



<b>Circular Letter (CL) No.</b>	<b>2021-23</b>
<b>Date</b>	<b>30 March 2021</b>
<b>Supersedes</b>	<b>CL No. 2020-59; CL No. 2020-43; CL No. 2020-23</b>

## CIRCULAR LETTER

**TO : ALL INSURANCE BROKERS, REINSURANCE BROKERS AND BOTH INSURANCE AND REINSURANCE BROKERS**

**SUBJECT : GUIDELINES ON THE ONLINE SUBMISSION OF THE 2020 AUDITED FINANCIAL STATEMENTS AND ATTACHMENTS**

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**WHEREAS**, Section 314 of the Amended Insurance Code provides *“that an application for the issuance or renewal of a license to act as an insurance agent or insurance broker may be refused, or such license, if already issued or renewed, shall be suspended or revoked if the Commissioner finds that the applicant for, or holder of, such license: ...has been guilty of fraudulent or dishonest practices; or has misappropriated or converted to his own use or illegally withheld moneys required to be held in a fiduciary capacity.”*;

**WHEREAS**, under Section 437(d) of the Amended Insurance Code, the Insurance Commissioner shall have the powers and authority to prepare, approve, amend or repeal rules, regulations and orders, and issue opinions and provide guidance and supervise compliance with such rules, regulations and orders;

**WHEREAS**, Republic Act 11032, otherwise known as “Ease of Doing Business and Efficient Government Service Delivery Act of 2018,” enforced “...the adoption of simplified requirements and procedures that will reduce red tape and expedite business and non-business related transactions in government.”

**WHEREAS**, the Insurance Commission (IC) issued IC CL No. 2014-15 dated 15 May 2015 entitled “Fees and Charges,” which imposes penalties for the delay in the submission of the reportorial requirements and for every wrong data entry of material information or figure in the Annual Statements/Audited Financial Statements (AFS), as expressly enumerated in Item No. VII, paragraphs B and C.16.;

**WHEREAS**, IC CL No. 2020-23 dated 24 March 2020 provides for the facilitation of the submission of the AFS and revised checklist of regulatory documentary requirements;

**WHEREAS**, IC CL No. 2020-43 dated 17 April 2020 provides for the extension of periods for filing and submission of various regulatory documentary requirements by reason of the Enhanced Community Quarantine Period in 2020;

**WHEREAS**, IC CL No. 2020-59 dated 14 May 2020 directs the IC-regulated companies to submit their AFS and attachments through electronic means. Notwithstanding the submission of AFS and attachments, the IC may require the company to submit the original hard copy of the electronically submitted documents for examination;

**NOW, THEREFORE**, in view of all the foregoing and in accordance with the Insurance Commissioner's power under Section 437 of the Amended Insurance Code, the following guidelines are hereby promulgated:

## **SECTION 1. ONLINE SUBMISSION**

- 1.1. All insurance brokers, reinsurance brokers and both insurance and reinsurance brokers are required to submit their AFS and attachments in **electronic format**.
- 1.2. All submissions shall be uploaded to the IC Online Uploading Portal via: <https://onuploading.insurance.gov.ph/templates/login>.
- 1.3. Companies who opt to change its existing authorized representatives must submit the accomplished registration form and supporting documents provided under IC Advisory No. 12-2020.

## **SECTION 2. GENERAL REQUIREMENTS**

- 2.1. The following downloadable forms are attached in this CL, for reference:
  - a. Form A – *Revised* List of Requirements;
  - b. Form B – Attestation Certificate;
  - c. Form C – Premium-related accounts Schedule; and
  - d. Form D – *Revised* Statement of Business Operations.
- 2.2. All broker-regulated entities are encouraged to follow the exact formats and information provided under Forms C and D. However, companies may opt to redact information that are deemed confidential but, nevertheless, will not affect the IC supervision.
- 2.3. All files shall be encrypted and shall follow the filename format: (Requirement No.\_Name\_Year). Instructions on how to upload and encrypt files are found in the said IC Portal (Section 1.2).

### **SECTION 3. DEADLINE OF ONLINE SUBMISSION**

- 3.1. Further, this Commission reiterates that the deadline of submission is on or before **31 May** of every year, unless otherwise extended. **Cut-off time will be 5:00PM.**
- 3.2. All late and incomplete submissions beyond the deadline (Section 3), shall be penalized ₱5,000.00 per day of delay pursuant to IC CL No. 2014-15 (Fees and Charges).

### **SECTION 4. REVIEW AND APPROVAL**

- 4.1. The submission shall be considered official once an e-mail from the company's authorized representative, stating that the AFS and attachments are completely uploaded, is received by the IC Examiner-in-Charge (EIC) copy furnished the Brokers and Insurance Pools Division Manager and Supervisors.
- 4.2. The EIC will evaluate the uploaded documents and if found complete, the EIC will release an e-mail, with the attached Order of Payment (OP), notifying the company's authorized representative to proceed with the payment of the Filing fee and penalty, *if any*.
- 4.3. If the uploaded AFS and its attachments are found to be incomplete, the same shall not be accepted, and the EIC will notify the company's authorized representative regarding the lacking items/documents/attachments via e-mail.

### **SECTION 5. PAYMENT INSTRUCTIONS**

- 5.1. Payment of the filing fee and penalty, if any, shall be made within the date indicated in the OP, following the prescribe manner of payment by the IC Administrative Division – Cashier Section.
- 5.2. Copy of the Official Receipt/Transaction Receipt shall provide to the EIC via e-mail to validate the completion of the submission of the AFS and attachments.
- 5.3. None or late payment of the filing fee and penalty, *if any*, after the validity of the OP shall constitute an interest of 12% per annum until the same is fully paid.

### **SECTION 6. REPEALING CLAUSE**

All circulars, rules and regulations or parts thereof, which are inconsistent with the provisions of this Circular, are deemed repealed, superseded or modified accordingly.

**SECTION 7. EFFECTIVITY CLAUSE**

The issuance of this CL, upon effectivity, supersedes all previously issued CLs regarding the examination and/or verification of insurance and/or reinsurance brokers.

For strict compliance.



**DENNIS B. FUNA**  
Insurance Commissioner

