The Mandatory Provident Fund Schemes Authority

The Mandatory Provident Fund Schemes Authority (MPFA) is a statutory body established pursuant to the Mandatory Provident Fund Schemes Ordinance (Cap.485) (MPFSO) to regulate and supervise the operations of Mandatory Provident Fund (MPF) schemes. This mandatory, employment-based and privately managed system of provident fund schemes (MPF System) has been in operation since December 2000.

Before the introduction of the MPF System, there were already retirement schemes set up voluntarily by some employers to provide retirement benefits for their employees. These schemes are regulated under the Occupational Retirement Schemes Ordinance (Cap.426) (ORSO). The MPFA is also the Registrar of ORSO schemes.

FUNCTIONS

The functions of the MPFA as provided under section 6E of the MPFSO are:

(a) to be responsible for ensuring compliance with the MPFSO;
(b) to register provident fund schemes as registered schemes;
(c) to approve qualified persons to be approved trustees of registered schemes;
(d) to regulate the affairs and activities of approved trustees and to ensure as far as reasonably practicable that those trustees administer the registered schemes for which they are responsible in a prudent manner;
(e) to make rules or guidelines for the payment of mandatory contributions and for the administration of registered schemes with respect to those contributions;
(f) to consider and propose reforms of the law relating to occupational retirement schemes or provident fund schemes;
(g) to promote and encourage the development of the retirement scheme industry in Hong Kong, including the adoption of a high standard of conduct and sound prudent business practices by trustees and other service providers; and
(h) to exercise such other functions as are conferred or imposed on the MPFA by or under the MPFSO or any other ordinance.

Pursuant to section 5 of ORSO, the MPFA is also responsible for overseeing the operation of occupational retirement schemes set up under the legislation.

THE MANAGEMENT BOARD

The MPFSO provides that the MPFA (to be referred to as the Management Board hereafter) is to consist of not fewer than 10 directors appointed by the Chief Executive of HKSAR (Chief Executive), and a majority of the directors should be non-executive directors. The Chief Executive is to appoint one of the non-executive directors as the Chairman of the MPFA, and one of the executive directors as the Managing Director who is, by virtue of holding that office, the Deputy Chairman of the MPFA. The roles of Chairman and Managing Director are segregated. As at 31 March 2005, the Management Board consists of eleven non-executive directors and five executive directors.

MEMBERS OF THE MANAGEMENT BOARD

As at 31 March 2005

CHAIRMAN

Mr Charles Lee Yeh-kwong, GBS, JP

One of the founders of Woo, Kwan, Lee & Lo; Chairman, Hong Kong Exchanges and Clearing Limited; Chairman, Council of the Open University of Hong Kong; Member, Executive Council (1997-2002); Member, Equal Opportunities Commission (1996-2003).

NON-EXECUTIVE DIRECTORS

Mr Lee Kai-ming, SBS, JP

Chairman, MPF Industry Schemes Committee; Adviser, Federation of Hong Kong and Kowloon Labour Unions; Vice-Chairman, Occupational Safety and Health Council; Adjudicator, Obscene Articles Tribunal; Member, Skills Upgrading Scheme Steering Committee; Member, Legislative Council (1995-2000).

The Hon Tam Yiu-chung, GBS, JP

Vice-Chairman, Hong Kong Federation of Trade Unions; Vice-Chairman, Democratic Alliance For Betterment of Hong Kong; Member, Legislative Council; Chairman, Employees Retraining Board; Chairman, Elderly Commission; Member, Standing Commission on Civil Service Salaries and Conditions of Service; Member, Manpower Development Committee; Member, Steering Committee on Civil Service Pay Adjustment Mechanism; Member, Executive Council (1997-2002).

NON-EXECUTIVE DIRECTORS

Mr Kenneth Ting Woo-shou, SBS, JP
Chairman, Kader Industrial Company Limited; Chairman, Federation of Hong Kong Industries; Honorary President, The Chinese Manufacturers' Association of Hong Kong; Honorary President, The Toys Manufacturers' Association of Hong Kong; President, Hong Kong Plastics Manufacturers Association; Member of the Court of the Hong Kong University of Science and Technology; Member, Manpower Development Committee; Member, Legislative Council (1998-2004).

Mr Edward Chan King-sang, SC, JP
Senior Counsel; Recorder of the High Court; Chairman, Noise Control Appeal Board; Deputy Chairman, Town Planning Appeal Board; Convenor, Disciplinary Committee, The Hong Kong Exchanges and Clearing Limited; Chairman, Hong Kong Bar Association (2003-04); Member, Advisory Committee on Legal Education (2001-04).

Mr Leo Kung Lin-cheng
Executive Vice President, Bangkok Bank Public Company Limited; Foreign Trade Counsellor of Luxembourg; Director, The Community Chest of Hong Kong; Member, University Grant Committee; Director, Ocean Park Corporation; Director, Helping Hand.

Mrs Angelina Lee Wong Pui-ling, JP
Partner, Woo, Kwan, Lee & Lo; Chairperson, Takeovers Appeal Committee, Securities and Futures Commission; Member, Takeovers and Mergers Panel, Securities and Futures Commission; Member, Main Board Listing Committee and Growth Enterprise Market Listing Committee, The Stock Exchange of Hong Kong Limited; Member, Town Planning Board; Member, Banking Advisory Committee.

NON-EXECUTIVE DIRECTORS

Mr David Sun Tak-kei

Chairman, Assurance and Advisory Business Services, Ernst & Young; Director, Hong Kong Mortgage Corporation Limited; Council Member, Hong Kong Institute of Certified Public Accountants; Member, Share Registrars' Disciplinary Committee and Public Shareholders Group, Securities and Futures Commission; Member, Main Board Listing Committee, Growth Enterprise Market Listing Committee and Investment Advisory Committee, The Stock Exchange of Hong Kong Limited; Member, Securities and Futures Appeals Tribunal; Member, Quality Education Fund Investment Committee.

The Hon Wong Ting-kwong, BBS

Member, Legislative Council; Member, Small and Medium Enterprises Committee; Member, The Hong Kong Export Credit Insurance Corporation Advisory Board; Member, Po Leung Kuk Advisory Board; Member, Working Group, Import and Export Industry Skills Upgrading Scheme, Education and Manpower Bureau; President, The Hong Kong Chinese Importers' and Exporters' Association; Committee Member, The Chinese General Chamber of Commerce; Director, The Hong Kong and Kowloon General Merchandise Merchants' Association.

The Hon Stephen Ip Shu-kwan, GBS, JP

Secretary for Economic Development and Labour; has worked in a number of departments including Housing Department, Urban Services Department, Lands and Works Branch and Monetary Affairs Branch; recent postings include Secretary for Financial Services (2000-02); Secretary for Economic Services (1996-2000); Commissioner for Labour (1994-96); Commissioner of Insurance and Registrar of Occupational Retirement Schemes (1993-94).

The Hon Frederick Ma Si-hang, JP

Secretary for Financial Services and the Treasury; Group Chief Financial Officer (executive director and member of Executive Committee), Pacific Century Cyberworks Limited (2001-02); has more than 20 years' experience in the global financial services industry, having served key positions in JP Morgan Private Bank, Chase Manhattan Bank, Kumagai Gumi (HK) Limited and RBC Dominion Securities Limited.

EXECUTIVE DIRECTORS

Mrs Diana Chan Tong Chee-ching

Deputy Chairman and Managing Director
Chief Operating Officer (Corporate Affairs), MPFA (2001-04); Executive Director (Corporate Services), MPFA (2000-01); commissioned the Wong Chuk Hang Hospital and appointed as its first Hospital Chief Executive (1995-2000); Deputy Director (Administration), Hospital Authority (1991-95); Administrative Officer to Principal Assistant Secretary in the Administrative Officer Grade, Hong Kong Government (1980-91).

Ms Hendena Yu

Chief Operating Officer (Compliance)
Qualified Actuary; Fellow of the Society of Actuaries of USA; Fellow of the Canadian Institute of Actuaries; Executive Director (ORSO Schemes), MPFA (1999-2001); seconded from the Government to the MPFA (1998-99); worked for an employee benefits consulting firm for 13 years before joining the Office of the Registrar of Occupational Retirement Schemes in 1995.

Mr Ernest Lee Shu-wing, BBS

Executive Director (Enforcement)
Registered Professional Planner; Fellow of the Chartered Institute of Logistics & Transport in Hong Kong; Member of The Hong Kong Institute of Planners; Assistant Commissioner for Transport (1990-2000).

Mr Darren McShane

Executive Director (Investment Regulation)
Qualified barrister; Director, Legal & Technical Operations, Financial Services Regulation, Australian Securities Investment Commission (ASIC) (2001-02); Director, Managed Investments, ASIC (1998-2001); Enforcement & Policy Consultant, Investment Management Regulatory Organisation Ltd, United Kingdom (1996-97); Principal Legal Officer, Australian Securities Commission (1990-96).

Mr Jimmy Woo Jack-man

Executive Director (Supervision)
Chartered Financial Analyst; has more than 20 years of experience in investment banking and asset management with major financial institutions, including Hongkong and Shanghai Banking Corporation Limited, Merrill Lynch and JP Morgan.

NON-EXECUTIVE DIRECTORS

Retired with effect from 17 March 2005

Mr Eddy Fong Ching, SBS, JP

Certified Public Accountant; Non-executive Director, Securities and Futures Commission; Council Member and Treasurer, Open University of Hong Kong; Member, General Committee of the Federation of Hong Kong Industries; Director, Hong Kong Applied Science and Technology Research Institute Company Limited.

Dr the Hon David Li Kwok-po, GBS, JP

Chairman and Chief Executive Officer, The Bank of East Asia, Limited; Chairman, The Chinese Banks Association, Ltd; Chairman, Hong Kong Management Association; Member, Legislative Council; Member, Banking Advisory Committee; Member, Exchange Fund Advisory Committee; Director, Hong Kong Interbank Clearing Ltd; Director, Hong Kong Mortgage Corporation Ltd.

Dr the Hon Lui Ming-wah, JP

Managing Director, Keystone Electronics Co, Ltd; Advisor, Hong Kong International Arbitration Centre; Honorary Chairman, The Hong Kong Electronics Industries Association; Chairman, Hong Kong Shandong Business Association; Member, Legislative Council; Council Member, The Hong Kong Polytechnic University; Standing Committee Member, The Chinese Manufacturers' Association of Hong Kong; Member, Economic and Employment Council; Vice Chairman, Independent Police Complaints Council.

Ms Anna Wu Hung-yuk, SBS, JP

Chairperson, The University of Hong Kong Academic Board for the Postgraduate Certificate in Laws (PCLL); Member, Council of Lingnan University; Advisor, Shantou University Law School, China; Member, Legislative Council (1993-95); Chairman, Consumer Council (1997-99); Chairman, Operations Review Committee of Independent Commission Against Corruption (1997-2002); Chairperson, Equal Opportunities Commission (1999-2003); Non-executive Director, Securities and Futures Commission (1999-2004).

Mr Joseph Yam Chi-kwong, GBS, JP

Chief Executive, Hong Kong Monetary Authority; Director, Office of the Exchange Fund (1991-93); Deputy Secretary for Monetary Affairs (1985-91); Principal Assistant Secretary for Monetary Affairs (1982-85).

The Management Board is responsible for making decisions on key corporate strategies and policies, approving the corporate plan and budget of the MPFA, and ensuring that business operations are properly planned, authorized, undertaken and monitored. Besides being supported by a number of committees, the Management Board delegates the management of day-to-day operations to the executives of the MPFA. In the conduct of its business, Management Board convened five meetings during the year, and additionally considered 34 papers by circulation.

The Administration Committee, which consists of three non-executive directors and one executive director, advises the Management Board on the development of human resources policies and procedures as well as policies relating to general administration. It held four meetings during the year and additionally considered one paper by circulation.

The Finance Committee consists of four non-executive directors and one executive director. It advises the Management Board on the development of financial strategies and policies, examines and reviews the annual budget of the MPFA, oversees the financial position and investment of the funds of the MPFA and the MPF Schemes Compensation Fund, advises the Management Board on the appointment of auditor, and oversees the implementation of the auditor's recommendations. It held three meetings during the year and additionally considered 11 papers by circulation.

The Guidelines Committee consists of two non-executive directors, one executive director and six co-opted members who are representatives of industry and professional bodies. It scrutinizes draft MPF guidelines and reviews and updates issued guidelines. It met once and additionally considered five papers by circulation during the year.

The Tender Board consists of two non-executive directors, one executive director and one other executive director or head responsible for the subject under consideration. It considers the assessment of tender submissions conducted by the Assessment Panel comprising MPFA staff, reports tender assessment results, recommends the award of contract to a selected tender or the rejection of the tender submissions, and advises the Managing Director on matters regarding tender submissions. During the year, the Tender Board did not meet as no tendering exercise was carried out.

Membership lists of the Management Board and its supporting committees are set out in Appendix 1.