

立法會
Legislative Council

LC Paper No. CB(1)1281/14-15
(These minutes have been seen
by the Administration)

Ref : CB1/BC/6/13/1

Bills Committee on Insurance Companies (Amendment) Bill 2014

**Minutes of the twenty-fourth meeting on
Friday, 5 June 2015, at 10:45 am
in Conference Room 2B of the Legislative Council Complex**

- Members present** : Hon WONG Ting-kwong, SBS, JP (Chairman)
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon Cyd HO Sau-lan, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon NG Leung-sing, SBS, JP
Hon YIU Si-wing
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon SIN Chung-kai, SBS, JP
- Members absent** : Hon Starry LEE Wai-king, JP
Hon WONG Kwok-kin, SBS
Hon WONG Yuk-man
Hon Steven HO Chun-yin
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Fernando CHEUNG Chiu-hung
- Public officers attending** : Mr Eddie CHEUNG
Deputy Secretary for Financial Services and the
Treasury (Financial Services) 2

Ms Joan HUNG
Principal Assistant Secretary for Financial Services and
the Treasury (Financial Services) (Special Duties)

Ms Annie CHOI, JP
Commissioner of Insurance

Miss Emma WONG
Senior Government Counsel
Department of Justice

Mr Peter SZE
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Connie SZETO
Chief Council Secretary (1)4

Staff in attendance : Miss Winnie LO
Assistant Legal Adviser 7

Mr Hugo CHIU
Senior Council Secretary (1)4

Action

I Meeting with the Administration

Consideration of Committee Stage amendments proposed by the Administration

LC Paper No. CB(1)946/14-15(01) — Draft Committee Stage amendments proposed by the Administration (on the revised section 68)

LC Paper No. CB(1)946/14-15(02) — Draft Committee Stage amendments proposed by the Administration (on the proposed new section 89 and additional consequential amendments)

LC Paper No. CB(1)877/14-15(04) — Draft Committee Stage amendments proposed by the Administration

Other relevant papers

LC Paper No. CB(1)1494/13-14(01) — Administration's paper on Insurance Companies (Amendment) Bill 2014

LC Paper No. CB(3)581/13-14 — The Bill

LC Paper No. CB(1)1636/13-14(01) — Marked-up copy of the Bill prepared by the Legal Service Division (Restricted to Members)

File Ref: C2/2/50C — Legislative Council Brief

LC Paper No. LS50/13-14 — Legal Service Division Report

LC Paper No. CB(1)1494/13-14(02) — Background brief on Insurance Companies (Amendment) Bill 2014 prepared by the Legislative Council Secretariat

Discussion

The Committee deliberated (Index of proceedings attached at **Appendix**).

II Any other business

Date of next meeting

2. The Chairman said that the Bills Committee had completed scrutiny of the Bill. The Bills Committee had no objection to the Administration resuming the Second Reading debate on the Bill at the Council meeting of 8 July 2015. The Chairman said that he would report the Bills Committee's deliberations to the House Committee on 19 June 2015. The deadline for giving notice of amendments to the Bill would be 27 June 2015.

3. There being no other business, the meeting ended at 11:02 am.

Council Business Division 1
Legislative Council Secretariat
30 September 2015

**Proceedings of the
Bills Committee on Insurance Companies (Amendment) Bill 2014
Twenty-fourth meeting on Friday, 5 June 2015, at 10:45 am
in Conference Room 2B of the Legislative Council Complex**

Time Marker	Speaker	Subject(s)	Action Required
000051 – 000200	Chairman	Introductory remarks	
Consideration of Committee Stage amendments proposed by the Administration			
000201 – 001231	Mr James To Administration Chairman Deputy Chairman Assistant Legal Adviser 7 ("ALA 7")	<p><u>Committee Stage amendments ("CSAs") to the revised section 68 of the Insurance Companies Ordinance (Cap. 41) ("ICO")</u> [LC Paper No. CB(1)946/14-15(01)]</p> <p>Mr TO expressed support for the Administration's proposed CSAs, and opined that the proposed new section 68(4BB) of ICO would enable the court to take relevant factors into account in considering a claim under the proposed amended section 68. The proposed CSAs would enhance protection of policy holders.</p> <p>ALA7 advised that the Administration's CSAs included repealing the existing section 68(6). The Deputy Chairman enquired about the reasons.</p> <p>The Administration explained that the existing section 68(6) set out certain matters that the court had to consider in assessing the liability for claims. With the proposed CSAs to add the new section 68(4BB), the existing section 68(6) might become redundant and thus would be repealed.</p> <p><u>CSAs to the proposed new section 89 of ICO and additional consequential amendments</u> [LC Paper No. CB(1)946/14-15(02)]</p> <p>The Administration explained the proposed CSAs.</p> <p>Members raised no question on the CSAs.</p>	

Time Marker	Speaker	Subject(s)	Action Required
001231 – 001815	Administration Chairman Deputy Chairman	Legislative timetable <u>Concluding remarks</u> The Deputy Chairman urged the Administration to uphold its undertakings made during the scrutiny of the Bill, and the independent Insurance Authority ("IIA") should address the outstanding issues in the formulation of code of conduct and guidelines as appropriate. The Administration responded that the Working Group on Transition would continue to discuss outstanding issues including transitional arrangements and the preparation of IIA's code of conduct.	

Council Business Division 1
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