

# **Traffic Accident Victims Assistance Fund**

## **Annual Report**

**by the**

**Director of Social Welfare Incorporated**

**for the year**

**from 1 April 2012 to 31 March 2013**

# CONTENTS

*Page*      *Paragraph*

## HIGHLIGHTS OF THE YEAR

## INTRODUCTION

1 – 4

## THE FUND

2

5 – 7

## THE TRAFFIC ACCIDENT VICTIMS ASSISTANCE ADVISORY COMMITTEE

Terms of Reference

3

8

Membership

3

9 – 10

Meetings

3

11

## ELIGIBILITY AND UNDERTAKING

Eligibility Criteria

4

12

Undertaking

4

13

## APPLICATIONS AND CASELOAD

Application Procedures

5

14 – 19

Number of Applications

6

20

Application Rate

6

21

Results of Applications

7

22

Applications Rejected

8

23

Applications Withdrawn

8

24

Caseload

9

25

## PAYMENTS

Basis of Payments

10

26

Payment of Assistance

10 – 11

27 – 28

Serious Traffic Accidents

11

29

	<i>Page</i>	<i>Paragraph</i>
The Highest Award	11	30
Methods of Payment	11	31
Speed of Payment	11	32 – 33

## **REFUNDS**

Statutory Refund Requirement	12	34
Refund Cases	12	35
Reimbursement Rate	13	36
Sources of Refunds	13	37 – 38

## **APPEALS**

Right of Appeal	14	39
Appeal Cases	14	40

## **PUBLICITY AND LIAISON**

Publicity	15	41 – 42
Liaison	15	43
Welfare Referrals	15	44

## **FINANCIAL POSITION**

Audited Statement of Accounts	16	45 – 47
Contribution from Government	16	48
Accumulated Surplus of the Fund	16	49
Long Term Financial Position	16	50

## **APPENDICES**

- I Application Trend since 1979
- II Payment Schedule
- III Time Limits for Lodging Appeals
- IV Audited Statement of Accounts: Receipts and Payments Account and Balance Sheet

## **HIGHLIGHTS OF THE YEAR**

### **Applications and Caseload**

- The number of applications decreased by 1.4% from 8 718 in the previous year to 8 594.
- The number of traffic casualties reported to the Police decreased by 0.3% from 20 132 in the previous year to 20 069, while the rate of application for Traffic Accident Victims Assistance decreased from 43.3% to 42.8%.

### **Payments**

- The total amount of assistance paid increased by 13.4% from \$170.3 million in the previous year to \$193.1 million.
- A total of 76 serious traffic accident cases were processed.
- The highest award of the year was \$113,400.

### **Refunds**

- The total amount of refunds received in the year under Section 10 of the Traffic Accident Victims (Assistance Fund) Ordinance, Cap. 229 of the Laws of Hong Kong increased by 10.4% from \$53.1 million in the previous year to \$58.6 million.

### **Appeals**

- Two appeals were received during the year.

### **Financial Position**

- The accumulated surplus as at 31 March 2013 was \$1,299.0 million, compared with \$1,250.4 million as at 31 March 2012.
- Based on the 10-year financial projection of the Traffic Accident Victims Assistance Fund, the Fund is expected to be financially sustainable. The projection assumes that there will be a 3% increase in payment per annum and that the present rates of levies on vehicles and driving licences (which were last revised in 1995) will remain unchanged.

## INTRODUCTION

The Traffic Accident Victims (Assistance Fund) Ordinance, Cap. 229 of the Laws of Hong Kong, provides for the creation of a fund for assisting traffic accident victims and their dependants, the charging of levies and for purposes connected therewith.

2. In accordance with Section 4 of the Ordinance, the Traffic Accident Victims Assistance (TAVA) Scheme came into operation on 1 May 1979 under the administration of the Social Welfare Department (SWD). It aims at providing speedy financial assistance to road traffic accident victims (or to their surviving dependants in cases of death) on a non-means-tested basis, regardless of the element of fault leading to the occurrence of the accident. Payments are made for personal injuries, while loss of or damage to property is not covered. Beneficiaries under the Scheme still retain the right to make claims for damages or compensation from other sources in the usual way. Those who receive damages or compensation in respect of the same traffic accident are required to repay the amount of assistance they have already received from the Scheme, but in any case the amount to be repaid shall not exceed the amount of damages or compensation awarded, as specified under Section 10 of the Ordinance.

3. Section 11 of the Ordinance requires the Director of Social Welfare to prepare and the Director of Audit to audit a statement of accounts of the Fund for each period of 12 months ending on 31 March. It also specifies that a copy of the audited statement of accounts together with the Director of Audit's report, if any, and a report by the Director of Social Welfare on the administration of the Fund during the period covered by the audited accounts, shall be laid upon the table of the Legislative Council.

4. This report describes the administration of the TAVA Fund and the operation of the TAVA Scheme for the year ending 31 March 2013.

## **THE FUND**

5. The TAVA Fund is administered by the Director of Social Welfare Incorporated.
6. The income of the Fund consists of:
  - levies on the licensing fees of motor vehicles, trade licences, light rail vehicles, tramcars, trailers drawn by tramcars, government vehicles, and on driving licence fees including learner's driving licences, temporary driving licences and permits to drive government vehicles;
  - refunds from beneficiaries;
  - such sums as may from time to time be voted by the Legislative Council for the purpose; and
  - interest and other income derived from the money and investments comprising the Fund.
7. Payments made from the Fund include:
  - monies payable to traffic accident victims and their dependants under the TAVA Scheme;
  - any refund of levies in respect of motor vehicles, trade licences, light rail vehicles, tramcars or trailers; and
  - the administration cost of the Fund.

## THE TRAFFIC ACCIDENT VICTIMS ASSISTANCE ADVISORY COMMITTEE

### Terms of Reference

8. The terms of reference of the TAVA Advisory Committee are to advise the Director of Social Welfare on:

- all matters connected with the administration of the TAVA Scheme; and
- the administration of the TAVA Fund.

### Membership

9. The Committee consists of three ex-officio members and five non-official members, all appointed by the Chief Executive. The Chairman is appointed from the non-official members. Tenure of office of the non-official members is two years.

10. Membership as at 31 March 2013 was as follows:

<b>Chairman</b>	Mr Kwok Lam-kwong, Larry, BBS, JP
-----------------	-----------------------------------

<b>Vice-Chairman</b>	Director of Social Welfare
----------------------	----------------------------

<b>Members</b>	Mr Lau Yat-ming, Billy
----------------	------------------------

	Ms Law Suk-kwan, Lilian, JP
--	-----------------------------

	Ms Lee Kwun-yee, Kenny
--	------------------------

	Mr Li Man-bun, Brian David, JP
--	--------------------------------

	Director of Legal Aid or his representative
--	---

	Commissioner of Police or his representative
--	--

<b>Secretary</b>	Senior Social Security Officer (Accident Compensation)
------------------	--

### Meetings

11. During the year, two regular meetings were held on 14 June and 12 December 2012.

## **ELIGIBILITY AND UNDERTAKING**

### **Eligibility Criteria**

12. Eligibility for assistance under the TAVA Scheme depends on the following criteria:
- the accident falls within the scope of the Traffic Accident Victims (Assistance Fund) Ordinance and has been reported to the Police;
  - the victim died from the accident or the injury sustained by the victim gave rise to at least three days' hospitalization or sick leave as certified by a registered medical practitioner;
  - the application for assistance is made within six months after the date of the accident; and
  - the victim is a person having the right to remain in Hong Kong or being permitted to remain in Hong Kong under the Immigration Ordinance, Cap. 115, and he/she is not in contravention of a limit of stay (if any) in force against him/her at the time of the accident.

### **Undertaking**

13. As required by Section 9 of the Traffic Accident Victims (Assistance Fund) Ordinance, the applicant has to sign an undertaking, as a condition of payment of assistance under the Scheme, whereby he/she must:

- notify the Director of Social Welfare of the making of any claim by him/her for damages or compensation from other sources in respect of the same traffic accident (such notification should be given within 30 days from the date of making such claim); and
- notify any person, against whom he/she has made a claim for damages or compensation in respect of the same traffic accident, of the date and amount of payment he/she has received from the Fund (such notification should be given in writing within seven days from the date of making such claim).



## **APPLICATIONS AND CASELOAD**

### **Application Procedures**

14. Applications for assistance can be made by fax, by post, by e-mail or in person. Application forms are available at the Accident Investigation Divisions of the Hong Kong Police Force, District Offices of the Home Affairs Department, Police posts at the Accident and Emergency Departments of hospitals under the Hospital Authority, the TAVA Section and the SWD homepage at <http://www.swd.gov.hk>.

15. Under normal circumstances, the police officer who investigates a traffic accident will introduce the Scheme to the victim or his/her next-of-kin. In the case of serious traffic accidents, staff of the TAVA Section will take the initiative to contact the victims or their dependants to assist them to apply for assistance at an early date.

16. An application for assistance is considered to have been formally made only when it is received by the SWD.

17. Unless prevented by special circumstances or immobility, the applicant will be required to attend an interview at the TAVA Section. He/she is responsible for producing evidence in support of his/her claim of temporary incapacity for work or any permanent disability resulting from his/her injuries sustained in the traffic accident. With the victim's consent, medical examinations and reports may be arranged with the Hospital Authority/Department of Health for the purpose of assessing his/her eligibility for assistance.

18. To guard against fraudulent claims, doubtful medical certificates/reports produced by the victim will be referred to the Hospital Authority/Department of Health for re-assessment. The TAVA Section will also refer doubtful cases to the Police for in-depth investigations.

19. As an additional measure to prevent fraud and abuse of the Scheme, standard forms for reporting suspected fraud cases by members of the public are obtainable at public housing estate offices and other government offices. Alternatively, these forms can be downloaded from the SWD homepage (see paragraph 14 above).

## Number of Applications

20. During the year, 8 594 applications were received. This represents a decrease of 1.4% over the previous year (8 718 in 2011-12). A chart showing the application trend of the Scheme since 1979 is at Appendix I.

## Application Rate

21. According to the figures provided by the Commissioner of Police, the number of reported traffic casualties decreased by 0.3% over the previous year. As for the rate of application for TAVA, it was decreased from 43.3% to 42.8%. The table below shows the application rate:

Application rate 2012-13								
	<i>Fatality</i>		<i>Serious injury</i>		<i>Slight injury (Note)</i>		<i>Total</i>	
Traffic casualties reported to Police	<b>114</b>	(129)	<b>2 521</b>	(2 366)	<b>17 434</b>	(17 637)	<b>20 069</b>	(20 132)
Applications for TAVA	<b>87</b>	(88)	<b>1 266</b>	(1 263)	<b>7 241</b>	(7 367)	<b>8 594</b>	(8 718)
<b>Application rate (%)</b>	<b>76.3</b>	(68.2)	<b>50.2</b>	(53.4)	<b>41.5</b>	(41.8)	<b>42.8</b>	(43.3)

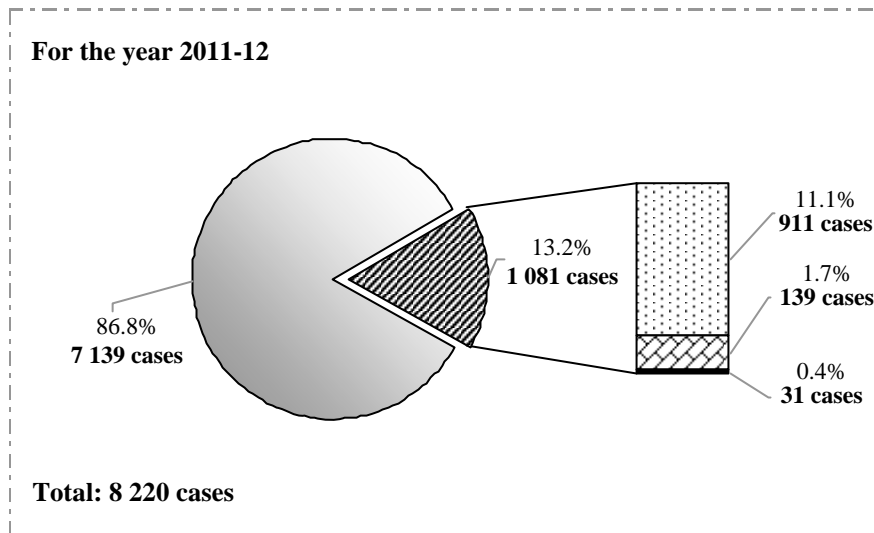
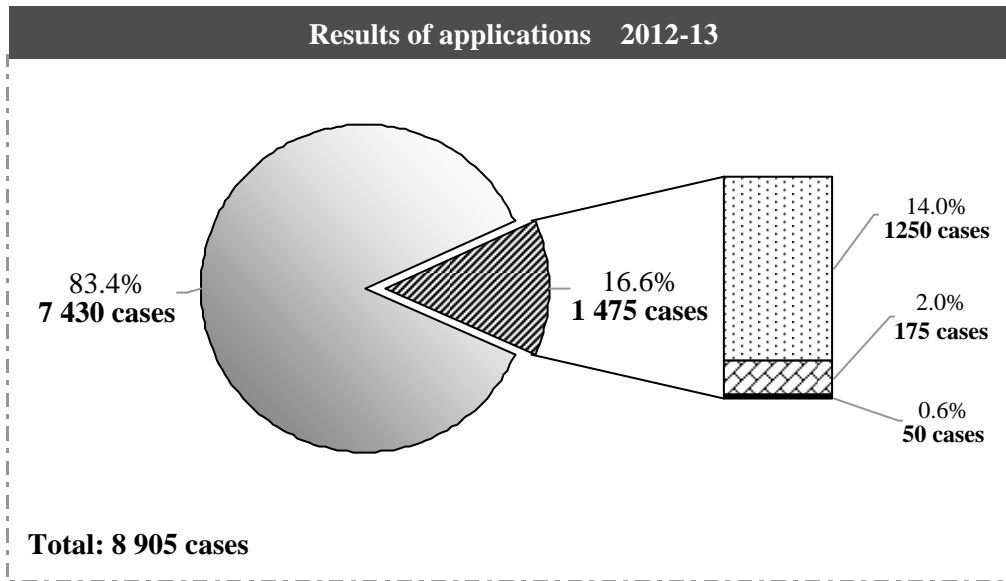
(Figures in brackets represent those for the previous year)

### Note

A significant percentage of 'slight injury' victims might not meet the three-day minimum sick leave requirement of the Scheme.

## Results of Applications

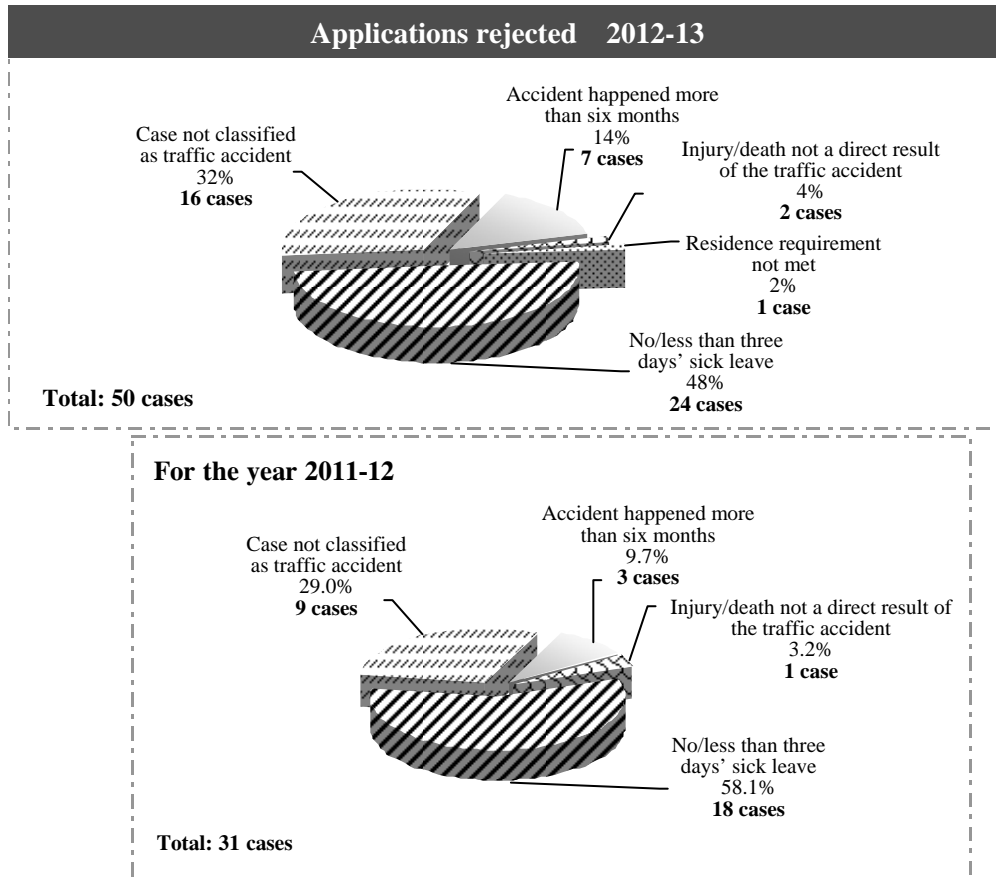
22. During the year, 8 905 applications were processed with the following results:



- Payments authorized
  - Payments not authorized
  - applications withdrawn
  - employees' compensation exceeds TAVA
  - applications rejected
- entitlement

### Applications Rejected

23. The reasons for rejecting 50 applications are analyzed below:



### Applications Withdrawn

24. 1 250 applicants subsequently withdrew their applications for the following reasons:

Applications withdrawn 2012-13				
	Applications		%	
Seeking indemnity/compensation from other sources	222	(250)	17.8	(27.4)
Unwilling to comply with procedures	157	(101)	12.6	(11.1)
Lost contact	328	(172)	26.2	(18.9)
Not requiring financial assistance	468	(344)	37.4	(37.8)
Claim for compensation settled by other means	57	( 18)	4.6	( 2.0)
Burial grant paid by other sources	5	( 11)	0.4	( 1.2)
Case not classified as traffic accident	9	( 14)	0.7	( 1.5)
Accident happened more than six months	4	( 1)	0.3	( 0.1)
<b>Total</b>	<b>1250</b>	<b>(911)</b>	<b>100</b>	<b>(100)</b>

(Figures in brackets represent those for the previous year)

## Caseload

25. Statistics below show the flow of cases handled during the year:

Caseload flow 2012-13								
<i>Cases brought forward</i>	+	<i>Cases newly received</i> <i>(Note)</i>	=	<i>Total caseload</i>	-	<i>Cases closed</i>	=	<i>Active caseload as at 31 March 2013</i>
7 922		9 386		<b>17 308</b>		<b>9 834</b>		<b>7 474</b>

### Note

Including 609 cases re-opened for recovery or other action, and 183 referrals/enquiries which did not result in application.

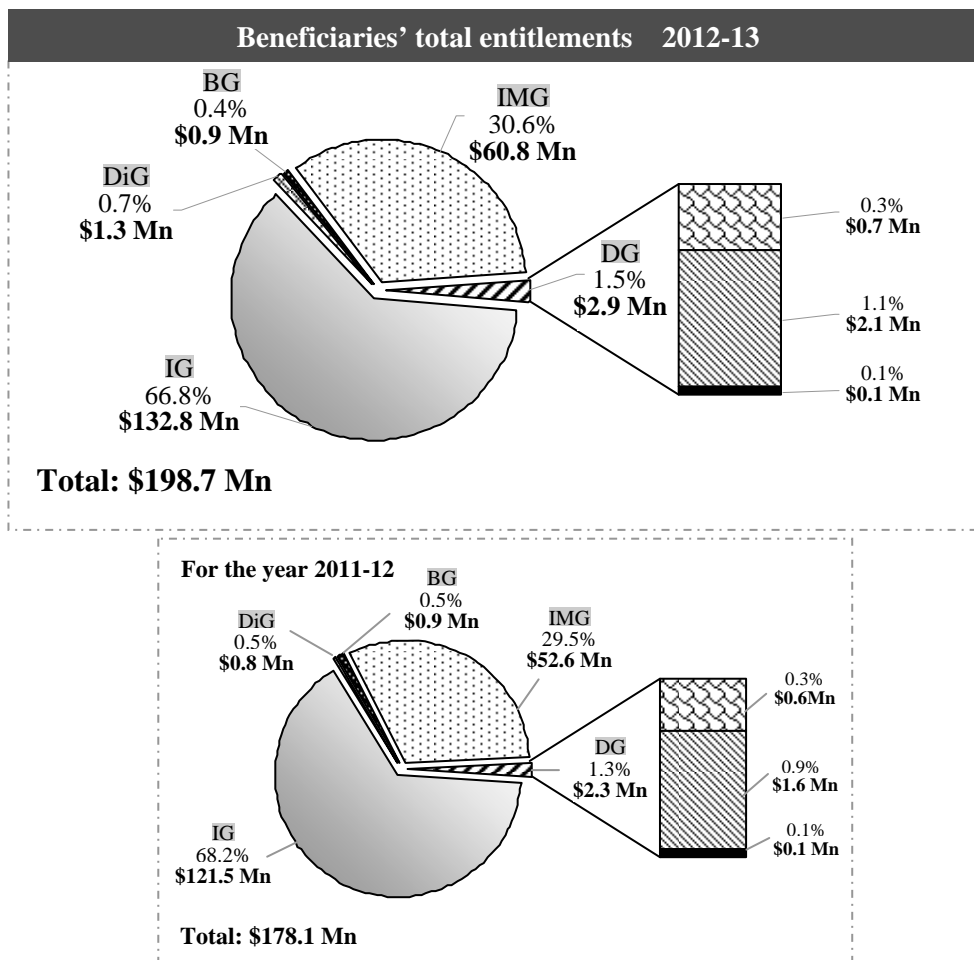
## PAYMENTS




### Basis of Payments

26. The levels of assistance are assessed on the basis of the payment schedule for death or personal injury under the Emergency Relief Fund, which is subject to periodic revision. The payment rates were last revised on 1 April 2012 (see Appendix II).

### Payment of Assistance

27. Five types of grants are payable under the Scheme. A breakdown by type of grant of the beneficiaries' total entitlements during the year is provided below:



- BG** Burial grant
- DG** Death grant
  -  loss of sole wage earner
  -  loss of one of the wage earners
  -  loss of non-wage-earning parent with any surviving child under 15 years of age
- IG** Injury grant
- DiG** Disability grant
- IMG** Interim maintenance grant

28. As shown in paragraph 27 above, the total amount of the beneficiaries' entitlements during the year amounted to \$198.7 million. By virtue of the statutory refund provision, a total amount of \$6.3 million received by a number of victims as periodical payments under the Employees' Compensation Ordinance and compensation from other sources was deducted from their entitlements. The net amount of assistance authorized for payment was \$192.4 million. The actual amount of assistance paid increased by 13.4%, from \$170.3 million in 2011-12 to \$193.1 million. The difference between the amount authorized and the actual amount paid was due to the time gap between authorization and payment of assistance.

### **Serious Traffic Accidents**

29. The TAVA Section processed 76 serious traffic accident cases during the year. The accident resulting in the largest number of victims occurred on 19 November 2012 where four vehicles collided at the junction of Chai Wan Road and A Kung Ngam Road in Shau Kei Wan. 60 victims were involved in this accident, and 17 of them were found eligible for TAVA. As at 31 March 2013, a total of \$0.4 million under the Scheme had been paid out.

### **The Highest Award**

30. The highest award of the year was \$113,400 for a victim of a serious injury case.

### **Methods of Payment**

31. Payment is normally credited to an applicant's designated bank account. Under special circumstances, payment can be made by crossed cheque or by special delivery of cash to the applicant.

### **Speed of Payment**

32. The time span for processing a case will depend very much on the caseload during the year, the complexity of the cases, and such other factors as the availability of evidence, the time needed for medical authorities to assess the victims' degree of injury and disability, and the readiness of related parties (e.g. the employer concerned) to respond to enquiries.

33. The TAVA Section pledges to issue payment to successful new applications within seven working days after completion of investigation and authorization. This year's achievement rate was 100%, against the performance target of 95%.

## REFUNDS

### Statutory Refund Requirement

34. Section 10 of the Traffic Accident Victims (Assistance Fund) Ordinance stipulates that where as a result of any traffic accident, damages or compensation are paid to any person who has received money from the Fund, the person receiving the damages or compensation shall repay to the Fund the amount of money paid from the Fund. However, in any case the amount to be repaid shall not exceed the amount of damages or compensation received.

### Refund Cases

35. During the year, there were 1 720 cases in which claims for damages or compensation were successful. The claimants were required to reimburse part or all of the payments from the Fund. The position as at the end of the year was as follows:

Refunds 2012-13			
	Common law damages	Employees' compensation	Total
(a) No. of cases involved	1 679	41	1 720 (1 598)
(b) No. of cases having refunded as at the end of the year	1 554	19	1 573 (1 456)
(c) No. of outstanding cases [(a) – (b)]	125	22	147 (142)
/ / / / /			
(d) Amount to be refunded	\$64.6 Mn	\$0.5 Mn	\$65.1 Mn (\$58.6 Mn)
(e) Amount already refunded as at the end of the year	\$58.3 Mn	\$0.3 Mn	\$58.6 Mn (Note) (\$53.1 Mn)
(f) Amount of outstanding refunds [(d) – (e)]	\$6.3 Mn	\$0.2 Mn	\$6.5 Mn (\$5.5 Mn)

(Figures in brackets represent those for the previous year)

#### Note

The total amount of refunds represented 30.5% of the amount of assistance authorized for payment during the year, compared with 30.9% in 2011-12.



### Reimbursement Rate

36. The following table shows the amount of reimbursement in relation to the total amount of beneficiaries' entitlements under the Scheme:

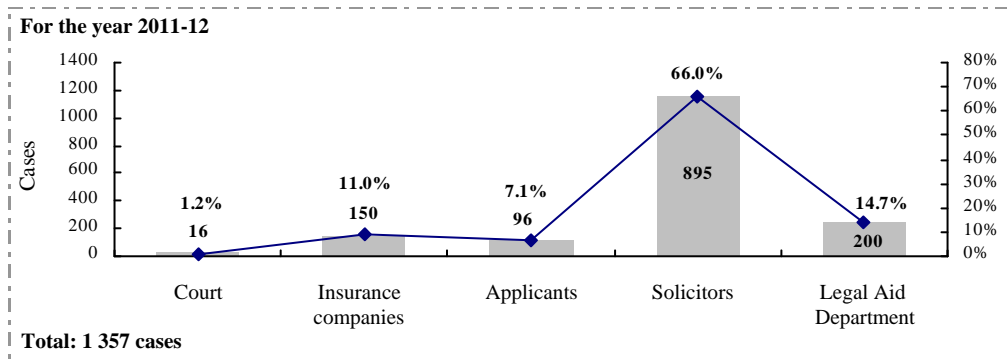
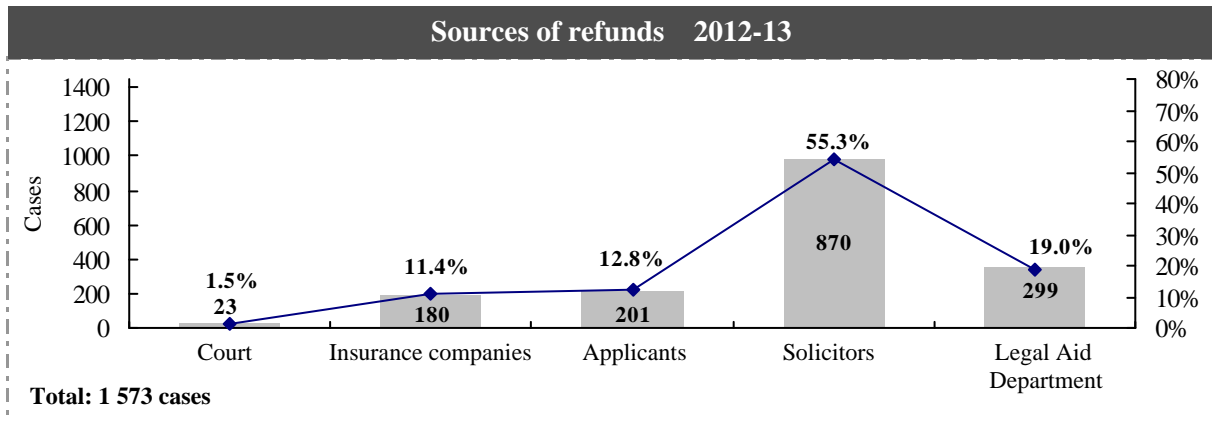
Reimbursement rate 2012-13		
	\$ Mn	
Beneficiaries' total entitlements under the Scheme	<b>198.7</b>	(178.1)
Total reimbursement		
● Deductions of periodical payments of employees' compensation	6.3	( 6.1)
● Refunds from successful claims for damages or compensation	58.6	( 53.1)
Total	<b>64.9</b>	( 59.2)
<b>Reimbursement rate (%)</b>	<b>32.7</b>	( 33.2)

(Figures in brackets represent those for the previous year)

### Sources of Refunds

37. Refunds to the Fund are made either by the applicants or through other parties (including the Legal Aid Department, the Judiciary, private solicitors and insurance companies) with the consent of the applicants.

38. The following charts give a comparison of the sources of refunds between 2012-13 and 2011-12:



## **APPEALS**

### **Right of Appeal**

39. Where a person is not satisfied with the decisions of the SWD in respect of his/her application for TAVA, he/she may lodge an appeal with the Social Security Appeal Board in writing within the respective time limits (details at Appendix III). The Social Security Appeal Board is an independent body comprising non-officials appointed by the Chief Executive to handle social security appeals. Applicants/beneficiaries are informed of their rights of appeal in the information pamphlets issued by the TAVA Section and in the letters of notification of decision sent to them.

### **Appeal Cases**

40. During the year, two appeals were received. As at 31 March 2013, one was dismissed by the Social Security Appeal Board while the remaining one was under processing.

## **PUBLICITY AND LIAISON**

### **Publicity**

41. SWD continued to publicize the Scheme through ‘Announcement of Public Interest’ on television and radio. The SWD Information and Public Relations Unit issued press releases on several occasions to publicize the department’s prompt response to serious traffic accidents.

42. Both information pamphlets and leaflets of the Scheme are available at the Accident Investigation Divisions of the Hong Kong Police Force, District Offices of the Home Affairs Department, Police posts at the Accident and Emergency Departments of hospitals under the Hospital Authority and the TAVA Section where application forms can be obtained. Members of the public can also obtain information about the Scheme from the SWD homepage (see paragraph 14 above).

### **Liaison**

43. Regular contact and close co-ordination were maintained with the Hong Kong Police Force, Department of Health, Department of Justice, Legal Aid Department, Labour Department, Judiciary, Hospital Authority, and other related bodies to ensure the smooth operation of the Scheme.

### **Welfare Referrals**

44. Where an applicant is found to be in need of other welfare services (for example, family and marriage counselling, psychiatric assistance), subject to the applicant’s consent, the TAVA Section will make referrals to other service units or other departments/organizations for appropriate assistance.

## **FINANCIAL POSITION**

### **Audited Statement of Accounts**

45. The audited statement of accounts of the Fund for the year, including the Receipts and Payments Account and the Balance Sheet, is shown at Appendix IV.

46. There was an outstanding liability of \$9.1 million on the Fund, representing the total amount involved in cases where assistance had been authorised but payment was still outstanding as at 31 March 2013.

47. The interest receivable amounted to \$3.8 million as at the end of the year.

### **Contribution from Government**

48. At the time of preparing the annual estimates, the “contribution from government” was estimated on the basis of 25% of the total levies expected to be collected for the year.

### **Accumulated Surplus of the Fund**

49. The accumulated surplus brought forward from 2011-12 was \$1,250.4 million. For 2012-13, the surplus was \$48.6 million. The accumulated surplus as at 31 March 2013 was \$1,299.0 million.

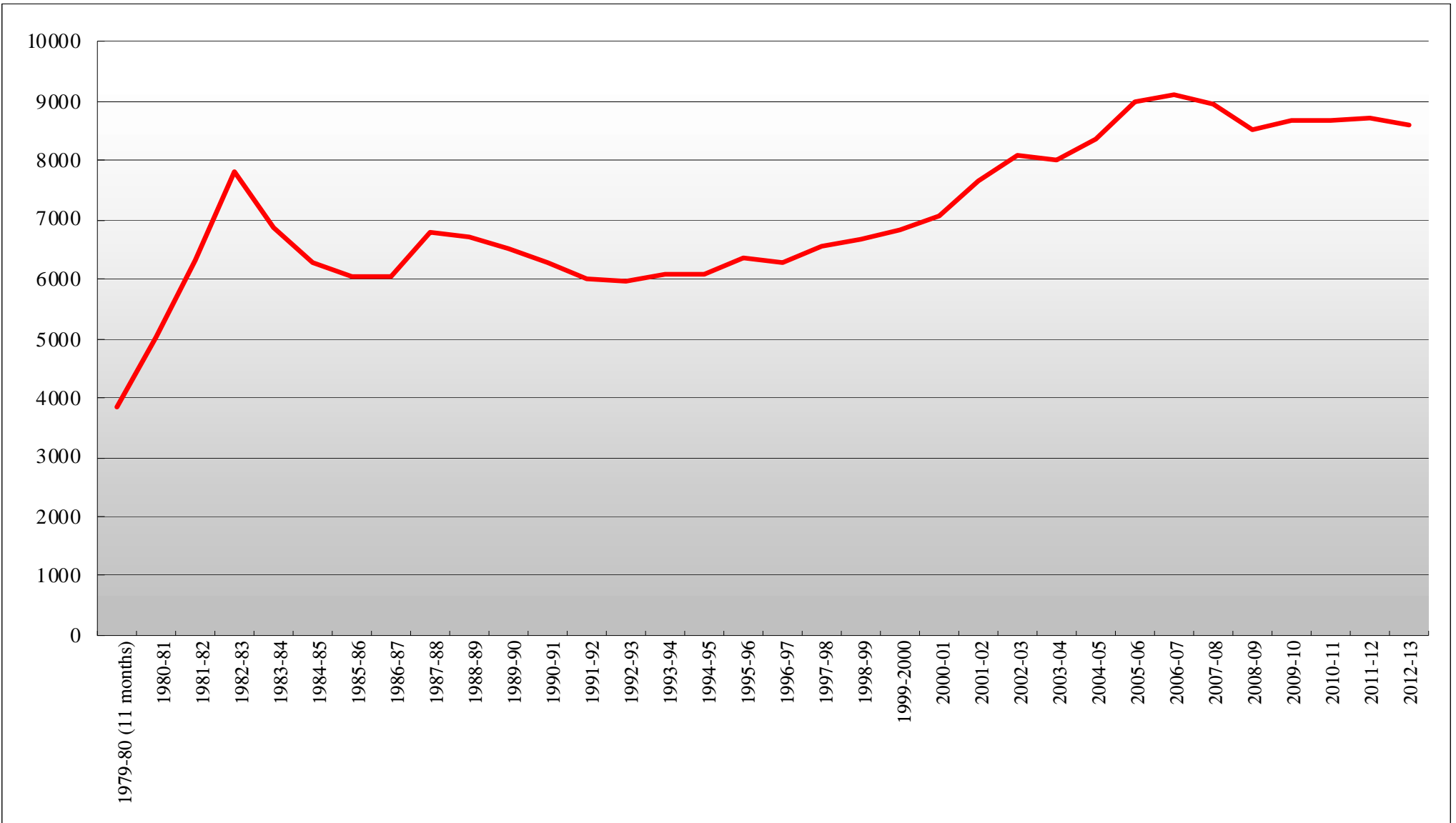
### **Long Term Financial Position**

50. Based on the 10-year financial projection of the Fund, the Fund is expected to be financially sustainable. The projection assumes that there will be an increase of 3% in payment per annum and that the present rates of levies on vehicles and driving licences (which were last revised in 1995) will remain unchanged (Note). The TAVA Advisory Committee keeps a close watch on the financial position of the Fund.

#### Note

The annual levies on vehicle licences and driving licences have remained at \$114 and \$38 respectively, since the last revision on 1 January 1995.

## The Traffic Accident Victims Assistance Scheme Application Trend since 1979



## Payment Schedule of the Traffic Accident Victims Assistance

Type of Payment	Level of Grant (for accidents occurring on or after 1.4.2012)	Condition of Grant
<b>Burial grant</b>	\$12,120 per person	If the burial expenses were paid in full or in part by Government (such as under the Comprehensive Social Security Assistance Scheme) or by one of the charitable funds, then the amount of grant shall be reduced by the amount of such payment.
<b>Death grant</b>		
a) Loss of sole wage earner where there are dependants	\$122,300 for one surviving dependant family member plus \$10,190 for each additional surviving dependant family member, up to a maximum of \$173,250.	If the beneficiary is an adult who is mentally unsound or found unconscious or is a minor without surviving parent or legal guardian, payments will be made on the advice of Social Welfare Department.
b) Loss of wage earner where there are dependants and another wage earner remaining in the family	\$61,150 for one surviving dependant family member plus \$10,190 for each additional surviving dependant family member, up to a maximum of \$112,100.	
c) Loss of a parent who was not a wage earner where there are children under 15 years of age	\$61,150 for one surviving child under 15 plus \$10,190 for each additional surviving child under 15, up to a maximum of \$112,100.	
<b>Disability grant</b>	Up to a maximum of \$146,760, abated to 2/3 for persons aged 60 and over, discounted on account of degree of disability as provided for under the Employees' Compensation Ordinance.	
<b>Injury grant</b>	Up to a maximum of \$48,300 depending on gravity of injury.	For cases where the injury period is 7 days or more before death -  a) injury grant is payable;  b) it is payable to the victim or to his family after his death as the case may be.  Injury grant should cease from the date on which the victim becomes eligible for the disability grant, or upon the death of the victim.
<b>Interim maintenance grant</b>	Up to \$10,190 per month for a maximum of 6 months (one month is regarded as 30 days)	In case of incapacity of a wage-earner or a non-wage-earning parent with a child under 15 years of age.  Payment of this grant should cease upon the death of the victim.

### Time Limits for Lodging Appeals

Categories of appellant	Time limit
<p>An applicant or a beneficiary who may delegate his/her next-of-kin through the issue of a power of attorney</p> <p>An appointed applicant or an authorized agent or an attorney acting on behalf of a minor or a mentally handicapped victim/beneficiary</p>	<p><i>Within four weeks of the date of notification of decision on application.</i></p>
<p>A lawfully appointed personal representative of the deceased applicant/beneficiary</p>	<p><i>Within four weeks of the date of a grant of probate/the letter of administration by Court.</i></p>
<p>The Official Administrator (the Registrar of the Court) administering the estate of the deceased applicant/beneficiary in a summary manner</p>	<p><i>Within four weeks of the date of the getting in of the estate.</i></p>

#### Note

The Chairman of the Social Security Appeal Board may allow late appeals if he/she considers the reasons for the delay acceptable.



Traffic Accident Victims Assistance Fund

Financial Statements for the year ended 31 March 2013



# **Report of the Director of Audit**



**Audit Commission**

**The Government of the Hong Kong Special Administrative Region**

## **Independent Audit Report**

### **To the Legislative Council**

I certify that I have audited the financial statements of the Traffic Accident Victims Assistance Fund set out on pages 3 to 6, which comprise the balance sheet as at 31 March 2013, and the receipts and payments account for the year then ended, and a summary of significant accounting policies and other explanatory information.

### **Director of Social Welfare Incorporated's Responsibility for the Financial Statements**

The Director of Social Welfare Incorporated is responsible for the preparation of these financial statements in accordance with section 11(1) of the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229), and for such internal control as the Director of Social Welfare Incorporated determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with section 11(3) of the Traffic Accident Victims (Assistance Fund) Ordinance and the Audit Commission auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance as to whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk

assessments, the auditor considers internal control relevant to the entity's preparation of financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of the accounting policies used by the Director of Social Welfare Incorporated, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

### **Opinion**

In my opinion, the financial statements of the Traffic Accident Victims Assistance Fund for the year ended 31 March 2013 are prepared, in all material respects, in accordance with section 11(1) of the Traffic Accident Victims (Assistance Fund) Ordinance.



Frederick T C WONG  
Principal Auditor  
for Director of Audit

30 July 2013


Audit Commission  
26th Floor  
Immigration Tower  
7 Gloucester Road  
Wanchai, Hong Kong

**Traffic Accident Victims Assistance Fund**

**Balance Sheet as at 31 March 2013**

	Note	2013 HK\$	2012 HK\$
<b>Assets</b>			
Investments	3	64,569,100	340,588,271
Deposits with banks		1,170,857,538	890,510,275
Cash with other government departments		5,371,038	7,761,385
Cash and bank balances		58,222,562	11,591,377
<b>Total assets</b>		<u>1,299,020,238</u>	<u>1,250,451,308</u>
 <b>Accumulated fund</b>			
Balance at beginning of year		1,250,451,308	1,176,514,110
Surplus for the year		48,568,930	73,937,198
<b>Balance at end of year</b>		<u>1,299,020,238</u>	<u>1,250,451,308</u>

The accompanying notes 1 to 7 form part of these financial statements.

  
**(Ms Carol Yip Man-kuen)**  
**Director of Social Welfare Incorporated**  
**30 July 2013**

**Traffic Accident Victims Assistance Fund**

**Receipts and Payments Account for the year ended 31 March 2013**

	<b>Note</b>	<b>2013 HK\$</b>	<b>2012 HK\$</b>
Cash and bank balances at beginning of year		11,591,377	10,974,185
Revenue	4	262,044,124	261,704,353
Expenditure	5	(213,475,194)	(187,767,155)
<b>Surplus for the year</b>		48,568,930	73,937,198
Other cash movements	6	(1,937,745)	(73,320,006)
Cash and bank balances at end of year		<u>58,222,562</u>	<u>11,591,377</u>

The accompanying notes 1 to 7 form part of these financial statements.

## Traffic Accident Victims Assistance Fund

### Notes to the Financial Statements

#### 1. General

The financial statements of the Traffic Accident Victims Assistance Fund are prepared pursuant to section 11(1) of the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229). The Fund was established for the purpose of assisting traffic accident victims and their dependants in accordance with section 3(1) of the Traffic Accident Victims (Assistance Fund) Ordinance.

#### 2. Significant accounting policies

##### (a) Basis of accounting

The financial statements are prepared on a cash basis.

##### (b) Investments

Debt securities are acquired with an intention to hold to maturity and are stated at cost in the balance sheet. The cost of investments includes all expenses relating to the purchase of investments such as commission, brokerage, stamp duty and transaction levy.

##### (c) Foreign currency transactions during the year are translated into Hong Kong dollars using the exchange rates prevailing at the transaction dates. Assets denominated in currencies other than Hong Kong dollars are translated into Hong Kong dollars using the closing exchange rate at the end of the reporting period. Exchange gains and losses are accounted for in the Receipts and Payments Account.

#### 3. Investments

	<b>2013</b>	<b>2012</b>
	<b>HK\$</b>	<b>HK\$</b>
Debt securities		
(a) At cost		
– maturing within 1 year	64,569,100	276,019,171
– maturing after 1 year	-	64,569,100
	64,569,100	340,588,271
(b) Market value at 31 March	65,816,021	344,732,011

	<b>2013</b>	<b>2012</b>
	<b>HK\$</b>	<b>HK\$</b>
<b>4. Revenue</b>		
Levies collected by the Transport Department	138,971,131	141,870,712
Levies on government vehicles and driving permits	873,734	866,438
Contribution from the Government	32,459,000	31,000,000
Interest on investments	12,361,225	21,489,093
Interest on deposits and bank balances	16,227,034	11,579,256
Assistance refunds	58,550,846	53,120,916
Realised discount on redemption of investments	1,804,200	1,413,910
Exchange gains	796,954	364,028
	<u>262,044,124</u>	<u>261,704,353</u>
<b>5. Expenditure</b>		
Assistance payments	193,136,084	170,343,129
Administration cost	18,015,739	16,995,026
Realised premium on redemption of investments	2,323,371	429,000
	<u>213,475,194</u>	<u>187,767,155</u>
<b>6. Other cash movements</b>		
Reduction/(Increase) in Assets:		
Investments	276,019,171	168,515,090
Deposits with banks	(280,347,263)	(240,358,165)
Cash with other government departments	2,390,347	(1,476,931)
	<u>(1,937,745)</u>	<u>(73,320,006)</u>
<b>7. Commitments</b>		

The approved assistance that were unpaid as at 31 March 2013 amounted to HK\$9.1 million (2012: HK\$9.8 million).