



Ref. No. : MEMO/034/2016
To : All Members & Chief Executives
From : Jase Yiu – Chief Administrative Executive
Date : 26 July 2016
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Dear all,

Important Facts Statement for Mainland Policyholder (“IFS-MP”)

We would like to draw member brokers’ attention that aiming at reminding Mainland customers the factors and risks to be considered when taking out long term insurance policies in Hong Kong as an informed decision, Office of the Commissioner of Insurance required all authorized insurers carrying on long term business in Hong Kong to adopt attached IFS-MP (8 July 2016 version) in full and in separate form with effect from **1 September 2016**.

Major requirements as follows:

1. For all new applications for long term insurance individual policies¹ made by customers being holders of Resident Identity Card (PRC). They cannot opt-out of this requirement.
2. It needs only be conducted once for one policy.
3. Insurance intermediaries are required to go through the IFS-MP on a point-by-point basis with the Mainland customers at the point-of-sale.
4. Mainland customers will need to sign on every page of the IFS-MP and in Simplified Chinese version.
5. A copy of the signed IFS-MP must be provided to the Mainland policyholders together with the policy at the latest.
6. For ILAS products, Mainland customers have to sign both IFS-MP and IFS-ILAS.
7. There will be no impact on the existing post-sale confirmation call arrangement for ILAS and vulnerable customers.

Please update your Technical Representatives respectively.

Best Regards,

Jase Yiu
Chief Administrative Executive

Encl.

¹ Applicable to Class A, B, C, D, E and F of “long term business” as defined in the Insurance Companies Ordinance (Cap 41).

[保险公司标志]

重要资料声明书一
内地人士在港投购人身 / 寿险保单

[保险公司名称]
人身 / 寿险产品名称:

阁下应细阅本声明书及保险产品文件（包括推销刊物、产品资料概要及销售 / 利益 / 退保说明文件（如适用））。若阁下不明白或不同意以下声明的任何一段、或此声明内容与中介人的讲述有异，请勿签署确认或投购本保单。

此乃香港保险监管机构要求保险公司对内地人士^註在港投购人身 / 寿险保单所需披露之重要资料。阁下签署前必须细阅。中介人亦有责任向阁下详细解释内容。

- (1) 销售过程：本保单的整个销售过程必须在香港境内进行，且所有投保文件亦必须在香港境内签署。任何在内地进行有关本保单的销售行为，不受香港法规监管。如阁下日后发现有关本保单销售的陈述或文件具误导性，又或有关中介人曾向阁下作出不正确或误导性的陈述或保证，以诱使阁下购买本保单，而有关销售行为并非在香港进行（例如在内地举办的香港产品说明会或以即时通讯或社交媒体应用程序向内地人士推广香港保险产品等行为），香港的监管机构未必能就相关投诉作出调查，而此等行为亦可能违反内地法规。阁下必须备存相关文件，包括香港入境纪录及销售时所获取的资料，以保障阁下的利益。此外，请确保投保申请书上填报的通讯地址、电子邮件地址（如有）及联系电话能直接联络阁下，否则阁下可能不会收到保险公司所发出与本保单有关的文件。
- (2) 销售人员：向阁下直接销售本保单的人士必须是在香港登记的保险中介人。如阁下经其他人士推介本保单，须注意当中可能存在误导销售的风险。
- (3) 保险回报率及红利：产品资料及退保说明文件（如适用）中的回报率及红利，除非已注明外，否则并非保证，将来实际取得的金额可能较预期为低或高。

本人现确认已阅读及明白以上第（1）至（3）段内容。

投保人姓名

投保人签署

日期

注:内地人士指持有中华人民共和国居民身份证人士

- (4) **提前退保/提取保单款项**：若阁下在保单期满前的指定时限内终止保单、退保、提取部份保单款项，均须支付**提前退保或提取保单款项的收费**（如适用），**而阁下可取回的金额可能远低于已缴的保费，甚至为零**。亦可能因此丧失获得红利的权利。若阁下暂停缴交或调低供款额，保险公司往后可能会按照保单原先应缴保费水平继续收取相关的保单费用。
- (5) **保单合约条款**：保单是阁下与保险公司共同订立的合约，阁下的权益（包括申索权益）均须依据保单的条款处理。如阁下收到保单后发现合约条款内容与中介人的讲述有异，请立即**直接**联络保险公司以作澄清。
- (6) **汇率风险**：如本保单(或投资相连人寿保险计划的投资选择或其相连基金的资产)并非以人民币结算(例如以港元、美元或其他保费及保额所指定的货币)，阁下将承担汇率升跌或相关货币之外汇政策改变所带来的风险。
- (7) **法规及政策改变风险**：本保单在香港承保，如内地相关法规及政策日后改变，可能为阁下带来不可预见的风险(例如外汇政策改变令阁下无法缴付保费以至保单失效等)。
- (8) **回佣/返佣协议**：中介人不应直接或透过第三方向阁下以任何回佣/返佣诱使阁下购买本保单，**这可能会被视为违规行为**。保险公司亦不会确认任何回佣/返佣协议。
- (9) **资金来源核实**：因应香港法律及保险公司的核保等要求，保险公司有责任及需要对保单的资金来源进行核实，包括在需要时或较高风险的情况下要求投保人提供合法资金来源证明，以及与保单保额相匹配的合法收入证明。**就可疑个案或因应香港执法机构的要求，保险公司可在毋须取得保单持有人的同意下，向有关机构转交相关资料。**

本人现确认已阅读及明白以上第（4）至（9）段内容。

投保人姓名

投保人签署

日期

(10) **投诉及诉讼：** 如阁下日后需办理理赔，又或不同意保险公司的理赔而要提出投诉或法律诉讼时，可能需亲临香港办理。处理有关保险的申诉、聆讯、或审理亦可能要求保单持有人及或受益人亲临香港法院方可进行。

本人现确认已阅读及明白以上第（10）段内容。

投保人姓名

投保人签署

日期

保险经纪/代理姓名
(登记编号)

保险经纪/代理签署

日期

保险经纪/代理公司名称及盖章(如适用)
(登记编号)

Requirements in respect of the Important Facts Statement for Mainland Policyholder ("IFS-MP")

- (1) The IFS-MP is required for all new applications through any distribution channels for long term insurance individual policies under Class A, B, C, D, E, and F of "long term business" as defined in the Insurance Companies Ordinance (Cap 41) made by customers being holders of Resident Identity Card (PRC). They cannot opt-out of this requirement. For the avoidance of doubt, in case of change of policy ownership or policy assignment where the new policyholders/assignees are holders of Resident Identity Card (PRC), the IFS-MP is required for the new policyholders/assignees.
- (2) The IFS-MP needs only be conducted once for one policy. There is no need for Mainland customers to sign the IFS-MP for top-up or rider addition if the basic plan was taken out after implementation of the IFS-MP. On the other hand, if the basic plan was taken out before implementation of the IFS-MP, the insurer concerned should endeavour to ask the Mainland customers to sign the IFS-MP for top-up or rider addition. In case it is not possible to do so (e.g. unable to contact the customer or the customer refuses to sign the IFS-MP), the insurer concerned can send the IFS-MP to the Mainland customer for information together with the other document(s) to be issued for the top-up or rider addition. The insurer must retain record of dispatch as proof of compliance with the requirement. For the avoidance of doubt, if an existing Mainland customer subsequently purchases a second life insurance policy, he/she has to sign another IFS-MP. That said, if the Mainland customer takes out more than one policy from an insurer at the same time, the insurer concerned has the option to require the customer to sign on one single IFS-MP with all those product names listed at the top of the IFS-MP; or individual IFS-MP for each product taken out.
- (3) It should be presented as a separate form. In case insurer intends to include it as a separate section within another point-of-sale document (e.g. application form), prior consultation with the IA is required.
- (4) Intermediaries are required to go through the IFS-MP on a point-by-point basis with the Mainland customers at the point-of-sale.
- (5) Insurers must adopt the IFS-MP in full, although individual insurers can add additional disclosure to accurately reflect the risks associated with their specific products. All the questions must be presented in a single form/section with the heading clearly stated as IFS-MP.
- (6) The IFS-MP follows the practice of the IFS for Investment-linked Assurance Scheme ("ILAS") where the customer will need to sign on every page of the form.
- (7) Insurers can also prepare English and Traditional Chinese versions of the IFS-MP. However, the one signed by the Mainland customers must be in Simplified Chinese.
- (8) A copy of the signed IFS-MP must be provided to the Mainland policyholders. Insurers have the discretion as to when the copy is delivered but in no case should it be delivered later than policy delivery (i.e. it can be delivered together with the policy). For the avoidance of doubt, this does not affect the requirement for the return of policy applications from Mainland customers to insurers within 7 working days of the signing of policy application (including the declaration signed by policyholder confirming that the selling process is conducted in Hong Kong) where the insurers concerned do not have an independent authentication process for authenticating the identification and entry proofs documents of the Mainlander customers.
- (9) There will be no impact on the existing post-sale confirmation call arrangement for ILAS and vulnerable customers.
- (10) For ILAS products, Mainland customers have to sign both IFS-MP and IFS-ILAS.
- (11) The font size of the IFS-MP must not be smaller than 12.
- (12) The IFS-MP is a document required by the IA. For the avoidance of doubt, it is not a marketing document (i.e. for ILAS) and does not require the approval of the Securities and Futures Commission.