

# How the Insurance Authority handles your complaint



August 2021

# How the Insurance Authority Handles Your Complaint

## The role of the Insurance Authority

The Insurance Authority (“IA”) is a statutory body established under the Insurance Ordinance (Cap. 41) (the “Insurance Ordinance”) to regulate and supervise the insurance industry. This includes regulating and supervising authorized insurers and licensed insurance intermediaries.

The IA’s functions and powers are set out in the Insurance Ordinance.

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## Complaints against authorized insurers

If your complaint is against an authorized insurer, relating to matters such as:

- the way in which an insurer operates or administers its business (e.g. delay in settling claims, delay in returning or

refunding premiums, mishandling of personal information, poor management of its appointed insurance agents, etc.);

- the decision taken by an insurer (e.g. termination of an insurance policy by an authorized insurer, non-renewal of an insurance policy by an insurer, pricing of an insurance product, etc.); and
- disagreements on the 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 an opportunity to look into the matter with a view to resolving your complaint at an early stage. Insurers should have clear complaints handling policies and procedures to ensure complaints are properly handled.

If you are not satisfied with the way in which the insurer has addressed

your complaint, you may let us know, and the IA will review the handling of complaint within the confines of our powers under the Insurance Ordinance.

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## Complaints against licensed insurance intermediaries

If your complaint is against a licensed insurance intermediary, the way in which we handle it will depend on the nature and background of your complaint. In some instances we may in the first instance refer your complaint to the relevant licensed insurance broker company, licensed insurance agency, or the insurer for whom the licensed individual insurance agent / licensed insurance agency acts. We would do this to request that they look into the matter with a view to resolving your complaint (in line with their complaints handling procedures). We may also seek to obtain information and request that

responses be provided on your complaint from the relevant licensed insurance intermediary or insurers to enable us to assess the matter within the confines of our powers under the Insurance Ordinance.

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## Complaints against banks as licensed insurance agencies

For all complaints against banks who act in the capacity of licensed insurance agencies, or their technical representatives, the IA will refer such complaints to the Hong Kong Monetary Authority (“HKMA”) for handling. The contact details of the HKMA are:

**Hong Kong Monetary Authority**

Address: 55th Floor, Two

International Finance

Centre, 8 Finance Street,

Central, Hong Kong.

Tel: 2878 1378 & Fax: 2509 3990

E-mail: [bankcomplaints@hkma.gov.hk](mailto:bankcomplaints@hkma.gov.hk)

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## Complaints against MPF intermediaries whose core business is in the insurance sector

For complaints relating to the conduct of registered MPF intermediaries whose core business is in the insurance sector, in respect of which the IA has been assigned to be the frontline regulator, the IA will handle such complaints 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.

We are also subject to the relevant secrecy provisions under the Insurance Ordinance and 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](mailto:mpfa@mpfa.org.hk)

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## Complaints relating to Voluntary Health Insurance Scheme (“VHIS”)

For complaints against licensed insurance intermediaries relating to the sale of VHIS products, please refer to the section on “Complaints against Licensed Insurance Intermediaries” above.

For complaints against insurers involving any VHIS products, scheme documents issued by the Food and Health Bureau, or matters arising from insurers’ decisions or operations concerning VHIS (e.g. underwriting, pricing of VHIS products, claims processing), you may lodge your complaint with the Voluntary Health Insurance Scheme Office (“VHIS Office”) of the Food and Health Bureau. The contact details of the VHIS Office are:

### VHIS Office

Address: Unit 2902,  
Millennium City 6,  
392 Kwun Tong Road,  
Kowloon, Hong Kong.  
Tel: 2529 8900 & Fax: 2529 8982  
E-mail: [vhis\\_enquiry@fhb.gov.hk](mailto:vhis_enquiry@fhb.gov.hk)

## Claims- / Insurance-related disputes of monetary nature

The Insurance Complaints Bureau (“ICB”) handles insurance claim-related complaints by way of adjudication and non-claim related complaints (of monetary nature) by way of mediation. If your complaint involves a personal insurance contract with a 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](mailto:icb.enquiry@icb.org.hk)

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## Disputes relating to insurance products purchased from banks / licensees of Securities and Futures Commission (“SFC”) which also act in the capacity of licensed insurance intermediaries or authorized insurers

For complaints involving monetary disputes related to insurance products purchased from banks / licensees of SFC which also act in the capacity of licensed insurance intermediaries or authorized insurers, 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: Room 408-409, 4/F,  
West Wing, Justice Place,  
11 Ice House Street,  
Central, Hong Kong.

Tel: 3199 5199 & Fax: 2565 8662

E-mail: [fdrc@fdrc.org.hk](mailto:fdrc@fdrc.org.hk)

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## How to lodge a complaint with the IA

In order to enable us to handle your complaint effectively we ask that complaints be made in writing using our Complaint Form. The Complaint Form can be downloaded from our website

[https://www.ia.org.hk/en/infocenter/forms/complaint\\_form.html](https://www.ia.org.hk/en/infocenter/forms/complaint_form.html)

Your complaint should include:

- the name of the person / company that you are complaining against;
- your name, address and telephone number;
- full details of your complaint and photocopies of relevant supporting documents; and
- your written consent for the IA to refer your complaint to the relevant party(ies) for the purposes of follow-up (where necessary).

When you have completed the Complaint Form, you may send it to us at the below contact details:

### Insurance Authority - North Point Office

Address: 23rd Floor,  
625 King’s Road,  
North Point,  
Hong Kong.

Tel: 3899 9983 & Fax: 3753 3812

E-mail: [complaints@ia.org.hk](mailto:complaints@ia.org.hk)

## How the IA handles your complaint

All complaints are treated in strict confidence. Upon receipt of the first submission 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 we disclose your complaint and (where applicable) any personal information about you to the relevant party(ies) for the purposes of handling your complaint. Depending on the nature of your complaint, we may refer it to the relevant insurers and / or insurance intermediaries for follow-up, as appropriate.

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If you do not provide your identity and contact details in your complaint (e.g. if the complaint is anonymous), we will have difficulty in following up the case with you and may not be able to respond to you. The handling of the complaint may be impaired.

It is also important for complainants to note that:

- we do not have the power to adjudicate disputes relating to the terms and conditions or pricing of an insurance policy;
- we do not have the power to adjudicate claims or to order an insurer to pay claims under an insurance policy;
- we do not have the power to order an insurer or an insurance intermediary to pay compensation; and
- we are subject to the secrecy provisions under the Insurance Ordinance which, depending on the circumstances, may prevent us from disclosing information relating to

insurers and insurance intermediaries that comes to our knowledge, or the details of measures we have taken in exercising our regulatory functions in relation to insurers or insurance intermediaries.

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## 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.

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## Call termination policy

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

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