Blue Cross 藍十字
An AIA Company 友邦保險成員公司

Gifts and Entertainment Guideline to Blue Cross Insurance Agents

1. Scope of this Guideline

This Guideline is a framework to ensure adherence to the high standards of compliance and practice and should be read in conjunction with all relevant laws and regulations, including all rules, codes, circulars and guidelines published by the Insurance Authority, and other regulators, and the internal guidelines and memos issued by Blue Cross.

This Guideline applies to all Blue Cross Insurance Agents. It serves as additional governance for the offering and acceptance of gifts and entertainment by Blue Cross Insurance Agents in connection with their engagement by Blue Cross (Asia-Pacific) Insurance Limited ("Blue Cross") as Blue Cross Insurance Agents.

In this Guideline, "**Blue Cross Insurance Agents**" is defined as persons registered as individual insurance agents with Blue Cross, excluding Blue Cross licensed staff.

For the purposes of this Guideline, a "**gift**" means:

- tangible and non-tangible products or services that are not entertainment; and
- cash and cash equivalents (such as coupons).

Cash and cash equivalents (such as coupons) may only be offered or received under the exceptions set out in Sections 3 and 6 of this Guideline.

"**Entertainment**" means the provision of food or drink for consumption on the occasion when it is provided, and of any other entertainment connected with, or provided at the same time as, such provision.

2. Guiding principles

The following principles apply to all circumstances where a Blue Cross Insurance Agent offers or accepts gifts and entertainment in connection with their engagement as a Blue Cross Insurance Agent.

If you have any doubts as to whether the offering or acceptance of a gift or entertainment falls within the scope of this Guideline, you should follow the reporting and prior approval procedures in Section 4 below. Blue Cross will then determine the correct approach, and provide further guidance to you.

The AIA Group-wide threshold for the reporting of offering or accepting gifts and entertainment is US$300 per recipient per occasion. The reporting scenarios under this Guideline are set out in Appendix 1.

Issued on 1 Dec 2024
Effective 1 Jan 2025

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Any offer and/or receipt of gifts or entertainment must follow **ALL** the below principles:

1. It must be for a legitimate and lawful purpose;
2. It must not be exchanged frequently with the same source/recipient;
3. It must not create (or appear to create) a conflict of interest between personal interests and the interests of Blue Cross;
4. It must never improperly influence (nor be intended, or appearing to intend to, improperly influence) business decisions;
5. It should not be disproportionate to the purpose of the gift or entertainment;
6. It must not contravene any laws (in particular the Prevention of Bribery Ordinance (Cap. 201)) or other AIA / Blue Cross internal policies;
7. It must not be solicited or coerced;
8. It must be offered or received on a voluntary and good faith basis; and
9. It is able to be discussed without concern for public scrutiny.

If you are offered gifts or entertainment that do not meet all of the above principles, you must politely decline. However, if your refusal would be offensive or harmful to the business relationship, accept the gift or entertainment on behalf of Blue Cross (unless you know it to be unlawful) and follow the reporting process.

3. Offer or Receive Lai See during the Lunar New Year

Blue Cross understands that the distribution of Lai See during the Lunar New Year is a traditional custom in the Chinese Community. To align with this custom, the offering or receiving of Lai See by or to Blue Cross Insurance Agents is allowed during the first month of the Lunar New Year without any declaration or reporting requirement, provided that the guiding principles listed above are followed and the amount is less than the US$300 threshold per recipient per occasion.

If the Blue Cross Insurance Agent receives Lai See that is more than the US$300 threshold, and is unsure of who gave him or her the Lai See, he or she must report the amount and the context of receiving the Lai See.

However, under no circumstances can Lai See be offered to any Government officials (see definition in Section 5 below) in their capacity as Government officials.

We recommend each Lai See offered should be no more than HK$100, RMB¥100, or US$15. Please note that **ALL** Guiding Principles still apply to Lai See.

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4. Reporting Process (excluding Government Officials)

You are required to report any gifts and entertainment that are above the AIA Group-wide threshold of US$300 per recipient per occasion unless otherwise exempted by this Guideline. Please see Appendix 1 for ease of reference. Please note that Appendix 1 is not an exhaustive list.

Please complete and submit a declaration form to the Distribution Operation & Administration Department of Blue Cross ("**DOA**") for reporting within **30 days** of receiving a gift or entertainment.

The declaration form can be downloaded at:
Super Agent > Useful Info > Training & Guidelines > Compliance Training & Guidelines > Gift and Entertainment Declaration Form

The e-mail address of DOA is doa_ext@bluecross.com.hk

If the gifts or entertainment is offered and received between Blue Cross Insurance Agents, the reporting process is only applicable to the recipient.

If you are unsure as to whether the gift or entertainment falls under the US$300 reporting threshold, we recommend that you still follow this reporting process.

5. Prior Approval Process (from or to Government official)

Prior approval in writing must be obtained from the DOA before the gifts or entertainment of any value can be offered to or accepted from Government officials for or on behalf of Blue Cross.

"**Government official**" means any person who works for or on behalf of:

(i) the Government or its departments, agencies, subsidiaries or branches of such (including regulatory, legislature, and judiciary bodies);
(ii) State-owned entities;
(iii) Public International Organizations (e.g. United Nations, World Health Organization, etc.); and (iv) those who work for/is a member of a political party, candidate for political office or any member of any royal family.

Public servants are also subject to their own conduct requirements. For further information on the offering or receiving of gifts or entertainment to or from civil servants you may refer to: https://www.icac.org.hk/icac/pb/download/reference/cpg_managing_relationship_with_public_servants_en.pdf.

Cash or cash equivalents must not be offered or given as gifts to government officials in their official capacity under any circumstances.

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6. Exceptions to the reporting and prior approval mechanisms

The below categories are excluded from the reporting/approval requirements. **Please note that the Guiding Principles still apply to these exceptions:**

1. Any gifts or entertainment received by Blue Cross Insurance Agents from Blue Cross for the purposes of recognition, incentives, or the motivation of business performance.
2. Any gifts or entertainment offered or received by Blue Cross Insurance Agents to or from Blue Cross for the purpose of celebrating personal events (e.g. wedding, birthday) and festival greetings.
3. Any gifts or entertainment offered to or received by a Blue Cross Insurance Agent in his/her personal capacity such as a family member of another Blue Cross Insurance Agent, a government official or a bearer of charity organisation etc.
4. Any gifts or entertainment offered to Blue Cross staff for any purpose*.

**Blue Cross staff should report the gifts or entertainment received from the Blue Cross Insurance Agent in accordance with the AIA Group Code of Conduct.*

Appendix 1: Details of the Gifts and Entertainment reporting and prior approval requirements

Applicable for Blue Cross Insurance Agents in the capacity of Blue Cross Insurance Agent

		Reporting or Prior-approval requirements by Blue Cross Insurance Agents	
Offeror	**Recipient**	**Gifts & Entertainment**	**Lai See (During Lunar New year)**
Blue Cross Insurance Agent (Fall outside the exceptions*)	Blue Cross Insurance Agent	Recipient report > US$ 300	Recipient report > US$ 300
Blue Cross Insurance Agent	Government Official	Prior approval for any amount whether offered or received	Not allow to offer/accept

** See Section 6 above*

Gifts and Entertainment Guideline to Blue Cross Insurance Agents ("Guideline")

Scenario based Q&A

Q1. A Blue Cross Insurance Agent offers a Lai See of HK$3,000 to another Blue Cross Insurance Agent during the Lunar New Year. Is the recipient required to report or obtain prior approval for the Lai See received? A1. Yes - the recipient is required to report the Lai See according to this Guideline because the amount of Lai See is above the threshold US$300.
Q2. Blue Cross offers 10 Hong Kong Disneyland Admission Tickets to Blue Cross Insurance Agents to incentivize business performance. Is the recipient required to report or obtain prior approval for the Tickets received? A2. No - incentives offered by Blue Cross are not subject to the reporting and prior approval requirements under this Guideline (as it falls within the exceptions), provided the guiding principles of this Guideline are followed.
Q3. A Blue Cross internal staff member offers a cheque of HK$3,000 as a wedding gift to a Blue Cross Insurance Agent. Is the recipient required to report or obtain prior approval for the wedding gift received? A3. No - gifts or entertainment offered by Blue Cross Internal Staff to Blue Cross Insurance Agents for the purpose of the celebration of personal events (e.g. wedding, birthday) and festival greetings are not subject to the reporting and prior approval requirements under this Guideline (as it falls within the exceptions), provided the guiding principles of this Guideline are followed.
Q4. A Blue Cross Insurance Agent is going to offer a lunch worth HK$2,000 per head to a legislative councillor. Is the Blue Cross Insurance Agent required to report and/or obtain prior approval before the lunch is offered? A4. Yes - the legislative councillor is regarded as Government Official. Offering gifts and entertainment of any value to a Government Official requires prior approval in writing. The Blue Cross Insurance Agent must make an application to the DOA for obtaining prior approval and must obtain the approval **before** offering the lunch.

Issued on 1 Dec 2024
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Q5. A Blue Cross Insurance Agent offers a bottle of wine worth HK$1,000 to a Blue Cross internal staff member. Is the Blue Cross Insurance Agent required to report or obtain prior approval for the wine offered? A5. No - gifts and entertainment offered or accepted between Blue Cross Insurance Agents and Blue Cross internal staff are not subject to the reporting and prior approval requirements under this Guideline provided the guiding principles of this Guideline are followed. This is because the Blue Cross internal staff have their own reporting requirements.
Q6. A senior Blue Cross staff member is planning to offer a lunch worth HK$5,000 to a Blue Cross Insurance Agent for the motivation of business performance. Is the Blue Cross Insurance Agent required to report or obtain prior approval for the lunch to be offered under this Guideline? A6. No - receiving entertainment from senior Blue Cross staff for the motivation of business performance is not subject to the reporting and prior approval requirements under this Guideline provided the guiding principles of this Guideline are followed.
Q7. A Blue Cross Insurance Agent offers a hamper worth HK$3,500 to a customer. Is the Blue Cross Insurance Agent required to report or obtain prior approval for the hamper offered under this Guideline? A7. This guideline does not apply to this scenario as this is a gift to customer. There is no requirement to report or seek prior approval under this Guideline provided the guiding principles of this Guideline are followed. Further, this Guideline should be read in conjunction with the relevant laws and regulations. The Blue Cross Insurance Agent must comply with the Blue Cross' "Market Conduct Guidelines".
Q8. A Blue Cross Insurance Agent holds a position as a government official. In his capacity as a government official, he wishes to offer a lunch worth HK$2,000 to a third party. Is the Blue Cross Insurance Agent required to report or obtain prior approval for the lunch to be offered? A8. No - offering or accepting of gifts and entertainment that are not in connection with his capacity as Blue Cross Insurance Agent are not subject to the reporting and prior approval requirements under this Guideline.
Q9. A group of Blue Cross Insurance Agents each contribute HK$200 to purchase a hamper worth HK$2,800 for another Blue Cross Insurance Agent to celebrate the birth of her new-born baby. Is the Blue Cross Insurance Agent receiving the hamper required to report or obtain prior approval for the hamper received? A9. Yes - gifts or entertainment offered by Blue Cross Insurance Agents to other Blue Cross Insurance Agents for the purpose of celebrating personal events (e.g. birth of new-born baby) exceeding the threshold US$300 is subject to reporting by the recipient.

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Q10. A Blue Cross Insurance Agent offers an umbrella with an AIA/Blue Cross logo to a Blue Cross customer who is also a government official. Is the Blue Cross Insurance Agent required to report or obtain prior approval for the umbrella offered under this Guideline?

A10. As the government official was not acting in his/her capacity as a government official, there is no requirement to report or seek prior approval under this Guideline provided the guiding principles of this Guideline are followed. Further, this Guideline should be read in conjunction with the relevant laws and regulations. The Blue Cross Insurance Agent must comply with the Blue Cross' "Market Conduct Guidelines".