



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

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來函檔號 Your Ref. :

17 February 2012

**Circular Letter: SU/CTR/2012/001**

**To: All Approved Trustees of Registered MPF schemes**

Dear Sirs,

**Protection of Benefits on Bankruptcy Under the  
Mandatory Provident Fund Schemes Ordinance (Cap.485) (“MPFSO”)**

On 6 July 2006, the Authority issued a circular letter (EF/CTR/2006/001) promulgating standard forms for trustees to communicate with the Official Receiver’s Office (“ORO”) regarding request for transfer / payment of accrued benefits of bankrupt members in MPF and ORSO schemes.

The ORO has recently informed the Authority that in replying to the trustee of the relevant retirement scheme about the request for payment of accrued benefits of a bankrupt member, the ORO would only consider whether it has a claim on the accrued benefits. If the ORO does not have a claim on them, it will be a matter for the scheme trustee to decide whether the accrued benefits of the bankrupt member should be paid.

To reflect the position of the ORO, the Authority has reviewed and updated the standard forms (Annexes A and B). Trustees are recommended to use these forms in communicating with the ORO.

Should you have any enquiries, please feel free to contact your case officer in the Authority.

Yours faithfully,

(Cynthia HUI)  
Executive Director (Supervision)

Encl.

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23/F, Nexxus Building, 41 Connaught Road Central, Hong Kong

[Date]

To: Official Receiver’s Office (“ORO”)

**Request for Transfer / Payment of Accrued Benefits of Bankrupt Member  
(For MPF Schemes)**

We write to inform you that a member of our MPF scheme has lodged an application for transfer / payment\* of accrued benefits. We understand that the member is an undischarged bankrupt. Details of the transfer / payment\* are as follows:

- (1) Name of the scheme member: \_\_\_\_\_
- (2) HKID Card / Passport\* number <sup>Note 1</sup> of the scheme member: \_\_\_\_\_
- (3) Bankruptcy Number (if known): \_\_\_\_\_
- (4) Name of MPF Scheme: \_\_\_\_\_
- (5) Estimated accrued benefits value as at (DD-MM-YY)<sup>Note 2</sup>

Scheme Member’s Account No(s) <sup>Note 3</sup>	Mandatory Contributions			Voluntary Contributions				Total
	Transfer-in	Employer	Employee	Transfer-in	Employer		Employee	
					Vested	Unvested		
<b>Total:</b>								

Please ✓ the appropriate box:

**TRANSFER OF ACCRUED BENEFITS** (For ORO information only, no reply required)

- (1) Details of the account(s) *against* which accrued benefits are to be transferred from:
  - Transfer-in from former employment mandatory contributions account
  - Employee’s mandatory contributions account
  - Employer’s mandatory contributions account
  - Transfer-in from former employment voluntary contributions account
  - Employee’s voluntary contributions account
  - Vested benefits to scheme member in employer’s voluntary contributions account
  - Unvested benefits to scheme member in employer’s voluntary contributions account

Scheme member’s account number(s): (1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

- (2) Details of the account *to* which accrued benefits are to be transferred:

Name of the trustee : \_\_\_\_\_

Name of the scheme : \_\_\_\_\_

Scheme member’s account number (if known) : \_\_\_\_\_

\* delete as appropriate

**PAYMENT OF ACCRUED BENEFITS**

(1) Details of account(s) against which payment(s) are claimed / withdrawn from:

- Transfer-in from former employment mandatory contributions account
- Employee's mandatory contributions account
- Employer's mandatory contributions account
- Transfer-in from former employment voluntary contributions account
- Employee's voluntary contributions account
- Vested benefits to scheme member in employer's voluntary contributions account
- Others, please specify details together with the amount: \_\_\_\_\_

Scheme member's account number(s): (1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(2) Grounds for claiming / withdrawal of accrued benefits:

- Retirement (i.e. scheme member has reached the retirement age of 65)
- Early retirement (i.e. scheme member has reached the age of 60 and has permanently ceased all employments / self-employment)
- Total incapacity
- Death
- Permanent departure from Hong Kong
- Small balance account
- For offsetting severance payment / long service payment
  - To the Employer with amount of HK\$ \_\_\_\_\_
  - To the Employee with amount of HK\$ \_\_\_\_\_
- Cessation of employment (for withdrawal of accrued benefits derived from voluntary contributions only)
- Others, please specify: \_\_\_\_\_

(3) I would be grateful if the ORO could reply to us in writing within 10 working days from the date of this letter whether the ORO has a claim on the accrued benefits.

\_\_\_\_\_  
(Authorized person with company chop)

**Explanatory Notes**

1. Passport number should be given ONLY if the scheme member does NOT possess HKID card.
2. Accrued benefits value should include the value of the benefits transferred from former employment (if any), benefits derived from the current employer's and employee's mandatory contributions and voluntary contributions that are **vested and unvested** to the member as at the latest available date.
3. Trustee should show the accrued benefits value of each account held under the scheme even though the accrued benefits of the account is not to be transferred or paid in respect of the bankrupt member.

[Date]

To: Official Receiver’s Office (“ORO”)

**Request for Transfer / Payment of Accrued Benefits of Bankrupt Member  
(For ORSO Schemes)**

We write to inform you that a member of our ORSO scheme has lodged an application for transfer / payment\* of accrued benefits. We understand that the member is an undischarged bankrupt. Details of the transfer / payment\* are as follows:

- (1) Name of the scheme member: \_\_\_\_\_
- (2) HKID Card / Passport\* number <sup>Note 1</sup> of the scheme member: \_\_\_\_\_
- (3) Bankruptcy Number (if known): \_\_\_\_\_
- (4) Name of ORSO Scheme: \_\_\_\_\_
- (5) Estimated accrued benefits value as at (DD-MM-YY)<sup>Note 2</sup>

Scheme Member’s Account No(s) <sup>Note 3</sup>	Minimum MPF Benefits (“MMB”)	Voluntary Contributions				Total
		Transfer-in	Employer		Employee	
			Vested	Unvested		
<b>Total:</b>						

Please ✓ the appropriate box:

**TRANSFER OF ACCRUED BENEFITS** (For ORO information only, no reply required)

- (1) Details of the account(s) **against** which accrued benefits are to be transferred from:
  - Minimum MPF benefits (MMB) account
  - Transfer-in from former employment voluntary contributions account
  - Employee’s voluntary contributions account
  - Vested benefits to scheme member in employer’s voluntary contributions account
  - Unvested benefits to scheme member in employer’s voluntary contributions account
  - Others, please specify details: \_\_\_\_\_

Scheme member’s account number(s): (1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

- (2) Details of the account **to** which accrued benefits are to be transferred:

Name of the trustee/designated person: \_\_\_\_\_

Name of the scheme: \_\_\_\_\_

Scheme member’s account number (if known): \_\_\_\_\_

\* delete as appropriate

**PAYMENT OF ACCRUED BENEFITS**

(1) Details of account(s) against which payment(s) are claimed / withdrawn from:

- MMB account
- Transfer-in from former employment voluntary contributions account
- Employee's voluntary contributions account
- Vested benefits to scheme member in Employer's voluntary contributions account
- Others, please specify details together with the amount: \_\_\_\_\_

Scheme member's account number(s): (1) \_\_\_\_\_  
(2) \_\_\_\_\_  
(3) \_\_\_\_\_

(2) Grounds for claiming / withdrawal of accrued benefits:

- Retirement (i.e. scheme member has reached the retirement age of 65)
- Early retirement (i.e. scheme member has reached the age of 60 and has permanently ceased all employments / self-employment)
- Total incapacity
- Death
- Permanent departure from Hong Kong
- For offsetting severance payment / long service payment
  - To the Employer with amount of HK\$ \_\_\_\_\_
  - To the Employee with amount of HK\$ \_\_\_\_\_
- Cessation of employment
- Others, please specify: \_\_\_\_\_

(3) I would be grateful if the ORO could reply to us in writing within 10 working days from the date of this letter whether the ORO has a claim on the accrued benefits.

\_\_\_\_\_  
(Authorized person with company chop  
(if applicable))

**Explanatory Notes**

1. Passport number should be given ONLY if the scheme member does NOT possess HKID card.
2. Accrued benefits value should include the value of the benefits transferred from former employment (if any), benefits derived from both current employer's and employee's voluntary contribution that are **vested and unvested** to the member and the amount of MMB (if any) as at the latest available date.
3. Trustee/designated person should show the accrued benefits value of each account held under the scheme even though the accrued benefits of the account is not to be transferred or paid in respect of the bankrupt member