FORM MPF(S) - W(SD2)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

STATUTORY DECLARATION FOR CLAIMS FOR PAYMENT OF MPF ACCRUED BENEFITS (BENEFITS) ON GROUNDS OF PERMANENT DEPARTURE FROM HONG KONG

✦ **WARNINGS**:

(1) Under section 43E of the Mandatory Provident Fund Schemes Ordinance (the Ordinance), a person who, in any document given to the Mandatory Provident Fund Schemes Authority (the Authority), an approved trustee, or a system operator of the eMPF Platform, i.e. the electronic system designated under section 19I(1) of the Ordinance, **knowingly or recklessly makes a statement which is false or misleading in a material respect commits an offence and is liable to a maximum penalty of a $100,000 fine and one year's imprisonment on the first conviction and a $200,000 fine and two years' imprisonment on each subsequent conviction**. A person who **knowingly and wilfully makes a statutory declaration false in a material particular also commits an offence under section 36 of the Crimes Ordinance (Cap. 200) and is liable on conviction to imprisonment for two years and to a fine**.

(2) A scheme member who makes a false or misleading statement to the trustee or the system operator of the eMPF Platform for early withdrawal of benefits on the grounds of permanent departure from Hong Kong is liable to prosecution.

(3) A scheme member is entitled to be paid benefits on the grounds of permanent departure from Hong Kong **only once in a lifetime[1], except as permitted by the Mandatory Provident Fund Schemes (General) Regulation (the Regulation)[2]**. A scheme member who makes a false or misleading statement to the trustee or the system operator of the eMPF Platform that he/she has not previously been paid benefits on an earlier departure date is liable to prosecution.

(4) The Authority has kept a register of all claimants to verify if anyone has previously been paid benefits on the same grounds using an earlier departure date.

1. I have read the above warnings and fully understand that:

   (a) I am entitled to be paid benefits on the grounds of permanent departure from Hong Kong only once in a lifetime[1], except as permitted by the Regulation[2]; and

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[1] Section 163(3) of the Mandatory Provident Fund Schemes (General) Regulation provides that a person who has been paid accrued benefits from a registered scheme on the ground that, on a specified date, the person has departed, or was about to depart, from Hong Kong permanently is not, before reaching the retirement age, entitled to be paid the member's accrued benefits from the same or another registered scheme on the ground that, on a later date, the person purports to have departed, or to be about to depart, from Hong Kong permanently.

[2] Section 163(6) of the Regulation provides that if accrued benefits held in an account of a member of a registered scheme have been paid to the member on the ground that, on a specified date, the member has departed, or was about to depart, from Hong Kong permanently, the member is not, before reaching the retirement age, precluded from making a further claim on the ground of permanent departure on that specified date if the claim is for the payment of other accrued benefits of the member held in another account in that scheme, or for the payment of other accrued benefits of that member in another registered scheme.

(b) making a false or misleading statement to the trustee or the system operator of the eMPF Platform for early withdrawal of benefits on the grounds of permanent departure from Hong Kong will render me liable to prosecution.

2. I, _____ [name of the claimant], Hong Kong Identity Card/Passport*# No.: _____ of _____

[address of the claimant], solemnly and sincerely declare that:

(a) I departed/will depart* from Hong Kong on _____ [dd/mm/yyyy] to reside elsewhere with no intention of returning for employment or to resettle in Hong Kong as a permanent resident;

(b) I am permitted to reside in _____ [place other than Hong Kong]; and

(c) I understand that the Authority may refer my case to the Immigration Department to ascertain my movement in relation to the departure declared in paragraph (a) above.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

_____
[Signature of the claimant]

Declared at _____, Hong Kong this _____ day of _____(month) _____(year).

Before me,

Signature and company chop (if applicable) of
the person administering the statutory declaration: _____

Name in block letters: _____

Designation: _____

** Delete whichever is not applicable.*
 # The claimant should give the passport number ONLY when he/she does NOT possess a Hong Kong Identity Card.