



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. :

25 June 2015

**Circular Letter: SU/COT/2015/002**

**To: Trustees of MPF exempted ORSO registered schemes**

Dear Sirs,

**Mandatory Provident Fund Schemes (Amendment) Ordinance 2015**  
**(Amendment Ordinance)**

Further to our circular letter dated 28 February 2015 with regards to the Amendment Ordinance which covers one of the major amendments to add “terminal illness” as a ground for early withdrawal of minimum MPF benefits (“MMB”). The amendment of early withdrawal of MMB on the ground of terminal illness will be implemented on 1 August 2015. You may refer to the Mandatory Provident Fund Schemes (Amendment) Ordinance 2015 (Commencement) Notice 2015 (“Commencement Notice), which can be accessed via “[www.legco.gov.hk/yr14-15/english/subleg/negative/ln098-2015-e.pdf](http://www.legco.gov.hk/yr14-15/english/subleg/negative/ln098-2015-e.pdf)”. The Commencement Notice also covers other provisions in the Amendment Ordinance which will be implemented on 1 August 2015.

Trustees should put in extra efforts on system and process amendments to ensure readiness before the implementation date and assess the adequacy of resources in your organizations to prepare for the implementation. Please visit the MPFA website ([www.mpfa.org.hk](http://www.mpfa.org.hk)) to access the latest versions of Guidelines V.4 and Guidelines V.11 which have been revised to take account of the passage of the Commencement Notice. Please update the administrative arrangements including the programme / system for calculating the MMB of new member for the purpose of early withdrawal on ground of terminal illness.

As scheme members suffering from terminal illness need extra care, we call upon trustees offering guaranteed fund to review the guarantee features with a view to allowing members withdrawing benefits on terminal illness to be entitled to the guarantee. In any event, trustees should clearly disclose to scheme members the guarantee entitlement for different withdrawal grounds, which include appropriate risk statement to alert members of the possibility and the specific circumstances of losing their guarantee entitlement upon withdrawal. Trustees should communicate such messages through appropriate and effective means so that scheme members are well informed of the consequences before they apply for withdrawal of MMB.

We would also like to take this opportunity to remind trustees that in handling claims for withdrawal of MMB, you have to ensure that your obligations under the MPF legislation are fully and satisfactorily discharged. Trustees are expected to:

- (i) accept the old forms and annexes to the form if the legislative amendment has no impact on them in order to minimize rejection of withdrawal cases with old forms being used given the revised claim form will be effective on 1 August 2015;
- (ii) ascertain the withdrawal instructions contained in the claim form and, as far as reasonably practicable, give all necessary services and assistance to the scheme members (especially members that need special care like those suffering from terminal illness) to effect the claim;
- (iii) provide clear, accurate, and timely communication to scheme members about the results of the claim; and
- (iv) provide employers with employees' withdrawal details upon request as soon as possible when the employee ceases employment and is entitled to severance payment/ long service payment under the Employment Ordinance.

If you have any questions about the content of this letter, please contact the Authority's hotline on 2918 0102 or your case officer.

Yours faithfully,



(Susanna Lee)  
Senior Manager  
(Intermediaries/ORSO Schemes)