

# 保險業監管局實施保費徵費

## 常見問題

(供業界參考)

### Frequently Asked Questions about collection of premium levy by the Insurance Authority (IA) (for industry reference)

繳付徵費 Levy payment	
<p>1. 投保人如何得知保單的保費徵費安排？保險公司會否向投保人說明如何得出實際徵費金額？</p> <p>How can policy holders find out the collection arrangement of premium levy of their policies? Will insurance companies explain to policy holders how the premium levy is calculated?</p>	<ul style="list-style-type: none"><li>• 保險公司會透過不同方式（例如電郵、短訊或保費通知書），向投保人說明收取徵費的安排。投保人如對保單的徵費金額有任何疑問，可向所屬保險公司查詢。</li></ul> <p>Insurance companies will explain the arrangement to policy holders through various channels (e.g. email, SMS or premium notice). Policy holders should contact their insurance company for any enquiries.</p>
<p>2. 保險公司在保費通知書或保單周年報告中，需要如何交代保費徵費安排？</p> <p>How should insurance companies inform policy holders of the collection of premium levy on premium notices or anniversary statements?</p>	<ul style="list-style-type: none"><li>• 保監局要求保險公司以「一般陳述」（general statement）解釋徵費安排，亦鼓勵保險公司在保費通知書或保單周年報告上，列出保費徵費金額。</li></ul> <p>The IA requires insurance companies to explain the collection of premium levy with a general statement. Insurance companies are also encouraged to set out the exact amount of the levy on premium notices or anniversary statements.</p>

<p>3. 投保人正使用自動轉帳方式繳交保費，保險公司會如何向投保人收取徵費？</p> <p>How will insurance companies collect the levy from policy holders who pay the premium via bank autopay service?</p>	<ul style="list-style-type: none"> <li>● 保險公司將通知投保人，以自動轉帳形式扣除保費及保費徵費的預設安排。投保人如有查詢，可聯絡所屬保險公司。</li> </ul> <p>Insurance companies will notify their policy holders of the default arrangement to debit the levy together with the premium payment via autopay service. Policy holders can contact their insurance companies for any enquiries.</p>
<p>4. 是否所有保單一律要徵費？有甚麼保單可被豁免徵費？</p> <p>Does the levy apply to all policies? Are there any exemptions?</p>	<ul style="list-style-type: none"> <li>● 再保險業務、海事、航空、貨運及專屬自保保險可被豁免徵費。</li> </ul> <p>Reinsurance business, marine, aviation, goods-in-transit and policies underwritten by authorized captive insurers are exempt from the levy.</p>
<p>5. 個別保險公司表示會為投保人繳付保費徵費，為什麼？</p> <p>Some insurance companies say that they will pay the levy on behalf of their policy holders. Why?</p>	<ul style="list-style-type: none"> <li>● 投保人須按法例繳付保費徵費，但個別保險公司可選擇為投保人承擔保費徵費，並會透過不同方式（例如保單周年報告）向投保人說明。</li> </ul> <p>Policy holders should pay the levy in accordance with the law. However, individual insurance companies may choose to pay the levy on behalf of their policy holders. Insurance companies will inform policy holders via various channels (e.g. anniversary statements) of this arrangement.</p> <ul style="list-style-type: none"> <li>● 如投保人要求，保險公司亦有責任向其提供已向保監局繳付徵費的證明。</li> </ul> <p>Insurance companies are also required to provide a proof of payment if a policy holder requests it.</p>

<p>6. 投保人從何得知保險公司會否代為繳交徵費？此舉會否影響投保人原來的保險條款和可享有的保障？</p> <p>How can policy holders know whether their insurance companies will pay the levy for them? Will this affect the policy terms and their protection?</p>	<ul style="list-style-type: none"> <li>● 保險公司會透過不同方式（例如保單周年報告）向投保人說明代繳徵費安排，投保人的保險條款和可享有的保障應不會因此受到影響。</li> </ul> <p>Insurance companies will inform policy holders via various channels (e.g. anniversary statements) of the related arrangement. This should not affect the policy terms and the protection enjoyed by the policy holders.</p>
<p>7. 投保人可否直接向保監局繳交徵費？</p> <p>Can policy holders pay the premium levy direct to the IA?</p>	<ul style="list-style-type: none"> <li>● 根據《保險業（徵費）規例》，投保人必須向保險公司繳付保費徵費。</li> </ul> <p>The Insurance (Levy) Regulation stipulates that policy holders must pay the levy to insurance companies.</p>
<p>8. 假如投保人在 2017 年，為一份開立日定於 2018 年 1 月 1 日或之後的新造保單預繳保費，他是否需要繳付保費徵費？</p> <p>If a policy holder prepays the premium in 2017 for a new policy with an inception date on or after 1 January 2018, does s/he need to pay a premium levy?</p>	<ul style="list-style-type: none"> <li>● 根據法例，保費徵費適用於保單開立日或保單周年日為 2018 年 1 月 1 日或之後的新造或現行保單。投保人在 2017 年繳交的預繳保費，保險公司應入帳為「未來保費收入」（而非「保費」），因此仍需要按徵費率繳付「預繳保費徵費」。</li> </ul> <p>The law stipulates that premium levy is applicable to new or in-force policies with inception date or policy anniversary date on or after 1 January 2018. The prepaid premium by the policy holder in 2017 should be booked in the “future premium deposit” account (instead of the “premium” account) by the insurer. Therefore, policy holders should “prepay the premium levy” under the applicable rate.</p>

<p>9. 若保險公司接受預繳保費，能否同時收取保費徵費？</p> <p>If an insurance company accepts prepayment of premium, can it also accept prepayment of premium levy?</p>	<ul style="list-style-type: none"> <li>根據法例，投保人必須在每次繳交保費時繳付保費徵費。保險公司可以就投保人的預繳保費代收「預繳保費徵費」。</li> </ul> <p>The law sets out that policy holders should pay the levy each time when a premium is paid. Insurance companies can collect prepayment of levy from policy holders on prepaid premiums.</p>
<p><b>徵費率及徵費上限</b></p> <p><b>Levy rates and caps</b></p>	
<p>10. 保費徵費率是如何釐定的？</p> <p>How are the levy rates determined?</p>	<ul style="list-style-type: none"> <li>法例賦權保監局收取保費徵費，以循序漸進方式引入，並設有上限，以盡量減低對投保人的影響。</li> </ul> <p>The law provides for the IA to collect premium levy from policy holders in an incremental approach with levy caps to reduce the impact on policy holders.</p>
<p>11. 保監局日後會否調低徵費率？</p> <p>Will the IA lower the levy rates in the future?</p>	<ul style="list-style-type: none"> <li>根據《保險業條例》，若局方儲備金在扣除折舊及所有準備金後，為數超逾其預算營運開支的兩倍及局方沒有未清償債項，則局方可在諮詢財政司司長後，向行政長官會同行政會議建議減低徵費。</li> </ul> <p>Under the Insurance Ordinance, if the reserves of the IA, after deducting depreciations and all provisions, are more than twice its estimated operating expenses and there is no outstanding debt, the IA must consult the Financial Secretary with a view to recommending to the Chief Executive in Council a reduction of the levy.</p>

<p>12. 保險公司能否以代繳保費徵費作招徠吸引客戶？</p> <p>Can insurance companies which pay the levy on behalf of their policy holders use this as a marketing tool?</p>	<ul style="list-style-type: none"> <li>保險公司不應以代繳徵費作市場推廣賣點。</li> </ul> <p>Insurance companies should not use this as a marketing tool.</p>
<p>13. 以外幣結算的保單，在計算徵費上限時，應採用哪個匯率？</p> <p>For policies denominated in foreign currencies, which exchange rate should be used in calculating the levy caps?</p>	<ul style="list-style-type: none"> <li>保監局容許保險公司以其帳目的匯率或保監局指定匯率，計算徵費上限和應繳付的徵費。</li> </ul> <p>The IA allows insurance companies to adopt either their book exchange rates or IA's prescribed exchange rates for levy cap and remittance of levy.</p>
<p>14. 分期繳付保費的保單，與一筆過繳付保費的保單，徵費金額是否相同？試以下列例子說明：</p> <ul style="list-style-type: none"> <li>保單 A 為三年期的一般業務保單，投保人在 2018 年 1 月 1 日一次過繳付全筆保費 \$300 萬；</li> <li>保單 B 為三年期的一般業務保單，投保人在 2018 年 5 月、2019 年 5 月及 2020 年 5 月分三次繳付保費，每次為 \$100 萬；</li> </ul> <p>兩份保單的總保費徵費是否相同？</p> <p>Are the levy amounts the same for a policy with premium paid by instalments and a policy with one-off premium payment? For example:</p>	<ul style="list-style-type: none"> <li>投保人若分期繳付保費，便要在每次繳付保費時，按該年度的徵費率繳交保費徵費。根據例子：</li> </ul> <ul style="list-style-type: none"> <li>保單 A 的保費徵費為下列較低者： <ul style="list-style-type: none"> <li>\$300 萬 x 0.04% = <u>\$1,200</u></li> <li>一般業務保險徵費上限 \$2,000</li> </ul> </li> <li>保單 B 的保費徵費為： <ul style="list-style-type: none"> <li>2018 年：\$100 萬 x 0.04% = <u>\$400</u></li> <li>2019 年：\$100 萬 x 0.06% = <u>\$600</u></li> <li>2020 年：\$100 萬 x 0.085% = <u>\$850</u></li> </ul> </li> </ul> <p>保單 B 的總徵費為 <u>\$1,850</u></p> <p>因此，分期繳付保費及一筆過繳付保費的保單，徵費金額未必相同。</p> <p>If policy holders pay their premium by instalments, they must pay the levy each time a premium is paid. In the example:</p>

<p>➤ Policy A is a 3-year general insurance policy with a one-off premium payment of \$3 million on 1 January 2018;</p> <p>➤ Policy B is a 3-year general insurance policy with premium payable by instalments in May 2018, May 2019 and May 2020. The premium payment is \$1 million for each instalment.</p> <p>Is the total amount of levy the same for both policies?</p>	<p>➤ The premium levy on Policy A is the lower of:</p> <ul style="list-style-type: none"> <li>○ \$3 million x 0.04% = <u>\$1,200</u></li> <li>○ The \$2,000 levy cap for general insurance policies</li> </ul> <p>➤ The premium levy on Policy B is:</p> <p>2018: \$1 million x 0.04% = <u>\$400</u></p> <p>2019: \$1 million x 0.06% = <u>\$600</u></p> <p>2020: \$1 million x 0.085% = <u>\$850</u></p> <p>The total levy payable is <u>\$1,850</u> for Policy B.</p> <p>Therefore, the levy payable for a policy with premium paid by instalments and a policy with one-off premium payment may not be the same.</p>
<p>15. 短於一年期的保單，在繳付保費徵費時，其徵費上限會否按月份數目的比例計算？</p> <p>For policies of less than one year coverage period, will the levy caps be calculated in proportion to the number of months?</p>	<p>• 短於一年期的保單，繳費上限並不按月份比例計算。舉例而言，假如保障期 8 個月的一般業務保單，在 2018 年 9 月繳付 \$550 萬保費，投保人須繳付的保費徵費為以下較低者：</p> <p>➤ \$550 萬 x 0.04% = \$2,200</p> <p>➤ 一般業務保險的年度徵費上限 <u>\$2,000</u></p> <p>For policies of less than one year coverage period, the levy caps will not be calculated based on the number of months. For example, when the policy holder pays the premium of \$5.5 million in September 2018 for a 8-month general insurance policy, the levy payable is the lower of:</p> <p>➤ \$5.5 million x 0.04% = \$2,200</p> <p>➤ The <u>\$2,000</u> levy cap per policy year for general insurance policies</p>

<b>有關「保費」的定義</b>	
<b>Definition of “premium”</b>	
16. 保監局會否就以下各項收取徵費？ Will the IA collect levy from the following insurance features?	
a) 自動保費貸款 Automatic premium loan	會 Yes
b) Cash on investment	會 Yes
c) 展期保險 Extended term insurance	不會 No
d) 無索償折扣 No claim discount	不會 No
e) 清繳增額保險 Paid up addition	不會 No
f) 投資相連長期保險保費 Premium for ILAS	會 Yes
g) 萬用險保費 Premium for Universal Life	會 Yes
h) 保費假期 Premium holiday	不會 No
i) 以分紅代繳保費 Premium offset by dividend	會 Yes
j) 減額清繳保險 Reduced paid up	不會 No
17. 如何計算保單的「開立日」？保單「開立日」是否保單生效日？ How is the inception date of a policy determined? Is it the same as the policy effective date?	<ul style="list-style-type: none"> <li>根據法例，保單「開立日」是指該保單須繳付第一筆保費的日期。保單開立日與保單生效日未必一致。 As defined by the law, “inception date” is the date on which the first premium under the contract becomes payable. It may not be the same as the policy effective date.</li> </ul>

<b>退還徵費</b>	
<b>Refund of levy</b>	
<p>18. 投保人在甚麼情況下可獲退回保險徵費？</p> <p>Under what circumstances will the levy be refunded to policy holders?</p>	<ul style="list-style-type: none"> <li>● 假如投保人獲退回保費，相關的保費徵費亦可獲退回（除非在退回保費後，應繳付的保費徵費水平仍達到徵費上限）。保險公司在計算須退回的保費徵費時，必須遵從保監局制定的要求。</li> </ul> <p>Refund of levy is allowed if the corresponding premium becomes refundable (unless the amount of levy payable on premium after refund still reaches the cap). Insurance companies have to follow the requirements stipulated by the IA in calculating the amount of levy to be refunded.</p>
<p>19. 假如投保人在「冷靜期」取消保單，是否可獲退回徵費？</p> <p>If policy holders cancel their policies during the cooling-off period, will the levy be refunded?</p>	<ul style="list-style-type: none"> <li>● 在「冷靜期」內取消的保單，無論保費是否獲全數退回，徵費均可獲全數退還。</li> </ul> <p>Policy holders can enjoy full refund of levy for policies cancelled during the cooling-off period, no matter a full refund of premium is made or not.</p>
<p>20. 假如投保人退保，可否獲退回徵費？</p> <p>Can refund of levy be made if policy holders cancel their policies?</p>	<ul style="list-style-type: none"> <li>● 假如投保人獲退回保費，相關的保費徵費亦可獲退回。不過，若投保人在退保後不獲退回保費，亦不會獲退回保費徵費。</li> </ul> <p>Refund of levy is allowed if the corresponding premium becomes refundable. However, cancellation of policies that do not constitute any premium refund do not necessitate the refund of levy.</p>



<b>拒絕繳交徵費</b>	
<b>Refusing to pay the levy</b>	
<p>21. 假如投保人繳交的款項，僅足以支付保費，保險公司能否在保費中扣除徵費？</p> <p>If a policy holder has paid the insurance company an amount only enough to cover the premium, will the insurance company deduct the levy from the premium?</p>	<ul style="list-style-type: none"> <li>● 為避免保單失效，保險公司不應從保費中扣除徵費。在此情況下，投保人將被視為欠交徵費。</li> </ul> <p>To avoid unintended termination of the policy, insurance companies will not deduct the levy from the premium. The above scenario will result in non-payment of levy.</p>
<p>22. 假如投保人欠交保費徵費，而保單生效期間發生理賠事件，保險公司能否在賠償額中扣除保費徵費？</p> <p>If a policy holder does not pay his/her levy and a claim payment arises, can the insurance company deducts the outstanding levy from the claim payment?</p>	<ul style="list-style-type: none"> <li>● 保險公司須先取得投保人的同意，才可在賠償額中扣除保費徵費。</li> </ul> <p>The insurance company should have the consent from the policy holder to deduct the outstanding levy from the claim payment.</p>
<p>23. 假如投保人欠交保費徵費，保險公司會如何處理？</p> <p>If a policy holder does not pay the levy, what will the insurance company do?</p>	<ul style="list-style-type: none"> <li>● 保險公司會於繳付保費徵費到期日後 6 個月內，至少 3 次循不同途徑（例如電郵、信件或短訊）提醒投保人繳付徵費。若仍未能收到徵費，保險公司會向保監局報告欠交徵費個案。</li> </ul> <p>The insurance company will contact the policy holder at least 3 times within 6 months via any means (e.g. email, letters or SMS) as reminders of the outstanding levy. If the insurance company still fails to collect the levy, it will report the case to the IA.</p>

<p>24. 假如投保人仍然拒絕繳交保費徵費，有何後果？</p> <p>What if a policy holder still refuses to pay the premium levy?</p>	<ul style="list-style-type: none"> <li>如投保人仍然拒絕繳交徵費，保監局可向其施加最高\$5,000的罰款，亦可循民事程序追討欠付的徵費。</li> </ul> <p>If a policy holder does not pay the required levy, the IA may impose on the policy holder a pecuniary penalty of up to \$5,000. The IA may recover the outstanding levy as a civil debt due to it.</p>
<p><b>有關徵費的投訴</b></p> <p><b>Complaints about the levy</b></p>	
<p>25. 保監局如何監察保險公司，確保他們沒有多收徵費？</p> <p>How can the IA ensure that no excessive levy is collected by insurance companies?</p>	<ul style="list-style-type: none"> <li>保險公司須向保監局提交由核數師核實的年度轉付報告，列明所收取的保費徵費紀錄是否妥為編備。若保險公司向投保人收取超過指明徵費的款額，保監局可向該保險公司施加最高\$10,000的罰款。</li> </ul> <p>Insurance companies must submit audited annual remittance reports to the IA, as required by the law. If an insurance company has collected excessive levy from a policy holder, the IA may impose on the insurance company a pecuniary penalty of up to \$10,000.</p>