MANDATORY PROVIDENT FUND SCHEMES AUTHORITY

V.11 Guidelines on MPF Exempted ORSO Schemes – Withdrawal of Minimum MPF Benefits

INTRODUCTION

In accordance with section 6 of Schedule 2 to the Mandatory Provident Fund Schemes (Exemption) Regulation (the Exemption Regulation), the minimum MPF benefits of a new member may be withdrawn from an MPF exempted ORSO registered scheme under the circumstances and requirements prescribed therein.

2. Section 6H(3) of the Mandatory Provident Fund Schemes Ordinance (the Ordinance) provides that a guideline may require persons (including persons belonging to a class) specified in the guideline to give to the Mandatory Provident Fund Schemes Authority (the Authority) information or documents of a kind specified in the guideline. The guideline may only specify information or documents of a kind that the Authority reasonably requires for the exercise or performance of its functions.

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 thereof).

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. Section 47A of the Ordinance provides that the Authority may specify or approve the form and contents of documents required for the purposes of the Ordinance.

7. The Authority hereby issues guidelines to:

(a) set out the forms approved by the Authority for the purposes of section 6 of Schedule 2 to the Exemption Regulation;

(b) provide guidance in relation to the processing of withdrawal of minimum MPF benefits;

(c) specify the information to be included in the notice to be given to the Authority in respect of the cases of withdrawal of minimum MPF benefits on the grounds of permanent departure from Hong Kong and the means by which the notice should be submitted to the Authority;

(d) set out matters regarding the designation of an electronic system under section 6KA(1) and (2) of the Ordinance for use for the purposes of submission of the notice to the Authority regarding withdrawal of minimum MPF benefits on the grounds of permanent departure from Hong Kong; and

(e) illustrate how to calculate the amount of benefits that can be paid to a member on the grounds of terminal illness.

EFFECTIVE DATE

8. These revised Guidelines (Version 12 – April 2026) shall become effective on 30 April 2026. The previous version of these Guidelines (Version 11 – January 2026) shall be superseded on that day.

CLAIM FORM

9. For the purposes of section 6 of Schedule 2 to the Exemption Regulation, the Authority has approved:

(a) in Annex A, the Claim Form for Withdrawal of Minimum MPF Benefits (the Claim Form) (Form MMB-W) from an MPF exempted ORSO registered scheme;

(b) in Annex B, the medical certificate for payment of minimum MPF benefits on the grounds of total incapacity (Form MMB-W(M));

(c) in Annexes C to E, the statutory declaration forms (Form MMB-W(SD1), Form MMB-W(SD2) and Form MMB-W(SD3)) to be used for the circumstances specified in the Exemption Regulation; and

(d) in Annex F, the medical certificate for payment of minimum MPF benefits on the grounds of terminal illness (Form MMB-W(T)).

10. Lodgement of a claim for withdrawal of minimum MPF benefits from an MPF exempted ORSO registered scheme should be made in the above approved forms. Those forms requiring a signature of the claimant must be signed by either the relevant member of an MPF exempted ORSO registered scheme, the personal representative of a deceased scheme member, or the committee of the estate of a mentally incapacitated person appointed under the Mental Health Ordinance (Cap. 136) (the committee of the estate) who lodges a claim on behalf of a mentally incapacitated member. Additional relevant information may be requested by the trustee of the scheme to be attached to the approved forms if the trustee finds it necessary for the processing of the claim.

For those minimum MPF benefits which have been transferred to an MPF scheme, Guidelines IV.4 on Payment of Accrued Benefits – Documents to be Submitted issued by the Authority will be applicable.

11. The medical certificate for the purpose of certifying a terminal illness of a scheme member (Form MMB - W(T)) can be used for claiming benefits from both an MPF scheme and an MPF exempted ORSO registered scheme. If a scheme member has benefits held in an account in an MPF scheme and an account in an MPF exempted ORSO registered scheme, the member only needs to ask a registered medical practitioner or a registered Chinese medicine practitioner to fill in and sign one medical certificate.

EVIDENCE FOR CLAIMS

12. Under section 6 of Schedule 2 to the Exemption Regulation, a claim for withdrawal of minimum MPF benefits must be accompanied by evidence satisfactory to the trustee that the claimant is eligible for the claim, or a relevant statutory declaration.

13. Section III of the Claim Form sets out the documents that a claimant is required to submit in lodging the claim and providing evidence satisfactory to the trustee. In vetting those documents, trustees should take note of the following:

(a) *Date of birth in Hong Kong Identity (HKID) Card*: If the HKID card of a scheme member does not contain the month and/or day of birth of the scheme member, the scheme member may provide satisfactory evidence as to the month and/or day by using one of the following methods:

(i) using the birth date as shown on an official document (e.g. a travel document or a statutory declaration of the member's

date of birth) provided by the member; or

(ii) using the month and day of the issue date of the HKID card of the member.

If the member has not used either of the two methods above to provide evidence as to the month and day, then in the absence of any other evidence, where the HKID card shows only the year and month of birth (and not the day of birth), the last day of the month as shown on the HKID card as the birth date of the member will be used, and where the HKID card shows only the year of birth (and neither the month nor day of birth), the last day of the year as shown on the HKID card as the birth date of the scheme member will be used.

(b) *Documents to show the status of a personal representative of a deceased scheme member*: In cases where a Letter of Probate or Letters of Administration is issued by the Probate Registry, the name of the personal representative of a deceased person is printed on that document. A copy of the Letter of Probate or Letters of Administration should be provided for verification of the status of the personal representative. In cases where the Official Administrator gets in and administers an estate of a deceased scheme member in a summary manner without a grant or other legal formality under section 15 of the Probate and Administration Ordinance (Cap. 10), the Official Administrator is a personal representative.

(c) *Medical certificate certifying total incapacity*: If the claimant also claims a long service payment on the grounds of permanent unfitness for his/her present job under the Employment Ordinance (Cap. 57), he/she may use the form "Certificate of an employee's permanent unfitness for a particular type of work" used for the purpose for his/her claim under the Employment Ordinance to substitute for the

approved form for medical certificate, MMB-W(M), in Annex B to claim for withdrawal of minimum MPF benefits on the grounds of total incapacity.

(d) *Documents to show the status of a committee of the estate*: For a claim made by the committee of the estate on behalf of a member, a copy of the evidence of the appointment, i.e. the Court Order issued pursuant to the Mental Health Ordinance (Cap. 136) should be provided for verification of the status of the committee of the estate.

(e) *Forms of statutory declarations*: To facilitate compliance by new members, claimants and trustees, forms are approved for making a statutory declaration by claimants under different circumstances in claiming for withdrawal of minimum MPF benefits (Annexes C to E). The statutory declaration must be a valid statutory declaration in the place where it is made (e.g. in Hong Kong, the statutory declaration should be made before and signed by a Commissioner for Oaths (e.g. at a Public Enquiry Service Centre of the Home Affairs Department) or a Notary Public or a Justice of the Peace). A statutory declaration made in a place other than Hong Kong is also acceptable provided that it is made before and signed by a Notary Public or a person authorized under the law of that place to administer an oath or take a statutory declaration.

14. In some special circumstances, when the requirements set out in paragraphs 10, 12 and 13 above are not practically achievable, the trustees may, where permitted by law, alter the requirements to satisfy themselves that the claimant is eligible for the claim.

AVAILABILITY OF THE FORMS

15. The Claim Form, the medical certificates and the statutory

declaration forms can be downloaded from the Authority's website at www.mpfa.org.hk. Hard copies of the forms are also available at the office of the Authority. Trustees may consider allowing any user to download the forms from their websites by putting the forms online or providing hard copies of the forms upon request. To facilitate smooth processing of the claims for payment of minimum MPF benefits, trustees may provide supplementary notes in addition to the explanatory notes of the Claim Form.

SUBMISSION OF NOTICE REGARDING WITHDRAWAL OF MINIMUM MPF BENEFITS ON THE GROUNDS OF PERMANENT DEPARTURE FROM HONG KONG

16. Where minimum MPF benefits are withdrawn on the grounds of permanent departure from Hong Kong, trustees shall report the case to the Authority for record purpose.

17. The notice to be given to the Authority under paragraph 16 above should include the following information:

Name of the MPF Exempted ORSO Registered Scheme
Registration Number of the MPF Exempted ORSO Registered Scheme
Surname of the Claimant
Other Names of the Claimant
Chinese Name of the Claimant (if applicable)
HKID Card Number / Passport Number of the Claimant
Date of Receipt of the Claim Form (DD/MM/YY)
Date of Departure from Hong Kong (DD/MM/YY)
Place Other Than Hong Kong Where the Claimant is Permitted to Reside
Payment Date (DD/MM/YY)

DESIGNATION OF THE eORSO PORTAL

18. The Authority has designated the eORSO Portal as an electronic system under section 6KA(1) and (2) of the Ordinance for use for the purposes of submission of the notices to the Authority regarding withdrawal of minimum MPF benefits on the grounds of permanent departure from Hong Kong with effect from 27 January 2026. The Authority also publishes information about the designation of the eORSO Portal in these guidelines.

19. In these guidelines, the eORSO Portal means an electronic platform for trustees to use the user identities assigned by the Authority and their individual passwords as an authentication to enable them to submit notices regarding withdrawal of minimum MPF benefits on the grounds of permanent departure from Hong Kong through the Authority's website.

SUBMISSION OF THE NOTICE

20. The notice to be given to the Authority under paragraphs 16 to 17 above is requested to be submitted through the eORSO Portal, via email to ORSOesubmission@mpfa.org.hk or in hard copies to:

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

The Authority (as the recipient) has given consent to being given the aforesaid notice by the means described in this paragraph 20.

21. The Authority encourages submission through the eORSO Portal to

facilitate efficient processing.

PAYMENT ON GROUNDS OF TERMINAL ILLNESS

22. Section 6(9A) of Schedule 2 to the Exemption Regulation provides that a new member is eligible to withdraw the member's minimum MPF benefits on the grounds of terminal illness provided that the conditions specified therein are satisfied.

23. "Minimum MPF benefits", in relation to a member of a relevant scheme[1], is defined in section 1(1) of Schedule 2 to the Exemption Regulation to mean the lesser of:

(a) the member's benefits accrued and held under the scheme during the period when the exemption certificate applied to the scheme (which for this purpose means the years of post-MPF service); and

(b) 1.2 x final average monthly relevant income x years of post-MPF service.

24. Where the claim made by a member to withdraw the minimum MPF benefits on the grounds of terminal illness is a first claim made by him/her, the "years of post-MPF service" shall mean the member's continuous years of service from the date the member joined the scheme or 1 December 2000, whichever is later, to the date on which the trustee of the scheme receives the terminal illness claim. The "final average monthly relevant income" shall be calculated by reference to the period of 12 months (if the member has been a member of the scheme for not less than 12 months) immediately preceding the date on which the trustee of the scheme receives the terminal illness claim.

[1] A relevant scheme is an MPF exempted ORSO registered scheme.

25. In case the member makes a second claim on the same grounds under the same employment and contributions in respect of the member have continued to be made under the scheme, the "years of post-MPF service" shall mean the member's continuous years of service from the date on which the trustee of the scheme received the first claim (for which benefits were last paid on the grounds of terminal illness) to the date on which the trustee of the scheme receives the second terminal illness claim (for which benefits have not been paid). The "final average monthly relevant income" shall be calculated by reference to the period of 12 months (if the member has been a member of the scheme for not less than 12 months) immediately preceding the date on which the trustee of the scheme receives the second terminal illness claim.

26. Illustrations 1 & 2 demonstrate how to calculate the minimum MPF benefits for first and second terminal illness claims.

Illustration 1 (1st claim on terminal illness under employment):

Date of joining the scheme : 1 December 2011

Date of claim received by trustee : 30 September 2015

Years of post-MPF service : 3 years and 10 months

(from 1 December 2011 to 30 September 2015)

Current balance in employer contribution account: $62,000

Current balance in employee contribution account: $62,000

Final average monthly relevant income: $30,000

(from 1 October 2014 to 30 September 2015)

Vesting scale applicable : 30%

Benefits entitled by the member due to post-MPF service (after vesting):

= ($62,000 x 30%) + $62,000 = $80,600

Minimum MPF benefits:

lesser of (i) $80,600;

(ii) $1.2 \times \$30{,}000 \times 3\frac{10}{12} = \$138{,}000$

i.e. $80,600

That means the whole sum of the benefits which the member is entitled can be withdrawn by the member. After the payment is made, the balance under the employer contribution account will become $43,400 ($62,000 - $18,600 (being $62,000 x 30%)) and that under employee contribution account will become $0.

(The above figures are for illustrative purpose only.)

Illustration 2 (2nd claim on terminal illness under the same employment):

Date of joining the scheme : 1 December 2011

Date of 1st claim received by trustee : 30 September 2015

Date of 2nd claim received by trustee : 31 December 2015

Years of post-MPF service : 3 months

(from 30 September 2015 to 31 December 2015)

Current balance in employer contribution account: $47,900

(being $43,400 remaining account balance after 1st claim plus $4,500 new contributions and investment return)

Current balance in employee contribution account: $4,500

(new contributions and investment return)

Final average monthly relevant income: $30,000

(from 1 January 2015 to 31 December 2015)

Vesting scale applicable : 40%

Benefits entitled by the member under employer contribution account due to post-MPF service (after vesting) as if the member has not been paid any benefits before:

= (current balance + amount previously paid out) x vesting

= ($47,900 + $18,600) x 40% = $26,600

As the member has withdrawn $18,600 ($62,000 x 30%) from the employer contribution account on the 1st claim, the member's benefits accrued and held under the employer contribution account will be $8,000 ($26,600 - $18,600). The total amount of member's benefits accrued and held under the scheme is therefore $12,500 ($8,000 + $4,500).

Minimum MPF benefits:

lesser of (i) $12,500;

(ii) $1.2 \times \$30,000 \times \frac{3}{12} = \$9,000$

i.e. $9,000

The member can only withdraw $9,000. The balance under the employer contribution account will become $43,400 ($47,900 - $4,500) and employee contribution account will become $0 ($4,500 - $4,500). The deduction from both the employer and employee contribution accounts of $4,500 each is based on the assumption that both employer and employee contributions are the same.

(The above figures are for illustrative purpose only.)

WITHDRAWAL FOR MAKING PAYMENT UNDER SECTION 70A OF THE OCCUPATIONAL RETIREMENT SCHEMES ORDINANCE

27. According to section 6(12) of Schedule 2 to the Exemption Regulation, the minimum MPF benefits of a new member may be withdrawn for making a payment under section 70A of the Occupational Retirement Schemes Ordinance (Cap. 426) (ORS Ordinance). Guidelines V.4 on MPF Exempted ORSO Schemes – Preservation of Benefits provides some illustrations demonstrating how the minimum MPF benefits should be preserved and how the amounts relating to severance payment or long service payment can be paid from vested benefits.

DEFINITION OF TERMS

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

Ordinance, the ORS Ordinance or their respective subsidiary legislation.

WARNING

29. It is an offence under section 43E of the Ordinance if a person, in any document given to a prescribed person[2] 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.

[2] 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 MMB - W

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

CLAIM FORM FOR WITHDRAWAL OF MINIMUM MPF BENEFITS FROM MPF EXEMPTED ORSO REGISTERED SCHEME

Section 6 of Schedule 2 to the Mandatory Provident Fund Schemes (Exemption) Regulation (Cap. 485B)

NOTES:

(1) This Form is to be completed by any person who wishes to claim for withdrawal of minimum MPF benefits from an MPF exempted ORSO registered scheme.

(2) Please use BLOCK LETTERS for completion of this Form.

(3) Please read the explanatory notes carefully before completing this Form.

*(4) * means delete whichever is not applicable.*

(5) Please insert "N.A." if not applicable.

(6) The information and data to be supplied in support of this claim for withdrawal of minimum MPF benefits are to be used for processing your claim. The information and data you supply may, for such purpose, be transferred to the relevant service provider(s) and the government or regulatory bodies including the Mandatory Provident Fund Schemes Authority (the Authority).

(7) All the forms related to withdrawal of minimum MPF benefits (i.e. Form MMB - W(M), MMB - W(SD1), MMB - W(SD2), MMB - W(SD3) and MMB - W(T)) can be downloaded from the Authority's website at www.mpfa.org.hk. Hard copies of the forms are also available at the office of the Authority. If necessary, please seek assistance from the trustee of the scheme concerned or the Authority (hotline: 2918 0102 or email: mpfa@mpfa.org.hk).

(8) Upon completion of this Form, the claimant/scheme member should give this Form to the trustee of the scheme concerned.

Reminder to claimants/scheme members

- *Withdrawal of benefits out of a guaranteed fund may result in some or all of the guarantee conditions not being satisfied; thus affecting your entitlement to the guarantee. Please check the constitutional document of the scheme or consult the relevant trustee for details.*

- *The price of fund units may change due to market fluctuations and may go down as well as up. The price of fund units on the date when you submit a claim form to the trustee may be different from that on the date when the fund units are redeemed.*

SECTION I – DETAILS OF THE CLAIMANT [Note 1]/SCHEME MEMBER

(1) **Claimant**

(i) Name: _____

(ii) Hong Kong Identity (HKID) Card/passport* no. [Note 2]: _____

(iii) Correspondence address

Flat/Room	Floor	Block	Name of building

Street no.	Name of street

	*Hong Kong/Kowloon/N.T.**
Name of district	

(iv) (a) Telephone no.: _____

(b) Mobile no.: _____

(v) Facsimile no.: _____

(2) **Scheme member** (if different from claimant)

(i) Name: _____

(ii) Hong Kong Identity (HKID) Card/passport* no. [Note 2]: _____

SECTION II – DETAILS OF THE CLAIM

(1) Name of the MPF exempted ORSO registered scheme

Name of the scheme: _____

Name of the trustee: _____

(2) Ground for claiming minimum MPF benefits *(please ✓ one box)*:

- ❑ Retirement (i.e. scheme member reaches the retirement age of 65) [Note 3]
- ❑ Early retirement (i.e. scheme member reaches the age of 60 and has permanently ceased all employment and self-employment with no intention of becoming employed or self-employed again) [Note 3]
- ❑ Total incapacity
- ❑ Terminal illness [Note 4]
- ❑ Death
- ❑ Permanent departure from Hong Kong

(3) Method of payment *(please ✓ the appropriate box)*:

(i) by cheque ❑

(ii) by depositing directly in a bank account ❑

(applicable only to trustees who provide such services and charges, such as currency conversion fee or other bank charges, may be imposed for the transaction)

Account number: _____

Name of bank account holder: _____

Name of bank: _____

Address of bank[#]: _____

Swift code[#]: _____

Currency[#]: _____

[#] *applicable only to a transfer to a bank account outside Hong Kong*

SECTION III – DOCUMENTS ENCLOSED

The following documents are enclosed by the claimant(s) in respect of the claim for withdrawal of minimum MPF benefits from an MPF exempted ORSO registered scheme on the ground of *(Please ✓ the appropriate box)* [Notes 5, 6] :

(A) Retirement

- ❑ a copy of the scheme member's HKID card for verification of the name, date of birth and identity card number of the scheme member if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ evidence showing the scheme member's date of birth only in cases where the HKID card does not contain the month and/or day of birth [Note 3]
  - ❑ a copy of the scheme member's passport or other travel document showing the month and/or day of birth; or
  - ❑ the original statutory declaration of the scheme member's date of birth [Note 8]; or
  - ❑ a copy of the scheme member's HKID card with the month and day of the issue date of the HKID card circled or by other means to indicate that the scheme member wishes to use the month and day of the issue date of the HKID card as the month and day of birth

(B) Early Retirement

- ❑ a copy of the scheme member's HKID card for verification of the name, date of birth and identity card number of the scheme member if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ evidence showing the scheme member's date of birth only in cases where the HKID card does not contain the month and/or day of birth [Note 3]
  - ❑ a copy of the scheme member's passport or other travel document showing the month and/or day of birth; or
  - ❑ the original statutory declaration of the scheme member's date of birth[Note 8]; or
  - ❑ a copy of the scheme member's HKID card with the month and day of the issue date of the HKID card circled or by other means to indicate that the scheme member wishes to use the month and day of the issue date of the HKID card as the month and day of birth
- ❑ the original statutory declaration form on early retirement (Form MMB - W(SD1)) [Notes 5, 8]

(C) Total Incapacity

- ❑ a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ a copy of the medical certificate certifying total incapacity (Form MMB - W(M)) [Notes 9, 10]

- ❑ a copy of the letter from the employer (if any) certifying that the contract of employment for that particular kind of work has been or will be terminated

(D) Terminal Illness

- ❑ a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ a copy of the medical certificate certifying terminal illness (Form MMB – W(T)) [Note 10] dated not earlier than 12 months before the date on which the claim is lodged

(E) Death

- ❑ a copy of the claimant's HKID card for verification of the name and identity card number of the claimant if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ a copy of the Letter of Probate or Letters of Administration granted by the Probate Registry/a letter requesting withdrawal of the benefits issued by the Official Administrator if the claim is made by the Official Administrator*

(F) Permanent Departure from Hong Kong

- ❑ a copy of the scheme member's HKID card for verification of the name and identity card number of the scheme member if the claimant does not wish to present the card in person for verification [Note 7]
- ❑ a copy of the documents / evidence that the scheme member is permitted to reside in a place other than Hong Kong (e.g. immigration visa / foreign passport)
- ❑ the original statutory declaration form on permanent departure (Form MMB - W(SD2)) [Notes 5, 8]
- ❑ a copy of the Letter of Release issued by the Inland Revenue Department, if applicable
- ❑ other information:

  (i) Place other than Hong Kong where the scheme member is permitted to reside: _____

  (ii) Contact details in a place other than Hong Kong where the scheme member is permitted to reside:

  Address: _____

  _____

  _____

  Telephone no.: _____ Fax no.: _____

  E-mail address: _____

  (iii) Reason(s) for permanently departing from Hong Kong (e.g. emigration, marriage, family reunion, long-term employment outside Hong Kong, retirement or others. For others, please specify.)

SECTION IV – DECLARATION

I/We* [Note 1] declare that to the best of my/our* knowledge and belief, the information given in this Form and its attachments is correct and complete.✦

[Signature of the claimant(s)]	Date

✦ **Warning**: Section 43E of the Mandatory Provident Fund Schemes 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 that 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. 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.

Explanatory Notes

(1) (i) For a claim made on the ground of death, only a personal representative within the meaning of the Probate and Administration Ordinance (Cap. 10) or any other person specified in the governing rules of the scheme can be the claimant to act on behalf of the deceased scheme member to claim for withdrawal of the scheme member's minimum MPF benefits. If there is more than one personal representative or specified person and the personal representatives or specified persons have not authorized one of them to act on behalf of others to lodge the claim, all the personal representatives or specified persons should submit the Claim Form jointly. Please use an additional blank sheet to provide details of the claimants under Section I. Under such circumstances, this Form needs to be signed by all of the personal representatives or specified persons.

(ii) For a claim made on all other grounds, either the scheme member or person(s) appointed as a committee of the estate of a mentally incapacitated person under the Mental Health Ordinance (Cap. 136) (the committee of the estate) to act on behalf of the scheme member can be the claimant to lodge the claim for payment of minimum MPF benefits. If there is more than one person appointed by the court as the committee of the estate, those persons should apply and sign in the capacity as the committee of the estate in accordance with those terms of appointment and any other requirements contained in the relevant court order. Please use an additional blank sheet to provide details of the claimants under Section I. Under such circumstances, this Form needs to be signed by all the persons appointed by the court as the committee of the estate, unless the Court authorizes otherwise.

(2) Claimants/scheme members should give their passport numbers ONLY when they do NOT possess HKID cards.

(3) A scheme member who does not have the month and/or day of birth printed on the HKID card may provide evidence as to the month and/or day by using one of the following methods for the purpose of withdrawal of minimum MPF benefits on the ground of retirement/early retirement:

(i) using the birth date as shown on an official document (e.g. a travel document or a statutory declaration of the scheme member's date of birth); or

(ii) using the month and day of the issue date of the HKID card of the scheme member.

If the scheme member has not used either of the two methods above to provide evidence as to the month and day, then in the absence of any other evidence, the trustee should, where the HKID card shows only the year and month of birth (and not the day of birth) use the last day of the month, and where the HKID card shows only the year of birth (and neither the month nor day of birth), use the last day of the year as shown on the HKID card as the birth date of the scheme member.

(4) For a claim made by a scheme member for payment of minimum MPF benefits from an account on the ground of terminal illness, the scheme member may continue his/her current employment after he/she has withdrawn the minimum MPF benefits. In that case, future contributions made by the employer (both employer and employee portions) will continue to be made to that account. If the scheme member wishes to withdraw the minimum MPF benefits derived from future contributions and transfer-in benefits (if any) from that account again, he/she should lodge another claim for withdrawal of minimum MPF benefits.

(5) For a claim made by the committee of the estate on behalf of the scheme member, in addition to the required documents in respect of the scheme member, the following documents should be enclosed:

(i) a copy of the evidence of the status of the committee of the estate, i.e. court order;

(ii) a copy of each claimant's HKID card for verification of the name and identity card number of the claimant if the claimant does not wish to present the card in person for verification [Note 7];

(iii) the original statutory declaration form made by the committee of the estate for claim for withdrawal of minimum MPF benefits (Form MMB - W(SD3)) [Note 8] (if applicable). Where such a statutory declaration has been made and enclosed with the claim, the statutory declaration form (Forms MMB - W(SD1) and MMB - W(SD2)) for claims made on the grounds of early retirement and permanent departure from Hong Kong respectively shall not be required.

(6) In processing a claim for withdrawal, the trustee of an MPF exempted ORSO registered scheme may request the claimant to produce the original copies of the documents for checking purpose, if necessary.

(7) For a claimant/scheme member who does NOT possess a HKID card, a copy of the passport (only pages with personal particulars and passport number) should be given to the trustee concerned for verification of the name and passport number of the claimant/scheme member if the claimant/scheme member does not wish to present the passport in person for verification.

(8) The statutory declaration must be a valid statutory declaration in the place where the declaration is made (e.g. in Hong Kong, the statutory declaration should be made before and signed by a Commissioner for Oaths (e.g. at a Public Enquiry Service Centre of the Home Affairs Department) or a Notary Public or a Justice of the Peace). A statutory declaration made in a place other than Hong Kong is also acceptable provided that it is made before and signed by a Notary Public or a person authorized under the law of that place to administer an oath or take a statutory declaration.

(9) For a claim made on the ground of total incapacity, except for a claimant who also claims long service payment on the ground of permanent unfitness for his/her present job under the Employment Ordinance (Cap. 57), a claimant shall ask a medical practitioner to fill in Form MMB - W(M) and attach it to Form MMB - W.

For a claimant who also claims long service payment on the ground of permanent unfitness for his/her present job under the Employment Ordinance (Cap. 57), the claimant may use the form "Certificate of an employee's permanent unfitness for a particular type of work" under that Ordinance to substitute for the Form MMB - W(M) for the purpose of claiming withdrawal of minimum MPF benefits on the ground of total incapacity.

(10) A medical certificate certifying total incapacity (Form MMB - W(M)) or terminal illness (Form MMB - W(T)) shall be signed by a medical practitioner who must be *either:*

(i) a registered medical practitioner who is registered under the Medical Registration Ordinance (Cap. 161), i.e.,

(a) a person who is duly registered as a medical practitioner with the Medical Council of Hong Kong; or

(b) a person who is deemed to be registered as a medical practitioner under the Medical Registration Ordinance (Cap. 161) (i.e. persons who are exempted from registration);

or

(ii) a registered Chinese medicine practitioner, within the meaning assigned to it by section 2(1) of the Chinese Medicine Ordinance (Cap. 549).

FORM MMB - W(M)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

MANDATORY PROVIDENT FUND SCHEMES (EXEMPTION) REGULATION

CERTIFICATE OF A PERSON'S PERMANENT UNFITNESS FOR A PARTICULAR KIND OF WORK

Name of the patient: _____

Hong Kong Identity Card/passport*# no. of the patient: _____

Based on the information provided by or on behalf of the above patient, he/she* performs the following kind of work in his/her* present/last* job: _____

_____

I certify that the above patient is permanently unfit to perform the above kind of work for the following reason(s): _____

_____

_____

_____

Signature of registered medical practitioner/
registered Chinese medicine practitioner*: _____

Name in block letters: _____

Telephone number: _____

Address: _____

Date: _____

Official seal / registration number* (if any): _____

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

FORM MMB - W(SD1)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

MANDATORY PROVIDENT FUND SCHEMES (EXEMPTION) REGULATION

STATUTORY DECLARATION FOR CLAIMS FOR WITHDRAWAL OF MINIMUM MPF BENEFITS ON GROUND OF EARLY RETIREMENT

I, _____ [name of the claimant], Hong Kong Identity Card/passport*[#] no.: _____ of _____ [address of the claimant], solemnly and sincerely declare that:

(a) I have reached 60 years old on _____ [dd/mm/yyyy]; and

(b) I have permanently ceased all employment with no intention of becoming employed or self-employed again, and have ceased all self-employment with no intention of becoming self-employed or employed again.

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

✦ **Warning**: Section 43E of the Mandatory Provident Fund Schemes 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 Mandatory Provident Fund Schemes 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 that 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. 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.

FORM MMB - W(SD2)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

STATUTORY DECLARATION FOR CLAIMS FOR WITHDRAWAL OF MINIMUM MPF BENEFITS ON GROUND OF PERMANENT DEPARTURE FROM HONG KONG

✦ **WARNING:**

1. Section 43E of the Mandatory Provident Fund Schemes 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 Mandatory Provident Fund Schemes 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 that 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**. 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 statement for early withdrawal of minimum MPF benefits on the ground of permanent departure from Hong Kong is liable to prosecution.

3. A scheme member is entitled to be paid minimum MPF benefits from an MPF exempted ORSO registered scheme or accrued benefits from an MPF scheme on the ground of permanent departure from Hong Kong **only once in a lifetime**[1]. A scheme member who makes a false statement that he/she has not previously been paid minimum MPF benefits or accrued benefits on an earlier departure date is liable to prosecution.

4. The Mandatory Provident Fund Schemes Authority has kept a register of all claimants to verify if anyone has previously been paid minimum MPF benefits or accrued benefits on the same ground using an earlier departure date.

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

   (a) I am entitled to be paid minimum MPF benefits from an MPF exempted ORSO registered scheme or accrued benefits from an MPF scheme on the ground of permanent departure from Hong Kong only once in a lifetime[1]; and

[1] Section 6(7) of Schedule 2 to the Mandatory Provident Fund Schemes (Exemption) Regulation provides that a new member of a relevant scheme (i.e. an MPF exempted ORSO registered scheme) who has been paid accrued benefits from an MPF scheme or minimum MPF benefits from a relevant scheme on the ground that, on a specified date, the member departed, or was about to depart, from Hong Kong permanently is not entitled to be paid the members' accrued benefits from another MPF scheme or minimum MPF benefits from another relevant 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.

(b) making a false statement for early withdrawal of minimum MPF benefits on the ground of permanent departure from Hong Kong is 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];

(c) I have not previously been paid any minimum MPF benefits from any MPF exempted ORSO registered scheme on the ground of permanent departure from Hong Kong on an earlier departure date; and

(d) I have not previously been paid any accrued benefits from any MPF scheme on the ground of permanent departure from Hong Kong on an earlier departure date.

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

FORM MMB - W(SD3)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

MANDATORY PROVIDENT FUND SCHEMES (EXEMPTION) REGULATION

STATUTORY DECLARATION MADE BY THE COMMITTEE OF THE ESTATE OF A SCHEME MEMBER FOR CLAIMS FOR WITHDRAWAL OF MINIMUM MPF BENEFITS

I/We*, _____ [name of the committee of the estate], Hong Kong Identity Card/passport*# no.: _____ of _____ _____ [address of the committee of the estate], solemnly and sincerely declare that:

(a) I/we* was/were* appointed as the committee of the estate of the scheme member _____ [name of the scheme member], Hong Kong Identity Card/passport*# no: _____ pursuant to the court order dated _____ [dd/mm/yyyy] made under the Mental Health Ordinance (Cap. 136); and

(b) to the best of my/our* knowledge and belief, in respect of the claim for withdrawal of minimum MPF benefits on the ground of (Please ✓ the appropriate box):

❑ 1) Early Retirement

(a) the scheme member has reached 60 years old on _____ [dd/mm/yyyy]; and

(b) the scheme member has permanently ceased all employment with no intention of becoming employed or self-employed again, and has ceased all self-employment with no intention of becoming self-employed or employed again; or

❑ 2) Permanent Departure from Hong Kong

(a) the scheme member 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) the scheme member is permitted to reside in _____ [place other than Hong Kong];

(c) the scheme member has not previously been paid any minimum MPF benefits from any MPF exempted ORSO registered scheme on the ground of permanent departure from Hong Kong on an earlier departure date; and

(d) the scheme member has not previously been paid any accrued benefits from any MPF scheme on the ground of permanent departure from Hong Kong on an earlier departure date.

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

_____
[Signature(s) of the committee of the estate]

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(s) should give the passport number ONLY when he/she does NOT possess a Hong Kong Identity Card

✦ **Warning**: Section 43E of the Mandatory Provident Fund Schemes 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 Mandatory Provident Fund Schemes 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 that 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. 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.

FORM MPF(S) - W(T)/
FORM MMB - W(T)

MANDATORY PROVIDENT FUND SCHEMES ORDINANCE (CAP. 485)

CERTIFICATE OF A PERSON HAVING A TERMINAL ILLNESS THAT FALLS WITHIN SECTION 158(3) OF THE MANDATORY PROVIDENT FUND SCHEMES (GENERAL) REGULATION (the General Regulation) or

SECTION 6(12G) OF SCHEDULE 2 TO THE MANDATORY PROVIDENT FUND SCHEMES (EXEMPTION) REGULATION (the Exemption Regulation)

Name of the patient: _____

Hong Kong Identity Card/passport*# no. of the patient: _____

I am of the opinion that the above patient has a terminal illness that falls within section 158(3) of the General Regulation or section 6(12G) of Schedule 2 to the Exemption Regulation[1].

Signature of registered medical practitioner/
registered Chinese medicine practitioner*: _____

Name in block letters: _____

Telephone number: _____

Address: _____

_____

Date: _____

Official seal/registration number* (if any): _____

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

[1] According to section 158(3) of the General Regulation and section 6(12G) of Schedule 2 to the Exemption Regulation, a member who has an illness that is likely to reduce the life expectancy of the member to 12 months or less has a terminal illness.