

Complaint Form

In relation to Insurer, Insurance Intermediary or MPF Intermediary

Before you lodge a complaint to the Insurance Authority (IA), please read the IA's leaflet on "How the Insurance Authority handles your complaint" (attached at the end of this Form) which explains the IA's role and procedures for handling your complaint.

If you wish to lodge a complaint against an insurer, insurance agent, insurance agency, insurance broker or MPF intermediary with the IA, please complete this Form and return it together with photocopies of all relevant supporting documents to the IA by:

Post/ In person: Insurance Authority
19th Floor, 41 Heung Yip Road, Wong Chuk Hang, Hong Kong
Fax: (852) 3753 3812
E-mail: complaints@ia.org.hk

I. Complainant's details

Name/ Company Name*:	<i>(Mr/Mrs/Ms/Miss*)</i>		
<i>(If the complaint is lodged by a company, please also complete Section VI Appointment of Representative)</i>			
Correspondence address:			
Email address <i>(Correspondence will be sent to the email address provided):</i>		Telephone number:	

II. Company(ies)/ person(s) that you wish to complain against *(Please provide information (e.g. full name, address, registration number, contact information, etc.) about the party (or parties) against which the complaint is made)*

III. Complaint details

(A) Your complaint allegation(s) *(Please describe precisely the details of your complaint)*

If you need more space, please continue on a separate piece of paper and attach it to this Form.

(B) Details of the relevant events/ incidents giving rise to your complaint *(Please give full details of the relevant events/ incidents in chronological order with relevant information such as dates, places and identities of the parties involved)*

--

If you need more space, please continue on a separate piece of paper and attach it to this Form.

(C) Other details *(if relevant to your complaint)*

Name of insurance product(s):			
Policy number:		Policy Effective date:	
Name of MPF trustee/ MPF scheme/ constituent fund(s)/ MPF account number <i>(if applicable)</i> :			
Other information:			

IV. List of documents in support of your complaint enclosed with this Form *(if any)* *(Please enclose photocopies of all relevant documents)*

--

If you need more space, please continue on a separate piece of paper and attach it to this Form.

V. Actions you have taken

Please indicate whether you have lodged a complaint with (a) the company named in Part II above (e.g. insurer); (b) self-regulatory organisations; (c) industry regulators; and/ or (d) other organisations, and provide the relevant information below.

Name of the company/ organisation and reference number of your complaint	Date of complaint	The name of the officer handling your complaint, his/ her contact address and/ or contact number

Please enclose a photocopy of your complaint letter and (where appropriate) the reply of the company/ organisation indicated above, if any.

VI. Appointment of Representative

If you wish to appoint a representative to handle your complaint on your behalf, please complete the following:

I authorize _____ (Name) to handle my complaint on my behalf, including submit information, enquire about the progress of my complaint, and receive information and documents (which may include sensitive information and, where applicable, personal data relating to me) from the IA.

Representative's correspondence/ email address: _____

Representative's telephone number: _____

Signature of authorized representative: _____

Signature of the
Complainant¹

Name/ Company Name
of the Complainant

Date

VII. Personal Information Collection Statement and consent to disclose your personal data and information

I would like to lodge the complaint with the IA. I acknowledge and agree that:

- (a) the IA may use and rely on the information and materials that have been or will be supplied to the IA by me in relation to the complaint;
- (b) all information and (where applicable) personal data relating to me (such as my name and insurance policy number, etc.) provided to the IA will be used for the purposes related to the handling of the complaint, the discharge of statutory functions of the IA and where required or permitted by law. All or any part of the information and (where applicable) personal data may, if the IA considers appropriate, also be disclosed or transferred to third parties, including the insurer/ insurance intermediary/ MPF intermediary who is/ are involved in the complaint, other industry regulators (including the Mandatory Provident Fund Schemes Authority, the Securities and Futures Commission and the Hong Kong Monetary Authority), relevant industry bodies (e.g. The Insurance Complaints Bureau and The Hong Kong Federation of Insurers), the self-regulatory organisations approved by the IA (i.e. the Insurance Agents Registration Board established under The Hong Kong Federation of Insurers, The Hong Kong Confederation of Insurance Brokers and Professional Insurance Brokers Association), the relevant professional bodies, members of the Legislative Council, the relevant courts, tribunals and committees, and/ or other local and/ or overseas regulatory/ government/ judicial/ statutory bodies as permitted or required under the law, pursuant to any regulatory/ supervisory/ investigatory assistance arrangements between the IA and other regulators (local/ overseas), or persons engaged by the IA to assist it in the performance of its statutory functions;
- (c) where applicable, should I wish to request access to or correction of my personal data held by the IA, I may do so by filling in a "[Data Access Request Form](#)"² and sending it to the Personal Data Privacy Officer of the IA (please refer to the front page for the IA's contact information). The IA may charge a reasonable fee for complying with my data access request; and
- (d) it is voluntary for me to supply the relevant information and (where applicable) my personal data to the IA. If the information or (where applicable) personal data provided by me are not true, accurate or complete, the processing of my complaint may be affected.

Signature of the
Complainant¹

Name/ Company Name
of the Complainant

Signature of the authorized
representative (where
applicable)

Name of the authorized
representative (where
applicable)

Date

For Official Use:

Case Number/ Case Manager:

¹ (i) The IA may not be able to process your complaint if this Form is not signed;

(ii) If the complaint is lodged by a company, this Form must be signed by a director or a representative of the company with authority to sign and to give consent on behalf of the company and (where applicable) stamped with the company chop.

² It refers to the [Data Access Request Form](http://www.pcpd.org.hk/english/resources_centre/publications/forms/files/Dform_e.pdf) (http://www.pcpd.org.hk/english/resources_centre/publications/forms/files/Dform_e.pdf) as prescribed by the Privacy Commissioner for Personal Data.

How the Insurance Authority Handles Your Complaint

The role of the Insurance Authority

The Insurance Authority (“IA”) has no statutory power to intervene in commercial disputes among insurers, insurance intermediaries and policy holders. The IA nevertheless maintains an overseeing role to ensure that the complaints are properly handled by the insurers and the self-regulatory organizations for insurance intermediaries concerned.

It is important to note that:

- we do not have the power to intervene in matters relating to policy terms and conditions, pricing and commercial decision of an insurer;
- we do not have the power to adjudicate claims or to order an insurer to pay claims or compensation; and
- we are subject to the secrecy provisions of the Insurance Ordinance (Cap.41) (“IO”) which would limit our ability to disclose the monitoring measures imposed upon

insurers and the outcome of our investigations.

If your complaint involves conduct of registered MPF intermediaries, of whom the IA has been assigned as the frontline regulator, the IA will handle the complaint in accordance with the relevant provisions of the Mandatory Provident Fund Schemes Ordinance (Cap. 485) (“MPFSO”). However, we do not have the power to intervene in commercial disputes between registered MPF intermediaries and schemes participants or to order registered MPF intermediaries to pay compensation. Also, we are subject to the relevant secrecy provisions under the IO and the MPFSO.

Complaints against insurance intermediaries

Under the current self-regulatory system for insurance intermediaries, complaints against insurance intermediaries should first be referred to the Insurance Agents Registration Board (“IARB”), The

Hong Kong Confederation of Insurance Brokers (“HKCIB”) or Professional Insurance Brokers Association (“PIBA”) as appropriate because they are the Self-Regulatory Organizations (“SROs”) responsible for registration of insurance intermediaries and monitoring their conduct. The SROs are required to have effective procedures in place for the proper handling of complaints. If you are not satisfied with the way in which the SRO handles your complaint, you may let us know, and the IA will conduct necessary review on the SRO’s handling of complaints within the confines of the IO.

Complaints involving the conduct of insurance agents, their responsible officers or technical representatives should be addressed to the IARB set up by the The Hong Kong Federation of Insurers (“HKFI”). The contact details of the IARB are:

Insurance Agents Registration Board
Address: 29/F, Sunshine Plaza,
353 Lockhart Road,
Wanchai, Hong Kong.
Tel: 2520 1868 & Fax: 2520 1967

E-mail: hkfi@hkfi.org.hk

If the complaints are against insurance brokers who are members of the approved bodies of insurance brokers, their chief executives or technical representatives, you should address the complaints to the corresponding bodies of insurance brokers. Their contact details are as follows:

The Hong Kong Confederation of Insurance Brokers

Address: Room 3407, AIA Tower,
183 Electric Road,
Fortress Hill, Hong Kong.
Tel: 2882 9943 & Fax: 2890 2137
E-mail: info@hkci.org

Professional Insurance Brokers Association

Address: Room 2507- 8, 25/F.,
China Insurance Group
Building,
141 Des Voeux Road
Central, Central, Hong
Kong.
Tel: 2869 8515 & Fax: 2770 2372
E-mail: info@piba.org.hk

How the Insurance Authority Handles Your Complaint

Complaints against Insurers

For complaints against an insurer such as those relating to:

- the operation and administration of an insurer (e.g. delay in settling claims, delay in returning or refunding premiums, mishandling of personal information, poor management of insurance agents, etc.);
- the business policy or commercial decision of an insurer (e.g. termination of insurance policy by the insurer, non-renewal of insurance policy by the insurer, pricing of an insurance product, etc.);
- the advising and selling practices of an insurer; and
- interpretation of terms and conditions in an insurance policy,

you are advised to first approach the insurer concerned to lodge the complaint. This would give the insurer concerned a chance to look into the matter with a view to

resolving your complaint at an early stage. Under the Code of Conduct for Insurers issued by HKFI, insurers are required to have effective procedures in place for the proper handling of insurance complaints. In most cases, the insurer is capable of sorting out your problem without any need for the IA to get involved.

If you are still not satisfied with the way in which the insurer has dealt with your complaint, you may let us know, and the IA will conduct necessary review on the insurer's handling of complaints within the confines of the IO.

Insurance-related disputes of monetary nature

The Insurance Complaints Bureau ("ICB") offers adjudication service and mediation service to handle claim-related complaints and non-claim related monetary disputes respectively. Should your complaint involve a personal insurance contract with claim amount or

dispute value not exceeding HK\$1,000,000, you may lodge your complaint to ICB. The contact details of ICB are:

The Insurance Complaints Bureau

Address: 29/F, Sunshine Plaza,
353 Lockhart Road,
Wanchai, Hong Kong.

Tel: 2520 2728 & Fax: 2520 1967

E-mail: icb.enquiry@icb.org.hk

Complaints against MPF intermediaries

For complaints relating to conduct of registered MPF intermediaries, of whom the IA has been assigned as the frontline regulator, the IA will handle such complaints in accordance with the relevant provisions of the MPFSO. If you have any enquiries relating to MPF matters, you may contact the Mandatory Provident Fund Schemes Authority ("MPFA"). The contact details of the MPFA are:

Mandatory Provident Fund Schemes Authority

Address: Level 8, Tower 1,

Kowloon Commerce
Centre,
51 Kwai Cheong Road,
Kwai Chung, Hong Kong.

Tel: 2918 0102 & Fax: 2259 8806

E-mail: mpfa@mpfa.org.hk

Disputes related to insurance products purchased from banks

For complaints involving monetary disputes with banks which act in the capacity of insurance agents selling insurance products, you may consider to approach the Financial Dispute Resolution Centre ("FDRC"), as an alternative, in resolving disputes through mediation and/ or arbitration. The contact details of FDRC are:

Financial Dispute Resolution Centre

Address: Unit 3701-4, 37/F,

Sunlight Tower,
248 Queen's Road East,
Wanchai, Hong Kong.

Tel: 3199 5100 & Fax: 2565 8662

E-mail: fdrc@fdrc.org.hk

How the Insurance Authority Handles Your Complaint

How to lodge a complaint with the IA

In order to allow the IA to handle your complaint promptly, effectively and avoid any misunderstanding, you should put your complaint in writing to us by using our Complaint Form. The Complaint Form is available from our Office Reception and available for download from our website. Your complaint should include:

- the name of the person/ company/ organization that you wish to complain against;
- your name, address and telephone number;
- full details of the allegation in your complaint and photocopies of relevant supporting documents; and
- your written consent for the IA to refer your complaint to the insurer, the SRO concerned or the registered MPF intermediaries concerned and the MPFA (applicable to a complaint involving conduct of

registered MPF intermediaries, of whom the IA is assigned as the frontline regulator).

When you have completed the Complaint Form, you can deliver it to the IA. The contact details of the IA are:

Insurance Authority

Address: 19th Floor,
41 Heung Yip Road,
Wong Chuk Hang,
Hong Kong.

Fax: 3753 3812

E-mail: complaints@ia.org.hk

How the IA handles your complaint

All complaints will be treated in strict confidence. Upon receipt of your complaint, we will issue an acknowledgement to you within 10 working days. We will carefully examine the information provided by you and take appropriate follow-up actions if the matter is under our purview.

As mentioned above, your prior consent will be sought before disclosing your complaint and (where applicable) any personal information about you. In most cases, we would refer the complaint to the relevant insurer and/ or SRO for investigation. We will keep in view the developments to ensure that the complaint is handled properly by the insurer and/ or SRO concerned.

If your complaint involves conduct of registered MPF intermediaries, of whom the IA has been assigned as the frontline regulator, the IA will coordinate with the MPFA to handle your complaint in accordance with the relevant provisions of the MPFSO.

If you do not provide your identity and contact details in the complaint (e.g. Anonymous Complaint), we shall have difficulties in following up the case with you and may not be able to respond to you. The investigation of the complaint may be impaired.

Persistent Complainant

If a complainant persists in pursuing his/ her complaint for a long period of time but fails to provide the necessary information or evidence in relation to the complaint, the IA may refrain from entering into any further discussion or correspondence with the complainant about his/ her complaint.

Call Termination Policy

In the event a complainant uses foul or abusive language with the IA staff, the complainant will be informed once that, if the use of such language continues, the discussion will be terminated, and will advise the complainant to put the matter in writing.