



Payment of Pension Benefits

(I) CONDITIONS OF PAYMENT OF PENSION BENEFITS

- (A) Pension benefits payable to a person under the Pensions Ordinance, the Pension Benefits Ordinance and the Pension Benefits (Judicial Officers) Ordinance shall cease, suspend, reduce or cancel if the pensioner,
- (i) dies;
 - (ii) is adjudicated bankrupt or declared insolvent;
 - (iii) is convicted of (a) any offence in connection with the public service under the Government, being an offence which is certified by the Chief Executive to have been gravely injurious to Hong Kong or to be liable to lead to serious loss of confidence in the public service; (b) any offence under Part II of the Prevention of Bribery Ordinance (Cap. 201), being an offence related to the person's previous public service under the Government; or (c) any offence endangering national security;
 - (iv) has, within 2 years after his retirement, or a longer period as may be prescribed, and without the prior permission in writing of the Chief Executive, entered business on his own account, become a partner in a partnership, become a director of a company or become an employee, if the principal part of such business or the business of such partnership or company or of his employment is, in the opinion of the Chief Executive, carried on in Hong Kong;
 - (v) has not reached the applicable normal or prescribed retirement age specified in the pension legislations and is re-employed by the HKSAR Government^[note 1]; or
 - (vi) is dependant of officer killed on duty and falls into the relevant situations in (B) below.
- (B) Pension benefits payable to a person under the Surviving Spouses' and Children's Pensions Ordinance (SSCPO) and the Widows and Orphans Pension Ordinance (WOPO) shall cease, suspend, reduce or cancel if the beneficiary :
- (i) dies^[note 2] (for all dependants);
 - (ii) is adjudicated bankrupt or declared insolvent (for all dependants under the SSCPO);
 - (iii) who is a surviving spouse or widow under the SSCPO or the WOPO, remarries^[note 2];
 - (iv) who is a male child under the SSCPO or the WOPO and not continuously receiving full-time education at a recognised educational establishment, attains at the age of 18. However, if he is continuously receiving full-time education, attains the age of 23;
 - (v) who is a female married child under the SSCPO or the WOPO and not continuously receiving full-time education at a recognised educational establishment, attains the age of 18. However, if she is continuously receiving full-time education, attains the age of 23;
 - (vi) who is a female un-married child under the SSCPO or the WOPO, and not continuously receiving full-time education at a recognised educational establishment, attains at the age of 21 (or attains the age of 18 where the contributor joined the Surviving Spouses' and Children's Pensions Scheme on or after 1.2.1993). However, if she is continuously receiving full-time education, attains the age of 23;
 - (vii) who is a child under the SSCPO, is adopted by another person.

(II) NOTIFICATION OF CHANGES AFFECTING ENTITLEMENT TO PENSION

Pensioners are required to notify the Treasury immediately of any changes which affect their entitlement to pension. On re-appointment to the HKSAR Government, pensioners should immediately report in writing about the details of their appointment for suspension of pension. Upon the pensioner's death, the next of kin of the deceased pensioner should inform the Treasury of the death as early as possible for cessation of pension.

(III) ANNUAL DECLARATION FOR PAYMENT THROUGH BANK ACCOUNT AUTOPAY

Where pension is paid through bank account autopay, the pensioner concerned is required to complete an annual 'Declaration of Entitlement to Pension Benefits' and return it to the Treasury. The Treasury will issue the declaration form to the pensioners two months preceding their month of birth. Upon receipt of the completed declaration form, the Treasury will continue arranging for payment of their pension benefits for the forthcoming 12 months, or a shorter period if the case merits, commencing after pensioners' month of birth/ the month they sign the declaration into their bank account in Hong Kong in accordance with their standing instructions.

note 1 With effect from 1 September 2011, pension suspension arrangements will not apply to pensioners employed by any subvented organisations and to pensioners having reached the applicable normal or prescribed retirement ages specified in the pension legislations and re-employed by the Government.

note 2 Where a surviving spouse under the SSCPO dies or remarries, the dependant pension payable to the pensionable children may be adjusted, or in the case of a widow under the WOPO dies or remarries, the dependant pension will become payable to the pensionable children, if applicable.