



OFFICIAL RECEIVER'S OFFICE

破產管理署

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15 November 2013

OFFICIAL RECEIVER'S OFFICE CIRCULAR NO. 1/2013

Revision of Statutory Fees, Charges and Deposits

This circular is to announce that 31 statutory fees, charges and deposits levied by the Official Receiver's Office ("ORO") have been revised with effect from 1 November 2013.

2. The revised items are as follows:

- (a) Reduction of the deposits from \$8,650 to \$8,000 for debtor-petition bankruptcy cases, and from \$12,150 to \$11,250 for creditor-petition bankruptcy cases and all court winding-up cases;
- (b) Reduction of a total of 26 fixed fees and statutory minimum fees levied by the ORO on bankruptcy cases and winding-up cases; and
- (c) Replacement of the current mechanism for levying a charge at a rate of 10% on the payment made into the Bankruptcy Account or the amount of assets realised by a fixed fee of \$170.

3. A summary table setting out the details of the revised fees, charges and deposits is attached for information.


(Ms. Teresa Wong)
Official Receiver

Distribution

The Law Society of Hong Kong
The Hong Kong Institute of Chartered Secretaries
The Hong Kong Institute of Certified Public Accountants
Hong Kong Association of Banks
Director of Legal Aid
Registrar, High Court
Department of Justice

Bankruptcy Rules (Cap. 6A)

No.	Relevant Rule	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(1)	Rule 52(1)(a)	Deposit payable by a petitioner to the Official Receiver in the case of a debtor's petition for bankruptcy	\$8,650	\$8,000
(2)	Rule 52(1)(b)	Deposit payable by a petitioner to the Official Receiver in the case of a creditor's petition for bankruptcy	\$12,150	\$11,250

Bankruptcy (Fees and Percentages) Order (Cap. 6C) Schedule

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(3)	Table A Item 4	Fees payable for proof of debt above \$250, including filing (other than a proof for workmen's wages)	\$40	\$35
(4)	Table A Item 6(b)	Fees payable for each creditor notified of an application for early discharge, for the suspension of discharge or for the lifting of a suspension of discharge	\$35	\$28
(5)	Table A Item 10	Fees payable for application to the Official Receiver for payment of money out of the Bankruptcy Estates Account	\$85	\$80
(6)	Table A Item 11 (b)	Fees payable on every payment of money out of the Bankruptcy Estates Account where the money consists of undistributed funds or balances	Total fees taken under Table A Item 11(a)(ii) shall not exceed \$45,000 in each bankruptcy.	Total fees taken under Table A Item 11(a)(ii) shall not exceed \$37,500 in each bankruptcy.
(7)	Table A Item 16	Fees payable for application by a member of the public to the Official Receiver for a search on whether a bankruptcy petition has been presented against a person or firm	\$85	\$80

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(8)	Table A Item 17	Fees payable for application by a member of the public to the Official Receiver for issue of a non-bankruptcy certificate for a person	\$205	\$190
(9)	Table A Item 18	Fees payable for insertion in the Gazette of a notice relating to bankruptcy	\$355	\$330
(10)	Table B Item 1	Fees payable on payments made by the Official Receiver into the Official Receiver in Bankruptcy Account, whether acting as interim trustee in bankruptcy or trustee in bankruptcy to administer a debtor's or bankrupt's property, after deducting any sums paid to secured creditors in respect of their securities, and not being monies received and spent in carrying on the business of a debtor or bankrupt	10% of payment made into the Bankruptcy Account	\$170 for each payment made into the Bankruptcy Account
(11)	Table B Item 4	Fees payable on every order made by the court for the Official Receiver to act as interim trustee in bankruptcy of the property of a debtor under section 13	\$1,100	\$1,000
(12)	Table B Item 4	Fees payable where the order made by the court for the Official Receiver to act as interim trustee in bankruptcy of the property of a debtor under section 13 is in force for a longer period than 14 days	\$1,100 for every 7 days after the first 14, and for every fraction of 7 days	\$1,000 for every 7 days after the first 14, and for every fraction of 7 days
(13)	Table B Item 5(a)	Fees payable for all official stationery, printing and postage within Hong Kong including notices to creditors of meetings and sittings of the court and room hire	\$670 for a number of creditors and bankrupts not exceeding 10	\$620 for a number of creditors and bankrupts not exceeding 10
(14)	Table B Item 5(b)	Fees payable for all official stationery, printing and postage within Hong Kong including notices to creditors of meetings and sittings of the court and room hire	\$670 for every 10 additional creditors and bankrupts or part thereof	\$620 for every 10 additional creditors and bankrupts or part thereof

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(15)	Table B Item 6	Fees payable for the costs of summoning a meeting where the Official Receiver calls the meeting at the request of the creditors, which shall be deemed to include all disbursements for stationery, printing and postage within Hong Kong. Any charge for hiring a room outside the Official Receiver's Office by reason of the large number of creditors shall be additional to the said fees	\$1,560	\$1,440
(16)	Table B Item 11	Notwithstanding the fees and charges prescribed in Table B, but subject to the availability of funds, the total fees and charges under this Table where the Official Receiver acts as trustee in bankruptcy to administer a bankrupt's property	Not less than \$12,150	Not less than \$11,250

Companies (Fees and Percentages) Order (Cap. 32C) Schedule 3

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(17)	Table A Item 1A	Fees payable on an inspection of a copy of the liquidator's accounts filed under section 203(4) or (6)	\$12	\$11
(18)	Table A Item 3	Fees payable on an application by a liquidator to the Official Receiver for a special bank account under section 202	\$390	\$360
(19)	Table A Item 4	Fees payable on an order by the Official Receiver for a special bank account	\$390	\$360
(20)	Table A Item 4A	Fees payable on an application by a liquidator to the Official Receiver acting as a committee of inspection	\$390	\$360

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(21)	Table A Item 5(a)	Fees payable on an application to the Official Receiver under section 285 for payment of money out of the Companies Liquidation Account	\$60	\$55
(22)	Table A Item 5(b)	Fees payable on an application to the Official Receiver after 6 months from the date of issue, for the re-issue of a lapsed cheque or money order in respect of moneys standing to the credit of the Companies Liquidation Account	\$60	\$55
(23)	Table A Item 6(b)	Fees payable on every payment under section 285 of money out of the Companies Liquidation Account where the money consists of undistributed funds or balances	Total fees taken under Table A Item 6(a) shall not exceed \$45,000 in each liquidation.	Total fees taken under Table A Item 6(a) shall not exceed \$37,500 in each liquidation.
(24)	Table A Item 7	Fees payable for insertion in the Gazette of a notice relating to a company which is being wound up by the court	\$355	\$330
(25)	Table A Item 8	Fees payable on an application by a member of the public to the Official Receiver for a search on whether a winding-up petition has been presented against a company	\$85	\$80
(26)	Table A Item 10	Fees payable on proof of debt above \$250 (other than a proof for workmen's wages). This fee includes administering oath and filing	\$40	\$35
(27)	Table B Item IV(1)	Fees payable for cost of official stationery, printing, books, forms and postages in Hong Kong in all cases where the Official Receiver acts as liquidator of the company (to include his services as provisional liquidator)	\$670 in respect of every 10 members, creditors and debtors, and every fraction of 10	\$620 in respect of every 10 members, creditors and debtors, and every fraction of 10

No.	Relevant Item	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(28)	Table B Item IV(2)	Fees payable in all cases where the Official Receiver acts as liquidator of the company (to include his services as provisional liquidator)	10% of the total assets, including the produce of calls on contributories, realized or brought to credit by the Official Receiver, after deducting sums on which fees are chargeable under number V of Table B, and the amount spent out of the money received in carrying on the business of the company	\$170 for each payment made into the Companies Liquidation Account under section 202
(29)	Table B Item IX	Notwithstanding the fees and percentages prescribed in number I and numbers III to VII of Table B, the total fees under those numbers where the Official Receiver acts as liquidator of the company	Not less than \$12,150	Not less than \$11,250

Companies (Winding-up) Rules (Cap. 32H)

No.	Relevant Rule	Description	Rate up to 31 Oct 2013	Revised Rate from 1 Nov 2013
(30)	Rule 22A(1)	Deposit payable by a petitioner to the Official Receiver for winding up a company	\$12,150	\$11,250
(31)	Rule 117	Fees payable for the costs of summoning a meeting of creditors or contributories at the instance of any person other than the Official Receiver or liquidator, which shall be deemed to include all disbursements for stationery, printing and postage within Hong Kong. Any charge for hiring a room outside the Official Receiver's Office by reason of the large number of creditors or contributories shall be additional to the said fees.	\$1,560	\$1,440