

Guidelines on Disciplinary Actions (Effective on 1 July 2015) 紀律行動指引（於 2015 年 7 月 1 日起生效）

	Common types of misconduct 常見違規行為類別	Max. disciplinary action (period of term. of Reg.) 最高紀律行動（撤銷登記時間）	In breach of 違反	
			Code of Practice for the Administration of Insurance Agents 《保險代理管理守則》	Other Codes/Guidelines 其他守則/指引
1.	Effecting policy without authority 未經授權為客戶投購保險	5 years 五年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
2.	Mishandling of clients' premium or monies 不當處理客戶保費或款項	5 years 五年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	Guidance Note 指引 (5)
3.	Allowing and agreeing others to make inaccurate or misleading declaration / representation 容許及同意他人作出不正確或誤導聲明／陳述	3 years 三年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
4.	Breach of the Code of Practice for Life Insurance Replacement 違反《壽險轉保守則》	3 years 三年	(6 <sup>th</sup> ) 75, 77(h), 77(j) & 49(d) (7 <sup>th</sup> ) 78, 80(i), 80(k) & 58(g)	Guidance Note 指引 (4) & Code of Practice for Life Insurance Replacement 《壽險轉保守則》
5.	Failure to make reasonable effort to ensure the policy meets the needs of the policyholder 沒有盡力確保保單符合保單持有人的需要	3 years 三年	(6 <sup>th</sup> ) 73(d)/77(c)/77(e) & 49(d) (7 <sup>th</sup> ) 76(f)/80(d)/80(f) & 58(g)	
6.	Making inaccurate or misleading declaration / representation 作出不正確或誤導聲明／陳述	3 years 三年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
7.	Making inaccurate or misleading representation on policy sold outside Hong Kong 於香港境外銷售保單而作出不正確或誤導陳述	3 years 三年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
8.	Obtaining benefit by improper / unauthorized means 不正確地／未經允許取得利益	3 years 三年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
9.	Requesting clients to sign blank or incomplete forms 要求客戶簽署空白或尚未填妥的表格	3 years 三年	(6 <sup>th</sup> ) 75, 49(d) (7 <sup>th</sup> ) 78, 58(g)	Guidance Note 指引 (4)
10.	Twisting of policies 誤導轉保	3 years 三年	(6 <sup>th</sup> ) 75, 77(h), 77(j) & 49(d) (7 <sup>th</sup> ) 78, 80(i), 80(k) & 58(g)	Guidance Note 指引 (4) & Code of Practice for Life Insurance Replacement 《壽險轉保守則》
11.	Use of document containing inaccurate information 行使載有不正確資料的文件	3 years 三年	(6 <sup>th</sup> ) 71/75 & 49(d) (7 <sup>th</sup> ) 74/78 & 58(g)	
12.	Understating disadvantages on Customer Protection Declaration Form 於《客戶保障聲明書》少報弊端	2 years 兩年	(6 <sup>th</sup> ) 75, 49(d) (7 <sup>th</sup> ) 78, 58(g)	Guidance Note 指引 (4) & Code of Practice for Life Insurance Replacement 《壽險轉保守則》

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			Code of Practice for the Administration of Insurance Agents 《保險代理管理守則》	Other Codes/Guidelines 其他守則/指引
13.	Failure to disclose previous records of bankruptcy, criminal offence or disciplinary action taken by other professional bodies 沒有披露曾經破產、被判犯刑事罪行或遭專業團體紀律處分的紀錄	depending on circumstances 視乎情況	(6 <sup>th</sup> ) 49(g)	
			(7 <sup>th</sup> ) 58(m)	
14.	Failure to take reasonable effort to deliver policy within the cooling-off period 沒有盡力於冷靜期內送交保單	depending on circumstances 視乎情況	(6 <sup>th</sup> ) 49(d)	Cooling-off initiative 《「冷靜期」權益》
			(7 <sup>th</sup> ) 58(g)	
15.	In breach of the Requirements Relating to the Sale of ILAS Products issued by the Hong Kong Federation of Insurers 違反保險業聯會頒佈的有關銷售投資相連壽險產品的指引	depending on circumstances 視乎情況	(6 <sup>th</sup> ) 49(d)	
			(7 <sup>th</sup> ) 58(g)	
16.	Lack of understanding of duties and responsibilities of an insurance agent 對保險代理的職責與操守缺乏認識	depending on circumstances 視乎情況	(6 <sup>th</sup> ) 49(g), 50(b)	
			(7 <sup>th</sup> ) 58(m), 59(b)	
17.	Having been convicted of a criminal offence or disciplined by a professional body 曾被判刑事罪名成立或曾遭專業團體紀律處分	depending on seriousness of offence / severity of penalty 視乎罪行／紀律處分的嚴重程度	(6 <sup>th</sup> ) 49(c)	
			(7 <sup>th</sup> ) 58(d)/58(e)	
18.	Having been declared bankrupt 曾宣布破產	until bankruptcy order is discharged / debts are repaid unless there are exceptional circumstances 直至破產令撤銷／債務清還 （除非情況特殊）	(6 <sup>th</sup> ) 49(a)	
			(7 <sup>th</sup> ) 58(a)	

\* Disciplinary action imposed will be decided on the merits of the case, depending on the nature and severity of the misconduct.  
有關紀律行動將視乎違規行為的性質及嚴重性，並考慮每個個案的情況而決定。

\* The above list is not exhaustive but includes only some of the most common allegations.  
上表所載僅為常見的違規行為，尚有他違規行為並未盡列。