

Apply Now: **Reimbursement of** **Maternity Leave Pay** **Scheme in Hong Kong**

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3 September 2021

The statutory maternity leave under the Employment Ordinance of Hong Kong was extended from 10 weeks to 14 weeks with effect from 11 December 2020.

Employers may apply for reimbursement of the extended 4-week period of maternity leave, subject to a cap of HK\$80,000 per employee.

The statutory rate of maternity leave pay, being four-fifths of the employee's average daily wages, is maintained for calculating the additional maternity leave pay payable in respect of the extended period of maternity leave. An eligible employee whose confinement occurs on or after 11 December 2020 is entitled to the 14 weeks' statutory maternity leave.

Employers are required to pay the additional four weeks' maternity leave pay (i.e. 11th to 14th weeks) but may apply for reimbursement under the Reimbursement of Maternity Leave Pay Scheme which is overseen by the Labour Department and operated by a processing agent.

Eligibility under the Reimbursement of Maternity Leave Pay Scheme

The following requirements should be met for an application for reimbursement:

1. the employee pertinent to the application employed by the employer ("applicant") is covered by the Employment Ordinance;
2. the employee is entitled to maternity leave and maternity leave pay under the Employment Ordinance;
3. the employee has taken her maternity leave and the applicant has actually paid 14 weeks' maternity pay leave to the employee;
4. the employee's confinement occurs on or after 11 December 2020; and
5. the additional four weeks' maternity leave pay that has been paid to the employee has not been and will not be covered or subsidised by other government funding.

Supporting documents

The following documents must be submitted along with a completed Employer Application Form:

1. a completed Employee Declaration Form - it is advisable to arrange this prior to commencement of maternity leave to

avoid possible delay in processing the application;

2. proof of payment of the maternity leave pay for 14 weeks (such as salary slips, bank transaction records);
3. proof of applicant's bank account for receiving the maternity leave reimbursement (such as a monthly bank statement);
4. registration or identity document relating to the applicant (such as business registration certificate); and
5. proof of pregnancy provided by the relevant employee to the applicant (such as a medical certificate specifying the expected date of confinement).

Deadline for making an application

The applicant should submit its application by the later of the following:

- a) three months after the last day of the employee's 14 weeks' statutory maternity leave under the Employment Ordinance; and

- b) three months after the commencement date (1 April 2021) of the Reimbursement of Maternity Leave Pay Scheme (i.e. 1 July 2021).

As 1 July 2021 has already lapsed, any application must be made within the period set out in paragraph (a) above.

Reimbursement arrangements

In general, for an approved application, the notification of application results and reimbursement of maternity leave pay will be made within 15 working days upon receipt of an application together with all the required information and documents. The reimbursement will be paid to the applicant's designated bank account specified in the application form. The employee will also be notified.

Applications can be made online through the Reimbursement Easy Portal at <https://www.rmlps.gov.hk/home>, or by email (enquiry@rmlps.hk), fax (+852 2178 0328) or post to the scheme's service centre. For questions on the scheme and submission of application, please visit <https://www.rmlps.gov.hk/eng/contactUs>.

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