

# Guidelines for User Registration of Electronic Submission System

## Interpretation

In these Guidelines (including the Annexes), “**working day**” means any calendar days other than Saturdays and public holidays as defined in the Interpretation and General Clauses Ordinance (Cap. 1). “**PIP**” means the private insolvency practitioner.

## Section I: Introduction and overview

1. A person who is eligible to register a PA Account (as defined in paragraph 4 of these Guidelines) with the ESS under Section V below may lodge an application for registration with the Official Receiver’s Office of the Government of the Hong Kong Special Administrative Region (“**ORO**”). A person must be registered before he or she can send information or documents to the Official Receiver (“**OR**”) by electronic means through a designated information system – the Electronic Submission System (“**ESS**”) in compliance with the requirements as specified by the OR pursuant to section 122B of the Bankruptcy Ordinance (Cap. 6) and section 2AC of the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32) as detailed in these Guidelines.
2. The following registration guidelines can be downloaded from the ORO’s website ([https://www.oro.gov.hk/pdf/eng/electronic\\_submission\\_system/pip/guidelines.pdf](https://www.oro.gov.hk/pdf/eng/electronic_submission_system/pip/guidelines.pdf)). The arrangements and procedures outlined below are applicable to registered users accessing the ESS through the PIP Portal (<https://ess-pip.oro.gov.hk>) and are subject to periodic review.
3. No fees are required for registration under the PIP Portal of the ESS.

## Section II: Accounts Types

4. Each applicant may register an ESS account in the PIP Portal of the ESS. There are three categories of ESS accounts in the PIP Portal, namely: -
  - (a) Principal Administrator Account(s) (“**PA Account(s)**”), principal account(s)

- registered by the PIP with the ESS;
- (b) Subsidiary Administrator Account(s) (“**SA Account(s)**”), sub-account(s) created under a PA Account with the ESS; and
  - (c) Basic User Account(s) (“**BU Account(s)**”), sub-sub-account(s) created under a PA Account or SA Account with the ESS.
5. Upon satisfying the relevant application procedures, the ORO will create a PA Account for an applicant who fulfills the eligibility criteria under paragraph 12 below. The PA Account user is allowed to create the SA Account(s) and BU Account(s) under the PA Account for users within the organization that the PA Account user is affiliated with. The SA Account user is allowed to create the BU Account(s) under the SA Account. Submission of information or documents to the OR through the ESS must be made via the PA Account only. The PA Account user and the SA Account user shall be responsible for the administration of the user account(s) created under their respective accounts. The SA Account user and the BU Account user may prepare documents for the submission via the PA Account under which the SA Account(s) and the BU Account(s) were created. All registered users will be provided with a unique login name and an account activation link. All registered users are required to create their own login passwords during their first login to the ESS.
6. The detailed roles and responsibilities of the users of the PA Account, the SA Account and the BU Account are set out in **Annex A**.

### **Section III: Responsibilities of registered users of the ESS**

7. All registered users must comply with the Terms and Conditions for Use of Electronic Submission System of Official Receiver’s Office via Private Insolvency Practitioners Portal and these guidelines (collectively “**Terms and Conditions**”) issued (and revised from time to time) by the ORO in relation to the ESS. The Terms and Conditions are subject to revision from time to time and can be downloaded from the ORO’s website ([https://www.oro.gov.hk/pdf/eng/electronic\\_submission\\_system/pip/terms.pdf](https://www.oro.gov.hk/pdf/eng/electronic_submission_system/pip/terms.pdf)).
8. All registered users should adopt suitable security measures to protect their login names and passwords and avoid disclosing/sharing the accounts to/with other persons. Any activity and/or transaction conducted via the PA Account, the SA

Account and the BU Account with the ESS shall be deemed to have been conducted by that registered user. Furthermore, any activity and/or transaction conducted via the SA Account or the BU Account created under the PA Account shall be regarded as the activity and/or transaction authorized by the PA Account user and the organization concerned.

9. Registered users will receive system messages from the ESS administrator under the Message Box of the ESS. If system messages remain unread in a day, an email notification will be sent to the user's registered email address at the end of the day to notify the user of the unread messages in the ESS. Registered users should login the ESS to check the Message Box and read the messages for information and necessary actions regularly. Any messages sent to the ESS Message Box will be deemed to be read by the relevant registered user 24 hours after the message reaches the Message Box.

#### **Section IV: Services available in the ESS**

10. The primary services available in the ESS include the following:
  - (a) compiling and submitting form B1/B2/B3 on bankruptcy cases;
  - (b) compiling and submitting monthly returns of cases administered by the PIP;
  - (c) compiling and submitting documents collected at preliminary examinations of bankrupts; and
  - (d) retrieving detailed ledgers on a need basis.
11. Any information or documents sent to the ORO through the ESS must be via the PA Account, except for monthly returns of cases administered by the PIP within the organization, which may also be sent to the ORO via any of the SA Account(s) and the BU Account(s) within the organization concerned.

#### **Section V: Eligibility for registering a PA Account**

12. The following person is eligible to register a PA Account with the ESS: -
  - (a) a person appointed as a provisional trustee-in-bankruptcy or trustee-in-bankruptcy under the Bankruptcy Ordinance (Cap. 6);

- (b) a person appointed as a provisional liquidator or liquidator under the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap. 32); or
- (c) a recognized professional of an organization that has been awarded a contract to provide specific services in insolvency cases for the ORO. For the purposes of this clause, “**specific services**” means the completion of preliminary examinations of bankrupts in bankruptcy cases.

## **Section VI: Application Procedures**

13. An eligible person is required to complete the specified application form (as set out in **Annex B**) for registering the PA Account with the ESS. The completed form, together with any supporting documents, should be submitted to the ORO through the following means:
  - (a) by email (Email address: [ess-helpdesk@oro.gov.hk](mailto:ess-helpdesk@oro.gov.hk));
  - (b) by post [Address: 10/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong]; or
  - (c) by hand to Help Centre [Address: 2/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong] during office hours [Mondays to Fridays (except public holidays) from 9:00 am to 12:30 pm and from 2:00 pm to 5:30 pm]. Please call 2867 4614 upon arrival.

For the documents required for registration, please refer to **Annex C** for details.

14. Upon receipt of a completed application form together with all required supporting documents, the ORO will require at least five working days to complete the vetting process. If an applicant is considered by the ORO to be eligible to register a PA Account after the vetting process, he or she will be notified by email to attend an identity authentication process at the Help Centre at a time to be specified by the ORO. An applicant who provides inadequate information or incomplete supporting documents may be requested to provide additional information or documents within a time specified by the ORO. The ORO may reject the application if the applicant fails to respond to the request to provide additional information or documents within the specified time.
15. An applicant who is required to attend the identity authentication process may

appoint an authorized representative to attend the process on his or her behalf in accordance with **paragraph 3 of Annex C**. An applicant or his or her authorized representative is required to provide the documents as set out in **paragraph 2 of Annex C** during the identity authentication process. The ORO may reject the application if the applicant or the authorized representative fails to attend the identity authentication process at the Help Centre at the specified time. Once the application is rejected, the applicant may submit a fresh application to the ORO at his or her own costs. An authorization letter template is provided in **Annex D**.

16. Upon completion of the identity authentication process and the application is approved by the ORO, the applicant will be notified by email attaching with an assigned login name and an account activation hyperlink. The applicant is required to complete the account activation process by setting the login password during his or her first login to the ESS.
17. If an applicant has not received any responses from the ORO after seven working days of the submission of application form, please contact the ORO at 2867 4614 or by email to [ess-helpdesk@oro.gov.hk](mailto:ess-helpdesk@oro.gov.hk).
18. The PA Account user may subsequently create the SA Account(s) and the BU Account(s) under the PA Account. The SA or BU Account user will receive an email notification with a login name and an activation hyperlink after the PA Account user creates the relevant account. The SA or BU Account user is required to complete the account activation process by setting the login password during his or her first login to the ESS.
19. The ORO reserves all the rights to approve or reject any registration application at its sole discretion.