

**Documents required for notification of change in domicile of an ORSO registered scheme**



**Quick Reference for change in domicile**

When	How	What	Who	Tools	
				Form	Reference
Report change in domicile as soon as reasonably practicable	Notify MPFA of change in domicile in writing	State the details: 1. change in domicile 2. effective date 3. new domicile 4. reason of the change	Incoming designated person	N/A	N/A
<b>From <u>offshore</u> domiciled change to <u>Hong Kong</u> domiciled</b>					
	Make application for release from submission to the jurisdiction of the Court of First Instance in writing	To apply in writing to be released from the submission to the jurisdiction of the Court of First Instance in relation to section 74 of the Occupational Retirement Schemes Ordinance (“Ordinance”)	Outgoing trustee	N/A	<a href="#">Sample of application for release from jurisdiction</a>
<b>From <u>offshore</u> domiciled change to <u>offshore</u> domiciled</b>					
	Provide submission to the jurisdiction of the Court of First Instance in writing	A submission to the jurisdiction of the Court of First Instance in writing to the extent requisite to enable the Court of First Instance to exercise in relation to the scheme the jurisdiction conferred by section 74 of the Ordinance.  Authentication <b>is needed</b> , refer to s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules	Incoming trustee	N/A	<a href="#">Sample of submission to the jurisdiction</a>  <a href="#">s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules</a>
	Make application for release from submission to the jurisdiction of the Court of First Instance in writing	To apply in writing to be released from the submission to the jurisdiction of the Court of First Instance in relation to section 74 of the Ordinance	Outgoing trustee	N/A	<a href="#">Sample of application for release from jurisdiction</a>

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				Form	Reference
	Prepare a new solicitor's statement	A statement by a solicitor stating that the terms of the scheme have the effect provided for in section 18(1)(d) of the Ordinance	Solicitor	N/A	<a href="#">s.37(2) of the Ordinance</a>  <a href="#">paragraph 3 of Part 3 of Schedule 1 of the Ordinance</a>
	Prepare a professional practitioner's statement (if it is governed by trust)	A statement by a person qualified to practice as a professional legal practitioner in the country, territory or place stated to be the domicile of the scheme whether or not the trust instrument in his opinion requires (whether expressly or in effect) that the relevant employer of the scheme or his associate cannot act as the sole trustee of the trust.  Authentication may be needed, refer to s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules	Professional legal practitioner in the new domicile of the scheme	N/A	<a href="#">Sample of statement by legal practitioner</a>  <a href="#">s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules</a>
<b>From <u>Hong Kong domiciled</u> change to <u>offshore domiciled</u></b>					
	Provide submission to the jurisdiction of the Court of First Instance in writing	A submission to the jurisdiction of the Court of First Instance in writing to the extent requisite to enable the Court of First Instance to exercise in relation to the scheme the jurisdiction conferred by section 74 of the Ordinance.  Authentication <b>is needed</b> , refer to s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules	Incoming trustee	N/A	<a href="#">Sample of submission to the jurisdiction</a>  <a href="#">s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules</a>

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	Prepare a new solicitor's statement	A statement by a solicitor stating that the terms of the scheme have the effect provided for in section 18(1)(d) of the Ordinance	Solicitor	N/A	<a href="#">s.37(2) of the Ordinance</a>  <a href="#">paragraph 3 of Part 3 of Schedule 1 of the Ordinance</a>
	Prepare a professional practitioner's statement (if it is governed by trust)	<p>A statement by a person qualified to practice as a professional legal practitioner in the country, territory or place stated to be the domicile of the scheme whether or not the trust instrument in his opinion requires (whether expressly or in effect) that the relevant employer of the scheme or his associate cannot act as the sole trustee of the trust.</p> <p>Authentication may be needed, refer to s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules</p>	Professional legal practitioner in the new domicile of the scheme	N/A	<a href="#">Sample of statement by legal practitioner</a>  <a href="#">s.2 of Occupational Retirement Schemes (Authentication and Certification of Documents) Rules</a>