

MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

I.5 Guidelines on Application for Approval of Constituent Funds

INTRODUCTION

Section 21BA(1) of the Mandatory Provident Fund Schemes Ordinance (the Ordinance) provides that an approved trustee of a registered scheme must, before making a constituent fund available in the scheme for investment by scheme members, ensure that the fund has been approved by the Mandatory Provident Fund Schemes Authority (the Authority).

2. Section 21BB(2) of the Ordinance provides that an application for approval or cancellation of approval of a constituent fund of a registered scheme must:

- (a) be in a form specified or approved by the Authority; and
- (b) contain the information, and be accompanied by the documents, specified for the purposes of section 21BB in the guidelines.

3. Section 6KA(1) and (2) of the Ordinance provides that the Authority may designate an electronic system that is established and operated by it or a wholly owned subsidiary for use for the purposes of the Ordinance (other than Part 3B).

4. Section 6KA(7) of the Ordinance provides, among other things, that the Authority must, as soon as practicable after making a designation under section 6KA(1) of the Ordinance, publish information about the designation in any manner that the Authority considers appropriate.

5. Section 6H of the Ordinance provides that the Authority may issue guidelines for the guidance of approved trustees, service providers, participating employers and their employees, self-employed persons, regulated persons and other persons concerned with the Ordinance.

6. The Authority hereby issues guidelines to set out:

- (a) the form prescribed by the Authority for application for approval of constituent funds of registered schemes and specify the information and documents to be submitted together with the form;
- (b) matters relating to the application for approval of constituent funds; and
- (c) matters regarding the designation of an electronic system under section 6KA(1) and (2) of the Ordinance for use for the purposes of section 21BB of the Ordinance.

EFFECTIVE DATE

7. These revised Guidelines (Version 9 – June 2024) shall become effective on 13 June 2024. The previous version of these Guidelines (Version 8 – April 2023) shall be superseded on that day.

APPLICATION FOR APPROVAL OF CONSTITUENT FUND

The Applicant

8. The applicant seeking approval of a constituent fund under a registered scheme must be the same as the applicant for registration of the scheme or the approved trustee of the scheme to which the constituent fund attaches.

Prescribed Forms

9. The applicant has to complete:

- (a) the physical form (Form CF) as set out in Annex A; or
- (b) the electronic form (eForm CF) (English version only) as set out in Annex B,

and submit the necessary documents as specified in the form. The prescribed physical form (Form CF) can be downloaded from the Authority's website at: www.mpfa.org.hk.

Designation of the eApplication Submission Platform for MPF Products (eAS)

10. The Authority has designated the eAS as an electronic system under section 6KA(1) and (2) of the Ordinance for use for the purposes of section 21BB of the Ordinance with effect from 28 October 2022. The Authority also publishes information about the designation of the eAS in these guidelines.

11. In these guidelines, the eAS means an electronic platform for approved trustee to use the user identities assigned by the Authority and their individual passwords as an authentication to enable them to make applications for approval of constituent funds pursuant to section 21BB of the Ordinance through the Authority's website.

Signature Requirements

12. The signatory parties for the application must be the same as those for the registration of the scheme or the approved trustee of the scheme to which the constituent fund attaches. In the case of electronic submission of an application through the eAS, the relevant signatory parties may:

- (a) print the electronic form (eForm CF) for signing and upload the signed form to the eAS; or
- (b) log in to the accounts in the eAS assigned to them and click the "Agree" button under the declaration section of the electronic form.

Submission of Application

13. The completed application form and the relevant supporting documents should be submitted by electronic means through the eAS or in hard copies and sent to:

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

DEFINITION OF TERMS

14. Where a term used in the Guidelines is defined in the Ordinance or the subsidiary legislation then, except where specified in the Guidelines, that term carries the meaning as defined in the Ordinance or the subsidiary legislation.

WARNING

15. If there is any change to the application information or documents after an application is submitted to the Authority, the applicant should inform the Authority as soon as reasonably practicable. It is an offence under section 43E of the Ordinance if a person, in any document given to a prescribed person¹ 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.

¹ Prescribed person means (a) the Authority; (b) a system operator of an electronic MPF system; (c) an approved trustee; (d) a trustee of a relevant scheme; or (e) an auditor of an approved trustee or of a registered scheme.

FORM CF

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)

APPLICATION FOR APPROVAL OF CONSTITUENT FUND

Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

NOTES:

- (1) *The applicant making an application for approval of a constituent fund (the Constituent Fund) under section 21BB of the Mandatory Provident Fund Schemes Ordinance (the Ordinance) should refer to the Guidelines on Application for Approval of Constituent Funds.*
 - (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) *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.*
 - (5) *If boxes are provided, please tick whichever is appropriate.*
-

FOR OFFICIAL USE ONLY

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

SECTION I - THE SCHEME

- (1) Name of the scheme to which the Constituent Fund belongs: _____
- (2) Is the scheme a registered scheme? Yes No
- (3) If the answer to (2) is "Yes", please state the scheme registration no.: _____
- (4) If the answer to (2) is "No", has an application for registration of the scheme been submitted to the Authority? Yes No
- (5) If the answer to (4) is "Yes", please state the application no. and/or date of submission: _____

SECTION II - THE CONSTITUENT FUND

- (1) Name of the Constituent Fund
- (In English): _____
- (In Chinese): _____
- (2) Statement of investment policy
(Please state the investment policy as prescribed in section 24 of the Mandatory Provident Fund Schemes (General) Regulation (the Regulation) and specify whether the Constituent Fund will engage in security lending, financial futures and option trading other than hedging.)
- (3) Structure of the Constituent Fund
- (A) Internal portfolio
- (B) Feeder fund
Name of the underlying pooled investment fund
- (C) Portfolio management fund
Name of the underlying pooled investment funds

- (4) Portfolio of underlying investments
(Please provide a brief description of the proposed asset allocation, in percentage terms, by type and by country/region.)

(5) Fund type (e.g. bond, equity, money market, other): _____

(6) Specialized fund (complete only if applicable)

(A) Capital preservation fund

Is the Constituent Fund a capital preservation fund? Yes No

(B) Guaranteed fund

(a) Is the Constituent Fund a guaranteed fund? Yes No

(b) If the answer to (a) is “Yes”, please state:

(i) The name of the guarantor

(ii) The guarantee features

(7) Is the Constituent Fund unitized? Yes No

(8) Proposed launch date of the Constituent Fund
(DD/MM/YYYY): _____

(9) Currency denomination: _____

(10) Level of all charges payable by scheme members

- (11) Level/basis of calculation of all charges payable by the Constituent Fund
- (12) Level of performance fee (if any)
- (13) Valuation and dealing frequency (daily/weekly/other): _____
- (14) Pricing method (forward/other): _____
- (15) Minimum initial subscription and minimum subsequent holding (if any)
- (16) List of the constitutive documents (including investment management contract and custodial agreement) of the Constituent Fund and date of execution
- (17) Address where books and records of the Constituent Fund are kept

SECTION III - THE TRUSTEE, CUSTODIAN AND INVESTMENT MANAGER OF THE CONSTITUENT FUND

(1) Particulars

	Name	Name of Ultimate Holding Company	Registration status with SFC* ¹ (if any)
Trustee* ²			
Custodian* ³			
Investment Manager* ⁴			

*¹ Securities and Futures Commission (SFC)

*² The trustee may be the approved trustee or the person who has applied for approval as an approved trustee under section 20 of the Ordinance.

*³ For the purposes of this application form, "custodian", in relation to the assets of a scheme, which may be a registered scheme or a scheme in respect of which an application has been submitted for registration of the scheme as a registered scheme under section 21 of the Ordinance, includes:

- (a) the person appointed by the trustee of the scheme as a custodian of the scheme assets; and
- (b) the trustee of the scheme who also acts as a custodian of the scheme assets, but does not include a sub-custodian.

*⁴ No investment manager is required to be appointed if:

- (a) the accrued benefits of the Constituent Fund are invested only in a single approved pooled investment fund, or in a single approved index-tracking collective investment scheme, that is specified in the offering document; or
- (b) prior approval has been obtained from the Authority.

(2) Investment manager of the Constituent Fund
(Please complete if there is an investment manager appointed for the Constituent Fund.)

(A) Independence of investment manager

(a) Do the investment manager and all of its delegates comply with the independence requirement as stipulated in section 46(1) of the Regulation? Yes No

(b) If the answer to (a) is "No", in respect of the investment manager and the delegates who fail to Yes No

satisfy the independence requirement of section 46(1) of the Regulation, do they comply with the requirements as stipulated in section 46(2) and section 46(3)(a) & (b) of the Regulation?

- (c) If the answer to (b) is “Yes”, please provide undertakings in accordance with section 46(3)(c) of the Regulation.

- (B) Please list below the name and registered office address of all delegates appointed by the investment manager:

No.	Name	Address	Registration Status*
1.			A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>
2.			A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>
3.			A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>

* For each of the delegates, please specify under the column of “Registration Status” whether the delegate meets one of the following requirements:

- (a) section 45(3) of the Regulation (put a tick in box A)
 (b) section 45(4)(a) of the Regulation (put a tick in box B)
 (c) section 45(4)(b) of the Regulation (put a tick in box C)
 (d) section 45(4)(c) of the Regulation (put a tick in box D)

SECTION IV - INVESTMENT ACTIVITIES

- (1) Security lending

- (A) Will the Constituent Fund engage in security lending activities? Yes No

- (B) If the answer to (A) is “Yes”, please specify the relevant clauses in the investment management contract which provide the investment manager the power to terminate/suspend security lending arrangements at any time.
-

- (C) If the answer to (A) is “Yes” and a custodian has been appointed, please specify the relevant clauses in the custodial agreement which indicate that the trustee has delegated the authority to enter into security lending arrangements to the custodian.
-

(2) Financial futures and option trading

(A) Will the Constituent Fund engage in financial futures and option trading for purposes other than hedging? Yes No

(B) If the answer to (A) is “Yes”, please demonstrate that the trustee has the relevant experience in this respect.

SECTION V - MARKETING DOCUMENTS & ADVERTISEMENTS

(1) Have the marketing documents and advertisements been approved by the SFC? Yes No

(2) If the answer to (1) is “Yes”, please attach final copies of the marketing documents and advertisements and proof of authorization by the SFC.

(3) If the answer to (1) is “No”, have the marketing documents and advertisements been submitted to the SFC for approval? Yes No

SECTION VI - DOCUMENTS TO BE ATTACHED

	Documents	Attachment No.
(1)	Copies of constitutive documents (please specify): _____ _____ _____ _____	
(2)	Undertakings in accordance with section 46(3)(c) of the Regulation	
(3)	Final copies of the marketing documents and advertisements	
(4)	A copy of the proof of authorization by the SFC in respect of the marketing documents and advertisements	

SECTION VII - DECLARATION

We certify that we have read the Personal Information Collection Statement and understand our 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.

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

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

We 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, we 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 and company chop (if any): _____

Name of persons signing: _____

Title or position of persons signing: _____

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 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485) (the Ordinance) 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 21BB of the Ordinance of approving an application for approval of a constituent fund of a registered scheme; and
 - (b) 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 system¹, 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, hindering the Authority from processing the application in accordance with section 21BB of the Ordinance.

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

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>.

Notes

1. The applicant making an application for approval of a constituent fund (the Constituent Fund) under section 21BB of the Mandatory Provident Fund Schemes Ordinance (the Ordinance) should refer to the Guidelines on Application for Approval of Constituent Funds.
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. 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.

Close

eFORM CF

Annex B to I.5

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

[Section I](#) [Section II](#) [Section III](#) [Section IV](#) [Section V](#) [Section VI](#) [Section VII](#)**SECTION I - THE SCHEME**

(1) Name of the scheme to which the Constituent Fund belongs:

(2) Is the scheme a registered scheme?

Yes No

(3) If the answer to (2) is "Yes", please state the scheme registration no.:

(4) If the answer to (2) is "No", has an application for registration of the scheme been submitted to the Mandatory Provident Fund Schemes Authority (the Authority)?

Yes No

(5) If the answer to (4) is "Yes", please state the application no. and/or date of submission:

Application No.

Date of Submission

[Save](#)[Next](#)

eFORM CF

Annex B to I.5

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

Section I **Section II** Section III Section IV Section V Section VI Section VII

SECTION II - THE CONSTITUENT FUND

(1) Name of the Constituent Fund

(In English):

(In Chinese):

(2) Statement of investment policy

(Please state the investment policy as prescribed in section 24 of the Mandatory Provident Fund Schemes (General) Regulation (the Regulation) and specify whether the Constituent Fund will engage in security lending, financial futures and option trading other than hedging.)

(3) Structure of the Constituent Fund

- (A) Internal portfolio
- (B) Feeder fund

Name of the underlying pooled investment fund

- (C) Portfolio management fund

Name of the underlying pooled investment funds

(4) Portfolio of underlying investments

(Please provide a brief description of the proposed asset allocation, in percentage terms, by type and by country/ region.)

(5) Fund type (e.g. bond, equity, money market, other):

(6) Specialized fund (complete only if applicable)

(A) Capital preservation fund

Is the Constituent Fund a capital preservation fund?

- Yes No

(B) Guaranteed fund

(a) Is the Constituent Fund a guaranteed fund?

- Yes No

(b) If the answer to (a) is "Yes", please state:

(i) The name of the guarantor

(ii) The guarantee features

(7) Is the Constituent Fund unitized?

- Yes No

(8) Proposed launch date of the Constituent Fund (DD/MM/YYYY):

(9) Currency denomination:

(10) Level of all charges payable by scheme members

(11) Level/basis of calculation of all charges payable by the Constituent Fund

(12) Level of performance fee (if any)

(13) Valuation and dealing frequency (daily/weekly/other):

(14) Pricing method (forward/other):

(15) Minimum initial subscription and minimum subsequent holding (if any)

(16) List of the constitutive documents (including investment management contract and custodial agreement) of the Constituent Fund and date of execution

No.	Constitutive document	Date of execution	Remark	
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	X

Add

(17) Address where books and records of the Constituent Fund are kept

Previous Save Next

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
 Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

Section I Section II **Section III** Section IV Section V Section VI Section VII

SECTION III - THE TRUSTEE, CUSTODIAN AND INVESTMENT MANAGER OF THE CONSTITUENT FUND

(1) Particulars

	Name	Name of Ultimate Holding Company	Registration status with SFC ^{*1} (if any)
Trustee ^{*2}	<input type="text"/>	<input type="text"/>	<input type="text"/>
Custodian ^{*3}	<input type="text"/>	<input type="text"/>	<input type="text"/>
Investment Manager ^{*4}	<input type="text"/>	<input type="text"/>	<input type="text"/>

^{*1}Securities and Futures Commission(SFC)

^{*2} The trustee may be the approved trustee or the person who has applied for approval as an approved trustee under section 20 of the Ordinance.

^{*3}For the purposes of this application form, "custodian", in relation to the assets of a scheme, which may be a registered scheme or a scheme in respect of which an application has been submitted for registration of the scheme as a registered scheme under section 21 of the Ordinance, includes:

- (a) the person appointed by the trustee of the scheme as a custodian of the scheme assets; and
- (b) the trustee of the scheme who also acts as a custodian of the scheme assets, but does not include a sub-custodian.

^{*4} No investment manager is required to be appointed if:

- (a) the accrued benefits of the Constituent Fund are invested only in a single approved pooled investment fund, or in a single approved index-tracking collective investment scheme, that is specified in the offering document; or
- (b) prior approval has been obtained from the Authority.

(2) Investment manager of the Constituent Fund

(Please complete if there is an investment manager appointed for the Constituent Fund.)

(A) Independence of investment manager

(a) Do the investment manager and all of its delegates comply with the independence requirement as stipulated in section 46(1) of the Regulation? Yes No

(b) If the answer to (a) is "No", in respect of the investment manager and the delegates who fail to satisfy the independence requirement of section 46(1) of the Regulation, do they comply with the requirements as stipulated in section 46(2) and section 46(3)(a) & (b) of the Regulation? Yes No

(c) If the answer to (b) is "Yes", please provide undertakings in accordance with section 46(3)(c) of the Regulation.

(B) Please list below the name and registered office address of all delegates appointed by the investment manager:

No.	Name	Address	Registration Status*	
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D	X

[Add](#)

* For each of the delegates, please specify under the column of "Registration Status" whether the delegate meets one of the following requirements:

- (a) section 45(3) of the Regulation (put a tick in box A)
- (b) section 45(4)(a) of the Regulation (put a tick in box B)
- (c) section 45(4)(b) of the Regulation (put a tick in box C)
- (d) section 45(4)(c) of the Regulation (put a tick in box D)

[Previous](#) [Save](#) [Next](#)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

[Section I](#) [Section II](#) [Section III](#) **[Section IV](#)** [Section V](#) [Section VI](#) [Section VII](#)

SECTION IV - INVESTMENT ACTIVITIES**(1) Security lending**

(A) Will the Constituent Fund engage in security lending activities?

Yes No

(B) If the answer to (A) is "Yes", please specify the relevant clauses in the investment management contract which provide the investment manager the power to terminate/suspend security lending arrangements at any time.

(C) If the answer to (A) is "Yes" and a custodian has been appointed, please specify the relevant clauses in the custodial agreement which indicate that the trustee has delegated the authority to enter into security lending arrangements to the custodian.

(2) Financial futures and option trading

(A) Will the Constituent Fund engage in financial futures and option trading for purposes other than hedging?

Yes No

(B) If the answer to (A) is "Yes", please demonstrate that the trustee has the relevant experience in this respect.

[Previous](#)[Save](#)[Next](#)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

Section I Section II Section III Section IV **Section V** Section VI Section VII

SECTION V - MARKETING DOCUMENTS & ADVERTISEMENTS

- (1) Have the marketing documents and advertisements been approved by the SFC? Yes No
- (2) If the answer to (1) is "Yes", please attach final copies of the marketing documents and advertisements and proof of authorization by the SFC.
- (3) If the answer to (1) is "No", have the marketing documents and advertisements been submitted to the SFC for approval? Yes No

Previous Save Next

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

- Section I
- Section II
- Section III
- Section IV
- Section V
- Section VI**
- Section VII

SECTION VI - DOCUMENTS TO BE ATTACHED

- [Add file from machine to upload](#)
- [Add file from application to upload](#)

No.	Document	Description/Remarks	Document File
1	Copies of constitutive documents	<input type="text"/>	Choose file from machine to upload Choose file from application to upload
2	Undertakings in accordance with section 46(3)(c) of the Regulation	<input type="text"/>	Choose file from machine to upload Choose file from application to upload
3	Final copies of marketing documents and advertisements	<input type="text"/>	Choose file from machine to upload Choose file from application to upload
4	A copy of the proof of authorization by the SFC in respect of the marketing documents and advertisements	<input type="text"/>	Choose file from machine to upload Choose file from application to upload

- [Previous](#)
- [Save](#)
- [Next](#)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485)
APPLICATION FOR APPROVAL OF CONSTITUENT FUND
Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

- Section I Section II Section III Section IV Section V Section VI Section VII

SECTION VII - DECLARATION

We certify that we have read the Personal Information Collection Statement and understand our 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.
We declare that to the best of our knowledge and belief, the information given in this application form is correct and complete*.
We certify that the documents attached to this application form are true and correct copies.
We 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, we 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 [input field]

Agreement

For electronic agreement

Electronic agreement with the terms of the declaration

Electronic agreement account

Assign

Notify electronic agreement account

Notified on

or

For uploading of signed copy

Upload copy with signature and company chop (if any)

Attach Signed Form

Choose File for Signed Form

For electronic agreement

Electronic agreement with the terms of the declaration

Electronic agreement account

Assign

Notify electronic agreement account

Notified on

or

For uploading of signed copy

Upload copy with signature and company chop (if any)

Attach Signed Form

Choose File for Signed Form

Name of the persons signing/ agreeing [input field]

[input field]

Title or position of persons signing/ agreeing [input field]

[input field]

Date [calendar icon]

[calendar icon]

*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: [input field]

Telephone no.: [input field]

For electronic agreement to declaration

eFORM CF

Annex B to I.5

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP 485) APPLICATION FOR APPROVAL OF CONSTITUENT FUND Section 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485)

Section I Section II Section III Section IV Section V Section VI **Section VII**

SECTION VII - DECLARATION

We certify that we have read the Personal Information Collection Statement and understand our 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.

We declare that to the best of our knowledge and belief, the information given in this application form is correct and complete*.

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

We 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, we 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

Agreement

For electronic agreement

Electronic agreement with the terms of the declaration

By clicking the "Agree" button, the applicant agrees with the terms of the declaration and the person who clicks the button represents that he/she has the proper authority to act on behalf of the applicant

For electronic agreement

Electronic agreement with the terms of the declaration

[Not agreed yet]

or

or

For uploading of signed copy

Upload copy with signature and company chop (if any)

[Not uploaded yet]

Name of the persons agreeing

Title or position of persons agreeing

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 21BB of the Mandatory Provident Fund Schemes Ordinance (Cap 485) (the Ordinance) 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 21BB of the Ordinance of approving an application for approval of a constituent fund of a registered scheme; and
 - (b) 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 system¹, 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, hindering the Authority from processing the application in accordance with section 21BB of the Ordinance.

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:

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

- (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 Millennium
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>.