



## OFFICIAL RECEIVER'S OFFICE

### 破產管理署

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來函請註明本署檔號

IN REPLY PLEASE QUOTE THIS REF.: T11/10 -MTSC/CR

來函檔號 YOUR REF.:

電話 TEL. NO.: 2867 2515

圖文傳真 FAX NO.: 2110 0315

- (i) The Hong Kong Institute of Certified Public Accountants
- (ii) The Law Society of Hong Kong
- (iii) The Hong Kong Chartered Governance Institute

26 January 2022

**Provisional Trustees/Trustees under the Bankruptcy Ordinance  
and  
Provisional Liquidators/Liquidators under the  
Companies (Winding Up and Miscellaneous Provisions) Ordinance**

**COVID-19 Pandemic**

In light of the latest development of the pandemic, and the challenges that may be faced by your members who are insolvency practitioners and appointment takers and who are bound to administer their insolvency cases according to the relevant statutory requirements, I reiterate the guidance set out in my previous letter dated 14 April 2020 and encourage insolvency practitioners to exercise their professional judgment in using as much flexibility as possible to administer their cases as joint and several provisional trustees/trustees and/or provisional liquidators/liquidators. This is especially important for those cases where the bankrupts may be encountering a difficult time under the pandemic. Insolvency practitioners should also take all reasonable steps to progress case administration in the longer term and ensure stakeholders' financial interests are not prejudiced.

Insolvency practitioners are also reminded to strictly comply with the latest Government policy regarding social distancing with a view to reducing the risk of the spread of virus in the community. In their course of administration of the insolvency cases, all unnecessary social contact should be reduced to what is strictly necessary. Members of the public who need to attend meetings of creditors and/or contributories should be encouraged to lodge their proxy and avoid attending the meeting in person unless it is necessary. Insolvency practitioners should also consider, where appropriate, to utilize the Regulating Order procedure as set out in Section 100A of Cap. 6 or Section 227A of Cap. 32, for example when any meeting of creditors and/or contributories is expected to involve a large number of creditors/contributories. Similar to the workshops and briefings conducted by the Official Receiver's Office in the past 2 years by means of Zoom, insolvency practitioners should seriously consider conducting meetings with outside parties

and interview with bankrupts and other members of the public by virtual means when appropriate.

Should any insolvency practitioners encounter any difficulty in complying with any of the statutory requirements or meeting the specified statutory timelines as a result of the latest situation of the pandemic, they should properly document the same for record and take the necessary follow-up action as soon as practicable. For difficulties relating to requirements imposed by the Official Receiver's Office, insolvency practitioners should inform this office as soon as possible. The Official Receiver will consider the circumstances of the relevant case and will explore what can be done to help ensure their timely compliance in a pragmatic manner.

Please circulate this letter to your members who are insolvency practitioners for their attention. Should there be any query on this letter, please contact the undersigned on 2867 2515.

Yours faithfully,

**Signed**  
(Michael T S Cheung)  
for Official Receiver