

Insurance (Appeals) Regulations 2002

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THE SCHEDULE

No. S 470

INSURANCE ACT
(CHAPTER 142)

INSURANCE (APPEALS) REGULATIONS 2002

In exercise of the powers conferred by section 49J of the Insurance Act, the Deputy Prime Minister, Lee Hsien Loong, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Insurance (Appeals) Regulations 2002 and shall come into operation on 1st October 2002.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Appeal Advisory Committee” means an Appeal Advisory Committee constituted under section 49G of the Act;

“Appeal Advisory Panel” means the Appeal Advisory Panel appointed under section 49H of the Act;

“appellant” means any person who wishes to appeal under the Act to the Minister;

“decision” includes any action by or direction of the Authority appealed against;

“secretary” means any person who has been appointed to be the secretary of the Appeal Advisory Panel under regulation 3(1).

Secretary of Appeal Advisory Panel

3.—(1) The Minister may appoint one or more officers or employees of the Authority to be the secretary of the Appeal Advisory Panel.

(2) The secretary may attend any meeting of any Appeal Advisory Committee.

Members and meetings of Appeal Advisory Committee

4.—(1) Every Appeal Advisory Committee shall consist of —

(a) a chairman; and

(b) 2 or more other members,

as the Minister may appoint from the members of the Appeal Advisory Panel.

(2) The Minister may appoint an alternate chairman from the members of the Appeal Advisory Committee and, in the absence of the chairman, the alternate chairman shall have all the powers conferred on the chairman by these Regulations.

(3) The quorum of any meeting of an Appeal Advisory Committee shall be 2 members, of whom one shall be the chairman or alternate chairman, and no business shall be transacted unless such a quorum is present.

(4) An issue before an Appeal Advisory Committee shall be decided by a majority of votes and, in the case of an equality of votes, the chairman shall be entitled to a casting vote.

(5) A member of an Appeal Advisory Committee shall declare to the Minister the nature and extent of all conflicts or potential conflicts of interest, if any, with his duties or interests as a member of that Committee arising from —

- (a) his holding of any office;
- (b) his interest in any contract;
- (c) his possession or ownership of any property; or
- (d) any direct or indirect relationship to the appellant.

(6) Where the Minister is satisfied that the chairman, the alternate chairman or other member of an Appeal Advisory Committee is unable to carry out his duties properly and effectively because of any conflict of interest or potential conflict referred to in paragraph (5), the Minister may appoint another chairman or alternate chairman or replace that other member, as the case may be.

Procedure for appeals to Minister

5.—(1) An appellant may appeal to the Minister by lodging with the secretary —

- (a) within the period stipulated in the relevant provision of the Act, a notice of appeal containing a brief description of the decision appealed against, in Form 1 in the Schedule; and
- (b) within 21 days from the date on which such notice of appeal was lodged, a petition of appeal containing particulars of the decision appealed against, the issues arising in the appeal and the reasons for the appeal, in Form 2 in the Schedule.

(2) The Minister may, in his discretion and subject to such conditions as he may impose, accept a notice of appeal or petition of appeal lodged by the appellant after the expiration of the period specified in paragraph (1)(a) or (b), if the Minister is satisfied that the appellant was unable to lodge the notice of appeal or petition of appeal, as the