

**立法會**  
**Legislative Council**

LC Paper No. CB(2) 1468/01-02  
(These minutes have been seen by  
the Administration)

Ref : CB2/BC/8/01

**Bills Committee on  
Employees Compensation Assistance (Amendment) Bill 2002**

**Minutes of meeting  
held on Thursday, 14 March 2002 at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)  
Hon Kenneth TING Woo-shou, JP  
Hon James TIEN Pei-chun, GBS, JP  
Hon CHAN Kwok-keung  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon LI Fung-ying, JP  
Hon LEUNG Fu-wah, MH, JP

**Members absent** : Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon Eric LI Ka-cheung, JP  
Hon Bernard CHAN  
Hon LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, JP

**Public Officers attending** : Mr Philip CHOK, JP  
Deputy Secretary for Education and Manpower  
  
Mrs Jenny CHAN  
Assistant Commissioner for Labour (Rights and Benefits)

Mr LAI Ka-tong  
Senior Labour Officer (Compensation)

Mr Lawrence PENG Si-yun  
Senior Government Counsel

**Clerk in attendance** : Mrs Sharon TONG  
Chief Assistant Secretary (2)1

**Staff in attendance** : Miss Kitty CHENG  
Assistant Legal Adviser 5

Mr Raymond LAM  
Senior Assistant Secretary (2)5

---

## **I. Election of Chairman**

Ms Audrey EU was elected Chairman of the Bills Committee. She declared that she had on previous occasions provided legal advice to the Employees Compensation Assistance Fund Board in the past.

## **II. Meeting with the Administration**

2. The Bills Committee deliberated (Index of proceedings attached at **Annex**).
3. The Bills Committee requested the Administration to provide a written response on the following -
  - (a) the basis for projecting the liabilities of \$350 million arising from the injury claims referred to in paragraph 8 of the Legislative Council Brief, a breakdown of the injury claims, the dates when the respective accidents happened and when the claims payment were due;
  - (b) the details of the proposed Employees Compensation Insurance Insolvency Scheme, including how the Scheme would operate, views of the insurance industry on the proposed Scheme and the timetable for implementation;

- (c) overseas experience in respect of a compensation fund which dealt with insolvencies of insurers underwriting employees' compensation; and
- (d) the regulation of insurance companies underwriting employees' compensation and how the existing regulatory regime applied to insurance companies with parent companies in overseas countries.

4. As members were particularly concerned about how the existing regulatory regime applied to insurance companies with parent companies in overseas countries and how the proposed Employees Compensation Insurance Insolvency Scheme would operate, the Bills Committee considered that representatives of the Financial Services Bureau and Office of the Commissioner of Insurance should attend the next meeting to answer questions on these matters.

5. Members agreed that the next meeting be held on 3 April 2002 at 4:30 pm.

6. There being no other business, the meeting ended at 9:30 am.

Council Business Division 2  
Legislative Council Secretariat  
27 March 2002

**Proceedings of meeting of the  
Bills Committee on  
Employees Compensation Assistance (Amendment) Bill 2002  
on Thursday, 14 March 2002 at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
0000 – 0122	Mr Kenneth TING, Mr James TIEN, Mr TAM Yiu-chung, Mr CHAN Kwok-keung, Ms Audrey EU	Election of Chairman	
0123 - 0223	Chairman	Opening remarks	
0224 - 1042	Admin	Briefing on the Bill	
1043 - 1213	Chairman	Declaration of having provided legal advice to the Employees Compensation Assistance Fund (EACF) Board in the past	
1214 - 1545	Mr James TIEN	Monitoring of insurance companies with parent companies in overseas countries, invitation of representatives of Financial Services Bureau to attend meeting of the Bills Committee and the Administration's role in employees' compensation	
1546 - 1852	Admin	- ditto -	
1853 - 2044	Mr James TIEN	- ditto -	
2045 - 2136	Chairman	Discussion of the monitoring of insurance companies in the relevant Panel	
2137 - 2248	Mr James TIEN	- ditto -	
2249 - 2320	Mr Kenneth TING	Invitation of representatives of Financial Services Bureau to the Bills Committee's meeting	
2321 - 2417	Mr LEUNG Fu-wah	- ditto -	
2418 - 2421	Chairman	- ditto -	
2422 - 2437	Admin	- ditto -	
2438 - 2609	Mr Andrew CHENG	- ditto -	
2610 - 2701	Ms LI Fung-ying	Details of outstanding injury claims under the employees compensation policies underwritten by the insolvent insurers	
2702 - 2947	Admin	- ditto -	

2948 - 3026	Ms LI Fung-ying	- ditto -	√ The Administration was requested to provide the basis for projecting the liabilities of \$350 million arising from the injury claims referred to in paragraph 8 of the Legislative Council Brief, a breakdown of the injury claims, the dates when the respective accidents happened and when the claims payment were due
3027 - 3036	Chairman	- ditto -	
3037 - 3229	Admin	- ditto -	
3230 - 3257	Chairman	- ditto -	
3258 - 3321	Mr LEUNG Fu-wah	Names of two local subsidiaries of the HIH Group of Companies which went into provisional liquidation because of the insolvency of its Australian parent company	
3322 - 3355	Admin	- ditto -	
3356 - 3550	Mr Andrew CHENG	Overseas experience in respect of a compensation fund which dealt with insolvencies of insurers underwriting employees' compensation and responsibility for taking out employees' compensation insurance	√ The Administration was requested to provide information on overseas experience in respect of a compensation fund which dealt with insolvencies of insurers underwriting employees' compensation
3551 - 3603	Chairman	Responsibility for taking out employees' compensation insurance	

3604 - 3649	Admin	- ditto -	
3650 - 3753	Mr Andrew CHENG	- ditto -	
3754 - 3755	Chairman	- ditto -	
3756 - 3805	Mr Andrew CHENG	- ditto -	
3806 - 3819	Chairman	- ditto -	
3820 - 3839	Admin	- ditto -	
3840 - 3857	Mr Andrew CHENG	- ditto -	
3858 - 3948	Mr CHAN Kwok-keung	Regulation of insurance companies underwriting employees' compensation	
3949 - 3956	Chairman	- ditto -	√ The Administration was requested to provide information on the regulation of insurance companies underwriting employees' compensation
3957 - 4024	Mr TAM Yiu-chung	- ditto -	
4025 - 4036	Chairman	Discussion of the monitoring of insurance companies by the Panel on Financial Affairs	
4037 - 4107	Mr James TIEN	- ditto -	
4108 - 4130	Chairman	- ditto -	
4131 - 4144	Mr James TIEN	- ditto -	
4145 - 4155	Chairman	- ditto -	
4156 - 4202	Mr James TIEN	Timetable for the commencement of the Bill and extension of a government loan to ECAF Board	
4203 - 4212	Admin	- ditto -	
4213 - 4216	Admin/Mr James TIEN	- ditto -	
4217 - 4242	Admin	- ditto -	
4243 - 4249	Chairman	- ditto -	
4250 - 4330	Admin	- ditto -	
4331 - 4340	Chairman	- ditto -	
4341 - 4411	Admin	- ditto -	

4412 - 4539	Mr Andrew CHENG	Regulation of insurance companies underwriting employees' compensation and operation of the proposed Employees Compensation Insurance Insolvency Scheme	√ The Administration was requested to provide information on the operation of the proposed Employees Compensation Insurance Insolvency Scheme
4540 - 4606	Mr TAM Yiu-chung	Discussion of the monitoring of insurance companies by the Panel on Financial Affairs	
4607 - 4609	Chairman	- ditto -	
4610 - 4829	Mr James TIEN	- ditto -	√ The Administration was requested to provide details of the proposed Employees Compensation Insurance Insolvency Scheme, the views of the insurance industry on the proposed Scheme and the timetable for implementation
4830 - 4942	Admin	Responsibility of ECAF Board under existing legislation to indemnify against the default of insolvent insurers	
4943 - 4957	Mr James TIEN	- ditto -	
4958 - 5006	Chairman	- ditto -	
5007 - 5124	Admin	Proposals in the Bills in respect of the responsibility of ECAF Board to indemnify against the default of insolvent insurers	
5125 - 5205	Mr James TIEN	- ditto -	
5206 - 5218	Admin	- ditto -	
5219 - 5221	Mr James TIEN	- ditto -	
5222 - 5235	Admin	- ditto -	
5236 - 5246	Mr James TIEN	- ditto -	
5247 - 5307	Chairman	- ditto -	
5308 - 5401	Admin	- ditto -	

5402 - 5611	Chairman	Date of next meeting	
-------------	----------	----------------------	--

**Note : The audio records of the above proceedings are kept at the LegCo Library**

Council Business Division 2  
Legislative Council Secretariat  
27 March 2002