_\_\_\_\_

- (13) Have you, as a controller, ever been concerned with a body corporate, partnership or unincorporated institution which was convicted of any offence; or censured, disciplined or reprimanded by, or denied or disqualified from membership of, a professional or trade body; or whose authorization or registration or similar type of approval has ever been refused, suspended or revoked by a regulatory body? Yes/No\*

If yes, please provide the following information:

Name of body corporate/  
partnership/unincorporated institution: \_\_\_\_\_

Nature and date of event: \_\_\_\_\_

Details of event: \_\_\_\_\_

Name of court/body: \_\_\_\_\_

**SECTION IV - DETAILS OF APPOINTMENT****(1) Proposed appointment**

- (A) Name of scheme: \_\_\_\_\_
- (B) Name of employer: \_\_\_\_\_
- (C) Business address of employer: \_\_\_\_\_  
 \_\_\_\_\_
- (D) Telephone number of employer: \_\_\_\_\_
- (E) Fax number of employer: \_\_\_\_\_
- (F) Proposed date of appointment: \_\_\_\_\_
- (G) Is the applicant to act as an independent trustee of the scheme? Yes/No\*
- (H) Is the applicant an employee of the employer of the scheme? Yes/No\*
- (I) Has an application in respect of the scheme registration been made to the Authority? Yes/No\*
- If yes, please state:
- Date of application: \_\_\_\_\_
- Application no.: \_\_\_\_\_

**SECTION V - DOCUMENTS TO BE ATTACHED**

Documents	Attachment No.
(1) An undertaking to the Authority in compliance with section 20(6)(b) of the Mandatory Provident Fund Schemes Ordinance (the Ordinance)	
(2) Evidence of performance guarantee entered into/proposed to enter into, if available	

**SECTION VI - DECLARATION**

I certify that I have read the Personal Information Collection Statement and understand my rights and obligations in relation to the supply of personal data to the Authority and the manner in which the Authority may use or deal with the data.

I declare that to the best of my knowledge and belief, the information given in this application form is correct and complete. ✦

I certify that the documents attached to this application form are true and correct copies.

I undertake to notify the Authority of any matter which affects the validity of any information given in (or in support of) this application.

After the application is approved, I undertake to notify the Authority of any material changes to, or affecting the completeness or accuracy of, the information provided in this application form and any documents in relation to the application as soon as possible.

Name of applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

✦ **Warning:** Section 43E of the Ordinance makes it an offence punishable with a maximum of one year's imprisonment and a fine of \$100,000 on the first occasion and two years' imprisonment and a fine of \$200,000 on each subsequent occasion for a person who, in a document given to a prescribed person which means, the Authority, a system operator of an electronic MPF system, an approved trustee, a trustee of a relevant scheme, or an auditor of an approved trustee or of a registered scheme, in connection with the Ordinance, 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.

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

Name: \_\_\_\_\_

Telephone no.: \_\_\_\_\_

## **MANDATORY PROVIDENT FUND SCHEMES AUTHORITY**

### **PERSONAL INFORMATION COLLECTION STATEMENT (PICS)**

This PICS is made by the Mandatory Provident Fund Schemes Authority (the Authority) in accordance with the Personal Data (Privacy) Ordinance (Cap 486) (PDPO). You are advised to read this PICS carefully as it sets out your rights and obligations in relation to your personal data (as defined in the PDPO) and the manner in which the Authority may collect, use or deal with your personal data for the purposes specified below.

#### **Purpose of Collection and Use**

1. The personal data provided in (or in support of) this application under section 20 of the Mandatory Provident Fund Schemes Ordinance (Cap 485) (the Ordinance) and/or sections 42B, 42C and 42D of the Mandatory Provident Fund Schemes (General) Regulation (Cap 485A) (the Regulation) will be used and held by the Authority for one or more of the following purposes:
  - (i) exercising and performing the Authority's functions under the Ordinance, including but not limited to:
    - (a) exercising and performing functions related to section 20 of the Ordinance of approving an application for approval as an approved trustee for the purposes of the Ordinance;
    - (b) exercising and performing functions related to sections 42B, 42C and 42D of the Regulation of giving consent to an application in respect of appointment of officers, persons proposing to become shadow directors and persons proposing to become substantial shareholders respectively; and
    - (c) ensuring compliance with the Ordinance;
  - (ii) enabling or assisting the Authority and other regulatory bodies/law enforcement agencies/government departments to perform functions under the Ordinance or their respective regimes including without limitation monitoring, surveillance, inspection, investigation, taking supervisory and/or enforcement actions, overseeing the operation of an electronic MPF system<sup>1</sup>, and/or conducting any legal, disciplinary or appeal proceedings, provided that such enablement or assistance by the Authority is subject to the Ordinance;
  - (iii) research and statistical purposes; and
  - (iv) other purposes as permitted or required by law.
2. It is obligatory for you to supply your personal data as requested in this application and in processing your application. Failure to supply the requested personal data may result in rejection or refusal of your application by the Authority, and, in some circumstances,

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<sup>1</sup> Electronic MPF system means an electronic system designated under section 19I(1) of the Ordinance.

hindering the Authority from processing the application in accordance with section 20 of the Ordinance and/or sections 42B, 42C and 42D of the Regulation.

### **Transfer of Personal Data**

3. The Authority may disclose or transfer your personal data held by the Authority to third parties including the bodies listed below for one or more of the purposes mentioned in paragraph 1 above or any directly related purposes, or in accordance with an order of a court or in accordance with a law or a requirement made under a law:
- (i) an approved trustee(s);
  - (ii) the system operator of an electronic MPF system;
  - (iii) the eMPF Platform Company Limited;
  - (iv) the Chief Executive;
  - (v) the Financial Secretary;
  - (vi) the Secretary for Justice;
  - (vii) the Registrar of Occupational Retirement Schemes;
  - (viii) the Insurance Authority;
  - (ix) the Hong Kong Monetary Authority;
  - (x) the Securities and Futures Commission;
  - (xi) the Commissioner of Inland Revenue;
  - (xii) the Privacy Commissioner for Personal Data;
  - (xiii) the Ombudsman;
  - (xiv) the Registrar of Companies;
  - (xv) the Accounting and Financial Reporting Council established under the Accounting and Financial Reporting Council Ordinance (Cap 588);
  - (xvi) the Official Receiver appointed under the Bankruptcy Ordinance (Cap 6);
  - (xvii) a liquidator appointed under the pre-amended Ordinance (as defined in the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap 32)) or the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap 32);
  - (xviii) the Hong Kong Police Force;
  - (xix) any relevant courts, panels, tribunals and committees; and
  - (xx) other law enforcement agencies, government departments or regulatory bodies.

### **Access to Personal Data**

4. You are entitled under the PDPO to ascertain whether the Authority holds any of your personal data, and to request access to and/or correction of them, in the manner and subject to the limitations as set out in the PDPO. The Authority has the right to charge a fee as

permitted under the PDPO for processing any data access request, which fee shall not be excessive. All enquiries should be directed to:

Personal Data Privacy Officer  
Mandatory Provident Fund Schemes Authority  
Level 12, Tower 1, The Millennity  
98 How Ming Street, Kwun Tong  
Hong Kong

5. The Authority's Privacy Policy Statement is available on the Authority's website at <https://www.mpfa.org.hk/en/privacy-policy>.