

立法會
Legislative Council

LC Paper No. CB(2)2715/11-12
(These minutes have been seen
by the Administration)

Ref : CB2/PS/4/10

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 Tuesday, 22 May 2012, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon James TO Kun-sun
Hon CHAN Kin-por, JP

Members absent : Hon CHEUNG Hok-ming, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon IP Wai-ming, MH

Public Officers attending : Item I

Miss Amy CHAN
Principal Assistant Secretary for Transport and Housing
(Transport) 6

Ms Jennifer CHAN
Principal Assistant Secretary for Financial Services and the
Treasury (Financial Services)

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

Mr Eric WAN
Chief Transport Officer/Boundary
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 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 Harry WONG
Governing Committee Member
The Hong Kong Federation of Insurers

Miss Kelly MOK
Councillor of the General Insurance Council
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 Camy YOONG
Clerical Assistant (2) 7

I. Meeting with the Administration

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

Insurance coverage for cross-boundary transportation operators

2. To explore the feasibility of providing coverage against accidents occurred in both Hong Kong and the Mainland by one motor insurance policy,

Mr Harry WONG, Governing Committee Members of the Hong Kong Federation of Insurers ("HKFI") said that HKFI would discuss the subject with the relevant insurance authorities of the Mainland at their next meeting in the latter half of 2012, and hoped that the Office of the Commissioner of Insurance ("OCI") could provide assistance to HKFI in this regard. Assistant Commissioner of Insurance (General Business Division) of OCI ("ACI(GBD)/OCI") indicated that OCI was willing to raise the matter with the relevant Mainland authorities and discuss with them other possible measures to tackle the problem during their regular communication.

3. Principal Assistant Secretary for Transport and Housing (Transport) 6 advised members that with the launch of ad hoc quota trial scheme for cross-boundary private cars, there were insurance companies introducing coverage for legal liabilities in respect of third party bodily injury and property damage against Hong Kong drivers during self-driving in the Mainland. Such information would be provided to the cross-boundary transport sector for reference during their trade liaison meeting with the Transport Department.

4. Given the proliferation of cross-boundary transport business, the Chairman considered it necessary for the insurance sector to study the feasibility of providing coverage against traffic accidents occurred in both Hong Kong and the Mainland by one motor insurance policy in the long run.

Exaggeration of injuries

5. Members were of the view that the setting up of an Independent Assessment Service ("IAS") as proposed in the United Kingdom could exert a deterrent effect on the act of exaggerating injuries and provide advice about how an employee on sickness absence could be supported to return to work. The Joint Subcommittee urged the Administration to study the feasibility of introducing IAS in Hong Kong for individuals with prolonged sickness after injuries.

Private settlement and late reporting of traffic accident

6. ACI(GBD)/OCI advised that OCI would explore with taxi and public light bus ("PLB") underwriters, and if necessary the taxi and PLB trades, the feasible options to address the issue of private settlement agreement where there was only damage to vehicle and no third party involved in the traffic accident, on the premise that the insured vehicle owner reported to his insurer the occurrence of the accident.

7. The Joint Subcommittee was strongly of the view that taxi or PLB owners should be notified when their vehicles driven by rentee-drivers were involved in traffic accidents. The Joint Subcommittee urged the Administration to study the feasibility of issuing a copy of the Notice of Intended Prosecution to or other possible ways to notify taxi or PLB owners in the event that the vehicles they owned were involved in traffic accidents when driven by rentee-drivers.

Statistics on the Traffic Accident Victims Assistance ("TAVA") Scheme

8. Mr CHAN Kin-por noted from the statistics on TAVA Scheme provided by the Social Welfare Department ("SWD") that numerous TAVA applicants had made repeated claims in the past five years while only a small number of suspected fraudulent cases had been referred to the Police during the same period for investigation and follow-up. He called on SWD to step up its monitoring of TAVA applications.

II. Any other business

9. The Chairman suggested that the Joint Subcommittee would hold a meeting on 14 June 2012 at 4:30 pm to discuss the draft report. Members agreed.

10. There being no other business, the meeting ended at 12:32 pm.

**Proceedings of meeting of the Joint Subcommittee on
Issues Relating to Insurance Coverage for the Transport Sector
held on Tuesday, 22 May 2012, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action Required
000350 - 000620	Chairman	Opening remarks	
000621 - 003415	Chairman Admin The Hong Kong Federation of Insurers Mr CHAN Kin-por	Insurance coverage for cross-border transportation operators; and Feasibility of providing coverage against traffic accidents occurred in both Hong Kong and the Mainland by one motor insurance policy	
003416 - 003643	Chairman Mr CHAN Kin-por	Views on the recommendation made in the United Kingdom to introduce an Independent Assessment Service for individuals with persistent sickness absence	
003644 - 012259	Chairman The Hong Kong Federation of Insurers Admin Mr James TO Mr CHAN Kin-por	Private settlement for traffic accident (LC Paper No. CB(2)2084/11-12(01))	
012300 - 014047	Chairman The Hong Kong Federation of Insurers Mr James TO Admin Mr CHAN Kin-por	Late reporting of traffic accident (LC Paper No. CB(2)2084/11-12(01))	
014048 - 014309	Chairman The Hong Kong Federation of Insurers Mr James TO	Reinstatement of no claim discount	
014310 - 014516	Chairman Mr James TO Mr CHAN Kin-por	Statistics on the Traffic Accident Victims Assistance Scheme (LC Paper No. CB(2)2084/11-12(02))	

Time marker	Speaker	Subject(s)	Action Required
014517 - 014800	Chairman Admin Clerk Mr CHAN Kin-por	Preparation of the Joint Subcommittee's report; Date of next meeting for discussion on the draft report; and Closing remarks	

Council Business Division 2
Legislative Council Secretariat
28 August 2012