



Official Receiver's Office Performance Pledge 2023-2024

Introduction

This booklet sets out our achievements in meeting the performance pledges in 2022-2023 and outlines our plans to improve our services in 2023-2024. It also explains the steps you can take if you want to make any suggestions, complaints or comments about our services.

Our Responsibilities

We are responsible for the orderly administration of the insolvency estates of:

- companies being wound up by order of the Court under the provisions of the Companies (Winding Up and Miscellaneous Provisions) Ordinance; and
- individuals or partners of business made bankrupt by order of Court under the provisions of the Bankruptcy Ordinance.

More information on our functions is available on our homepage at <https://www.oro.gov.hk>.

2022-2023 Achievements and 2023-2024 Performance Targets¹

<i>Service</i>	<i>Standard Response Time</i>	<i>2022-2023 Achievement (%)</i>	<i>2023-2024 Target (%)</i>
(1) <i>Counter enquiry</i>	Within 10 minutes	100%	100%
(2) <i>Application for bankruptcy search and compulsory winding-up search</i>	With effect from 2 November 2020, public search services for bankruptcy and compulsory winding-up records are provided online only. Members of the public can make public search online via GovHK. The search reports will be displayed instantly online upon fee payment.		
(3) <i>Application for Certificate of Non- bankruptcy²</i>	Certificate issued within 2 working days from receipt	100%	100%
(4) <i>Lodging Proof of Debt</i>			
(a) Issuing a receipt for Proof of Debt lodged in person	Within 10 minutes	100%	100%
(b) Obtaining assistance of officers to complete a Proof of Debt	Within 30 minutes	100%	100%
(5) <i>Request for a copy of Statement of Affairs, subject to payment of photocopying fees</i>	In 3 working days from payment of photocopying fees	100%	100%

¹ On implementation of five-day week from 1 July 2006, with a view to maintaining our service standard, we undertake to clear genuine urgent requests, which are originally due on Saturday, by Friday as far as practicable.

² With effect from 25 January 2021, application for “Certificate of Non-Bankruptcy” can be made online via GovHK.

<i>Service</i>	<i>Standard Response Time</i>	<i>2022-2023 Achievement (%)</i>	<i>2023-2024 Target (%)</i>
(6) <i>Distribution of dividend</i>			
(a) Distribution of dividend or interim dividend	Within 9 months from the date when the distribution is possible	100%	100%
(b) Payment of dividend by mail	Dividend cheques sent in 5 working days from the date of payment	100%	100%
(7) <i>Holding a meeting of creditors in a non-summary case</i>			
(a) Winding-up case	Making a decision to hold a meeting within 8 weeks from the date of winding-up order	91.53%	90%
	Holding a meeting within 12 weeks from the date of winding-up order	88.14%	90%
(b) Bankruptcy case	Making a decision to hold a meeting within 12 weeks from the date of bankruptcy order	98.22%	98%
	Holding a meeting within 16 weeks from the date of bankruptcy order	98.58%	100%

<i>Service</i>	<i>Standard Response Time</i>	<i>2022-2023 Achievement (%)</i>	<i>2023-2024 Target (%)</i>
(8) <i>Processing written fund withdrawal requests from outside liquidators by the due dates, provided the specified notification periods are followed</i>			
(a) Pool Investment Scheme			
(i) Amount less than \$10 million	Funds released in 3 working days from approval by Official Receiver (OR)	100%	100%
(ii) amount between \$10 million and \$15 million	Funds released in 5 working days from approval by OR	100%	100%
(iii) amount between \$15 million and \$20 million	Funds released in 10 working days from approval by OR	100%	100%
(b) Funds invested separately	In 2 working days before maturity of fixed deposit	100%	100%
(9) <i>Processing invoices including liquidators' bills and arranging payment</i>			
Processing invoices and arranging payments to vendors including liquidators' bills	Within 30 calendar days upon receipt of invoice	99.98%	99%
(10) <i>Putting summary cases with insufficient assets for distribution on release programme</i>	Within 12 months from the date of bankruptcy/winding up order	99.28%	97%

Meeting the Performance Targets

In 2022-2023, the court made 6 585 insolvency orders, an increase of 7.32% compared with 6 136 orders in 2021-2022.

The caseload was still high. In spite of the heavy workload, we have made concerted effort towards meeting our performance targets.

Service Improvements in 2022-2023

For better user experience, we have launched a new reminder function in our e-services system to send appointment reminders by email to applicants who have booked attestation service before the appointment date. We have also adopted Faster Payment System function as an additional means of payment for our online services.

We have enhanced our management information system and created work process functions and automated regular tasks to facilitate day-to-day operation and improve the overall efficiency in case administration.

We have implemented the pilot project for development of a business intelligence system which provides an effective tool to support the retrieval of information and compilation of business reports, statistics and statistical diagrams.

Planned Service Improvements in 2023-2024

We are taking steps towards developing an Electronic Submission System to accept submissions of documents in electronic form and to conduct transactions electronically.

We are planning to provide step-by-step guide in graphical formats

in addition to the existing FAQs at our website to facilitate wider adoption of our electronic services.

Effective Monitoring

We closely monitor our performance against the pledges we have made.

The Official Receiver's Office Services Advisory Committee, a customer liaison group comprising representatives from service users was established in June 1994 to provide customer input and suggest improvements to our services. The Committee meets quarterly and helps monitor our service quality and standards. They have contributed to a number of areas including:

- ◆ contracting out of winding-up/bankruptcy cases and preliminary examination in bankruptcy cases to the private sector
- ◆ review of complaints received
- ◆ proposed legislative amendments

Further Information

The following information pamphlets on insolvency procedures are available at our office or on our homepage at <https://www.oro.gov.hk>:

- (a) Simple Guide on Bankruptcy
- (b) Simple Guide on Compulsory Winding-up of Companies
- (c) Simple Guide on Individual Voluntary Arrangement
- (d) Debtor's Bankruptcy Petition Procedural Guide³
- (e) Bankruptcy:

³ This Guide may also be purchased at \$18.00 per copy over our Counter on 10/F, Queensway Government Offices, 66 Queensway, Hong Kong

- i) The Main Processing Stages
 - ii) How to get a certificate of discharge
 - iii) Your Duties as a Bankrupt
 - iv) Your Rights as a Creditor
- (f) Winding-up of a Company by the Court:
- i) The Main Processing Stages
 - ii) Your Rights as a Creditor
 - iii) Your Duties as a Company Director
- (g) Individual Voluntary Arrangement: The Main Processing Stages
- (h) What you need to know about Bankruptcy
- (i) Frequently Asked Questions about Individual Voluntary Arrangement
- (j) Reasonable Domestic Needs of a Bankrupt and his Family
- (k) Guide on Completion of Annual Statement of Earnings and Property Acquired

General Enquiries

General enquiries on our services can be made in the following ways:

By Telephone: 2867 2448

(If you call beyond office hours, you will hear a recorded message asking you to leave a message with your name and telephone number.)

By Fax: 3105 1814

In Person: 10/F, High Block,
Queensway Government Offices,
66 Queensway, Hong Kong.

By Email: oroadmin@oro.gov.hk

Comments, Complaints and Suggestions

There may be occasions that despite our efforts, we are unable to provide the services within the times specified or deal with your application/request to your satisfaction. If you want to make comments, complaints or suggestions, you are welcome to write to us at the address below:

Departmental Secretary,
Official Receiver's Office,
10/F, High Block,
Queensway Government Offices,
66 Queensway,
Hong Kong.

or fax us at 3105 1814 or email us at oroadmin@oro.gov.hk. You can also make your comments, complaints or suggestions orally to the Senior Clerical Officer (General Registry) at 2867 2447. We shall give you a response as soon as possible and, in any event, within 10 days.

If you wish to make an appointment to see a member of our staff, you can telephone the Senior Clerical Officer (General Registry) at 2867 2447 or fax to him at 3105 1814. We shall respond within two working days.

Appeals

If after using any of the above channels for comments, complaints or suggestions, you still consider that your case has not been dealt with to your satisfaction, you are welcome to write to the Official Receiver at 10/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong.

MISSION STATEMENT

The Mission of the Official Receiver's Office is to ensure that the insolvency service it provides in Hong Kong is of a high quality on par with International Standards and that the legislation is commensurate with the objective of keeping Hong Kong to the forefront as a major International Financial Centre.

To fulfill our mission, we are committed to maintaining a high standard in insolvency administration when the Official Receiver is appointed to act as trustee/liquidator and also to effectively monitor the conduct of private sector insolvency practitioners by:

- protecting and realising the assets of insolvent estates, adjudicating the claims of creditors and distributing the proceeds to preferential and ordinary creditors in an efficient manner and as soon as practicable;
- investigating the conduct and affairs of bankrupts, directors and officers of insolvent companies;
- prosecuting persons for insolvency offences and applying for disqualification of directors, where appropriate;
- monitoring the conduct of private sector insolvency practitioners in compulsory liquidations and bankruptcies to ensure that they carry out their duties as effectively and expeditiously as possible and, where necessary, taking action against those who are negligent or fraudulent in their case work, including disqualification proceedings;
- ensuring that all private sector insolvency practitioners in compulsory and voluntary liquidations pay funds into the Companies Liquidation Account as soon as practicable after the obligation to do so arises and managing the investment of such funds; and
- keeping under review and proposing any necessary changes to insolvency policy, legislation and practice.