



強制性公積金計劃管理局
MANDATORY PROVIDENT FUND
SCHEMES AUTHORITY

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7 December 2006

Circular Letter: SU/CTR/2006/001

To: All Approved Trustees of Registered Schemes

Dear Sirs,

**Approval of Amendments to Governing Rules of Registered Scheme
- Participation Agreements**

The Authority is issuing this circular letter to set out the arrangements for granting approval to forms of amendments to governing rules in respect of or by a participation agreement (“PA”) of a registered scheme under section 63 of the Mandatory Provident Fund Schemes (General) Regulation (the “Regulation”). This letter supersedes our earlier circular letters of 7 May 2002 [ref. no. SU/CTR/2002/004] and 26 April 2005 [ref. no. SU/CTR/2005/002] with immediate effect.

Under section 63 of the Regulation, certain amendments proposed to be made to the governing rules of a registered scheme in respect of or by a PA do not take effect until the Authority has given written notice to the trustee that the Authority has approved the amendments. However, the aforesaid does not apply if the amendment is in a form approved by the Authority.

Trustees are reminded to submit amendments relating to mandatory contributions or voluntary contributions to the Authority for approval in accordance with section 63 of the Regulation, unless the amendment is in a form approved by the Authority.

(A) Approval of Pro-forma PA

If trustees would like the Authority to approve forms of amendment for the purpose of section 63 of the Regulation, trustees may submit set of pro-forma PA (including the main body of the blank PA, any standard addendum to the master trust deed/PA, and any other relevant parts that legally bind the participants to the master trust deed/PA) for approval by the Authority. Once such set of pro-forma PA is approved, any subsequent execution of PAs in the form approved does not require further approval from the Authority. For the avoidance of doubt, sets of pro-forma PA approved by the Authority prior to the issuance of this letter need not be submitted for approval again.

Subsequent amendments to the approved set of pro-forma PA which relate to mandatory contributions or voluntary contributions would require further approval from the Authority. Amendments, such as correction of typographical errors, alteration of design and layout and minor changes in wording of the approved set of pro-forma PA, which do not change the effect of its provisions would not require further approval.

(B) Approval of Amendments to an Executed PA

Trustees may submit to the Authority for approval set of pro-forma form of amendment for processing changes relating to mandatory contributions or voluntary contributions to an executed PA. Once such set of pro-forma form of amendment is approved, any subsequent execution of applicable changes to an executed PA using the pro-forma form(s) does not require further approval from the Authority. Subsequent amendments to an approved pro-forma form of amendment which relate to mandatory contributions or voluntary contributions would require further approval from the Authority. Amendments, such as correction of typographical errors, alteration of design and layout and minor changes in wording of the approved pro-forma form of amendment, which do not change the effect of its provisions would not require further approval.

Should you have any queries on the above, please do not hesitate to contact your case officer at the Authority.

Yours faithfully,

(Mr Jimmy Woo)
Executive Director (Supervision)