

立法會
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Panel on Transport and Panel on Financial Affairs

**Joint Subcommittee on Issues Relating to
Insurance Coverage for the Transport Sector**

**Minutes of meeting
held on Monday, 7 May 2012, at 10:45 am
in Conference Room 2B of the Legislative Council Complex**

- Members present** : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon James TO Kun-sun
Hon Ronny TONG Ka-wah, SC
Hon CHAN Kin-por, JP
Hon IP Wai-ming, MH
- Member absent** : Hon CHEUNG Hok-ming, GBS, JP
- Public Officers attending** : Item I
Miss YU In-sin
Assistant Secretary for Transport and Housing (Transport) 1B

Mr Adrian LAM
Principal Assistant Secretary for Financial Services and the
Treasury (Financial Services) (Acting)

Mr Dannis LEUNG
Chief Transport Officer/Planning/Taxi
Transport Department

Mr DIAZ RODRIGO Manuel
Superintendent (Commercial Crime Bureau) (Acting)
Hong Kong Police Force

Mr SIU Wai-sing
Chief Inspector (Fraud Division) (Commercial Crime Bureau)
Hong Kong Police Force

Mr TSANG Hing-tong
Senior Social Security Officer (Accident Compensation)
Social Welfare Department

Mr Ros LAM, JP
Assistant Commissioner of Insurance (General Business Division)
Office of the Commissioner of Insurance

Mr David LIU
Senior Insurance Officer (General Business Division)
Office of the Commissioner of Insurance

Mr LEE Tin-yan
Assistant Solicitor General (Acting)/General Legal Policy
Department of Justice

Mr K P CHENG
Representative of the Hong Kong Federation of Insurers

Clerk in attendance : Mrs Sharon TONG
Principal Council Secretary (2)

Staff in attendance : Ms Mina CHAN
Council Secretary (2) 7

Ms Michelle LEE
Legislative Assistant (2) 7

I. Meeting with the Administration

The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

Traffic Accident Victims Assistance ("TAVA")

2. The Joint Subcommittee requested the Social Welfare Department ("SWD") to provide the following statistical information in respect of TAVA for the past five years with a breakdown by year -

- (a) the amount of various TAVA grants disbursed under the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229);
- (b) the number of cases in which the recipients were prosecuted for allegedly making fraudulent claims of TAVA and the number of successful prosecutions;
- (c) the number of suspected cases of fraud referred to the Police for investigation and follow-up action; and
- (d) the number of people who made repeated applications for TAVA and the number of repeated applications made by each such applicant.

(Post-meeting note: SWD had provided the requisite information vide LC Paper No. CB(2)2084/11-12(02) issued on 21 May 2012.)

3. Noting that SWD was developing a new information system to store essential data of TAVA applicants, members suggested that additional information on traffic accidents relating to TAVA applications, such as the name of owner and driver and registration mark of the vehicle concerned, should be kept by the system to facilitate fraud detection and investigation.

4. Members suggested that the insurance sector could make reference to the privacy policy and practice of the Commercial Credit Reference Agency when exploring the feasibility of setting up an insurance fraud detection mechanism. Members were of the view that relevant data sharing between SWD and the Hong Kong Federation of Insurers ("HKFI") could help deter and prevent the making of fraudulent claims.

5. Noting that insurance companies had not kept figures on suspected fraud cases identified by them, members urged HKFI to make such data available to SWD and the Police for detection and investigation purposes. Senior Social Security Officer (Accident Compensation) supplemented that at present, a representative of HKFI was appointed as member of TAVA Advisory Committee of SWD to discuss issues relating to the TAVA Scheme.

Making of false oaths

6. Assistant Solicitor General (Acting)/General Legal Policy agreed to explain to HKFI members the prosecution procedure against those making false statements, if necessary. He also indicated that the insurance sector could coordinate and refer suspected cases of making false statements in legal proceedings of civil claims to the Department of Justice for follow-up actions.

Reporting system for suspected fraud cases

7. The Joint Subcommittee noted that the Police maintained close communication with HKFI on matters relating to insurance fraud. So far, the Police had not received from the insurance sector any referral of suspected fraud cases since the implementation of its crime reporting system for insurance fraud in February 2012. Chief Inspector (Fraud Division) (Commercial Crime Bureau) ("CIP(F Div)(CCB)") pointed out that the preliminary screening of suspected fraud cases performed by HKFI before referral would facilitate the Police's investigation.

8. CIP(F Div)(CCB) said that the Police conducted a seminar on 28 February 2012 for the transport sector on motor insurance fraud. To facilitate the Police's follow-up actions, he recommended the transport sector to lodge complaints relating to motor insurance fraud with the district report rooms in writing with a copy to the Commercial Crime Bureau.

9. CIP(F Div)(CCB) further said that the Police was delighted to conduct seminars to share with the insurance sector its knowledge and techniques for investigating motor insurance fraud. He stressed that there was a series of promotion and education programmes on fraud prevention throughout the year. A television series on fraud cases, including insurance fraud, would be broadcasted through the "Police Magazine" in mid-July 2012.

(Post-meeting note: A copy of the letter dated 9 May 2012 from the Police to HKFI regarding the holding of a seminar on fraud cases of motor insurance for the insurance sector on 21 May 2012 was circulated to members on 16 May 2012 vide LC Paper No. CB(2)2039/11-12.)

II. Any other business

10. The Chairman reminded members that the next meeting of the Joint Subcommittee had been scheduled for 22 May 2012 at 10:45 am.

11. There being no other business, the meeting ended at 12:17 pm.

**Proceedings of meeting of the Joint Subcommittee on
Issues Relating to Insurance Coverage for the Transport Sector
held on Monday, 7 May 2012, at 10:45 am
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000655 - 000837	Chairman Mr Ronny TONG	Opening remarks	
000838 - 001653	Chairman Admin	Presentation of paper by the Administration (LC Paper No. CB(2)1799/11-12(03))	
001654 - 002052	Chairman Mr CHAN Kin-por Admin	Statistics on fraudulent claims of Traffic Accident Victims Assistance ("TAVA")	<p>The Social Welfare Department ("SWD") to provide the following statistical information in respect of TAVA for the past five years with a breakdown by year -</p> <ul style="list-style-type: none"> (a) the amount of various TAVA grants disbursed under the Traffic Accident Victims Assistance Fund Ordinance (Cap. 229); (b) the number of cases in which the recipients were prosecuted for allegedly making fraudulent claims of TAVA and the number of successful prosecutions; (c) the number of suspected cases of fraud referred to the Police for investigation and follow-up action; and (d) the number of people who made repeated applications for TAVA and the number of repeated applications made by each such applicant
002053 - 003114	Chairman Mr James TO Admin	How suspected cases of fraudulent claims of TAVA referred by SWD were followed up by the Police; and	

Time marker	Speaker	Subject(s)	Action Required
		Suggestions on how to enhance SWD's new information system to improve its ability to detect fraud cases of TAVA application	
003115 - 004605	Chairman Mr CHAN Kin-por Mr James TO The Hong Kong Federation of Insurers	Establishment of insurance fraud detection mechanism; and Sharing of data on fraud cases between SWD and the Hong Kong Federation of Insurers	
004606 - 005115	Chairman Mr James TO Admin	Investigation on repeated claims of TAVA	
005116 - 010028	Chairman Mr James TO The Hong Kong Federation of Insurers Admin	Availability of statistical information on suspected fraud cases identified by insurance companies	
010029 - 010914	Chairman Admin	Presentation of paper by the Administration (LC Paper No. CB(2)1884/11-12(02))	
010915 - 011949	Chairman Mr CHAN Kin-por Admin	Handling of complaints in respect of the making of false statements in legal proceedings of civil claims	
011950 - 013257	Chairman Mr CHAN Kin-por Admin The Hong Kong Federation of Insurers	The implementation of the Police's reporting system for suspected fraud cases referred by the insurance sector; and Promotion and education on insurance fraud	
013258 - 013358	Chairman	Date of next meeting and closing remarks	