

Guidelines for User Registration of Electronic Submission System

Interpretation

These Guidelines (including any annexes attached) shall be read together with the Terms and Conditions for Use of Electronic Submission System of Official Receiver's Office via Private Insolvency Practitioners Portal ("**Terms and Conditions**"). The definitions used in the Terms and Conditions shall be adopted here.

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 ORO. A person must be registered before he or she can send information or documents to the OR via the 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), or send other information or documents to the ORO, 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). The arrangements and procedures outlined below are applicable to the Users assessing the ESS through the PIP Portal (<https://ess-pip.oro.gov.hk>) and are subject to update, modification and amendment from time to time.
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)**"), a principal account(s) registered by a PIP;
 - (b) Subsidiary Administrator Account(s) ("**SA Account(s)**"), in relation to an Affiliated Organization, an account(s) created by a PA Account User affiliated

- with the Affiliated Organization; and
- (c) Basic User Account(s) (“**BU Account(s)**”), in relation to an Affiliated Organization, an account(s) created by a PA Account User affiliated with the Affiliated Organization or an SA Account User under the Affiliated Organization.
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. A PA Account User is allowed to create an SA Account(s) or BU Account(s) under an Affiliated Organization that the PA Account User is affiliated with. An SA Account User under an Affiliated Organization is allowed to create a BU Account(s) under the same Affiliated Organization. Submission of information or documents to the ORO through the ESS must be made via a PA Account only. Each PA Account User shall be responsible for the administration of the ESS account(s) created under an Affiliated Organization that the PA Account User is affiliated with (whether or not the accounts were created by the PA Account User). Each SA Account User(s) under an Affiliated Organization shall also be responsible for the administration of the ESS account(s) created under the same Affiliated Organization (whether or not the accounts were created by the SA Account User or the PA Account User who created the SA Account). An SA Account User or BU Account User under an Affiliated Organization may prepare documents for submission by a PA Account User who is affiliated with the Affiliated Organization via his or her own PA Account to the ORO through the ESS. All Users will be provided with a unique login name and an account activation link. All 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 PA Account, SA Account and BU Account are set out in **Annex A**.

Section III: Responsibilities of Users of the ESS

7. All Users must comply with the Terms and Conditions issued (and updated, modified or amended from time to time) by the ORO in relation to the ESS. The Terms and Conditions are subject to update, modification and amendment 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).

8. All Users should adopt suitable security measures to protect their login names and passwords and avoid disclosing such information/sharing the accounts to/with any other persons. Any activity and/or transaction conducted via a PA Account, SA Account or BU Account with the ESS shall be deemed to have been conducted by the User of that account. Furthermore, any activity and/or transaction conducted through the ESS via a PA Account, SA Account or BU Account under an Affiliated Organization that the PA Account User is affiliated with shall be regarded as an activity and/or transaction authorized by the PA Account User (so far as relating to his or her cases under the Affiliated Organization) and the Affiliated Organization.
9. All 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. All Users should login the ESS to check the Message Box and read the messages for information and necessary actions regularly. Any message sent to the ESS Message Box will be deemed to be read by the relevant 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 a PA Account, except for monthly returns of cases administered by a PIP under an Affiliated Organization, which may also be sent to the ORO via any of the SA Account(s) and the BU Account(s) under the Affiliated Organization.

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 completing 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 a 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);
- (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 an 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.
16. Upon completion of the identity authentication process and the application is approved by the ORO, the applicant will be notified of the application approval by an email containing an assigned login name and an account activation hyperlink. The applicant is required to complete the account activation process by setting a login password during his or her first login to the ESS.
17. If an applicant does not receive any responses from the ORO within seven working days from the date of his or her submission of application form, the applicant should contact the ORO at 2867 4614 or by email to ess-helpdesk@oro.gov.hk.
18. A PA Account User may subsequently create SA Account(s) and BU Account(s) under an Affiliated Organization that the PA Account User is affiliated with. 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.