

Panel on Transport and Panel on Financial Services

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

List of issues to be studied

(as at 23 April 2012)

	Issues to be studied	Timing for discussion	Papers provided / to be provided by the Administration
1.	Applicability of the protection and indemnity insurance for the shipping sector provided by a P&I Club to the transport sector in Hong Kong	19 December 2011 13 January 2012 (Discussion completed)	LC Paper No. CB(2)576/11-12(02); and LC Paper No. CB(2)801/11-12(02) (paragraphs 3 to 16)
2.	Applicability of the self-insurance arrangement adopted by a franchised bus company to the taxi and public light bus industries	13 February 2012 (Discussion completed)	LC Paper No. CB(2)1001/11-12(02)
3.	Exaggeration of injuries and sick leave certificate - (a) exaggeration of injuries sustained during traffic incidents; (b) abuse issuance of sick leave certificate and the reporting mechanism for false claim of sickness;	19 December 2011 13 January 2012 13 February 2012	Issue 3(a) - LC Paper No. CB(2)150/11-12(01) (paragraph 11); and LC Paper No. CB(2)150/11-12(02) (paragraph 6)

	Issues to be studied	Timing for discussion	Papers provided / to be provided by the Administration
	<p>(c) overseas experience in tackling false or exaggerated claims</p> <p>(d) handling of patients with prolonged recovery after injuries in the public healthcare system of Hong Kong and overseas jurisdictions; and</p> <p>(e) feasibility of setting up an insurance fraud detection mechanism (e.g. insurance fraud register) in Hong Kong</p>		<p>Issues 3(a) to 3(c) -</p> <p>LC Paper No. CB(2)801/11-12(02) (paragraphs 17 to 25);</p> <p>LC Paper No. CB(2)801/11-12(03) (information provided by the Hong Kong Federation of Insurers); and</p> <p>LC Paper No. CB(2)1039/11-12(01) (paragraphs 2 to 3)</p> <p>Issue 3(d) -</p> <p>LC Paper No. CB(2)824/11-12(01)</p> <p>Issue 3(e) -</p> <p>LC Paper No. CB(2)1039/11-12(01) (paragraph 4)</p>
4.	<p>Continuous rise in insurance premium; and limited number of insurers to underwrite taxi and public light bus ("PLB") insurance</p>	<p>12 April 2012</p>	<p>LC Paper No. CB(2)150/11-12(01) (paragraphs 3 to 6); and</p> <p>LC Paper No. CB(2)150/11-12(02) (paragraphs 2 to 5)</p>

	Issues to be studied	Timing for discussion	Papers provided / to be provided by the Administration
5.	<p>No claim discount ("NCD") -</p> <p>(a) deduction of NCD where taxi or PLB drivers are eventually found not at fault in traffic accidents; and</p> <p>(b) reduction in NCD of the other PLBs when one PLB of the same fleet has been involved in a traffic accident</p>	12 April 2012	<p>Issues 5(a) and 5(b) -</p> <p>LC Paper No. CB(2)150/11-12(01) (paragraphs 7 and 8)</p> <p>Issue 5(a) -</p> <p>LC Paper No. CB(2)150/11-12(02) (paragraphs 7 to 9)</p>
6.	<p>Processing of claims -</p> <p>(a) refusal of insurers to process claims or accept a reconciliation agreement signed between taxi/PLB driver with the third party involved in a traffic accident; and</p> <p>(b) refusal of insurers to process claims after the expiry of the period for taxi/PLB drivers to report to insurance companies the occurrence of traffic accidents within 14 days</p>	12 April 2012	<p>Issue 6(a) -</p> <p>LC Paper No. CB(2)150/11-12(01) (paragraphs 9 and 10)</p> <p>Issues 6(a) and 6(b) -</p> <p>LC Paper No. CB(2)150/11-12(02) (paragraph 10)</p>
7.	<p>The right of the aided person to select his/her own solicitor under the Legal Aid Ordinance (Cap. 91)</p>	26 April 2012	<p>LC Paper No. CB(2)1799/11-12(02)</p>

	Issues to be studied	Timing for discussion	Papers provided / to be provided by the Administration
8.	Notification of the vehicle owner in the event of a traffic accident involving a rentee-driver and their respective liabilities in the traffic accident	26 April 2012	
9.	Insurance policy terms and conditions - (a) taxi/PLB owners' potential liabilities arising from their drivers' drink/drug driving; (b) insurance coverage for vehicles running on the roads when typhoon signal No. 8 or above is hoisted; and (c) definition of high-risk occupation in insurance policy for the transport sector	26 April 2012	Issue 9(a) - LC Paper No. CB(2)150/11-12(02) (paragraph 11) Issue 9(b) - LC Paper No. CB(2)150/11-12(02) (paragraph 12)
10.	Reporting mechanism for suspected illegal activities (e.g. insurance fraud, exaggeration of claims and champerty) and law enforcement actions against such activities	May 2012	LC Paper No. CB(2)379/11-12(01) (preliminary response from the Police on the reporting mechanism); and LC Paper No. CB(2)150/11-12(01) (paragraphs 11 and 12)
11.	Traffic Accident Victims Assistance Scheme - (a) monitoring of claims of assistance under the Scheme (e.g. vetting of sick leave certificates and information provided by applicants to the Social Welfare	May 2012	LC Paper No. CB(2)1799/11-12(03)

	Issues to be studied	Timing for discussion	Papers provided / to be provided by the Administration
	Department); and (b) statistics and analysis of fraudulent claims of assistance under the Scheme (including the prosecution figures, successful convictions and their penalties, and the amount of money involved in such cases)		
12.	Follow-up on the making of false oaths in legal proceedings of civil claims arising from traffic accidents	May 2012	
13.	Insurance coverage for cross-border transportation operators (e.g. feasibility of one insurance policy covering Hong Kong and the Mainland)	May 2012	
14.	Proposed measures to tackle the issues of concern identified	June 2012	