



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

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6 November 2003

Circular Letter: EF/CTR/2003/006

To: All approved trustees of registered MPF schemes

### **Personal Representatives of Deceased MPF Member**

On 15 May 2003, the Authority issued a circular letter (EF/CTR/2003/005) specifying that, according to a High Court ruling, the Official Administrator would be regarded as a deceased MPF member's personal representatives for the purpose of section 15(4) of the Mandatory Provident Fund Schemes Ordinance.

Section 161 of the Mandatory Provident Fund Schemes (General) Regulation provides that if a member of a registered scheme has died, a personal representative of the member may lodge with the approved trustee of the scheme a claim for payment of the member's accrued benefits but the claim must be in a form specified by the Authority. The claim form is set out in Guidelines IV.4, Guidelines on Payment of Accrued Benefits - Documents to be Submitted to Approved Trustees.

Recently, the Authority has received enquiries from some trustees regarding whether the Official Administrator needs to complete and submit the claim form in claiming for payment of the accrued benefits of a deceased member as his personal representative where no grant is being obtained. In this regard, the Authority has liaised with the Probate Registry and it was agreed that the Official Administrator would complete the claim form with the following exceptions:

- (a) As it is not proper to furnish personal information of the Registrar of the High Court in the discharge of his statutory duties,

- Section I (1) (ii) and Section I (1) (iv) (b)
    - they will not be completed. Instead, an “NA” sign will be filled in.
  - Section III (D)
    - a photocopy of the HKID of the Official Administrator will not be enclosed.
    - a photocopy of the grant of Probate or Letters of Administration will not be enclosed as no grant is issued by the Probate Registry for such case.
- (b) Section IV of the claim form
- The declaration part would be amended to read as “I, XXX, Registrar, High Court in the capacity of Official Administrator in the course of administering the estate of YYY, deceased, pursuant to section 15 of the Probate and Administration Ordinance, Cap. 10 declare that to the best of my knowledge and belief, the information given in this Form and its attachment is correct and complete”.

I should be grateful if you could disseminate the above arrangement to your staff concerned. Should you have any queries, please contact your case officer.

Yours sincerely

(Ms Hendena Yu)  
Chief Operating Officer (Compliance)