

MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

IV.23 Guidelines on Transfer Statement and Confirmation

INTRODUCTION

Section 154 of the Mandatory Provident Fund Schemes (General) Regulation (the Regulation) as in force immediately before the commencement date (as defined in section 20 of Schedule 5 to the Regulation)¹ (pre-amended section 154) provides that as soon as practicable after a transferor trustee has transferred the accrued benefits for a scheme member, the transferor trustee must give to the scheme member concerned a transfer statement specifying information relating to the transfer as prescribed under that section. The pre-amended section 154(1)(g) and (3)(f) provides that the Mandatory Provident Fund Schemes Authority (the Authority) may specify other information to be contained in a transfer statement by means of guidelines. The pre-amended section 154(2) requires the transferor trustee to give to the transferee trustee a copy of the transfer statement.

2. Section 155 of the Regulation as in force immediately before the commencement date (as defined in section 21 of Schedule 5 to the Regulation)¹ (pre-amended section 155) provides that the transferee trustee must, as soon as practicable after receiving the benefits transferred from another registered scheme, give to the scheme member concerned a written notice confirming the transfer and stating the amount of those benefits.

3. With the commencement of section 81 of the Mandatory Provident

¹ The commencement date means the date on which section 81 of the Mandatory Provident Fund Schemes (Amendment) Ordinance 2021 (the Amendment Ordinance) comes into operation, i.e. 26 June 2024. Schedule 5 is added to the Regulation pursuant to section 103 of the Amendment Ordinance.

Fund Schemes (Amendment) Ordinance 2021 (the Amendment Ordinance), sections 154 and 155 of the Regulation are repealed.

4. Pursuant to section 20 of Schedule 5 to the Regulation, despite the commencement of section 81 of the Amendment Ordinance, the pre-amended section 154 applies to a pre-existing scheme in relation to a transfer of the accrued benefits of a member of the scheme if:

- (a) there is no section 19N notice² in respect of the scheme; or
- (b) there is a section 19N notice in respect of the scheme, and the transfer was completed before the effective day (i.e. the day specified under section 19N(1) of the Mandatory Provident Fund Schemes Ordinance (the Ordinance) for the scheme).

5. Pursuant to section 21 of Schedule 5 to the Regulation, despite the commencement of section 81 of the Amendment Ordinance, the pre-amended section 155 applies to a pre-existing scheme (relevant scheme) in relation to a transfer of the accrued benefits of a member of another registered scheme to the relevant scheme if:

- (a) there is no section 19N notice in respect of the relevant scheme; or
- (b) there is a section 19N notice in respect of the relevant scheme, and the transfer was completed before the effective day (i.e. the day specified under section 19N(1) of the Ordinance for the relevant scheme).

² Pursuant to section 19N of the Mandatory Provident Fund Schemes Ordinance (the Ordinance), the Secretary for Financial Services and the Treasury may, by notice published in the Gazette, specify a day for a pre-existing scheme for the purposes of section 19M(2)(a) of the Ordinance, on which day the approved trustee of the pre-existing scheme must begin to use the electronic MPF system and the scheme administration services provided by the system operator of the system to perform a scheme administration function that is not a specific function.

6. Section 157A of the Regulation as in force immediately before the commencement date (as defined in section 22 of Schedule 5 to the Regulation)³ (pre-amended section 157A) requires that the transferor trustee must, within 30 days after receiving the amount of outstanding contributions or contribution surcharges, or both, take all reasonably practicable steps to ensure that the amount is transferred in accordance with the election (not applicable to the transfer scenarios under sections 148A and 148B of the Regulation which relate to transfer of accrued benefits out of an employee contribution account whilst the employee member is in employment).

7. With the commencement of section 84 of the Amendment Ordinance, section 157A of the Regulation is repealed.

8. Pursuant to section 22 of Schedule 5 to the Regulation, despite the commencement of section 84 of the Amendment Ordinance, the pre-amended section 157A applies to the approved trustee of a pre-existing scheme unless:

- (a) there is a section 19N notice in respect of the scheme; and
- (b) the relevant requirement⁴ has taken effect.

9. 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.

10. Section 47A of the Ordinance provides that the Authority may

³ Means the date on which section 84 of the Amendment Ordinance comes into operation, i.e. 26 June 2024.

⁴ Relevant requirement has the meaning given by section 19O(2) of the Ordinance. Pursuant to section 19O(2) of the Ordinance, relevant requirement, in relation to a pre-existing scheme, means the requirement that the approved trustee of the scheme must comply with section 19M(1) of the Ordinance with respect to the scheme administration functions (other than a specific function) of the approved trustee.

specify or approve the form and contents of documents required for the purposes of the Ordinance. The section also provides that the form is not properly completed unless it includes all the information required by the Authority in the form.

11. The Authority hereby issues guidelines to:
 - (a) set out the other information to be contained in a transfer statement pursuant to the pre-amended section 154(1)(g) and (3)(f);
 - (b) set out the form and contents of the transfer statement and transfer confirmation pursuant to section 47A of the Ordinance; and
 - (c) provide guidance as to the timing for issuing transfer statements and transfer confirmations.

EFFECTIVE DATE

12. These revised Guidelines (Version 3 – June 2024) shall become effective on the date of commencement of operation of sections 81, 84 and 103 of the Amendment Ordinance, i.e. 26 June 2024. The previous version of these Guidelines (Version 2 – March 2019) shall be superseded on that day.

TRANSFER STATEMENT AND TRANSFER CONFIRMATION

Transfer Statement

13. For the purposes of the pre-amended section 154(1)(g) and (3)(f), the following information (see Annex A for the template) has to be contained in a transfer statement:

- (a) in case of a transfer of accrued benefits derived from employee mandatory contributions under section 148A(2)(b) or (3) of the Regulation, the date on which the transferee trustee received the effective transfer election, and in case of a transfer of accrued benefits derived from employee mandatory contributions under

section 148A(2)(a) of the Regulation, the date on which the transferor trustee received the effective transfer election, and an explanation of the use of this date to count the number of such transfers in a calendar year;

- (b) for each constituent fund, the following details of redemption:
 - (i) the redemption date;
 - (ii) the number of units redeemed in each constituent fund;
 - (iii) the redemption price of units;
 - (iv) the net amount redeemed; and
 - (v) the bid spread deducted; and
- (c) a reconciliation between the redemption balance of each sub-account of the member's account and the final amount transferred out, showing, where applicable, the amount of benefits vested, the long service payment/severance payment refunded to the employer, the long service payment/severance payment made to the member, the cash payout to the member and others.

14. The form of the transfer statement incorporating the information in paragraph 13 is set out in Annex A. The transferor trustee is required to include the information specified in that Annex when preparing the transfer statement.

15. Subject to paragraphs 3 and 4 above, the transferor trustee should issue the transfer statement to the scheme member concerned within five specified working days after the date of transfer of benefits.

Transfer Confirmation

16. The form of the transfer confirmation to be issued by the transferee trustee to the member concerned pursuant to the pre-amended section 155 is set out in Annex B. The transferee trustee is required to include the information

specified in that Annex when preparing the transfer confirmation.

17. Under normal circumstances and subject to paragraphs 3 and 5 above, the transferee trustee of the registered scheme should issue the transfer confirmation to the member concerned as soon as practicable after receiving the accrued benefits, and within:

- (a) 14 specified working days after receiving the accrued benefits if it is a transfer to an account within the same registered scheme; and
- (b) 17 specified working days after receiving the accrued benefits if it is a transfer from an account in another registered scheme.

Transfer After Recovery of Outstanding Contributions and Surcharges

18. Subject to paragraphs 7 and 8 above, a transferor trustee is required to take all reasonably practicable steps to ensure that the amount of outstanding contributions or contribution surcharges, or both, subsequently received is transferred pursuant to the pre-amended section 157A. The transferor trustee and the transferee trustee should issue a transfer statement and a transfer confirmation respectively in relation to the transfer of the outstanding contributions and/or surcharges. The contents set out in paragraph 13(b) may not be required if there are no subscription and redemption activities involved in the original scheme.

DEFINITION OF TERMS

19. 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.

TRANSFER STATEMENT

Print/Issue Date:

SECTION 1. PERSONAL DETAILS OF MEMBER

Member Name: Employer Name:
 Member Account Number in Original MPF Registered Scheme (Scheme):
 Address of Member: Last Date of Employment:

SECTION 2. SCHEME INFORMATION

Name of Original Scheme:
 Name of Original Trustee:

SECTION 3. TRANSFER/PAYMENT SUMMARY

Transfer Case Number:
 Name of New Scheme:
 Name of New Trustee:
 Address of New Trustee:
 Transferred Amount (HK\$): 25,000
 Date of Transfer:
 Amount Paid to Member¹ (HK\$): 2,200
 Date of Payment to Member:
 Amount of Fees and Expenses relating to Transfer Deducted from Member's MPF Accrued Benefits (Benefits)² (HK\$):

Note³: [Name of New Trustee] received your election to transfer out the benefits derived from employee mandatory contributions from the contribution account of the [Name of Original Scheme] on [Date of the New Trustee received the Form MPF(S)-P(P)].
 As you are only allowed to transfer out that part of benefits from the contribution account of the [Name of Original Scheme] once per calendar year, this means that you cannot make another such kind of transfer-out election in [Year].

Note⁴: [Name of New Trustee] received your election to transfer out the benefits derived from employee mandatory contributions from the contribution account of the [Name of Original Scheme] on [Date of the New Trustee received the Form MPF(S)-P(P)].
 You are allowed to transfer out that part of benefits from the contribution account of the [Name of Original Scheme] [X] times per calendar year. As at the issue date of this statement, you have already made such kind of transfer-out election [Y] times in [Year].

SECTION 4. SUMMARY OF BENEFITS REDEEMED BY SOURCE OF CONTRIBUTIONS^{5,6}

Based on Unit Price as at {Redemption Date}													
Fund Code	Number of Units in Funds					Redemption Price (HK\$)	Amount (HK\$)						
	Current Employment		Former Employment	Personal Account	TVC Account		Current Employment		Former Employment	Personal Account	TVC Account	Net Amount Redeemed	Bid Spread Deducted ⁷
	Employer's Contributions	Member's Contributions					Employer's Contributions	Member's Contributions					
A01	200	100	200	NA	NA	10	2,000	1,000	2,000	NA	NA	5,000	0
A02	400	200	20	NA	NA	50	20,000	10,000	1,000	NA	NA	31,000	0
Total											36,000		

TVC: Tax Deductible Voluntary Contributions

DESCRIPTION OF FUND CODE	
A01	CAPITAL FIXED PORTFOLIO
A02	STABLE HONG KONG FUND

SECTION 5. TRANSFER/PAYMENT DETAILS (HK\$)^{5,6}

	Current Employment				Former Employment		Personal Account		TVC Account	Total		
	Employer's Contributions		Member's Contributions									
	Mandatory	Voluntary	Mandatory	Voluntary	Mandatory	Voluntary	Mandatory	Voluntary	TVC	Mandatory	Voluntary	TVC
Redemption Amount	11,000	11,000	11,000	0	3,000	0	NA	NA	NA	25,000	11,000	NA
Vested Benefits ⁸	11,000	2,200	11,000	0	3,000	0	NA	NA	NA	25,000	2,200	NA
Less: Long Service Payment/Severance Payment Refund to Employer ⁹										0	0	NA
Less: Long Service Payment/Severance Payment Refund to Member ⁹										0	0	NA
Less: Cash Payout to Member ⁹										0	(2,200)	NA
Total Amount Transferred Out										25,000	0	NA

TVC: Tax Deductible Voluntary Contributions

SECTION 6. OUTSTANDING CONTRIBUTIONS/SURCHARGES (HK\$)

Covered Period	Amount of Outstanding Contributions/Surcharges (if known)

Any outstanding contributions/surcharges in relation to the scheme member's account concerned, if recoverable, will be transferred in accordance with the election made in respect of that account¹⁰.

Important notes:

If you have any query on this document, please call our hotline at XXXX-XXXX.

Instructions to approved trustees

1. This is the amount paid to the member. This is the sum of the “Long Service Payment/Severance Payment Refund to Member” and “Cash Payout to Member” as shown in section 5.
2. The pre-amended section 154(1)(e) and (3)(d) of the Mandatory Provident Fund Schemes (General) Regulation (the Regulation) requires the disclosure in a transfer statement of an itemized statement of any expenses relating to the transfer that have been deducted from the MPF accrued benefits (benefits) by the transferor trustee before making the transfer. Section 34 of the Regulation provides that only necessary transaction costs incurred and permitted to be charged may be deducted. If there are no such expenses deducted, please show “0” in this item.
3. Show this box if it is a transfer pursuant to section 148A of the Regulation, and the maximum number of such transfer allowed per calendar year is limited to one.
4. Show this box if it is a transfer pursuant to section 148A of the Regulation, and the maximum number of such transfer allowed per calendar year is more than one.
5. Columns in the tables in sections 4 and 5 should be adjusted or deleted as necessary. As a guidance,
 - (i) for benefits transferred out of an employee contribution account, please show “NA” in the columns under “Personal Account” and “TVC Account” or delete those columns;
 - (ii) for benefits transferred out of a self-employed person contribution account, please show “NA” in the columns under “Employer’s Contributions”, “Personal Account” and “TVC Account”, or delete those columns;
 - (iii) for benefits transferred out of a personal account, please show “NA” in the columns under “Current Employment”, “Former Employment” and “TVC Account”, or delete those columns; and
 - (iv) for benefits transferred out of a TVC account, please show “NA” in the columns under “Current Employment”, “Former Employment” and “Personal Account”, or delete those columns.
6. No need to show this section if the transfer does not involve any redemption from funds. For instance, this may apply when the original trustee recovers outstanding contributions and surcharges for the member and directly transfers them out without any subscription and redemption in the original scheme.
7. Please show “0” or by other means to indicate that there is no bid spread involved in redemption. Bid spread for a transfer of benefits can only include necessary transaction costs incurred or reasonably likely to be incurred in selling investments in order to give effect to the transfer.
8. Trustees should indicate the vesting percentages applied in calculating the vested benefits. If redemption amount is net of unvested benefits, they may choose not to show this item.
9. For a transfer which does not involve long service payment/severance payment offsetting arrangement or cash

payout, or for trustees who process long service payment/severance payment offsetting arrangement or cash payout to a member separately from the transfer process, they may choose to delete these items (where applicable).

10. No need to show this sentence if it is a transfer pursuant to section 148A, 148B, 149, 149A or 149B of the Regulation.

TRANSFER CONFIRMATION

Print/Issue Date:

SECTION 1. MPF REGISTERED SCHEME (SCHEME) AND MEMBER DETAILS

Name of New Scheme:

Name of New Trustee:

Member Name:

Member Account Number in New Scheme:

Transfer-in Account Type: (Personal Account/Employee Contribution Account/
Self-employed Person Contribution Account/TVC Account)

SECTION 2. TRANSFER-IN SUMMARY

Name of Original Scheme:

Name of Original Trustee:

Transferred Amount (HK\$): 25,000

SECTION 3. TRANSACTION SUMMARY¹

Fund Code	HK\$										Subscription Price (HK\$)	Based on Unit Price as at {Subscription Date}										HK\$ Offer Spread Deducted ²		
	Transfer-in Benefits											Number of Unit Subscribed												
	Current Employment				Former Employment		Personal Account		TVC Account			Total		Current Employment		Former Employment		Personal Account		TVC Account			Total	
	Member		Employer											Member		Employer								
	MC	VC	MC	VC	MC	VC	MC	VC	MC	VC		TVC	Total	MC	VC	MC	VC	MC	VC	MC	VC		TVC	Total
B01	2,000	0	2,000	0	1,000	0	NA	NA	NA	NA	5,000	10	200	0	200	0	100	0	NA	NA	NA	500	0	
B02	5,000	0	5,000	0	10,000	0	NA	NA	NA	NA	20,000	20	250	0	250	0	500	0	NA	NA	NA	1,000	0	
Total Amount Transfer-in	7,000	0	7,000	0	11,000	0	NA	NA	NA	NA	25,000													

DESCRIPTION OF FUND CODE

B01 CAPITAL FIXED PORTFOLIO

B02 STABLE HONG KONG FUND

MC: Mandatory Contributions

VC: Voluntary Contributions

TVC: Tax Deductible Voluntary Contributions

Important notes:**If you have any query on this document, please call our hotline at XXXX-XXXX.**

Instructions to approved trustees

1. Columns in the table in section 3 should be adjusted or deleted as necessary. As a guidance,
 - (i) for MPF accrued benefits (benefits) transferred to an employee contribution account, please show “NA” in the columns under “Personal Account” and “TVC Account” or delete those columns;
 - (ii) for benefits transferred to a self-employed person contribution account, please show “NA” in the columns under “Employer”, “Personal Account” and “TVC Account”, or delete those columns;
 - (iii) for benefits transferred to a personal account, please show “NA” in the columns under “Current Employment”, “Former Employment” and “TVC Account”, or delete those columns; and
 - (iv) for benefits transferred to a TVC account, please show “NA” in the columns under “Current Employment”, “Former Employment” and “Personal Account”, or delete those columns.
2. Trustees may choose to show “0” or by other means to indicate there is no offer spread involved in subscription. Offer spread for a transfer of benefits can only include necessary transaction costs incurred or reasonably likely to be incurred in buying investments in order to give effect to the transfer.