

It is hereby notified that sealed tenders in triplicate are invited by the Official Receiver for the following:—

<i>Tender Reference</i>	<i>Subject</i>	<i>Closing Date</i>
OR/C/2017	Taking up of Appointment as Provisional Trustees under s.12(1A) of the Bankruptcy Ordinance	27.9.2017

Interested parties with the following qualification may submit tender:—

1. The Tenderer must be a sole proprietor, a partnership or a limited company, and must provide at least two Appointment Takers, being its proprietor(s), partner(s), director(s) or employee(s), to take up the appointment of joint and several provisional trustees or trustees in a Qualified Case in accordance with the Conditions of Contract and the Work Specifications. Each of the Appointment Takers must be:—
 - (a) a certified public accountant within the meaning of section 2(1) of the Professional Accountants Ordinance (Chapter 50); or
 - (b) a solicitor within the meaning of section 2(1) of the Legal Practitioners Ordinance (Chapter 159); or
 - (c) a current member of The Hong Kong Institute of Chartered Secretaries.
2. Each of the Appointment Takers of the Tenderer must satisfy all of the following requirements:—
 - (a) he must have at least 3 years of post-qualification experience in the relevant profession; and
 - (b) he must have a minimum of 300 chargeable hours of experience acquired after obtaining the relevant professional qualifications ('the Qualifying Chargeable Hours') during the 3 years immediately preceding the Tender Closing Date:—
 - (i) of which, at least 150 hours of experience must be experience in managing insolvency cases either as (I) a trustee and/or provisional trustee; (II) a liquidator and/or provisional liquidator; (III) a receiver and/or (IV) as a senior associate assisting (I), (II) and/or (III) in the performance of their role related to bankruptcy, insolvency or receivership cases. The chargeable hours of experience must have been obtained in at least 4 separate cases which must be either bankruptcy or compulsory winding-up of companies which were not connected companies. Within the minimum 150 chargeable hours of experience in (b)(i), not more than 75 hours of experience on receivership will be counted as chargeable hours of experience. A pass in the Hong Kong Institute of Certified Public Accountants Professional Diploma in Insolvency Programme is regarded as equivalent to 50 hours of insolvency work experience for (b)(i); and
 - (ii) the remaining hours of experience shall be on solvent liquidations. However, for the purpose of calculating Qualifying Chargeable Hours, two charge hours of solvent liquidations work are deemed to be one charge hour only.
3. Of these Appointment Takers provided by the Tenderer, at least one must be the proprietor, or a partner or a director of the Tenderer. The other Appointment Taker(s), if not being partner(s) or director(s) of the Tenderer, must be a full-time employee or full-time employees of the Tenderer.
4. The Tenderer must have been providing insolvency, accounting, legal or company secretary services in Hong Kong for at least 3 years immediately preceding the Tender Closing Date.
5. At the Tender Closing Date, the Tenderer must have at least 10 full-time employees. For the purpose of counting these 10 full-time employees, the proprietor (in case of the Tenderer being a sole proprietorship), the partners (in case of the Tenderer being a partnership), the directors (in case of the Tenderer being an incorporated company), and the Appointment Takers of the Tenderer are not included.
6. For the purposes of Clause 2 above, the hours for the work undertaken under any contract awarded by the Official Receiver in a quotation or tender for taking up of appointment to

complete preliminary examinations in bankruptcy cases shall not be counted as chargeable hours.

7. The Tenderer will not qualify for tender assessment if the Tenderer or its Appointment Takers have been (a) disqualified or suspended by the Official Receiver from participating in any tender/quotation exercises conducted by the Official Receiver; or (b) disqualified or suspended by other insolvency agencies or bodies outside Hong Kong from participating in any tender/quotation exercises conducted by them.
8. A Tenderer will not be qualified for tender assessment if the Tenderer has made one or more contracts with the Official Receiver for the provision of any insolvency services or work, and during the period between 26 September 2013 and 27 September 2017, (i) any one or more of such contracts has been terminated by the Official Receiver; or (ii) the Official Receiver has in relation to any one or more of such contracts suspended the allocation of cases or work to such Tenderer for any period of 2 months or more, by reason of:—
 - (a) any breach by the Tenderer of any of the terms and conditions of such contract(s); or
 - (b) the Official Receiver in his absolute discretion considering the quality of any of the work or services provided under such contract(s) unsatisfactory.

Forms of tender and further particulars are obtainable from the Official Receiver's Office, 10th Floor, High Block, Queensway Government Offices, 66 Queensway, Hong Kong (Tel. No.: 2867 2446).

Additional information is also available on the Internet at the following address:—

<http://www.oro.gov.hk>

Tenders must be clearly marked with the tender reference and the subject of the tender on the outside of the envelope (but should not bear any indication which may relate the tender to the tenderer) addressed to the Chairman, Tender Opening Committee, Government Logistics Department, and placed in the Government Logistics Department Tender Box situated at the Ground Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong before 12.00 noon (Hong Kong Time) on the closing date of the tender as stated above. Late tenders will not be accepted.

The Government of the Hong Kong Special Administrative Region does not bind itself to accept the lowest tender or any tender, and reserves the right to negotiate with any tenderer about the terms of the offer.

Details of the award of this contract will be published in the Government of the Hong Kong Special Administrative Region Gazette and made available on the Internet.

1 September 2017

Phyllis MCKENNA *Official Receiver*