



取消強積金「對沖」安排 知多啲



勞工處
Labour Department

取消強積金「對沖」安排是甚麼？



由2025年5月1日（轉制日）開始，僱主將不能再使用強積金制度*下的僱主強制性供款累算權益「對沖」僱員的遣散費 / 長期服務金

* 同樣適用於職業退休計劃



當然有啦！
例如——

取消強積金「對沖」
安排對僱員有何
得益？



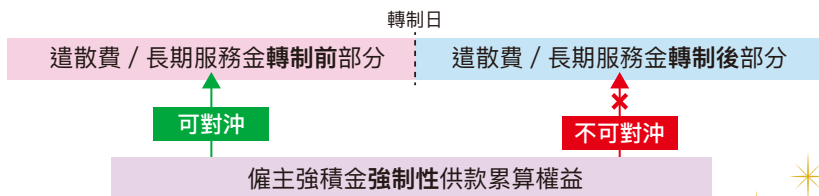
1

如僱員**在轉制日或之後開始受僱**，其遣散費 / 長期服務金將不可再被僱主強積金強制性供款累算權益「對沖」。



2

如僱員**在轉制日前已受僱**，只有轉制日前受僱期的遣散費 / 長期服務金可以被僱主強積金強制性供款累算權益「對沖」。



3

如取消強積金「對沖」安排後僱員所得的權益總和*反較取消「對沖」前為少，政府會補貼差額，以確保僱員的權益不會減少。



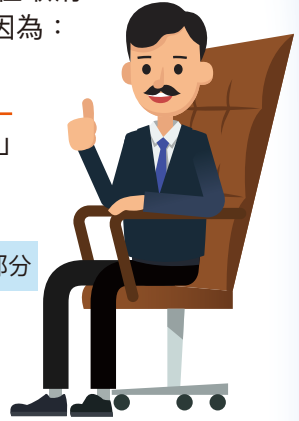
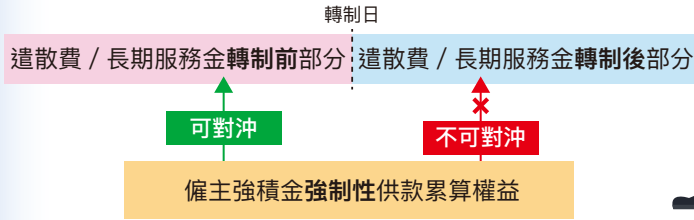
* 指遣散費 / 長期服務金連同僱主的強積金供款累算權益

取消強積金「對沖」 僱主毋須煩惱

由於取消強積金「對沖」的法例不具追溯力，僱主在取消「對沖」初期的額外遣散費／長期服務金支出有限，因為：

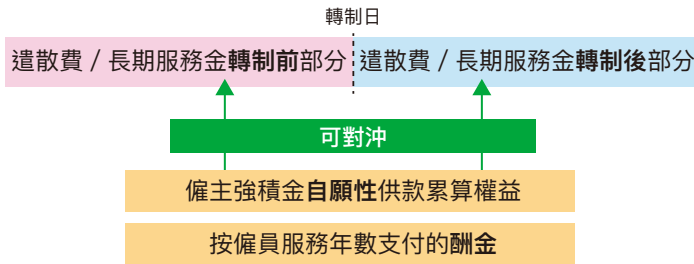
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僱主強積金強制性供款累算權益仍可用作「對沖」遣散費／長期服務金轉制前部分



2

僱主強積金自願性供款累算權益，以及按僱員服務年數支付的酬金，可繼續用作「對沖」遣散費／長期服務金轉制前及轉制後部分



3

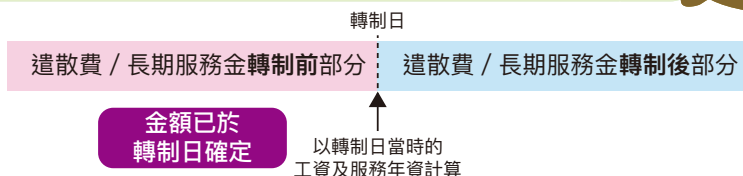
為協助僱主適應政策轉變，政府在2025年5月1日推出為期25年的取消強積金「對沖」安排資助計劃，分擔僱主遣散費／長期服務金轉制後部分的支出。



取消強積金「對沖」安排下 僱主解僱現職僱員 再聘用新僱員並無得益

1

僱主在轉制日前解僱僱員，並不能節省遣散費 / 長期服務金的開支，因為遣散費 / 長期服務金轉制前部分的金額會以轉制日當時的工資及服務年資計算，僱主在轉制日已可清楚確定有關金額，即使僱主於轉制日後繼續聘請同一僱員或加薪，亦不會令遣散費 / 長期服務金轉制前部分的金額增加。



2

僱主在轉制日前解僱現職僱員後再聘用新僱員，遣散費 / 長期服務金的支出反而會更多，因為：



對沖



- 僱員整段受僱期的僱主強積金供款累算權益可用作「對沖」遣散費 / 長期服務金轉制前部分。保留現有僱員，可以讓這筆累算權益繼續增長，日後用作「對沖」遣散費 / 長期服務金轉制前部分；及

- 如現職僱員的遣散費 / 長期服務金在轉制日前已累積至39萬元法定上限，轉制後部分將不會再累積任何款額；但如僱主解僱現職僱員後再聘用新僱員，新僱員的遣散費 / 長期服務金將由零開始重新計算，且不能用僱主強積金強制性供款累算權益「對沖」。



僱主在轉制日前解僱現職僱員後再聘用新僱員，遣散費 / 長期服務金的支出反而會增加的例子：



例子一

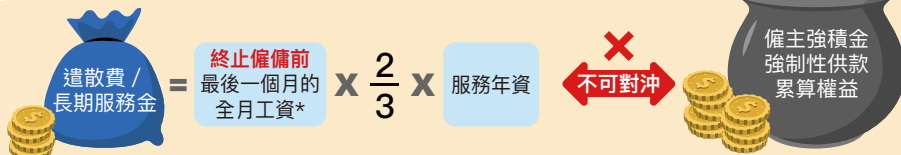


例子二

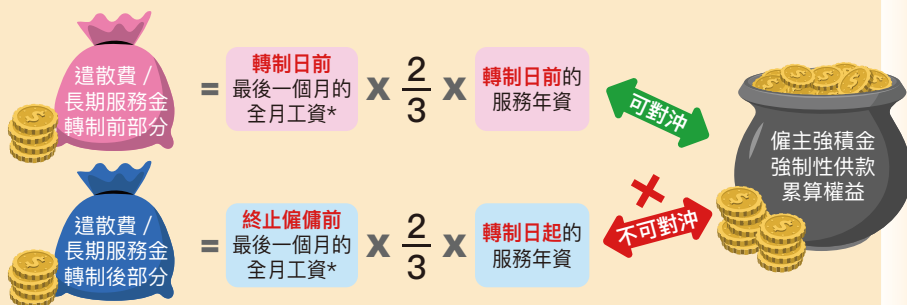
取消強積金「對沖」安排後 如何計算遣散費／長期服務金



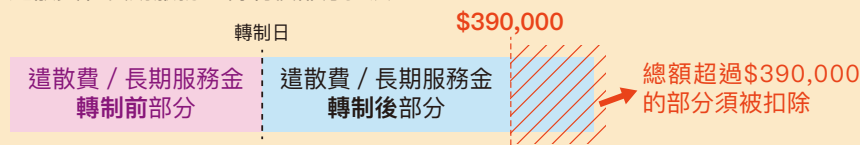
1 轉制日起受僱的僱員



2 轉制日前已在職的僱員



假如僱員的遣散費／長期服務金總額超過\$390,000元上限，超出上限的部分將從遣散費／長期服務金轉制後部分扣減



* 僱員亦可選擇以前12個月的平均工資計算

如想估算取消強積金「對沖」後的遣散費／長期服務金額以及比較僱員在取消「對沖」前後的權益總和，歡迎使用勞工處製作的「取消『對沖』計得掂」計算工具。



<https://www.op.labour.gov.hk/tc/calculator.html>

你亦可瀏覽「取消強積金『對沖』安排」專題網站了解詳情。



<https://www.op.labour.gov.hk/>

有關取消強積金「對沖」安排的詳情，應以相關的法例原文為依歸。

2025年3月

勞工處
僱傭福利支援科



KNOW MORE ABOUT THE ABOLITION OF MPF OFFSETTING ARRANGEMENT



勞工處
Labour Department

What is the abolition of MPF offsetting arrangement



Starting from 1 May 2025 (i.e. the transition date), employers can no longer use the accrued benefits of their mandatory contributions (ERMC) under the Mandatory Provident Fund (MPF) System* to offset severance payment (SP) and long service payment (LSP) of employees.

* Also applicable to occupational retirement schemes



Plenty!
For example -

What benefits would the abolition bring to the employees?

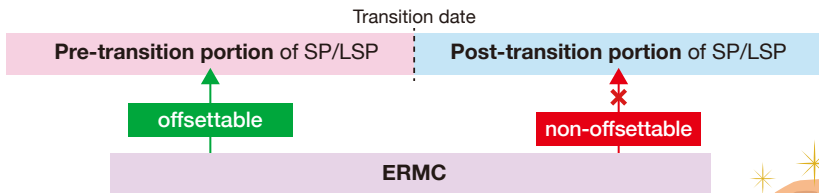


1

If the employee **starts employment on or after the transition date**, his/her SP/LSP can no longer be offset by the accrued benefits derived from ERMC.

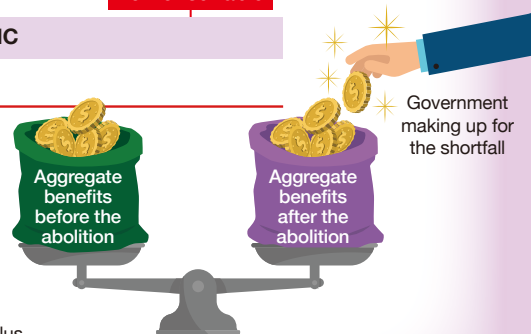
2

If the employee is **already in employment before the transition date**, only the SP/LSP in respect of the employment period before the transition date can be offset by ERMC.



3

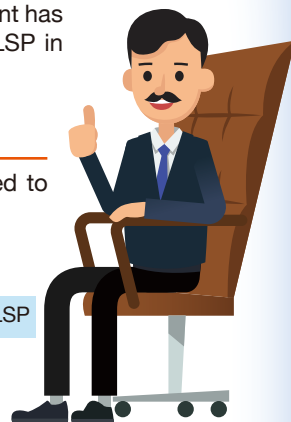
If the aggregate benefits* received by employees after the abolition of MPF offsetting arrangement is less than that before the abolition, the Government will make up for the shortfall to ensure employees would not be worse off.



* Refers to the total amount of SP/LSP entitlement plus the accrued benefits of the employer's MPF contributions

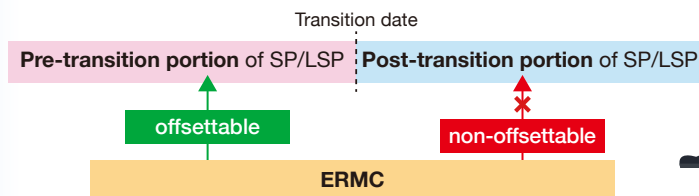
Employers need not worry about the abolition of MPF offsetting arrangement

Since the legislation on the abolition of MPF offsetting arrangement has no retrospective effect, employers' additional expenses on SP/LSP in the initial years after the abolition would be limited because:



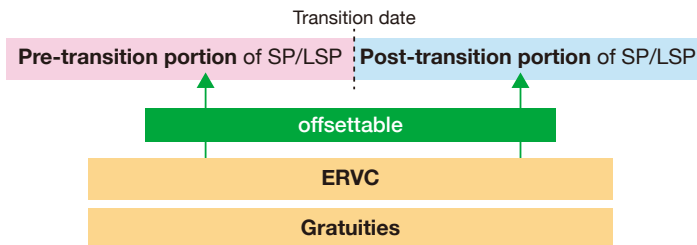
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The accrued benefits derived from ERMC can still be used to offset pre-transition portion of SP/LSP



2

The accrued benefits derived from employer's MPF voluntary contributions (ERVC) and gratuities based on employees' years of service can continue to be used to offset pre- and post-transition portion of SP/LSP



3

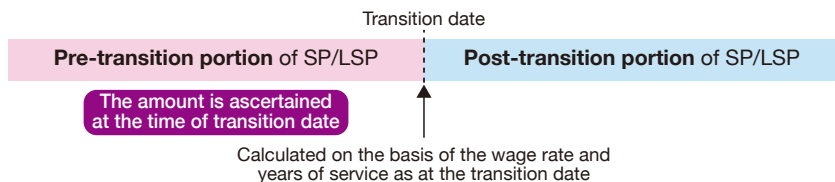
To assist employers to adapt to the policy change, the Government implements the 25-year Subsidy Scheme for Abolition of MPF Offsetting Arrangement on 1 May 2025 to share out employers' expenses of the post-transition portion of SP/LSP.



Employers dismissing existing employees and employing new ones cannot save money under the abolition of MPF offsetting arrangement

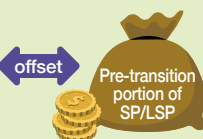
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Employers will not save SP/LSP expenses by dismissing employees before the transition date because the amount of pre-transition portion of SP/LSP will be calculated on the basis of the wage rate and years of service as at the transition date, and the amount is ascertained at the time of transition date. Even if the employer continues to employ the same employee or increase his/her salary, the amount of pre-transition portion of SP/LSP will not be increased.



2

On the contrary, a higher amount of SP/LSP will be incurred if employers dismiss employees before the transition date and employ new ones because:



- The accrued benefits derived from employer's MPF contributions in respect of the whole employment period of the employee can be used to offset the pre-transition portion of SP/LSP. Retaining existing employees allows the accrued benefits to grow, which can be used to offset pre-transition portion of SP/LSP in future; and

- If an existing employee's SP/LSP has already reached the statutory maximum of \$390,000 before the transition date, no further post-transition portion of SP/LSP can be accumulated. However, in case an employer dismisses an existing employee before the transition date and employs a new one, the new employee's SP/LSP will build up afresh to a maximum of \$390,000, which cannot be offset by the accrued benefits derived from ERM C.



Examples of employers dismissing existing employees before the transition date and employing new ones resulting in higher SP/LSP expenses:



Example 1



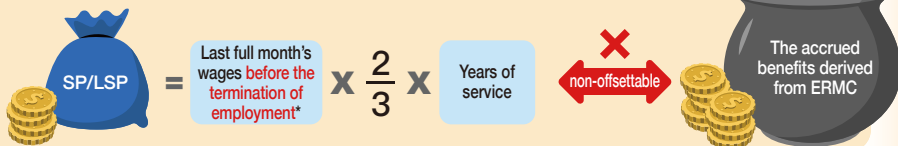
Example 2

How to calculate the amount of SP/LSP after the abolition of MPF offsetting arrangement



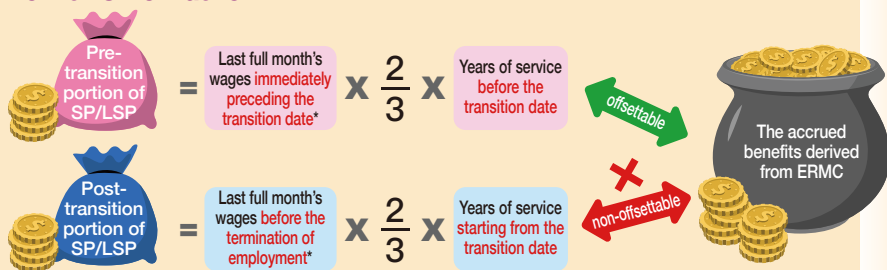
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Employees whose employment commences on or after the transition date

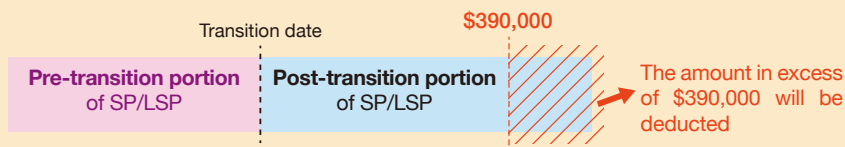


2

Employees whose employment commences before the transition date



If an employee's total SP/LSP exceeds \$390,000 cap, the exceeding amount will be deducted from post-transition portion of SP/LSP.



* An employee may also elect to use his/her average wages in the preceding 12 months for the calculation.

To estimate the amount of SP/LSP and compare the total benefits for employees before and after the abolition, you are welcome to use "EasyCal" – a calculating tool developed by the Labour Department.



<https://www.op.labour.gov.hk/en/calculator.html>

You may also visit our thematic website for more details on the abolition.



<https://www.op.labour.gov.hk/en>