



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

Circular Letter No.:	2021-73
Date:	27 December 2021
Supersedes:	CL No. 2018-37, d. 5 July 2018; CL No. 2021-39, d. 31 May 2021

CIRCULAR LETTER

TO : ALL REGULATED ENTITIES AND THE GENERAL PUBLIC

**SUBJECT : GUIDELINES ON REQUESTS FOR FINANCIAL DOCUMENTS
OF REGULATED ENTITIES**

WHEREAS, Section 229 of the Insurance Code of the Philippines, as amended by Republic Act No. 10607, requires every insurance company doing business in the Philippines to submit an Annual Statement (AS) on or before the thirtieth (30th) day of each year;

WHEREAS, Section 42 of Republic Act No. 9289, otherwise known as the Pre-Need Code of the Philippines, requires all pre-need companies to submit Annual Financial Statements (AFS) signed and sworn to by its Chief Executive Officer and External Auditors showing the exact condition of the company's affairs, wherein an Audited Financial Statement (AFS) duly received by the Bureau of Internal Revenue (BIR) is required to be attached;

WHEREAS, IC Circular Letter No. 2016-41 dated 29 July 2016 requires all health maintenance organizations (HMOs) to submit Audited Financial Statements (AFS) duly received by the Bureau of Internal Revenue (BIR) on or before the thirty-first (31st) day of May of each year;

WHEREAS, the Office of the President (OP) issued Executive Order No. 2, Series of 2016, which operationalizes the people's right to information and full public disclosure and transparency in the public sector;

WHEREAS, the OP later issued Memorandum Circular No. 44 dated 4 May 2018 that mandates all government agencies performing frontline services to respond to all public requests and concerns within fifteen (15) days from receipt of such requests or concerns;

WHEREAS, in order to clarify and properly implement the aforementioned laws and regulations, this Commission issued Circular Letter No. 2018-37 on 5 July 2018 was to determine the availability of various financial documents of this Commission's regulated entities for public consumption;

WHEREAS, this Commission subsequently issued CL No. 2021-39 on 31 May 2021, amending Section 1 of CL No. 2018-37 due to the technical differences of Audited Financial Statements (AFS) and Annual Statements (AS) submitted by the regulated entities of this Commission;

WHEREAS, during the implementation of CL No. 2018-37, as later amended by CL No. 2021-39, this Commission observed that requests for Quarterly Reports on Selected Financial Statistics (QRSFS) submitted by regulated entities of this Commission hamper the consolidation of the same reports, as the Statistics and Research Division (SRD) of this Commission must prioritize the same due to the prescribed turnaround time in accordance with the CL and this Commission's FOI Manual;

WHEREAS, this Commission also observed that QRSFS contain data that may be utilized for business, marketing, and strategic planning, which directly affect the operations of regulated entities and thus likewise impacts said entities' financial stability in the long term;

WHEREAS, SRD prepares and transmits consolidated per company data based on QRSFS submissions to the Philippine Insurers and Reinsurers Association, Inc. (PIRA) and Philippine Life Insurance Association, Inc. (PLIA) after the consolidated report is published in this Commission's website per CL No. 2020-09 and CL No. 2019-40, respectively. The reports are then disseminated by said industry associations to their respective member-companies. Most companies utilize the reports disseminated by the PLIA and PIRA;

WHEREAS, consequently and considering the two (2) immediately preceding paragraphs, this Commission finds that providing copies of QRSFS submissions ahead of other companies that wait for the consolidated reports disseminated by PIRA and PLIA gives undue advantage to requesting companies over their competitors;

WHEREAS, this Commission thus finds the need to amend Section 3 of CL No. 2018-37 dated 5 July 2018, to authorize the release of QRSFS upon request only when the same is already approved by the Insurance Commissioner and published in this Commission's website;

NOW, THEREFORE, by virtue of the powers granted to the undersigned in accordance with the Insurance Code of the Philippines, as amended by Republic Act No. 10607, Republic Act No. 9829, otherwise known as the Pre-Need Code of the Philippines, and Executive Order No. 192, series of 2015, the following *Guidelines on Requests for Financial Documents of Regulated Entities* are hereby adopted and promulgated, to wit:

1. **Audited Financial Statements (AFS).** – Audited Financial Statements (AFS) of regulated entities of this Commission are considered public documents and are available upon request in accordance with the Freedom of Information (FOI) Manual of this Commission.
2. **Annual Statements (AS).** – Annual Statements (AS) of the regulated entities of this Commission are considered public documents and are available upon request in accordance with the FOI Manual of this Commission, except when there is no approved synopsis by this Commission in accordance with Section 229 of the Insurance Code of the Philippines, as amended by Republic Act No. 10607, and Section 44 of Republic Act No. 9829, otherwise known as the Pre-Need Code of the Philippines.

3. **Quarterly Reports on Selected Financial Statistics (QRSFS).** – Quarterly Reports on Selected Financial Statistics (QRSFS) submitted by regulated entities of this Commission are considered public documents and are available upon request in accordance with the FOI Manual of this Commission, with remarks that the same are unofficial and unverified financial statements, except when said QRSFS are not yet approved by the Insurance Commissioner and published in this Commission's website.
4. **Other Documents.** – Documents submitted to this Commission as attachments or are required as part of reportorial requirements but are primarily submitted to other government agencies (i.e., General Information Sheet, Income Tax Return, etc.) are not covered by this Circular Letter. Such documents shall be requested with the primary government agency tasked with the collection of such information.
5. **Requests, how made.** – In accordance with the FOI Manual of this Commission, requests for copies of the above-mentioned financial documents shall be made with the Records Section of this Commission, subject to the submission of the following requirements, to wit:
 - a) Written request or duly accomplished FOI Request Form;
 - b) Valid identification card of the requesting party; and
 - c) Authorization Letter, if the request is made through a representative, together with such duly authorized representative's valid identification card.
6. **Fees for Reproduction of Documents.** – Fees for reproduction of documents apply, in accordance with IC Circular Letter No. 2014-15 dated 15 May 2014.
7. **Separability Clause.** – If any provision of this Circular Letter shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.
8. **Effectivity.** – This Circular Letter shall take effect immediately.



DENNIS B. FUNA
Insurance Commissioner

