NATIONAL ADMINISTRATIVE REGISTER · SEPTEMBER 9, 1988

# ISSUANCE OF UNAPPROVED FORMS OF POLICY CERTIFICATE OR CONTRACTS OF INSURANCE RIDER, CLAUSE, WARRANTY OR ENDORSEMENT

*IC CIRCULAR LETTER NO. 9/88, September 09, 1988*

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Despite the instruction in Circular Letter of April 12, 1976 to submit first to this Commission for approval policy and other forms, some insurance companies doing business in the Philippines are issuing policies, certificates or contracts of insurance, applications, riders, clauses, warranties and endorsement forms not previously approved by the Insurance Commissioner in violation of Section 226 of the Insurance Code which provides as follows:

> "SEC. 226. No policy, certificate or contract of insurance shall be issued or delivered within the Philippines unless in the form previously approved by the Commissioner, and no application form shall be used with, and no rider, clause, warranty or endorsement shall be attached to, printed or stamped upon such policy, certificate or contract unless the form of such application, rider, clause, warranty or endorsement has been apporoved by the Commissioner."

Please be reminded that a violation of Section 226 is subject to the sanctions prescribed under Section 419 of the Insurance Code, as follows:

> "SEC. 419. Any person, company or corporation subject to the supervision and control of the commissioner who violates any provision of this Code, for which no penalty is provided, shall be deemed guilty of a penal offense, and upon conviction be punished by a fine not exceeding ten thousand pesos or imprisonment of six months or both, at the discretion of the court."
>
> "If the offense is committed by a company or corporation, the officers, directors or other persons responsible for its operation, management, or administration, unless it can be proved that they have taken no part in the commission of the offense, shall likewise be guilty of a penal offense, and upon conviction be punished by a fine not exceeding ten thousand pesos or imprisonment of six months, or both, at the discretion of the court."

Please be guided accordingly.

Adopted: 9 Sept. 1988

(SGD.) ADELITA A. VERGEL DE DIOS
Insurance Commissioner



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