

Breach of Tariff Rates

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It has been observed that some insurance companies have developed a propensity to violate tariff rules which had been proposed by the Philippine Insurance Rating Association and subsequently approved by this Office. Breaches of tariff rates are anathema to a tariff market such as ours and a company that abuses it is engaged in unfair competition.

Your attention, therefore is invited to the strict observance of the provisions of Section 356 of the Insurance Code under pain of sanctions provided under Section 363 of the same Code, both of which are quoted hereunder as follows:

“SECTION 356. No member or subscriber of a rating organization, and no insurance company doing business in the Philippines, or agent, employee, or other representative of such company, and no insurance broker shall charge or demand a rate or receive a premium which deviates from the rates, rating plans, classifications, schedules, rules, and standards, made last filed by a rating organization or on behalf of the insurance company, or shall issue or make any policy or contract involving a violation of such rate filings.”

SECTION 363. If the Commissioner, after notice and hearing, finds that any insurance company, rating organization, agent, broker, or other person has violated any of the provisions of this title, it shall order the payment of a fine not to exceed five hundred pesos (P500.00) for each such offense, and shall immediately revoke the license issued to such insurance company, rating organization, agent, or broker. The insurance, procurement or negotiation of a single policy or contract of insurance shall be deemed a separate offense.”

Adopted: 7 Dec. 1990

(SGD.) ADELITA A. VERGEL DE DIOS

Insurance Commissioner

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