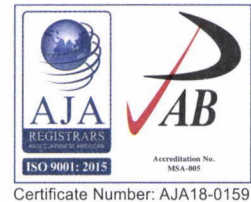




Republic of the Philippines
Department of Finance
INSURANCE COMMISSION
1071 United Nations Avenue
Manila



INSURANCE MEMORANDUM
CIRCULAR NO. 2020 - 02

AMENDMENTS TO INSURANCE MEMORANDUM
CIRCULAR NO. 2016-01 ON THE RULES OF
PROCEDURE FOR SMALL CLAIMS CASES IN
THE INSURANCE COMMISSION

Pursuant to the provisions of Sections 437, 438 and 439 of the Insurance Code of the Philippines, as amended by Republic Act No. 10607; Section 55 of Republic Act No. 9829, otherwise known as the Pre-Need Code of the Philippines; and Section 4 (a) of Executive Order No. 192, series of 2015, the following amendments to Sections 3 (a), (b), (g) and 24 of Insurance Memorandum Circular (IMC) No. 2016-01 on the *Rules of Procedure for Small Claims Cases in the Insurance Commission* are hereby adopted and promulgated, to wit:

SEC. 1. Section 3 of IMC No. 2016-01 is hereby amended as follows, to wit:

“SEC. 3. Definition of Terms. – *For the purposes of these Rules:*

(a) Complainant refers to the party, whether a natural or juridical person, who initiated a small claims action against and insurance, company, pre-need company, **health maintenance organization (HMO)**, or mutual benefit association doing business in the Philippines, for any loss, damage, or liability for which an insurer may be answerable under any kind of policy or contract of insurance, or for which such insurer may be liable under a contract of suretyship, or for which a reinsurer may be sued under a contract of reinsurance it may have entered into, or for which a pre-need company may be held liable under any pre-need policy it has issued, **or for which an HMO may be held liable under any HMO agreement it has issued to its members**, or for which a mutual benefit association may be held liable under the membership certificates it has issued to its members. The term also includes a respondent who has filed a compulsory counterclaim;

(b) Respondent is the insurance company, pre-need company, **health maintenance organization (HMO)**, or mutual benefit association against whom the relief sought is directed. The term also includes a complainant against whom a compulsory counterclaim is filed;

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