

Appendix 4 – Counselling Certificate

REVERSE MORTGAGE PROGRAMME

COUNSELLING CERTIFICATE

IMPORTANT – This Counselling Certificate may be forwarded by the Intending Borrower to a lender with which the Intending Borrower intends to take out a reverse mortgage. This Counselling Certificate is a prerequisite for any reverse mortgage loan application. **If you wish to apply for a reverse mortgage loan, you should provide this Counselling Certificate to the lender within 6 calendar months from the date of issuance.**

Part A – Particulars

This Counselling Certificate (this “**Certificate**”) is issued by _____ (*print name of solicitor and name of solicitors’ firm*), being a solicitor who satisfies all the eligibility requirements for providing counselling service as set out in the Counselling Protocol.

Details of the counselling session:

Date : _____

Place of the counselling session : _____

Intending Borrower : (1) _____ HKID Card no.: _____
(2) _____ HKID Card no.: _____
(3) _____ HKID Card no.: _____
(the term “Intending Borrower” includes all Intending Borrowers)

Date of issuance : [●]

Part B – Explanation and Advice Given

I certify that:

- (a) I have satisfied all the eligibility requirements for providing counselling service as set out in the Counselling Protocol;

- (b) before the Intending Borrower signed on the Counselling Questionnaire, I explained to the Intending Borrower all the points contained in Part B of the Counselling Questionnaire; and
- (c) that nothing in the counselling session has caused me to believe that the Intending Borrower may not understand or is not capable of understanding all the points contained in Part B of the Counselling Questionnaire.

Part C – Excluded Advice

During the counselling session, I informed the Intending Borrower in clear terms that I was not:

- expressing any view whether the Intending Borrower should take out a reverse mortgage loan;
- advising the Intending Borrower on any specific reverse mortgage transaction which the Intending Borrower may enter into with a lender;
- providing the Intending Borrower with any legal advice relating to the Intending Borrower’s particular circumstances such as estate planning or tax issue; and
- providing the Intending Borrower with any financial advice, analysis or information.

Part D – Reverse Mortgage Counsellor (the “Counsellor”)’s Certificate

I hereby certify the information contained in Parts A to C above and issue this Certificate in accordance with the requirements set out in the Counselling Protocol.

Signed by the Reverse Mortgage Counsellor

Name:

Date:

Part E – Intending Borrower’s Certificate

I / We hereby certify and confirm that:

- I am / We are the Intending Borrower named in this Certificate;

- I / We have attended the counselling session freely, voluntarily and without pressure from any person;
- I / We have been provided with the Information Sheet, the Indicative Loan Schedule and the Information Pack and have read them in advance of the counselling session;
- all the points contained in Part B of the Counselling Questionnaire have been explained by the Counsellor to me / us in clear terms and in a language which I / we understand or through an interpreter before I / we signed on the same, and I / we fully understand those points;
- the information / statements contained in this Certificate is correct;
- the Counsellor is only required to explain to me / us the points contained in Part B of the Counselling Questionnaire and I / we confirm that the Counsellor has done so, and that the Counsellor has not provided any financial advice, analysis or information, or expressed any opinion whether or not I should take out a reverse mortgage; and
- I / We have been provided with a copy of the Counselling Questionnaire and the original of this Certificate.

| | | | | | |
|--------------|-----------|--------------|-----------|--------------|-----------|
| Signed by | Intending | Signed by | Intending | Signed by | Intending |
| Borrower (1) | | Borrower (2) | | Borrower (3) | |

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| Name: | Name: | Name: |
| Date: | Date: | Date: |

[Part F – Certificate by Interpreter

I, the undersigned, hereby certify that I attended the counselling session at *[insert time]* on *[insert date]* at [the office of the Counsellor] / *[Insert address if not the office of the Counsellor]* and in the presence of the Intending Borrower.

I spoke to the Intending Borrower in the *[name of language / dialect]* and I established that the Intending Borrower is / are conversant in the *[name of language / dialect]*.

I am fluent in [Cantonese / English] and the *[name of language / dialect]* and am competent to interpret between both those languages.

During the counselling session, I interpreted all statements made by the Counsellor from [Cantonese / English] to the *[name of language / dialect]*, and all the statements made by the Intending Borrower from the *[name of language / dialect]* to [Cantonese / English].

I am independent of the Intending Borrower and I have no interest in any reverse mortgage loan application intended by the Intending Borrower.

Signed by the Interpreter

Name:
HKID Card no.:
Date:]