

Bills Committee on Insurance Companies (Amendment) Bill 2014

**List of follow-up actions arising from the discussion
at the meeting on 9 December 2014**

Insurance Appeals Tribunal

- (a) The Administration is requested to consider Hong Kong Federation of Insurers' suggestion that the Insurance Appeals Tribunal ("IAT") may review the decisions of the independent Insurance Authority based on written representations so as to save time and reduce potential legal costs of the parties concerned;
- (b) In the light of a member's suggestion, the Administration will further explain the policy intent in relation to the appellate mechanism for reviewing IAT's decision under new sections 110 and 113 of the Insurance Companies Ordinance (Cap. 41) ("ICO") (under Clause 84);
- (c) In respect of the new section 113 of ICO, the Administration will provide details on section 50 of the High Court Ordinance (Cap. 4); and
- (d) Noting that the Administrative Appeal Board does not have the power to award costs on the parties to a review and to address members' concern about the potential huge legal fees associated with the appeals cases handled by IAT, the Administration is requested to consider specifying fixed costs for straight-forward and uncomplicated appeal cases to be payable by the parties.

Drafting issues

- (e) In respect of definitions for the terms "regulated activity", "material decision" and "regulated advice" set out in the revised section 2(1) of ICO (under clause 5(14)), the Administration has agreed to review the drafting to specify clearly that the references to the terms are section 3A subsections (a), (b) and (c) respectively.